

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



PAROLE BOARD

*12 Mercer Road
Natick, Massachusetts 01760*

*Telephone # (508) 650-4500
Facsimile # (508) 650-4599*

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Terrence Reidy
Acting Secretary

Gloriann Moroney
Chair

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RECORD OF DECISION

IN THE MATTER OF

**SALAH SHAKOOR
W33864**

TYPE OF HEARING: Review Hearing
DATE OF HEARING: October 20, 2020
DATE OF DECISION: September 22, 2021

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa¹

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.² Parole is denied with a review in two years from the date of the hearing.

I. 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 received a life sentence 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.

¹ Chair Moroney was present at the hearing, but recused from the vote, Board Member Dupre was not present at the hearing, but was a voting member and Board Member karen McCarthy was present at the hearing, but was not a board member at the time of the vote.

² Two Board Members voted to grant parole to a long-term care nursing facility.

On May 5, 1972, 16-year-old Salah Shakoor, armed with a hunting knife, and his 16-year-old codefendant entered a television store in Dorchester with the intent to rob the clerk. When Mr. Shakoor and his accomplice demanded money, the clerk, John Piotti, refused. A struggle ensued between Mr. Shakoor and Mr. Piotti, during which time Mr. Shakoor stabbed Mr. Piotti 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. Upon police questioning two days later, Mr. Shakoor confessed that he and his accomplice robbed and murdered Mr. Piotti.

II. PAROLE HEARING ON OCTOBER 20, 2020

Salah Shakoor, now 65-years-old, appeared before the Parole Board on October 20, 2020, for a review hearing. 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 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, parole was revoked. Mr. Shakoor was subsequently denied parole at his 2005, 2010, 2015, and 2018 review hearings. In Mr. Shakoor's opening statement, he asked the Board for parole to a long-term residential treatment program. In addition, Attorney Benzaken maintained that Mr. Shakoor has substantial mental and physical health needs. Attorney Benzaken requested a highly structured facility for Mr. Shakoor, if released, as he is no longer capable of taking care of himself.

The Board raised concern as to Mr. Shakoor's problematic institutional adjustment, as he has incurred a significant number of disciplinary infractions throughout his incarceration. Most notably, he received approximately 20 disciplinary reports since his last hearing in 2018. Mr. Shakoor indicated that he struggles to control himself, stating that "sometimes I give up and I don't know what to do with myself." He indicated that his mental health is not under control, which is reflective of his behavior. When asked to explain his combative and argumentative tendencies, Mr. Shakoor explained that he acts this way out of frustration since he is "not getting anywhere" and does not have any "money or visitors." Board Members questioned Mr. Shakoor about a recent disciplinary report, alleging that he threatened a correctional officer. While Mr. Shakoor denied that the confrontation occurred, the Board pointed out that he has received several infractions describing similar behavior. In addition, Mr. Shakoor has received several disciplinary reports for indecent exposure. When asked to explain, Mr. Shakoor could not provide any insight as to his actions. Based on those reports, Mr. Shakoor was questioned as to whether he was ever encouraged to participate in the Sex Offender Treatment Program. Although he replied no, Mr. Shakoor told the Board that he was not opposed to discussing the topic with his mental health counselor.

Board Members noted Mr. Shakoor's inability to comply with parole conditions in the past, as his parole has been revoked on three occasions. When the Board questioned him as to his most recent parole in 1999, Mr. Shakoor stated that he was "doing all right." He described how he had married his girlfriend, helped raise his stepdaughter, and maintained consistent

employment. He explained that his parole was revoked after he was charged with shoplifting and assault. Board Members note that, since his return to custody, Mr. Shakoor has engaged in antisocial behavior. Mr. Shakoor agreed with the Board that he needs to improve his behavior, explaining that he is "tired" of other inmates being granted parole (and not him), which is why he "acts up." Board Members advised Mr. Shakoor that parole must be earned; he has to have control of his actions in custody before he can be released to society.

Board Members discussed Mr. Shakoor's current medical issues, noting that he petitioned for an earlier hearing date due to his recent health decline. Mr. Shakoor was diagnosed with diabetes and high blood pressure. He uses a wheelchair and recently had his right foot amputated. Board Members also discussed concerns regarding Mr. Shakoor's mental health, including his primary diagnosis of chronic post-traumatic stress disorder. Upon questioning, Mr. Shakoor did not display a sufficient understanding of his diagnosis. However, he admitted to having anxiety, stating that he sees a mental health counselor once a week. Currently, he is not prescribed medication for a mental health disorder. The Board suggested that an updated evaluation on Mr. Shakoor's condition would be helpful and noted that medication appeared to help him control his combative behavior in the past.

The Board considered a letter in opposition to parole from Boston Police Commissioner William Gross.

III. DECISION

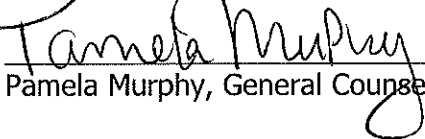
Mr. Shakoor needs to show stability in his overall institutional behavior. Mr. Shakoor has incurred approximately 20 disciplinary infractions since his last hearing, some of which are a concern to the Board. He continues to engage in assaultive behavior. Mr. Shakoor needs to refrain from engaging in negative behavior. Release is incompatible with the welfare of society, even in a nursing home setting.

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. In addition, the Board considered the psychological evaluation of Dr. Robert Mendoza. After applying this standard to the circumstances of Mr. Shakoor's case, the Board is of the opinion that Salah Shakoor does not merit parole at this time.

Mr. Shakoor's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages Mr. Shakoor to continue working toward 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.



Pamela Murphy, General Counsel

9/22/2021
Date