

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Gina K. Kwon
Secretary

Telephone: (508)-650-4500

Facsimile: (508)-650-4598

Angelo Gomez, Jr.
Chair

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF
FERNAND DAVIAU
W67446

TYPE OF HEARING: Review Hearing

DATE OF HEARING: October 7, 2025

DATE OF DECISION: March 16, 2026

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Sarah B. Coughlin, Angelo Gomez Jr., James Kelcourse, Rafael Ortiz

VOTE: Parole is denied with a review 3 years from the date of the hearing.

PROCEDURAL HISTORY: On December 13, 1999, after a jury trial in Hampden Superior Court, Fernand Daviau was found guilty of rape of a child by force and sentenced to life in prison with the possibility of parole.¹ On that same date, Mr. Daviau was convicted of five additional counts of rape of a child by force. He was sentenced to 15-20 years in state prison to run concurrently with the life sentence for four of those offenses and to a term of probation from and after for one offense. He was also convicted of two counts of indecent assault and battery of a child and was sentenced to 9-10 years in state prison to run concurrently with the life sentence. Mr. Daviau was also convicted of two counts of assault and battery and sentenced to two additional concurrent 2-year sentences. Mr. Daviau postponed his 2014 hearing, and his 2019 hearing was postponed at the request of his counsel. Parole was denied following his initial hearing in 2021.

On October 7, 2025, Mr. Daviau appeared before the Board for a review hearing. He was represented by Attorney Jennifer Appleyard. The Board's decision fully incorporates by reference the entire video recording of Mr. Daviau's October 7, 2025, hearing.

¹ Mr. Daviau's co-defendant, Justina Talbot, was tried and convicted separately in Hampden Superior Court.

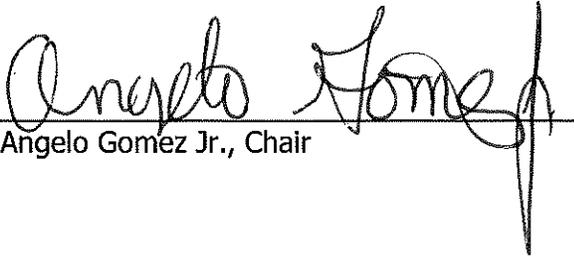
STATEMENT OF THE CASE: Over the course of approximately four years, Fernand Daviau and his co-defendant, Justina Talbot, sexually assaulted Ms. Talbot's two daughters (repeatedly), both of whom were under the age of 14 at the time. With respect to the elder of the two victims, Mr. Daviau vaginally raped the child and explained that he and Ms. Talbot were preparing the girl for her future husband. On other such occasions, Mr. Daviau touched the elder child's private areas and forced her to touch his own. With respect to the younger of the two victims, Mr. Daviau performed various sexual acts on numerous occasions and forced the child to participate in sexual acts, as well. He also forced the child to drink his urine. When the children disclosed the sexual assaults to their mother, she (Justina Talbot) informed the children that the sexual assaults were "God's will." The children also reported Mr. Daviau's frequent physical abuse that involved both them and their mother.

In December 1998, the two victims fled the home. Holyoke police located the children after their mother reported them missing. The children then disclosed the abuse they had suffered. Mr. Daviau was placed under arrest on December 20, 1998.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

DECISION OF THE BOARD: Mr. Daviau is before the Board after a prior denial with a 5-year review. The Board notes Mr. Daviau was 40 years old at the time of the offense, and has completed 10 years of sex offender treatment, but the Board finds Mr. Daviau has yet to demonstrate insight into his behavior such that the Board finds that he has yet to reach of level of rehabilitative progress such that his release is compatible with the welfare of society. Mr. Daviau is serving a sentence for repeatedly raping two children. The Board reviewed the evaluations of Dr. Guidry and Dr. Tabashneck's evaluation from the prior hearing. The Board encourages Mr. Daviau to continue with his treatment and rehabilitative progress. The Board concludes by unanimous decision that Fernand Daviau has not demonstrated a level of rehabilitation that would make his release compatible with the welfare of society. The Board heard testimony in opposition to parole from victim [C.B.] (who also read the statement of her sister and fellow victim, [A.P.], their father, and Hampden County Assistant District Attorney Lee Baker.

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.


Angelo Gomez Jr., Chair

March 16, 2026
Date