

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



PAROLE BOARD

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Executive Director

RECORD OF DECISION

IN THE MATTER OF

**ARTHUR REMILLARD
W44690**

TYPE OF HEARING: Review Hearing
DATE OF HEARING: November 12, 2020
DATE OF DECISION: October 7, 2021

PARTICIPATING BOARD MEMBERS¹: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy

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 not a suitable candidate for parole. Parole is denied with a review in two years from the date of the hearing.

I. STATEMENT OF THE CASE

On March 25, 1988, after a jury trial in Hampden Superior Court, Arthur Remillard was convicted of five counts of rape of a child with force and received five concurrent 30 to 50-year sentences in state prison. On October 14, 1988, in Hampden Superior Court, Mr. Remillard was convicted of an additional five counts of rape of a child with force. On four of these convictions, Mr. Remillard was sentenced to four concurrent life sentences with the possibility of parole. On the fifth conviction, he was sentenced to a concurrent term of 6 to 9 years in state prison. On that same date, Mr. Remillard was additionally convicted of one count of indecent assault and battery on a child under 14 and two counts of open and gross behavior. He was sentenced to concurrent terms of 6 to 9 years and 2 1/2 to 3 years in state prison, respectively. The numerous convictions reflect multiple incidents, with multiple children, that took place on diverse dates in 1985 and 1986, when Mr. Remillard was approximately 50 to 52-years-old.

¹ Board Member Santa did not participate in the hearing or vote, as she was unavailable.

On December 27, 1986, Chicopee police were notified by the mother of a 5-year-old boy (Victim #1) that her son had been molested by their neighbor, Arthur Remillard. In his statement to police, Victim #1 stated that he, his 3-year-old brother, and his 11-year-old cousin (Victim #2) visited Mr. Remillard's house on December 21, 1986. During the visit, Mr. Remillard performed multiple sexual acts on Victim #1 and Victim #2. He also attempted to have the 3-year-old child touch him on the groin. Victim #2's account of the events of December 21, 1986, mirrored that of Victim #1, except Victim #2 denied that Mr. Remillard had sexually assaulted him, but rather, Mr. Remillard had sexually assaulted only Victim #1. During a police interview, Mr. Remillard admitted that Victim #1 and the 3-year-old child were in his home on December 21, 1986, but he denied that Victim #2 was present. He denied sexually assaulting the children, but confirmed that he had seen Victim #1's penis. Mr. Remillard claimed that the child had asked him to look at it regarding "dirt."

Following further investigation, Chicopee police were notified of additional witnesses and potential victims of Mr. Remillard. The additional victims were an 11-year-old boy, an 8-year-old girl, and a 4-year-old boy. These children reported that Mr. Remillard had sexually assaulted them, and that they witnessed Mr. Remillard sexually assaulting other children. It was also reported that Mr. Remillard threatened to harm some of the victims if they disclosed the abuse.

II. PAROLE HEARING ON NOVEMBER 12, 2020

Arthur Remillard, now 83-years-old, appeared before the Parole Board on November 12, 2020, for a review hearing. He was represented by Attorney Justin Dreschler. Mr. Remillard was denied parole after his initial hearing in 2006. He waived his 2011 review hearing and postponed his 2016 review hearing. Attorney Dreschler said he appreciated that the Board referred Mr. Remillard for counsel due to his cognitive and communication issues. Attorney Dreschler stated that Mr. Remillard will need to have a forensic psychological evaluation in order to be fully prepared to address the Board. The Board was informed that, despite Attorney Dreschler's best efforts, the trial court denied his requests for funds for the evaluation. The Board agreed that a forensic psychological evaluation, especially given the nature of the governing offenses, would be exceptionally beneficial in determining Mr. Remillard's suitability for parole.

At this hearing (and since his arrest), Mr. Remillard has unequivocally denied committing any of the offenses of which he was convicted. The Board explained the accusations made against him by each victim. Mr. Remillard denied doing anything inappropriate with any child, or threatening to harm them or their families, if they disclosed the abuse. He admitted to knowing the victims and to inviting some, or all of them, to go fishing and to visit his home to watch cartoons. When questioned by Board Members as to what would motivate multiple children to fabricate explicit accounts of sexual abuse, Mr. Remillard stated that maybe they wanted "new bicycles," or that the families wanted "insurance money."

Mr. Remillard told the Board that he does not remember his initial parole hearing in 2006, nor does he remember waiving or postponing his other hearings. He explained that, since he suffered a stroke in 2015, he has had significant memory issues. The Board noted that Mr. Remillard worked in the wood shop and clothing shop while incarcerated. The Board questioned Mr. Remillard as to disciplinary infractions he incurred, specifically, the two infractions wherein it was alleged he had consensual sexual encounters with other inmates. Mr. Remillard denied any sexual relationships with fellow inmates. When the Board noted that Mr. Remillard has declined to participate in the Sex Offender Treatment Program at least three times, he stated that he refuses to participate in the program because he "didn't do anything."

Nonetheless, Board Members explained to Mr. Remillard the importance of the reports generated by the Sex Offender Treatment Program.

Mr. Remillard told the Board that he does not have contact with any family members, nor does he have any community support. When asked what type of program or residence to which he would like to be paroled, Mr. Remillard stated that he did not know. He further explained that he would not partake in any sex offender treatment, or counseling in the community, even if it was a mandatory condition of his parole supervision.

The Board considered the written statement in opposition to parole of one of the victims, which was read aloud by a Victim Services Unit staff member. The Board considered testimony in opposition to parole from one of the victim's uncles. The Board also considered testimony, as well as a letter, in opposition to parole from Hampden County Assistant District Attorney Howard Safford.

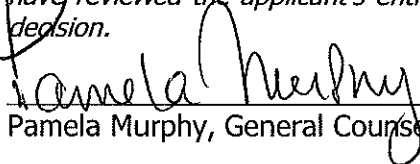
III. DECISION

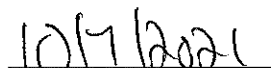
The Board is of the opinion that Arthur Remillard has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Remillard has served 34 years for the rape of a child with force (five counts). Mr. Remillard is 83-years-old and [is] incarcerated at NCCI-Gardner. Mr. Remillard continues to decline participation in the Sex Offender Treatment Program. In addition, his adjustment remains problematic. The Board would consider a reconsideration upon receipt of a forensic evaluation. Counsel informed the Board that his petition to the courts for funds to have an evaluation conducted was denied in Hampden Superior Court. A forensic evaluation would be beneficial in determining parole suitability and rehabilitative progress and risk to re-offend. In addition, the evaluation would also provide the Board with a greater understanding as to his cognitive limitations/diagnosis.

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 forming this opinion, the Board has taken into consideration Mr. Remillard'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. Remillard's risk of recidivism. After applying this standard to the circumstances of Mr. Remillard's case, the Board is of the opinion that Arthur Remillard is not rehabilitated and, therefore, does not merit parole at this time.

Mr. Remillard'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. Remillard 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


Date