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Governor

Timothy P. Murray  
Lieutenant Governor

Andrea J. Cabral  
Secretary

# *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*



Josh Wall  
Chairman

### **DECISION**

#### **IN THE MATTER OF**

#### **KEVIN DUGGAN**

**W54131**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** August 21, 2012

**DATE OF DECISION:** April 23, 2013

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

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years. The decision is unanimous.

### **I. STATEMENT OF THE CASE**

Kevin Duggan appeared before the Massachusetts Parole Board for a review hearing on the life sentence he is currently serving at NCCI-Gardner. Mr. Duggan received this sentence in Worcester Superior Court on March 9, 1993, after pleading guilty to second-degree murder in the strangulation death of 50-year-old Dr. Mary Margaret Comer.

On October 25, 1992, armed with a baseball bat, Kevin Duggan entered the home of his neighbor, Dr. Mary Margaret Comer, to burglarize the home. During the burglary, Dr. Comer returned to her home and was brutally beaten with the bat and stabbed with a knife by Duggan. Duggan then proceeded to strangle Dr. Comer with a coaxial cable from her stereo. Dr. Comer died of injuries resulting from ligature strangulation and blunt head trauma. After killing Dr. Comer, Duggan stole her car, a VCR, a stereo receiver, a television, and her checkbook, and subsequently cashed two checks from her account.

On October 27, 1992, Dr. Comer's body was discovered by the Worcester Police Department and Duggan was arrested the following day.



## II. PAROLE HEARING ON AUGUST 21, 2012

Kevin Duggan admitted that he brutally beat and strangled Dr. Comer, yet expressed no insight about why he committed such a horrendous crime against his neighbor. After several Board Members asked him why he killed Dr. Comer, he stated, "I don't understand why I did it in the first place." Board Members observed that Duggan appeared to be abandoning his rehabilitative efforts as he told the Board that he did not feel the need to engage in programming, stating that he has no desire to drink or do drugs. Board Members informed Duggan that his decision to no longer participate in both substance abuse and mental health counseling was very concerning and could be interpreted that he is no longer interested in rehabilitation.

Board Members questioned Duggan about his poor institutional conduct, particularly about the nine disciplinary reports he has received since his last hearing. The reports involved two threats to another inmate to do bodily harm, use of obscene language, refusing a cell assignment, and possession of contraband. Duggan showed very little insight into his behavior that resulted in the additional disciplinary reports.

No supporters testified in support of parole, and Reverend Joseph Gerry submitted a letter of support. Dr. Comer's sister, Dr. Susan Comer, and cousins, Janet Even and Eleanor Odom strongly opposed parole noting, "Our grief has no parole." Worcester County Assistant District Attorney Michele King opposed parole stressing Duggan's lack of programming.

## III. DECISION

Kevin Duggan has served twenty years of his life sentence, during which time he has shown little inclination to reform himself. He does not have a plan for rehabilitation and has withdrawn from meaningful participation in programs and counseling. His lack of rehabilitation is reflected in his poor conduct resulting in nine disciplinary reports since his last parole hearing.

The standard applied in assessing candidates for parole is set out in 120 CMR 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, we find that the inmate does not merit parole at this time. 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. 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.*



Josh Wall, Chairman



Date