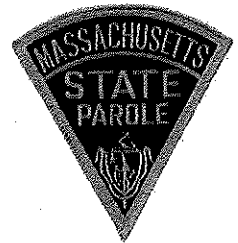




The Commonwealth of Massachusetts  
*Executive Office of Public Safety and Security*  
**PAROLE BOARD**



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**RECORD DECISION**

**IN THE MATTER OF**

**KEVIN JACKMON**

**W100017**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** November 12, 2024

**DATE OF DECISION:** February 20, 2025

**PARTICIPATING BOARD MEMBERS:** Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, and Rafael Ortiz.

**VOTE:** Parole is granted to CRJ after completion of Associate's Degree Program at Massasoit Community College and 90 days in lower security.<sup>1</sup>

**PROCEDURAL HISTORY:** Kevin Jackmon was convicted of second-degree murder in the death of Demarco Traynum, by a jury in Bristol Superior Court, on November 24, 1999. The murder charge was the most serious of the 41 count indictment. The jury convicted Mr. Jackmon of 36 counts of the indictment.<sup>2</sup> In addition to second-degree murder, the jury found Mr. Jackmon guilty of 16 counts of assault by means of a dangerous weapon, unlawful possession of a firearm, two counts of kidnapping, armed robbery while masked, use of a firearm while committing a felony, and 14 counts of stealing by confining or putting in fear.

Mr. Jackmon was sentenced to multiple consecutive terms of imprisonment. Mr. Jackmon was sentenced to serve 9-10 years for kidnapping (2 counts, served concurrently). After service of 9-

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<sup>1</sup> One Board Member voted to deny parole with a review in 2 years from the date of the hearing.

<sup>2</sup> Upon conclusion of the Commonwealth's evidence, the judge allowed Mr. Jackmon's motion for a required finding of not guilty as to four counts of the indictment: one count of armed assault with intent to murder, two counts of assault with a dangerous weapon, and one count of stealing by confining or putting in fear.

10 years, Mr. Jackmon was sentenced to four concurrent terms of 4-5 years (two counts of assault with a dangerous weapon,<sup>3</sup> unlawful possession of a firearm without a license, and use of a firearm during the commission of a felony). After serving both the 9-10 years and 4-5 years, Mr. Jackmon commenced serving 16 life sentences for the following convictions: 2<sup>nd</sup> degree murder, 14 counts of stealing by confining or putting in fear, and armed robbery while masked. The 16 life sentences were ordered to run concurrent to each other and allowed for the possibility of parole after 15 years. When determining parole eligibility for an incarcerated person serving consecutive sentences, the Board aggregates the minimum parole eligibility dates for each component sentence to determine a single parole eligibility date. 120 Code Mass. Regs. § 200.08 (2). Mr. Jackmon attained parole eligibility after 28 years in prison less earned good time applied to his non-life sentences.

On November 12, 2024, Mr. Jackmon appeared before the Board for an initial hearing. He was represented by Student Attorneys Madeline Curran, Elizabeth Manning, and Dana Lee of the BC Defenders under the supervision of Attorney Frank Herrmann. The Board's decision fully incorporates, by reference, the entirety of the recording of Mr. Jackmon's November 12, 2024, hearing.

**STATEMENT OF THE CASE:**<sup>4</sup> Mr. Jackmon and Demarco Traynum robbed a McDonald's in New Bedford on April 26, 1998. The men ordered the patrons and employees into a back office within the McDonald's at gunpoint. More than a dozen employees and customers were confined in the office. The men instructed an employee to bind the hands of some of the others confined in the office. Mr. Jackmon and Mr. Traynum forced two other employees to empty the money from a safe and the cash registers. The employees were ordered to put the money into a canvas sack. Two police officers arrived at McDonald's, which interrupted the ongoing robbery. The confrontation between the police and both Mr. Jackmon and Mr. Traynum escalated into a shootout. While exchanging gunfire with police, Mr. Jackmon accidentally shot Mr. Traynum, resulting in his death. To escape from McDonald's, Mr. Jackmon used two women as human shields to prevent the police from firing at him. Mr. Jackmon put the two women in headlocks and continued to fire at the police as he fled with the women. Mr. Jackmon left the two women in a New York City hotel room after the robbery. Nearly two months after the robbery, a photograph of Mr. Jackmon aired on an episode of "America's Most Wanted" and Mr. Jackmon was subsequently arrested in North Carolina.

**APPLICABLE STANDARD:** Parole shall be granted "only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." G. L. c. 127, § 130. The Board considers multiple factors in making its decision, including the incarcerated individual's institutional behavior; their participation in available work, education, and treatment programs during their incarceration; and whether the incarcerated individual's chances of recidivism could be reduced by participation in risk reduction programs. G. L. c. 127, § 130. The Board considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the entirety

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<sup>3</sup> Of the 16 convictions for assault with a dangerous weapon, the court placed 14 of the convictions "on file," meaning that the court did not impose a sentence on the 14 convictions.

<sup>4</sup> The Statement of the Case is derived from Commonwealth v. Jackmon, 63 Mass. App. Ct. 47, 48 (2005) and is not intended to be an exhaustive recitation of the facts.

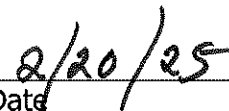
of the incarcerated individual's criminal record, the incarcerated individual's institutional record, the incarcerated individual's testimony at the hearing, and the views of the public expressed at the hearing and/or in written submission to the Board.

**DECISION OF THE BOARD:** Mr. Jackmon made his initial appearance before the Board after having been incarcerated for 24 years. He indicated to the Board that rehabilitative programming has played an important role in his incarceration. He completed approximately 60 programs. Mr. Jackmon has been employed in the Companion Program for over 10 years. He enrolled in courses through Massasoit Community College with an anticipated graduation date of Spring 2025. Mr. Jackmon specifically requested that any release date allow him to first graduate in Spring 2025 with an Associate's Degree. Mr. Jackmon has a limited disciplinary history and is low risk on the LS/CMI assessment tool. The Board considered the opposition testimony of the victim's family.

**SPECIAL CONDITIONS:** CRJ for 90 days; Report to assigned MA Parole Office on day of release; Waive work for two weeks; Electronic monitoring for six months; Supervise for drugs with testing in accordance with Agency policy; Supervise for liquor abstinence with testing in accordance with Agency policy; No contact with victim(s)' family; Must have mental health counseling for adjustment.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. Pursuant to G.L. c. 127, § 130, I further certify that all voting Board Members have reviewed the applicant's entire criminal record. This signature does not indicate authorship of the decision.*

  
Tina M. Hurley, Chair

  
Date