



The Commonwealth of Massachusetts  
Executive Office of Public Safety



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**KENNETH SEGUIN**

**W53954**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** March 6, 2012

**DATE OF DECISION:** May 15, 2013

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, Dr. Charlene Bonner, Sheila Dupre, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying offense, the views of the public as expressed at the hearing or in written submissions to the Board, the inmate's criminal history, institutional record and program involvement while incarcerated, we conclude that the inmate is not a suitable candidate for parole. Parole is denied with a review in five years. The decision is unanimous.

**I. STATEMENT OF FACTS**

In April of 1992, Kenneth Seguin brutally murdered his wife, Mary Ann (known as Polly), and their two children, Danny, age 7, and Amy, age 5. He was convicted by a jury of three counts of second-degree murder on February 4, 1993. He was sentenced to serve life in prison for his wife's murder, followed by two concurrent life sentences for the murders of his children. The Supreme Judicial Court upheld the convictions, *Commonwealth v. Seguin*, 421 Mass. 243 (1996), and subsequent petitions for review by the United State Supreme Court were denied in 1996. Mr. Seguin seeks parole to his two concurrent life sentences.

In 1992, the Seguins had been living with friends while they were waiting to move in to a new home in Holliston. They originally planned to build a new home, but that deal fell through. As an alternative, they purchased an "antique house" as their new residence. The process had been frustrating, and Polly had told friends that she was angry at the real estate

developer and that living with friends had been stressful. In April of that year, however, the Seguin family finally moved into their new house.

On the evening of the murder, April 28, just a few days after they moved, Mr. Seguin behaved normally and, in fact, had even coached Danny's soccer game while Polly went to a Mary Kay cosmetics party. At some point that night, while Polly was at the party, Mr. Seguin drugged his children with sleeping pills, drove them to a deserted pond in Franklin, murdered them, and concealed their bodies in the murky waters of the pond. He drove home to Holliston, and bludgeoned Polly to death in their bed. Polly's body, clothed only in a nightshirt, was discovered the next morning floating in the Sudbury River in Southborough. She had suffered a gaping wound to her left temple, and a subsequent autopsy revealed that the cause of her death was blunt force trauma to the head.

After her body was discovered, police questioned Mr. Seguin, who claimed that two men had broken into his home, attacked him, and bashed Polly over the head with an axe. He told authorities that the intruders had given the children sleeping pills, and that they had been in their beds. Police discovered the children's bodies on May 2 at Beaver Pond in Franklin. Danny's body was submerged under the water. Mr. Seguin had piled leaves, sticks, debris, and muck from the bottom of the pond on top of his body. Mr. Seguin had slashed Danny's throat with a razor, slicing him from each earlobe to his Adam's apple. The incision cut halfway through Danny's windpipe and through his jugular vein. Amy's body was discovered not far from Danny's. Again, Mr. Seguin had used debris from the area to conceal her body, and had forced her head down into the muck at the bottom of the pond so that only her sneakers were visible. Mr. Seguin had slashed both of her wrists, cutting through tendons and partially severing both major blood vessels on her right arm, and completely severing an artery and penetrating through a portion of her cartilage on her left arm. Autopsies revealed traces of sleeping pills in their systems.

Subsequent police investigation revealed that Mr. Seguin had attempted to cover up the murders by flipping over the blood-stained mattress from the bed where he had killed Polly and covering it with a quilt. He had also made anonymous calls to the children's schools the morning after the murders informing school authorities that neither child would be present that day.

## **II. INSTITUTIONAL HISTORY**

Mr. Seguin was 34 years old at the time of the offense. He is currently 54 years old and serving his first incarceration of any kind. While incarcerated, Mr. Seguin's institutional conduct has been average or below as he has received 25 disciplinary reports throughout his incarceration. In 1995, he was returned to higher security for an assault on a correction officer.

Mr. Seguin is currently incarcerated at MCI – Shirley and has engaged in a wide range of institutional programming, including those recommended by the Department of Correction in his risk reduction plan. Since his 2007 parole hearing Mr. Seguin has completed Emotional Awareness, the Alpha Course, Correctional Recovery Academy, and Alternatives to Violence (several phases).

