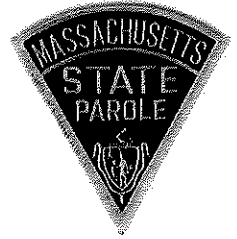




*The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security*



**PAROLE BOARD**

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**DECISION**

**IN THE MATTER OF**

**KENNETH JUNIER**

**W35257**

**TYPE OF HEARING:** **Review Hearing**

**DATE OF HEARING:** **October 11, 2018**

**DATE OF DECISION:** **September 19, 2019**

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, Lucy Soto-Abbe, Paul Treseler

**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 scheduled in five years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On November 26, 1975, after a jury trial in Bristol Superior Court, Kenneth Junier was found guilty of rape and sentenced to life in prison with the possibility of parole. On that same date, Mr. Junier pleaded guilty to a second count of rape, for which he received a second life sentence to run concurrent with the first life sentence. On that same date, he also pleaded guilty to a separate kidnapping, for which he received a sentence of 5 to 7 years<sup>1</sup> to run consecutive to (from and after) his life sentences. The victims in these cases were three young women from southeastern Massachusetts.<sup>2</sup>

The first incident involved the rape of a 21-year-old female on August 8, 1972. While the victim was walking back to her vehicle, Mr. Junier (age 26), pulled his car over and

<sup>1</sup> This sentence expired on June 15, 1995.

<sup>2</sup> The names of all sexual assault victims are withheld. See G.L. c. 265, s. 24C.

kidnapped her. To accomplish the kidnapping, Mr. Junier grabbed the victim by the throat, hit her numerous times, and threatened to kill her if she did not keep quiet. Mr. Junier, who forced the victim into the back seat of his car, drove her to a separate location. He then took the victim from the car, threw her to the ground, and violently raped her. When the victim struggled, Mr. Junier hit and threatened to kill her. Mr. Junier fractured the victim's right cheekbone in three places, scratched her throughout the neck and face, and bit her on the chin and buttocks. After raping her, Mr. Junier took the victim to another location and left her there to find her own way home.

The second incident involved the kidnapping of another 21-year-old female on April 14, 1975. After a brief traffic encounter, Mr. Junier (age 29) followed the victim and forced her to pull her vehicle to the side of the road. Mr. Junier pretended to be a police officer, demanding that she wait at the side of the road to exchange papers. As the victim got closer to his car, Mr. Junier grabbed her, threw her into his car, held her by the throat, and threatened to kill her. The victim escaped by jumping out of the vehicle, as it slowed to make a turn, and then running to a nearby house for assistance. During her escape, she struck her head on the road, suffering a wound that required three stitches.

The third incident involved the rape of a 19-year-old female on September 20, 1975. Mr. Junier (age 29) approached the victim as she was leaving a pub, grabbed her from behind, and dragged her to a nearby area. When the victim struggled, Mr. Junier threatened to kill her. He then grabbed her by the neck and forcibly raped her.

In addition, on September 27, 1977, Mr. Junier was found to be a "Sexually Dangerous Person (SDP)," pursuant to M.G.L. c. 123A, and was designated as such until 1991.

## **II. PAROLE HEARING ON OCTOBER 11, 2018**

On November 16, 1990, Mr. Junier appeared before the Board for his initial hearing on his life sentences under commitment number W35257. The Board voted to deny parole with a three year review, unless his status as a sexually dangerous person was removed. On April 12, 1991, Mr. Junier was found to no longer qualify as a sexually dangerous person. Therefore, on September 16, 1991, Mr. Junier appeared before the Board for a review hearing. He was paroled to his from and after sentence of 5 to 7 years under commitment number W51415.

On August 25, 1993 Mr. Junier appeared before the Board for his initial hearing on his 5 to 7 year sentence and was denied parole. Shortly thereafter, in October 1993, a Parole Violation Report was issued against Mr. Junier for failure to participate in mental health counseling and for insolence and use of obscene language (resulting in a disciplinary report). As a result of this violation, the Board revoked Mr. Junier's parole on his life sentences in March 1994, and issued a warrant on his life sentences to be lodged behind the 5 to 7 year sentence he was then serving.

In July 11, 1994, Mr. Junier appeared before the Board for a review hearing on his 5 to 7 year sentence and was denied parole. On June 15, 1995, Mr. Junier completed serving his 5 to 7 year sentence under commitment number W51415 and resumed serving his concurrent life sentences under commitment number W35257. Mr. Junier was denied parole at his review hearings on his life sentences in 1998, 2003, 2008, and 2013.

Kenneth Junier, now 72-years-old, appeared before the Parole Board for his review hearing on his life sentences on October 11, 2018. He was not represented by counsel. In his opening statement to the Board, Mr. Junier expressed his regret for the extreme violence he committed against the young women. He discussed the causative factors that lead him to violently attack the three women, who were strangers to him. Mr. Junier did not dispute the facts of the first and third cases; however, he denies that it was his intention to rape the second victim. He acknowledges that he was consumed with unresolved anger and that he lacked empathy. He wanted others to feel the pain he was experiencing. At the time of the offenses, Mr. Junier was drinking to excess, often becoming combative and abusive, and blacking out. He denies that the offenses were for sexual gratification; rather, he claims that the commission of the violent acts was to attain power and control over the women, as he needed to dominate them. Mr. Junier indicated that he often suppressed his feelings, resulting in the consumption of alcohol. He would then become confrontational and engage in bar room brawls. At times, his rage would culminate in violently attacking women.

The Board discussed Mr. Junier's institutional adjustment since his last hearing. Mr. Junier has been incarcerated at MCI-Norfolk since 1996. He is not currently employed in the facility due to his age and medical issues. He regularly attends 12-step and the American Veterans in Prison programs. Mr. Junier is unable to attend the Sex Offender Maintenance program, as it is no longer available at the facility.

Bristol County Assistant District Attorney Michael Sheehan spoke in opposition to parole. Additionally, the New Bedford Police Department submitted a letter of opposition.

### **III. DECISION**

Mr. Junier has very concerning offenses. It is the opinion of the Board that he has yet to demonstrate a level of rehabilitative progress that would be compatible with the welfare of society. He has committed numerous rapes by force, with a history of being deemed SDP (Sexually Dangerous Person). Despite years of treatment, he has a distorted view of the precipitants and motives for repeated rapes.

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. The Board also considered a risk and needs assessment, and whether risk reduction programs could effectively minimize Mr. Junier's risk of recidivism. The Board considered Mr. Junier's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of incarceration. After applying this standard to the circumstances of Mr. Junier's case, the Board is of the unanimous opinion that Kenneth Junier is not rehabilitated and, therefore, does not merit parole at this time.

Mr. Junier's next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Junier to continue working towards 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

9/19/2019  
Date