



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

**PAROLE BOARD**

*12 Mercer Road*  
*Natick, Massachusetts 01760*

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



**Deval L. Patrick**  
*Governor*

**Timothy P. Murray**  
*Lieutenant Governor*

**Mary Elizabeth Heffernan**  
*Secretary*

**Josh Wall**  
*Chairman*

**DECISION**

**IN THE MATTER OF**

**JOHN KEEGAN**

**W63500**

**TYPE OF HEARING:** Initial Hearing  
**DATE OF HEARING:** October 4, 2011  
**DATE OF DECISION:** October 31, 2012

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

**DECISION OF THE BOARD:** John Keegan's request for parole is denied. The review of that decision will be in five years. The Board agreed unanimously that Mr. Keegan's release is not compatible with the welfare of society and that he presents a danger to the community in light of his need for continued rehabilitation.

**I. INTRODUCTION**

John Keegan appeared before the Parole Board on October 4, 2011 for his initial hearing on his life sentence. On October 28, 1997, Mr. Keegan pled guilty in Essex Superior Court to the second-degree murder and attempted aggravated rape of Kristen Crowley, age 27. Keegan admitted that he acted with Dykens "as a joint venturer in the felony murder of Kristen Crowley by reason of kidnapping" shortly after midnight on June 2, 1996. Keegan received a life sentence for the murder, and the attempted aggravated rape charge was placed on file without a sentence. (Although he admitted to kidnapping Mrs. Crowley, Keegan was not convicted of kidnapping because, under the felony murder rule, once sentenced for the murder he could not also be sentenced on the underlying felony of kidnapping.) The day before Keegan pled guilty, co-defendant Timothy Dykens was convicted of first-degree murder after trial.

In July 1998, Keegan filed a motion to withdraw his guilty plea. The same judge who accepted the plea held an evidentiary hearing in October 1998 and denied the motion in December 1998. The Appeals Court denied Keegan's appeal of the denial in September 2000. The Supreme Judicial Court denied the inmate's request for further appellate review.

## **II. STATEMENT OF THE CASE**

On the night of June 1, 1996, John Keegan and co-defendant Timothy Dykens were at the Golden Banana, a Peabody nightclub featuring nude female dancing. They offered to pay one of the dancers for sex but she refused. Dykens told the dancer that Keegan's wife had recently died and offered that as a reason that the dancer should have sex with them. (In fact, Keegan lived with his fiancée who had given birth to their child three weeks before. On this night Keegan lied to his fiancée about where he was going and left her at home with the newborn.) Keegan asked the manager if he could arrange a paid sexual encounter with a dancer. The manager told Keegan and Dykens they should leave the Golden Banana because of their conduct.

The two men left the club around midnight and drove to a gas station convenience store in Peabody where Keegan noticed the victim, Kristen Crowley, purchasing groceries. Keegan said to the store clerk, "Wow, look at that; I want a piece of that." The clerk said, "Good luck; she's married." As Mrs. Crowley left the store, Keegan pointed her out to Dykens, who repeatedly said, "You know what we have to do." Keegan and Dykens targeted and followed the victim as she left the store and drove home to the Peabody condominium where she lived with her husband, a half mile away. Keegan drove the car as they followed the victim. Dykens and Keegan assaulted and kidnapped Mrs. Crowley after she parked her car and walked towards her condominium.

In its decision affirming Dykens' murder conviction, the Supreme Judicial Court provided details of the evidence produced at trial: Dykens struggled with the victim in the condominium parking lot; they fell and Keegan "delivered four or five violent kicks, then walked away;" all three disappeared when a car drove by; Dykens was seen on top of the victim in the woods near the parking lot; Keegan was seen "emerg(ing) from the woods;" Keegan was also seen following Dykens as Dykens dragged the victim through the woods.

In addition to evidently kicking Mrs. Crowley during the assault, Keegan stood nearby to act as a lookout as Dykens sexually assaulted the victim and hit her with the rocks. The victim fought hard throughout the assault. She prevented Dykens from completing the attempted rape. During and after the assault, Keegan looked around for evidence to remove. He found the victim's shoes on the walkway, threw them in his car, and disposed of them later that night.

