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Tina M. Hurley
Chair

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RECORD OF DECISION

IN THE MATTER OF

JOHN DURAKOWSKI
W68182

TYPE OF HEARING: Review Hearing

DATE OF HEARING: October 15, 2024

DATE OF DECISION: January 30, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner,¹ Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz

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

PROCEDURAL HISTORY: On June 1, 2000, in Bristol Superior Court, a jury found John Durakowski guilty of assault with intent to rape (subsequent offense) as a habitual offender. He was sentenced to life in prison with the possibility of parole. On that same date, he was convicted of assault and battery and received a concurrent 2 and 1/2 year sentence to the House of Correction.

Mr. Durakowski appeared before the Board for a review hearing on October 15, 2024. Mr. Durakowski's initial appearance before the Board was in 2019, after he postponed a hearing in 2014. The Board's decision fully incorporates, by reference, the entirety of the video recording of the October 15, 2014, hearing.

STATEMENT OF THE CASE: On November 24, 1999, 37-year-old Jane Doe² met her boyfriend at the Spotlight Lounge, on Pleasant Street in Attleboro, for drinks. She left the lounge alone, at around 10:00 or 10:30pm, and started walking down Pleasant Street toward the Office Lounge. As Ms. Doe approached a bend in the street, she saw a man, later identified as 37-year-old John Durakowski, walking in the opposite direction. He was dressed in black and wore a black hat. Mr. Durakowski ran across the street, grabbed Ms. Doe by the collar with one hand

¹ Board Member Bonner did not attend the hearing, but viewed the video recording of the hearing and the entirety of the file, prior to vote.

² A pseudonym. G.L. c. 265, § 24C

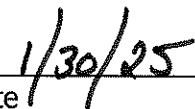
and the front of the pants with the other, and stated that he wanted to have sex with her. As Ms. Doe crouched down and struggled to get away, Mr. Durakowski hit her head against a cement wall, two or three times. When Ms. Doe attempted to shove his face away from hers, he attacked her face and bit her nose. Ms. Doe noticed that his breath smelled of alcohol, and his speech was slurred. When she pushed him away again, Mr. Durakowski lost his balance, fell to the sidewalk, and appeared to lose consciousness. Ms. Doe stood up immediately and ran to the Office Lounge. Shortly thereafter, Ms. Doe contacted the Attleboro Police Department and Mr. Durakowski was arrested.

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 incarcerated individual'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 incarcerated individual'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 incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

DECISION OF THE BOARD: This was Mr. Durakowski's second appearance before the Board. He has been incarcerated for 25 years. He is currently 62-years-old. Since his last hearing, he has enrolled in Sex Offender Treatment. He is currently in Stage 3. Mr. Durakowski has a long history of alcohol dependence. He has maintained sobriety throughout his incarceration and attends AA sporadically. He was on the waitlist for the Correctional Recovery Academy at the time of the hearing. Mr. Durakowski has been convicted of multiple sexual offenses. While he is making some progress, he still struggles with identifying the causative factors of his behavior and reported that he continues to learn how to manage his "deep seated anger." Mr. Durakowski is recommended to continue to engage in SOTP and additional programming to address his need areas. Mr. Durakowski is also encouraged to develop a reentry plan that includes a support system. There was no one who spoke in support of his parole. The Board considered testimony from Bristol County Assistant District Attorney Karen O'Sullivan, who spoke in opposition.

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.


Tiha M. Hurley, Chair


Date