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DECISION

IN THE MATTER OF

KEITH PELLETIER

W69179

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: February 19, 2015

DATE OF DECISION: April 13, 2015

PARTICIPATING BOARD MEMBERS: Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe, Lee Gartenberg.

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying 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 hearing scheduled two years from the date of the hearing.

I. STATEMENT OF THE CASE

On February 27, 2001, Keith Pelletier pleaded guilty to the lesser offense of murder in the second degree for the strangling death of Sharon Jankoski. He was sentenced to life in prison with the possibility of parole in 15 years. He also pleaded guilty to larceny of a motor vehicle and received a concurrent sentence of five to seven years committed.

Sharon Jankoski was a 35 year-old mother of four at the time of her death on February 27, 2000. Prior to her death, Ms. Jankoski and Pelletier had been dating for about two years. They had been living together for approximately one year at Ms. Jankoski's residence in Amesbury. The night before her death, Ms. Jankoski and Pelletier had a party at the house. At around midnight, the group left the house to go to a bar. They continued to drink at a local bar until it closed around 2 a.m. The group then returned to Ms. Jankoski's house and continued to drink and party. At around 7 a.m. on February 27, 2000, Pelletier said he was tired and went to sleep in the bedroom he shared with Ms. Jankoski. Ms. Jankoski stayed up with Keith Wilcox

and Mike Edmond, who were also staying at the house in another bedroom. A few hours later, Pelletier woke-up and called for Sharon to come to bed, which she did. When she entered the bedroom, she and Pelletier began to argue about their relationship and she told him that she no longer wanted to be with him. Pelletier became enraged and attacked her on the bed. He punched her in the face and began to strangle her. However, since he heard someone walking down the hall, he pulled the covers over himself and Ms. Jankoski and pretended to be asleep until he heard the person walk away from their room. At that point, he looked at Ms. Jankoski and saw that her eyes were closed and that her tongue was moving in and out of her mouth as she struggled to breathe. Pelletier then pulled the covers back over her and ran out of their room and into the next room, where Mr. Edmond and Mr. Wilcox were sleeping. Pelletier removed Edmond's car key from his clothes on the floor and proceeded to steal Mr. Edmond's car. Pelletier drove away from the house, alerting no one to Ms. Jankoski's condition. Early that afternoon, Mr. Edmond awoke and realized his car was missing. He and the others went into Ms. Jankoski's bedroom to ask her if anyone had taken his car. They found Ms. Jankoski unresponsive in her bed and called the police. The autopsy revealed that the cause of Ms. Jankoski's death was strangulation. Pelletier was arrested the following day after a high speed police chase. At the police station, Pelletier confessed to killing Ms. Jankoski.

II. PAROLE HEARING ON FEBRUARY 19, 2015

Keith Pelletier appeared for his initial parole hearing after serving 15 years of a life sentence for second degree murder. He represented himself at the hearing and began by thanking the Parole Board for the opportunity to be heard. He made an apology to the victim's family and to all the people affected by the murder. He told the Board that he feels "unworthy, yet eager to show that I have worked diligently to become the man who merits parole consideration."

The Board spoke with Pelletier about his participation in various institutional programs, as well as his positive adjustment to incarceration. They also inquired about his social background, upbringing, and participation in the crime. Pelletier, 45 years-old at the time of the hearing, said he has been at MCI-Shirley for the past 11 years. He has been working for almost two years in the Companion Program, assisting elderly inmates with their daily living needs. Previously, he was employed at the recreation department for five years. He participates weekly in Men's Circle and is now a group facilitator for the Alternatives to Violence Program, which he has been involved with since 2009. He has completed a myriad of rehabilitative and educational programming since his incarceration began, including Emotional Awareness and Healing, Relapse Prevention, Health Awareness Education, Menswork, Toastmasters, and Problem Solving Workshop. He has not received any disciplinary reports during his 15 years of incarceration and receives positive housing and work evaluations.

