



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



PAROLE BOARD

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Executive Director

DECISION

IN THE MATTER OF

ROBERT CANTELL

W36380

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **May 20, 2021**

DATE OF DECISION: **January 19, 2022**

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa

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 that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in four years from the date of this hearing. ¹

I. STATEMENT OF THE CASE

On December 2, 1977, after a jury trial in Bristol Superior Court, Robert Cantell was found guilty of rape and received a sentence of life in prison with the possibility of parole. On that same date, Mr. Cantell was found guilty of kidnapping and received an 8 to 10-year sentence to run from and after his life sentence. In addition, Mr. Cantell was found guilty of armed burglary for which he was sentenced to 10 to 12 years, assault by means of a dangerous weapon for which he was sentenced to 3 to 5 years, and engaging in unnatural acts for which he was sentenced to 3 to 5 years. All sentences were ordered to run concurrent to his life sentence. In 1978, Mr. Cantell's convictions were affirmed. ²

¹ One Board Member voted to deny parole with a review scheduled in five years.

² *Commonwealth v. Robert E. Cantell*, 6 Mass. App. Ct. 958

On April 2, 1977, Robert Cantell, age 20, broke into a nursing home in New Bedford at approximately 3:00 am. He forcibly abducted a female nurse at knifepoint and then drove her to an isolated area. After forcing her to dance in the nude and to repeat obscenities, Mr. Cantell proceeded to rape and sodomize the victim. Afterwards, he abandoned her.

II. PAROLE HEARING ON MAY 20, 2021

Robert Cantell, now 65-years-old, appeared before the Parole Board for a review hearing on May 20, 2021. He was not represented by counsel. Mr. Cantell was denied parole in 1992, 1993, 1994, 1997, 2003, 2006, and 2015.³ In 2010, the Board granted him parole. However, his parole was revoked approximately five months after his release.⁴ In Mr. Cantell's opening statement to the Board, he apologized and took full responsibility for his crime. He further acknowledged that he caused the victim and her family a "lifetime of trauma." Mr. Cantell also addressed his previous parole revocation, stating that he "fully understands and appreciates" the severity of his actions.

The Board discussed Mr. Cantell's parole history, noting that his parole was revoked due to possession of pornographic material. Mr. Cantell, however, claimed that the violation was "inadvertent," as he had not considered the material to be pornographic. Further, pornography was not one of his "triggers." He also indicated that his parole officer "wanted to send [him] back to prison." Upon Board Member questioning, Mr. Cantell described his return to custody as a "maddening experience," blaming his revocation as the reason behind the return of his deviant fantasies. Nonetheless, Mr. Cantell described his parole supervision as successful, explaining that he was "respectful" of his sex offender status at the time.

Board Members also expressed concern as to the sexually deviant behavior of Mr. Cantell following his parole revocation. Specifically, Mr. Cantell wrote several letters that, by his own admission, were sexually graphic and violent. The letters included pictures of underage children, which Mr. Cantell denied viewing. When asked about the recipient of these letters, Mr. Cantell described the individual as a "like-minded pen pal." Despite completion of the Sex Offender Treatment Program ("SOTP"), the Board noted Mr. Cantell's failure to recognize the severity of his actions, as well as his failure to apply the tools he acquired through treatment. Mr. Cantell responded that the letters contained some of his "deepest, darkest thoughts," and that he had not intended on anyone reading them. When Board Members inquired as to why he found it acceptable to share such thoughts with another sex offender, Mr. Cantell denied that the recipient was a sex offender. The Board struggled to reconcile that as the truth, considering the explicit nature of the letters. Ultimately, the Board encouraged Mr. Cantell to continue the Sex Offender Maintenance Program, as further insight into his sexually deviant behavior would be beneficial to his rehabilitation.

The Board addressed Mr. Cantell's problematic institutional adjustment, noting the accrual of several concerning disciplinary infractions. Since his return to custody, Mr. Cantell received two disciplinary reports for possession of pornographic material. When asked to explain, Mr. Cantell accepted responsibility for the first incident. However, he denied the second incident, claiming that another inmate planted the material in his cell. In addition,

³ Mr. Cantell waived his hearing in 2020.

⁴ On February 24, 2011, Mr. Cantell was arrested on a parole violation warrant for possessing a four-inch knife, as well as magazines containing provocative and revealing pictures of women.

Board Members questioned Mr. Cantell about his past statements, when he expressed a desire to harm a correctional officer and murder a former parole officer. In response, Mr. Cantell claimed that the report came from an "undercover informant," who was reporting false information to a correctional officer. Mr. Cantell told the Board that he was being targeted and had never expressed an intent to harm an officer.

When Board Members discussed his rehabilitative efforts, Mr. Cantell said that he completed the Correctional Recovery Academy ("CRA") for a second time. He also completed Restorative Justice and has re-engaged in the Sex Offender Treatment Maintenance Program. Mr. Cantell indicated that his programming efforts have helped him understand the harm he's caused, claiming that he has not had a sexually deviant thought in 7 to 8 years. Mr. Cantell shared with the Board that he has "appropriate sexual thoughts" and now understands his limits. Moreover, he has learned about his triggers and how to "intervene immediately" if negative thoughts should occur.

The Board considered testimony in support of parole from Mr. Cantell's friend. The Board considered testimony in opposition to parole from Bristol County Assistant District Attorney Jason Mohan.

III. DECISION

The Board is of the opinion that Robert Cantell has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Cantell is serving a life sentence for the kidnapping and rape of a 26-year-old female nurse. He was returned to custody in 2011 after violating parole. He was on parole for approximately five months when his parole was revoked. Since his return to custody, he has engaged in behavior indicative of sexual deviancy as evidenced by incidents in 2013 and 2017. Mr. Cantell has recently reengaged in SOTP Maintenance and is in need of further treatment. At the hearing, Mr. Cantell's presentation was concerning, as he minimized his behavior and attempted to make excuses for his behavior.

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. Cantell'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. Cantell's risk of recidivism. After applying this standard to the circumstances of Mr. Cantell's case, the Board is of the opinion that Robert Cantell does not merit parole at this time.

Mr. Cantell's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. Cantell 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

1/19/2022
Date