

**Maura Healey**  
*Governor*

**Kim Driscoll**  
*Lieutenant Governor*

**Terrence Reidy**  
*Secretary*

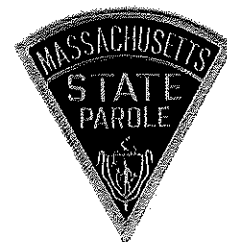
*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

*12 Mercer Road*  
*Natick, Massachusetts 01760*

*Telephone # (508) 650-4500*

*Facsimile # (508) 650-4599*



**Tina M. Hurley**  
*Chair*

**RECORD OF DECISION**

**IN THE MATTER OF**

**KENNETH STIMPSON**

**W37331**

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

**DATE OF HEARING:**       **September 27, 2022**

**DATE OF DECISION:**      **January 11, 2023**

**PARTICIPATING BOARD MEMBERS:** Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

**STATEMENT OF THE CASE:** On October 25, 1979, in Middlesex Superior Court, Kenneth Stimpson pleaded guilty to second-degree murder in the death of 34-year-old John McCann and was sentenced to life in prison with the possibility of parole. On that same date, charges of Armed Assault with Intent to Murder and Assault and Battery by Means of a Dangerous Weapon were placed on file.

Mr. Stimpson appeared before the Parole Board for a review hearing on September 27, 2022. He was represented by Attorney Eric Ruben. Mr. Stimpson was denied parole after his initial hearing in 1993 and postponed his review hearings in 1996 and 2000. He was denied parole after his review hearing in 2001 but was granted parole after his review hearing in 2004. His parole was revoked in 2005 and he has been denied parole at his subsequent review hearings in 2006, 2011, and 2016. He postponed his 2021 review hearing. The entire video recording of Mr. Stimpson's September 27, 2022, hearing is fully incorporated by reference to the Board's decision.

**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 a suitable candidate for parole.

Reserve to approved home plan. Mr. Stimpson and his brother murdered 34-year-old John McCann on August 24, 1978. Mr. Stimpson has been reincarcerated for seventeen years after a

parole revocation. He is currently employed in the institution. He has not received a disciplinary report with sanctions since 2013. He attends AA on a weekly basis. He presented a thoughtful parole plan to include AA and mental health counseling through the Veterans Administration. The Board notes that Mr. Stimpson served in the United States Navy. Mr. Stimpson should pursue further counseling in the community and commit to a positive transition on parole supervision.

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. In forming this opinion, the Board has taken into consideration Mr. Stimpson's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Stimpson's risk of recidivism. Applying this standard to the circumstances of Mr. Stimpson's case, the Board is of the unanimous opinion that Kenneth Stimpson is rehabilitated and, therefore, merits parole at this time.

**Special Conditions:** Reserve to approve home plan before release; Waive work for disability; Curfew at PO's discretion; ELMO-electronic monitoring at PO's discretion; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with victim's family; Must have mental health counseling for mood disorder/trauma; AA/NA at least 3 times/week.

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

  
\_\_\_\_\_  
Pamela Murphy, General Counsel

1/11/23  
Date