Mr. Seguin provided transcripts from Bright Morning Star College indicating he has completed all requirements for a Bachelor's Degree in Biblical Studies. He began taking courses in 1995 and completed the program in 2006. According to classification reports, Mr. Seguin has a Bachelor's Degree from North Adams State and a Master's Degree in business from Nichols College.

At the time of his arrest, Mr. Seguin was a marketing representative for a high tech company (Banyan Corporation). During his incarceration, Mr. Seguin has been employed in the kitchen but was fired for stealing. He was also assigned to the print shop, but was terminated after receiving a disciplinary report for stealing tape. Mr. Seguin has also been assigned to the Chapel as a clerk and worked as an adult basic education tutor. For the past three years he has maintained employment in the school as a law library utilities worker.

Mr. Seguin has repeatedly stated that he has no issues with drugs or alcohol. In May of 1994, he was found to be in possession of a half-gallon of homebrew and was sanctioned with a loss of canteen.

The classification report refers to two prior suicide attempts; however, Mr. Seguin stated that the day of his offense was the only time he has attempted to take his own life. During the initial years of his incarceration, Mr. Seguin participated in counseling and was prescribed anti-depressant medication. He has participated in Self Preservation/Lifer's Group since 2007. Mr. Seguin has no mental health diagnosis and is seen by mental health on an as-needed basis but is not an open case or on medication. He has used mental health treatment to explore the causes of depression that led to his crime and was readdressing details of the crime during the period of time prior to his parole hearing.

### **III. PAROLE HEARING ON MARCH 6, 2012**

This is Mr. Seguin's second appearance before the Parole Board. Mr. Seguin seeks a parole to his two from and after life sentences. At his initial hearing, Mr. Seguin denied that he planned to kill his family. The decision recorded that "Mr. Seguin blames the crime on depression." He took the position that depression overcame him despite the fact that things were good with his work, marriage, and family. The Board did not accept these explanations and denied parole with a review in five years.

Mr. Seguin provided additional and different information at this parole hearing. Mr. Seguin made an opening statement in which he said that he intended on killing his family and is responsible for the murders. He knew it was wrong and lived in denial for several weeks after doing it. Mr. Seguin went on to state that five years ago when he came before the Board he focused on depression. He knows depression was a factor of the crime but not the reason.

He feels he has focused on the causative factors over the last five years and has had the opportunity to do group therapy, mental health counseling and participate in the Correctional Recovery Academy. The programming and therapy have allowed him to "Look back and see what it was that was going on and look back at what I was like as a person. I had some esteem issues and felt like another failure. I would ignore negatives and always wanted happiness. Family was my strength, it defined me. I never wanted confrontation; rather I worked around issues and repressed internal conflicts. I had come to a point in my life in 1991/1992 that my

self-esteem was crushed and felt like an utter failure as a father, husband and employee. I felt like I couldn't go on and so if I couldn't get on with life then I was going to take my family with me. It was a selfish and cowardly act." He also said it was very important for him to "please people," and this contributed greatly to his feeling of failure in his marriage and employment. Board Members understood that Mr. Seguin's description of "people pleasing" was meant to implicate his wife as a primary contributor to his problems.

The Board focused questioning on Mr. Seguin's crimes, mental health issues, rehabilitation, institutional programming, the level of insight into his crimes, anger issues, and domestic violence issues.

