

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



PAROLE BOARD

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*Executive Director
General Counsel*

DECISION

IN THE MATTER OF

SALAH SHAKOOR

W33864

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **April 10, 2018**

DATE OF DECISION: **December 13, 2018**

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, Lucy Soto-Abbe

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of offense, criminal record, institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing or in written submissions to the Board we conclude that the inmate is not a suitable candidate for parole.¹ Parole is denied with a review scheduled in three years from the date of the hearing.

I. STATEMENT OF THE CASE

On November 14, 1972, Salah Shakoor (born James Turner Roach, formerly known as John Coar) pleaded guilty to the second degree murder of John Piotti and received a life sentence with the possibility of parole. On the same date, Mr. Shakoor pleaded guilty to armed robbery. He was originally sentenced to life with the possibility of parole, but the sentence was revised to a 20 to 30 year sentence concurrent with the second degree murder sentence. On November 20, 1972, Mr. Shakoor pleaded guilty to an additional eight counts of armed robbery for three separate robberies committed in February and March 1972. He received eight 20 to 30 year sentences for these convictions. Additionally, he pleaded guilty to one count of assault and battery with a dangerous weapon, for which he received a 9 to 10 year sentence. All sentences were to run concurrent with his life sentence.

¹ Two Board Members voted to deny parole with a review in two years.

On May 5, 1972, 16-year-old Salah Shakoor and his codefendant (who was also 16-years-old), entered a television store in Dorchester with the intent to rob the clerk. Mr. Shakoor was armed with a hunting knife as they entered the store. Mr. Shakoor and his accomplice demanded money, but the clerk, John Piotti, refused. A struggle ensued between Mr. Shakoor and Mr. Piotti, during which time Mr. Shakoor stabbed him in the back three times. Prior to leaving, Mr. Shakoor and his accomplice took money from the cash register and stole \$45 from Mr. Piotti's wallet. Mr. Piotti died shortly after being transported to the hospital. Two days later, on May 7, 1972, when police questioned him, Mr. Shakoor confessed that he and his accomplice robbed and murdered Mr. Piotti.

II. PAROLE HEARING ON APRIL 10, 2018

Salah Shakoor, now-61-years old, appeared before the Parole Board for a review hearing on April 10, 2018. He was represented by Attorney Jason Benzakin. Mr. Shakoor had been denied parole after his initial hearing in 1987, as well as after his review hearing in 1989. On March 19, 1990, Mr. Shakoor was paroled to the Sargent House. He remained in the community for four months before being returned to custody for his alleged involvement in the use and sale of heroin. The Board affirmed revocation, and Mr. Shakoor was subsequently denied parole at his review hearings in 1991, 1992, and 1996. In 1999, Mr. Shakoor was re-paroled to the Salvation Army and remained in the community until 2003, when he was arrested for shoplifting, larceny under \$250, and assault and battery. Again, Mr. Shakoor's parole was revoked, and he was subsequently denied parole at his 2005, 2010, and 2015 review hearings.

In his opening statement to the Board, Mr. Shakoor (speaking through his attorney) said that on his last parole, he got married and became a stepfather to a young daughter. Mr. Shakoor felt he paid the painful price of losing his wife and child when his parole was revoked for shoplifting and assaulting a security guard. Mr. Shakoor said that if he were re-paroled, he would not want to repeat such a painful mistake. The Board noted that Mr. Shakoor had just turned 16-years-old when he committed the string of armed robberies, culminating in the murder of Mr. Piotti. When questioned, Mr. Shakoor said that despite having a nurturing home life, he became addicted to heroin. He was influenced by the other youths, where he was held at the Department of Youth Services. Mr. Shakoor explained that he was on drugs when he committed the robberies and the murder of Mr. Piotti. He expressed his remorse to his victims and, in particular, to the family of Mr. Piotti.