When asked to describe his childhood, Pelletier said, "I took things to heart as a child...I felt abandoned and alone and that started me on a path of always feeling like a victim, and I carried that on into my adult life." He told the Board that his parents separated when he was five years-old and that his custody situation was very sporadic. He and his older brother bounced back and forth between his mother and father. When he was 11 years-old, his mother and her boyfriend moved to Seabrook, New Hampshire, taking Pelletier and his brother with them. Pelletier says that his mother's boyfriend was physically abusive to her on a regular basis. When, on one night, Pelletier tried to step in to protect his mother, her boyfriend went

after him. After that incident, Pelletier and his brother went to live with their father, his girlfriend, and their baby in Amesbury. Shortly after moving in with his father, Pelletier and his father's girlfriend had an argument over an incident involving his half-brother. She became enraged and hit Pelletier. After the altercation with his father's girlfriend, his father said that Pelletier could no longer live with them. At 11 years-old, Pelletier felt abandoned by both of his parents. He went to live with his grandmother for several years, eventually moving back in with his father, and then finally moved out on his own when he turned 18 years-old and graduated from Amesbury High School.

In 1989, at 20 years-old, Pelletier got married to a woman he had been dating for two years and his son was born one year later. However, his drinking escalated after the birth of his son. Three years after their wedding, his wife took their son and left him. In 1994, she took out a restraining order, on behalf of her son, against Pelletier. He told the Board that she obtained the order after they had a verbal argument about child support. He insists that he never hit her or directly threatened her in any way. In 1995, he was charged with violating the restraining order after he went to his ex-wife's house to try and speak with her and their son.

When asked about his substance abuse history, Pelletier told the Board that he had his first drink at the alarmingly young age of around three years-old. He said that he "used to drink shots of whisky off my great grandfather's window sill." Pelletier said his great grandfather would line up whisky shots and then go to the bathroom, at which point Pelletier would imitate his grandfather by drinking some of the shots. Alcohol was common throughout his childhood and teen years, when he would drink at social and family gatherings. He told the Board that when he was 18 and moved in with his girlfriend (now his ex-wife and the mother of his son), he began to drink every day and that his drinking was the demise of his marriage.

Pelletier met Sharon Jankoski around 1999, while he was staying with his aunt who lived on the same street as Ms. Jankoski. He and Ms. Jankoski frequented the same local bar and about a year after they met, he moved into her home. At that time, Pelletier did not have steady employment and he relied on Ms. Jankoski for support. His daily drinking continued up until the day he was arrested for the murder of Sharon Jankoski. He would occasionally smoke marijuana, but alcohol was his main addiction. He said, "I was drinking just to survive, I knew I was caught in a cycle I couldn't get out of...I was using alcohol to suppress a lot of emotions I had about myself, my low self-esteem." In the time leading up to the murder, Pelletier told the Board that he was not self-sufficient because he would "drink away [his] money...My days were wake up, go to work, come home and drink."

The Board questioned Pelletier about the murder of Sharon Jankoski and asked him to reflect back on his actions. He said that he had been drinking for about 36 hours straight before he had the argument with Ms. Jankoski. He knew that she was attracted to Mike Edmond, a friend of Keith Wilcox, who was staying at their home. He told the Board that he remembers passing out in their bedroom in the early morning of February 27, 2000. He awoke a few hours later and walked into the adjacent bedroom, where he found Ms. Jankoski and Mr. Edmond talking together on the floor next to the bed. Pelletier asked Ms. Jankoski to come back to their bedroom with him so they could talk. He said they went back to their bedroom, where Ms. Jankoski admitted that she had sexual relations with Mr. Edmond while Pelletier was passed out in their bedroom. He said that she told him she did not want to be with him anymore and that she wanted him out of her house. Pelletier told the Board that he "just lost

it" and began to strangle her and punched her in the face. He then heard a person coming down the hall by their bedroom and panicked. He pulled the covers over both of them and pretended to be asleep. When he knew the person had walked by their room, he looked over at Ms. Jankoski and saw that she was still breathing, but that her eyes were closed and her tongue was moving in and out of her mouth as she gasped for air. He told the Board that all he thought of at that moment was getting out of the house and saving himself. He said, "I could have saved her right then and there at that moment if I had just made the call, but I didn't." He said that he then stole Mr. Edmonds car and drove away, eventually returning to the Newburyport Recycling Center, where he had previously been employed. He sat in his car in a garage at the Recycling Center and called his brother, asking if he had killed Sharon. His brother informed him that Sharon Jankoski had died. Pelletier said that at that point, he wanted to end his life. He ingested 2 bottles of prescription narcotics that belonged to Ms. Jankoski. In the meantime, the police had traced the call to his brother and discovered Pelletier's location. When the police arrived and confronted him, he tried to drive away, taking down the garage door and leading the police on a high speed chase. Pelletier was eventually taken into custody and hospitalized, due to his intentional overdose on prescription drugs.

