

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



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

SALAH SHAKOOR

W33864

TYPE OF HEARING: Review Hearing

DATE OF HEARING: October 18, 2022

DATE OF DECISION: January 18, 2023

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On November 14, 1972, Salah Shakoor (born James Turner Roach and formerly known as John Coar) pleaded guilty to the second-degree murder of John Piotti and was sentenced to life in prison with the possibility of parole. On that same date, Mr. Shakoor also pleaded guilty to armed robbery. He was originally sentenced to life with the possibility of parole, but it 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.

Mr. Shakoor appeared before the Parole Board for a review hearing on October 18, 2022. He was represented by Attorney Jason Benzaken. Mr. Shakoor was denied parole after his initial hearing in 1987, and after his review hearing in 1989. On March 19, 1990, Mr. Shakoor was granted parole but was returned to custody after four months. Mr. Shakoor was subsequently denied parole at his review hearings in 1991, 1992, and 1996. In 1999, Mr. Shakoor was re-paroled and remained in the community until 2003, when he was returned to custody again. Mr. Shakoor was subsequently denied parole at his 2005, 2010, 2015, 2018, and 2020 review hearings. The entire video recording of Mr. Shakoor's October 18, 2022, hearing is fully incorporated by reference to the Board's decision.

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 by unanimous vote that the inmate is a suitable candidate for parole.

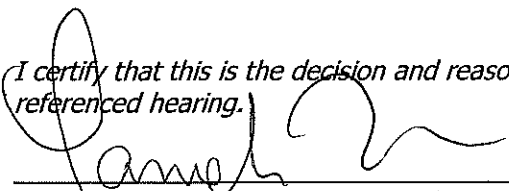
Reserve to a skilled nursing facility. On May 5, 1972, 16-year-old Mr. Shakoor stabbed 30-year-old John Piotti to death during a robbery. The Board recognizes that Mr. Shakoor was a juvenile at the time of the offense and considered the expert evaluation of Dr. Mendoza. Mr. Shakoor struggled with substance use by the time he was in middle school and had multiple DYS commitments for violent and larcenous offenses. Mr. Shakoor's behavior appears to be secondary in large part to medical and mental health issues that have contributed to a progressive and irreversible cognitive decline. He suffers from significant medical issues. The Board views his disciplinary history in the context of his mental health and medical challenges. In light of his need areas, he requires the assistance of a skilled nursing facility that is understanding of his current cognitive state.

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 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 in Mr. Shakoor's case 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 own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board also recognizes the petitioner's right to be represented by counsel during his appearance before the Board. *Id.* at 20-24. In forming this opinion, the Board has taken 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 has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Shakoor's risk of recidivism. Applying this standard to the circumstances of Mr. Shakoor's case, the Board is of the unanimous opinion that Salah Shakoor is rehabilitated and, therefore, merits parole at this time.

Special Conditions: Reserve to assisted living/nursing home facility; Waive work for medical issues; Curfew at PO's discretion; ELMO-electronic monitoring; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with victim(s); No contact with victim's family; Must take prescribed medications, if necessary; Must sign all authorizations for release of information forms; Mental health counseling for transition issues, chronic PTSD, and functioning skills; Must complete substance abuse evaluation and comply with recommended treatment plans.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.



Pamela Murphy, General Counsel

1/18/23
Date