Police found the victim's body in a wooded area near the condo complex lying on her back and almost completely nude, her clothing having been torn and pulled back. Dykens beat her with two rocks, one weighing two pounds and the other weighing 47 pounds. He inflicted massive injuries upon the victim. The cause of death was blunt force trauma to the head and neck, resulting in multiple skull, facial, and jaw fractures and destruction of the brain. Keegan and Dykens were arrested on June 2, 1996.

At the time he committed the murder, Keegan was on probation for a previous assault and battery on a prior girlfriend and her new boyfriend. He had been mandated to attend a batterer's intervention program in South Boston. Keegan's history also includes three restraining orders obtained against him by two different women.

### **III. INSTITUTIONAL HISTORY**

The inmate has very active program participation beginning in 2009. He has completed Active Listening, Problem Solving, Able Minds, Emotional Awareness, Jericho Circle and several phases of Alternatives to Violence. Sex offender treatment began in 2009. He is currently enrolled in phase three of sex offender treatment, which is a pre-treatment phase; he has yet to enter core treatment. He received a Bachelor of Science degree in sociology from Boston University in 2009. Keegan has received 12 disciplinary reports, including one for possession of pornography in 2004 and two as recently as 2008.

### **IV. PAROLE HEARING ON OCTOBER 4, 2011**

This is Keegan's initial hearing after fifteen years of incarceration. He pled guilty to murder and attempted aggravated rape and admitted to the truth of the evidence presented by prosecution. The parole hearing featured a notable contrast between the inmate's written statements, prepared and submitted before the hearing, and his spontaneous answers to Board Members' questions.

Keegan submitted the following written statements in advance of the hearing and also read them as part of his opening statement:

I drove my co-defendant to Mrs. Crowley's home. I acted as a lookout by diverting two men who could have stopped the attack, and by preventing a woman from getting near the crime scene. I also took Mrs. Crowley's shoes from the scene to try and hide our crimes. I understand how my actions before and after encountering Mrs. Crowley contributed to her murder and I take full and complete responsibility. . . . I am the one who went to the manager of the Golden Banana regarding the solicitation of dancers that night. I am the one who spoke in a degrading manner about Mrs. Crowley to the Mobil attendant. I am the one who did not act on the attendant's warning that Mrs. Crowley was married; and decided it was acceptable to follow her. I am the one who diverted two men and a woman from saving Mrs. Crowley's life. I am the one who removed evidence of our crime. I am the one who fled the scene.

In responding to questions at the hearing, however, the inmate absolved himself of blame for nearly every activity that night: he said only Dykens sought sex at the club; he asked the manager about arranging for sex only because he was "frustrated" with Dykens' behavior; they planned to drive to the Combat Zone to find a prostitute but only for Dykens; when he drove after Mrs. Crowley, he did it only because Dykens wanted to; he had no inappropriate intent himself and had no idea what Dykens intended; he did not hear Dykens say repeatedly "you know what we have to do;" he did not participate in the kidnapping assault and tried to stop Dykens by punching him and kicking him; Dykens "got up and came at me."

At this parole hearing, Keegan disavowed his previous admissions and promoted his innocence. He said he had no intent to kidnap or sexually assault the victim and did not participate or aid Dykens in any way as Dykens kidnapped the victim, tried to commit a rape, and beat Mrs. Crowley to death. Keegan's version of his involvement and actions in this heinous crime conflicts with his previous admissions, his conviction, the witness' statements, and facts presented at Dykens' trial. Mr. Keegan consistently portrayed himself as a Good Samaritan who tried to prevent his co-defendant from inflicting harm on the victim, yet he could not explain his failed opportunities to render aid, enlist witnesses for help, contact the police, and cooperate with the authorities. Keegan consistently minimized his actions, specifically his shared intent to kidnap the victim, his primary role in identifying and selecting the victim, the fact that he drove the vehicle while pursuing the victim, and his actions at the crime scene that included kicking the victim, acting as a lookout, preventing neighbors from helping Mrs. Crowley by lying to them, concealing evidence of the crime, and fleeing to avoid detection.