He told the Board that Men's Circle has been instrumental in shifting his focus from thinking of himself as a victim, with no control or choices over his actions, to the understanding that he has always had the ability to choose his actions and reactions. He said that he now understands that killing Ms. Jankoski was not just a crime of passion or a one-time fit of rage by stating to the Board, "that night, it wasn't like I was going along in life just fine and then all of a sudden something went wrong and I lost it...everything had been building in me for a long, long time and Sharon was the innocent victim of my lack of being a man." He also credited his involvement in the Alternatives to Violence Program in helping him to better understand his emotions and his control over his actions and reactions.

A Board Member questioned Pelletier about his lack of substance abuse programming, given his serious addiction to alcohol and the role it played in the murder of Ms. Jankoski. They asked Pelletier why he did not regularly attend AA/NA meetings and why he had not participated in the Correctional Recovery Academy program. Pelletier said that he attended a few AA meetings, but felt that they were not particularly helpful to him, and that further, the meetings conflicted with the Men's Circle group, which he feels is more important to his recovery than AA/NA meetings. He told the Board that his physical urge to drink left him a long time ago and he needed to focus more on the emotional issues that led him to a daily drinking pattern. The Board also questioned his attitude towards women, noting a pattern of violent behavior towards the women he had been involved with. He acknowledged that he did not have a healthy attitude towards women and that he wanted to be in control at all times in his relationships. When asked why he has not participated in any domestic-violence programming, Pelletier said that Men's Circle helped him work through his feelings and change his attitude towards women.

If granted parole, Pelletier said that he wants to first transition to lower security and then to a long-term residential treatment program that provides drug and alcohol counseling, mental health support, and employment assistance. He wants to work and to contribute to the community. He hopes to work with troubled youth to help keep kids from going down the same path he took. He also enjoys his work with elderly inmates and would be interested in working in some capacity with the elderly population. He told the Board that he has a strong

network of support from his family and friends, including his mother, father, girlfriend, son, brother, and sister-in-law. Three people testified in support of parole for Pelletier including: Robert Pelletier, his older brother; Keith Pelletier, Jr., his son; and Cathy O'Bara, his girlfriend.

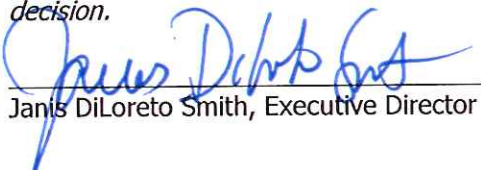
Six people testified in strong opposition to parole for Pelletier including: the victim's mother; the victim's sister; the victim's best friend; two of the victim's four children; and Essex County Assistant District Attorney Emily Mello.

III. DECISION

Keith Pelletier, at age 30, beat and strangled his girlfriend, stole a car, fled from the scene without calling for help, intentionally overdosed on prescription pills, and then led the police on a high speed car chase before he was arrested. Although he had an unsettled childhood and an early exposure to alcohol consumption that developed into a major addiction, Pelletier demonstrated a serious lack of impulse control leading up to the murder and until the time he was taken into custody. Records indicate, and Pelletier admitted, that he has participated only sporadically in substance abuse programming and has not participated in any family violence programs. The Board commends Pelletier for his model behavior as an inmate since his incarceration 15 years ago, as well as his program involvement in Menswork, Alternatives to Violence, and the Companion Program. However, there is more work to be done regarding Pelletier's serious history of alcoholism and the violent tendencies he has exhibited towards women prior to his incarceration for the murder of Ms. Jankoski. Further, Pelletier minimizes the importance of adequate substance abuse programming as a critical part of his rehabilitation.

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, it is the unanimous opinion of the Board that Keith Pelletier does not merit parole at this time. The review will be in two years, during which time Pelletier should avail himself of the Correctional Recovery Academy and other substance abuse programs for a more comprehensive rehabilitation that addresses both substance abuse and non-violent conflict resolution in domestic situations.

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.


Janis DiLoreto Smith, Executive Director

4/13/18
Date