When questioned about his first parole being revoked for the use/sale of heroin, Mr. Shakoor denied that he was using illegal drugs at the time of the revocation. When the Board asked about his second parole in 1999, Mr. Shakoor described how he had married his girlfriend, helped raise his step-daughter, worked as a counselor at the Department of Youth Services, and volunteered at the local YMCA as a boxing coach. He explained that his parole was revoked after he was accused of shoplifting by a security guard at a supermarket. He said that he "stupidly" punched the security guard, after the guard repeatedly tapped him on the shoulder and (according to Mr. Shakoor) falsely accused him of stealing from the store.

The Board noted that Mr. Shakoor has incurred seven disciplinary reports since his last parole hearing, including one for exposing himself to another inmate. Mr. Shakoor explained that he was being taunted by another inmate and said, "I was going to give him the finger, but that wasn't enough, so I flashed him." At his last hearing, the Board noted that Mr. Shakoor had not

been attending Alcoholics Anonymous/Narcotics Anonymous or receiving mental health counseling. Upon questioning at this hearing, Mr. Shakoor claimed that he has been clean and sober for 32 years, and that he was attending and participating in Alcoholics Anonymous meetings regularly. He explained that he recently had a portion of his foot amputated and could not get to the meetings like he used to. Mr. Shakoor said that he has no open mental health cases. He submitted a psychiatric evaluation from forensic psychiatrist Dr. Robert Mendoza Psy.D., who said that Mr. Shakoor has mild depression and would benefit from mental health counseling, if released. The Board recognizes that Mr. Shakoor is insulin dependent and, if his blood sugar gets low, he could experience abrupt mood swings and could act in erratic ways that seem like he was drunk or on drugs.

The Board noted that Mr. Shakoor has completed a substantial amount of programming and questioned him as to which have been the most beneficial. According to Mr. Shakoor, Cognitive Behavioral Therapy (CBT) was helpful, as the group therapy is similar to Alcoholics Anonymous, where everyone shares their stories and learn from each other's mistakes. Mr. Shakoor also said that he is "all about recovery," i.e. Alcoholics Anonymous and Narcotics Anonymous. Mr. Shakoor said he also attends religious services periodically. Mr. Shakoor asked the Board for a step-down to a minimum security facility, where he feels he will have less confrontations with other inmates. Mr. Shakoor was in a long term residential program run by the Salvation Army and would like to return to a similar program, if released. He appreciates the highly structured program and hopes to find work there as a custodian or driving a fork-lift. In addition to attending Alcoholics Anonymous meetings, Mr. Shakoor feels he would benefit from individual counseling to help with his transition. Mr. Shakoor claims to have the support of his two sisters and a good relationship with his recent parole officers.

Mr. Shakoor's two sisters, uncle, and brother-in-law attended the hearing in support of parole. Dr. Robert Mendoza submitted a psychological evaluation. Suffolk County Assistant District Attorney Charles Bartoloni testified in opposition to parole and submitted a letter of opposition.

III. DECISION

The Board is of the opinion that Salah Shakoor has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Shakoor's adjustment remains problematic. He needs to refrain from engaging in anti-social behavior within the facility. He should also engage in available/relevant treatment/programming.

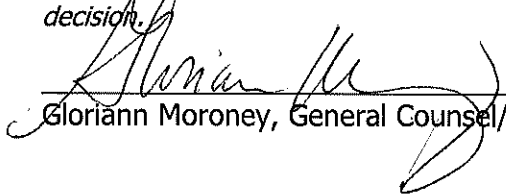
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." 120 C.M.R. 300.04. In the context of an offender convicted of first or second-degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed the murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30(2015); *See also, Commonwealth v. Okoro*, 471 Mass. 51 (2015). The factors considered by the Board include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to

recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their environment; lack of ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.*

In addition to the above factors, the Board took into consideration Mr. Shakoor's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment and whether risk reduction could effectively minimize Mr. Shakoor's risk of recidivism. After applying this standard to the circumstances of Mr. Shakoor's case, the Board is of opinion that Salah Shakoor does not merit parole at this time.

Mr. Shakoor's next appearance before the Parole Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Shakoor to continue to work towards his full rehabilitation.

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.



Gloriann Moroney, General Counsel/Executive Director

12/13/18
Date