The Parole Board is unaware of any witness statements that support the inmate's current claims that he punched Dykens, struggled with Dykens, diverted Dykens, and yelled at Dykens. The Parole Board is also unaware of any prior statements of Keegan near the time of the crime that mirror his statements fifteen years later that he acted to protect Mrs. Crowley. At the times when he would be expected to describe these alleged exculpatory acts, he failed to do so: at arrest, when he declined to speak with police about the murder; during the pretrial phase where, if innocent, he could seek to cooperate with the prosecution of Dykens; during his plea hearing in which he agreed with the prosecution's facts; and during the motion to withdraw his plea at which Keegan made specious arguments based on hearing testimony given by Keegan's father that the judge found to be false.

Parole Board Members challenged the inmate on his unlikely story. One Board Member noted that the witnesses describe the actions of a lookout, who distracts them from intervening, but "you describe your actions when witnesses are not watching as 100% exculpatory; people don't behave like that, vacillating between polar opposites." Another Board Member stated that "with your military training, size, and relative sobriety compared to Dykens, it's unfathomable that you could not prevent this if you had actually tried to do so." That Board Member also said, "You never went to the condo complex to get help or ask the three witnesses for help; that is why your account doesn't make sense."

Keegan also made other statements that undermined his credibility. After insisting he never went into the woods, he was confronted with the factual account in the Supreme Judicial Court decision which records a witness who testified that Keegan "emerged from the woods." When questioned about a website posting under his name on Hotprisonpals.com, Keegan said "I am not sure how that got there; that's not my narrative." After further questioning, Keegan finally admitted, "That is my narrative." Keegan's website posting is a boastful attempt to attract women into a relationship with him. In the posting Keegan said his release date is "November 2011."

The inmate got married July 14, 2011. He was confronted with evidence that he has been involved with another woman during his engagement and marriage. The inmate did admit to the ongoing "affair," which includes letters and sexual phone calls. He acknowledged that his deceptive conduct with his wife and girlfriend is relevant to his suitability for parole.



Five people spoke in opposition to parole, including Kristen Crowley's husband and mother. Family members are vehemently opposed to parole. The victim's mother pointed out that "Kristen fought for her life for more than half an hour." Essex Assistant District Attorney Elin Grayden submitted a letter and spoke in opposition. Keegan was represented by student attorney Mike Firestone. Five supporters spoke on the inmate's behalf. Dr. David Greenleaf, a clinical psychologist, submitted an evaluation of the inmate and spoke in support of parole.

#### **V. DECISION**

John Keegan had a concerning pattern of objectifying and mistreating women. That pattern led him to participate with Timothy Dykens in the kidnapping, attempted aggravated rape, and murder of Kristen Crowley. Keegan acted with Dykens to target, stalk, and attack Mrs. Crowley. He evidently kicked her during an early stage of the attack; he stood by as a lookout ready to render assistance if needed; he lied to three witnesses to prevent them from stopping the crime or calling police; he worked immediately to conceal the crimes by removing evidence from the scene; and he fled the scene to avoid getting caught. If, as he claimed at the hearing, he did not share Dykens' intent, he could have taken many steps that would have changed the course of the night and altered the outcome.

The inmate has complicated matters by making statements at his parole hearing that contradicted his previous admissions, his conviction, and the evidence in the case. These credibility issues were forecast in a post-conviction motion in which the inmate presented evidence that the judge rejected as not believable and advanced arguments that are not compatible with an acceptance of responsibility.

Keegan has three years of active program participation. His recent adulterous conduct and his hearing testimony, however, lead to the conclusion that the inmate has not reformed his unhealthy views towards women and his criminal thinking. After getting married recently, he continued an adulterous phone sex relationship with another woman and advertised on the internet for more girlfriends. He persists with mistreating women and refusing to deal honestly and candidly with others. He does not recognize or accept his role in the kidnapping, sexual assault, and murder of Kristen Crowley. Keegan's hearing testimony and his recent conduct demonstrate that his program participation has not changed his thinking or behavior and he is not rehabilitated. Because he is not rehabilitated he is likely to re-offend if released and his parole is not compatible with the welfare of society. Accordingly, parole is denied. The review will be in five years.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.*

Josh Wall  
Josh Wall, Chairman

November 1 2012  
Date