Mr. Seguin presented himself as a loving husband and father who was struggling in life, specifically with his marriage, work and personal issues. One of the main issues going on at that time for the Seguins was that they sold their house with the plan to build a new house, so they moved in with their friends and lived there for a few months. The situation was very stressful, especially for Danny. The deal on the new house fell through and so they ended up buying a different home, "an antique." Mr. Seguin reports that they moved out of their friend's home on Sunday, April 26, 1992 and lived in their "new" home for three days when he murdered his family. Mr. Seguin said that Polly "wasn't happy with the new house." Mr. Seguin described that at the time of the murder he felt like a failure as his work and home life were stressing him and he was having difficulty relating to co-workers. His level of stress was high, he felt his mind was not functioning as it should, and he had been depressed for a couple of months. Mr. Seguin had a previous period of depression several years before, of which he had informed his wife, Polly. She helped him through it and assisted him with seeking treatment. He took Prozac for a very short period. This second time, as he experienced depression, he said he did not tell anyone or seek treatment. Board Member Bonner, a forensic psychologist, noted that Mr. Seguin, having had two depressive episodes, is very likely to have a third depressive episode.

Mr. Seguin expressed that looking at all the facts now he realizes that his intention was to kill his family. He knew he was not going to make it to work the next day, "I did a terrible job at the soccer game, Polly was unhappy with the house. I came to the point I couldn't go on with living." He described the steps he took to execute his crimes: taking a box cutter from work; putting the kids in the car; stopping at CVS to buy pills and drinks; driving on 495, getting off and on the highway, and finally ending up in Franklin where he killed his children; putting them in the pond; making a phone call to the house and leaving a misleading message for Polly on the answering machine; pretending to bring the children up to their rooms; getting into bed next to his wife and thinking about what to do next; and deciding to kill Polly and then kill himself. After he hit Polly with an axe he put her body in the pick-up truck and drove around, eventually putting Polly's body in the river. He drove around some more, slashed his wrists and neck with the box cutter and then went home, took a bath, changed his clothes, took the sheets off the bed, put them in a trash bag with his clothes, tipped the mattress over, called the children's school, drove to the lake where Polly's body was found, and cut his head and legs. Mr. Seguin was asked why he wanted to eliminate his family and himself and he responded, "My sense of family was the way I was feeling, my family was feeling that way. That was my perception not the reality and also if I was gonna take my life that I was gonna include my family with it." Mr. Seguin asserted that "He was always an encouraging source for Polly and she was the negative one and always overreacted." Mr. Seguin expressed that "She

wasn't happy with the new house and he perceived the new house would fix all their problems; the last straw was my perception of her having that house and everything would be alright I thought the house would be the solution."

A Board Member questioned Mr. Seguin about his failure to mention his own anger as a factor contributing to the murders. Mr. Seguin asserted that in the written materials that he submitted to the Parole Board he mentioned that he had repressed anger for not being able to make the marriage work. (In his written submission, Mr. Seguin discussed his reasons for committing the murders on pages 1-4; there is no mention of anger.) At the hearing, he went on to say that his repressed anger was related to his marriage and that he did not have anger towards his children. Mr. Seguin said at the hearing that "I don't think I will ever come to terms of how I killed my family, even after I slashed my children they still trusted me, Amy still came to me, Danny still spoke to me, that's the worst part, they still trusted me."

A Board Member remarked about the extensive cover up of the crimes, which Mr. Seguin refers to as "denial." He took many steps to cover up the crimes and even made up a story about intruders. The Board pointed out that people were frantically searching for his children, hoping that they were safe, he was already arrested for the murder of his wife, he was the only one who knew where his children were, and he did not do one thing to help the surviving family members, the community, and the law enforcement personnel who were trying to find the children. Mr. Seguin should consider this extended period of criminal thinking and antisocial behavior when structuring a rehabilitation plan.

Further inquiries were made into Mr. Seguin's mental health issues. He reported that he has taken advantage of counseling and until 1996 was on an anti-depressant. He felt it was time to stop counseling and that he knew enough about depression that if he had further issues he would tell someone. In 2000, he went back into counseling and took medications. Currently he attends monthly group therapy and has participated in four sessions of individual counseling in the past two years. He reports that therapy has allowed him to take a look at his life, "I had to look at why I murdered my family. I looked back at my childhood and sense of family growing up, it was good but it was all about family. Confrontation was avoided and that was instilled in me. I avoided confrontation in my own relationships and ignored problems." Mr. Seguin states that he and Polly had attended marriage counseling earlier in their marriage, but they never discussed his depression in those sessions, as that was prior to 1991. He said that he stopped attending but Polly continued on her own.

There were no supporters of parole in attendance. Mr. Seguin said he asked them not to come. A Board Member suggested that perhaps Mr. Seguin did not want them to hear him provide new details and admit that he intended the murders. Mr. Seguin asserted that he has told his family there is more to the crime.

It was suggested to Mr. Seguin that there are those who view his crimes as so heinous that he will always be a risk to public safety. He responded "you are absolutely right if all you know is my crime." Mr. Seguin was asked whether he knew what the community thought about his appropriate punishment. He responded that "I am fully aware of what I have done and know that some believe I deserve a never ending-punishment."

The Middlesex Assistant District Attorney Adrienne Lynch, Holliston Police Chief John Moore, retired Holliston Chief William George, and Polly's sisters, Nancy Davidge and Ellen Emmons testified in opposition to parole.

#### **IV. DECISION**

At his first parole hearing, Kenneth Seguin asserted that he was overcome by depression, which caused him to act without intent or planning. The Parole Board did not accept that explanation as insightful or credible. Mr. Seguin approached this hearing with more candor, as he has finally admitted what the evidence and the convictions establish: that he intended and planned to murder his wife and children. To make this step beyond denial and dishonesty is an important early step in his rehabilitation.

Rehabilitation appears, however, to be a long journey for Mr. Seguin as there are aspects of his thinking and conduct for which he has no insight. Mr. Seguin described the murders as resulting from his depression, his need to please others, and his extraordinary commitment to "family unity." Board Members pointed out how Mr. Seguin, by advancing this explanation, attempts to cast himself in the best possible light and obscure the negative personal qualities and character defects that led him to murder his family. A Board Member pointed out that Mr. Seguin is suggesting that he killed his family because he loved them more than other people love their families, and that he was depressed because he cared more than others about helping and supporting the people in his life. Mr. Seguin has not identified or accepted the real causes of the murders when he concludes that he slit his children's throats and smashed his wife's head because he loved and cared about his family so much more than other parents care about their families.

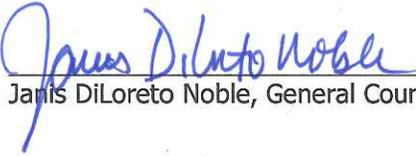
Board Members identified other factors that Mr. Seguin has yet to recognize that caused him to commit the murders. Board Member Bonner, a forensic psychologist, said "you are not psychotic; your personality and narcissism allowed you to act in this fashion while in a major depressive episode; fundamentally, you are a very angry, narcissistic, and controlling person; you have untreated personality flaws; there would not be a dead family without you being fundamentally narcissistic." Board Member Michel said, "This was all about control; you lost control with your wife, boss, and builder; the murders were your means of regaining control; now you control the narrative, the story, the words and intents of your wife." One Board Member commented that, "It would be impossible for us to release you" with so many unrecognized and untreated issues.

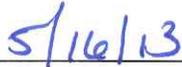
Mr. Seguin failed to mention the anger and conflict he had with his wife in the months leading up to the murder. Several witnesses told police investigators about Polly Seguin's statements describing a very troubled marriage with much discord. Mr. Seguin did not reveal those facts at the hearing. Mr. Seguin is resistant to suggestions that he is a classic batterer who committed domestic violence murders caused by anger, control, and narcissism. Board Members concluded that Mr. Seguin was very angry with his wife, blamed her for marital problems, was incensed when she was disappointed with the new house, and decided that he would retaliate with murder.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "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." Applying that appropriately high standard here, the Board finds that Mr. Seguin is not a suitable candidate for parole. The review will be in five years, during which time Mr. Seguin needs to develop considerably more insight and address issues of anger, control, narcissism, and deviousness. His current explanation for the crimes – that he loved his family, wanted to please them, and was committed to family unity more than most parents – is an extraordinarily narcissistic explanation for murdering his wife and children.

*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.*

  
James DiLoreto Noble, General Counsel

  
Date