



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



**PAROLE BOARD**

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**DECISION**

**IN THE MATTER OF**

**SEBRAN SHAGOURY**

**W38188**

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

**DATE OF HEARING:** **April 2, 2019**

**DATE OF DECISION:** **December 16, 2019**

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, 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 the 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. Parole is granted to an approved home plan, subject to special conditions, and after District Attorney clearance.

**I. STATEMENT OF THE CASE**

On April 17, 1981, after a jury trial in Barnstable Superior Court, Sebran Shagoury was found guilty of aggravated rape and sentenced to life in prison with the possibility of parole after 15 years. On that same date, he received a 10 to 20 year concurrent sentence on a conviction for sodomy. The court filed a charge of assault and battery.

On October 2, 1980, at approximately 1:40 a.m., a female was walking on Tremont Street in Provincetown, when she was physically assaulted by two male subjects, later identified as Stanley Dutra and Sebran Shagoury. The two males dragged the woman to a private parking lot, where they subjected her to rape and sodomy for approximately one to two hours. The two men then dragged her to a Ford van, which was parked in an adjacent parking lot. The two men broke into the van and forced the victim inside, where they continued to rape and sodomize her for another one to two hours. The next morning, police located Mr. Dutra and

Mr. Shagoury and questioned them. Although Mr. Shagoury initially told police that the sex was consensual, he admitted to rape when questioned privately.

## **II. PAROLE HEARING ON APRIL 2, 2019**

Sebran Shagoury was denied parole after both his initial parole eligibility hearing in 1995 and his review hearing in 1999. In 2003, he was released on parole to the Intensive Parole for Sex Offenders program. In 2007, his parole was revoked after a parole violation report charged Mr. Shagoury with testing positive for THC and violating a special condition for sex offenders. After his 2008 review hearing, Mr. Shagoury was re-paroled. In 2014, Mr. Shagoury was again returned to custody on a parole violation, after his girlfriend obtained a restraining order against him. Mr. Shagoury was re-paroled after his 2015 review hearing. In March 2017, however, Mr. Shagoury was returned to custody on parole violations for failure to disclose his visits to massage facilities in his daily log (as required by his sex offender conditions), and for failure to disclose the visits to his sex offender therapist. Revocation was affirmed in May 2017. In April 2018, he was denied parole with a one year review.

Mr. Shagoury, now 57-years-old, appeared before the Board for a review hearing on April 2, 2019. He was not represented by counsel. In Mr. Shagoury's brief opening statement to the Board, he summarized topics he would like to address during the hearing. When the Board inquired about his visits to massage facilities in 2017, resulting in his last revocation, Mr. Shagoury explained that his sole reason for these visits was to obtain relief for severe back pain. Mr. Shagoury indicated that he had tried other remedies, all to no avail. He denied going to the massage facilities for any nefarious reasons or knowing whether any illicit activities occurred. When questioned as to why he did not report his massage visits to his parole officer or record them in his daily sex offender log, Mr. Shagoury stated that he "didn't think of it as any more than a doctor's appointment." He explained that he was not trying to hide it from his parole officer.

When Board Members inquired about his childhood, Mr. Shagoury stated that he was sexually abused by his mother and physically abused by his father. He indicated, however, that he has addressed issues surrounding his abuse during therapy at Bridgewater Treatment Center. Mr. Shagoury told the Board that he has a great deal of community support and friendships. He explained that he has employment, as he still owns his own business. Mr. Shagoury is also currently participating in programming, including Restorative Justice and the Sex Offender Treatment Maintenance Program.

The Board considered the testimony of Mr. Shagoury's two friends in support of parole. Cape & Islands District Attorney Michael O'Keefe submitted a letter of opposition.

## **III. DECISION**

The Board is of the opinion that Sebran Shagoury has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Shagoury has continued to engage in SOTP (Sex Offender Treatment Program) maintenance since his return to custody. In addition, he is in the Restorative Justice program.

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. Shagoury'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. Shagoury's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Shagoury's case, the Board is of the unanimous opinion that Sebran Shagoury merits parole at this time. Parole is granted to an approved home plan, subject to special conditions, and after District Attorney clearance.

**SPECIAL CONDITIONS:** Approve home plan before release; Waive work for 2 weeks; Must be home between 10:00 p.m. and 6:00 a.m.; Electronic monitoring; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Polygraph testing; Report to assigned MA Parole Office on day of release; No contact or association with [name1] and [name2] without PO consent; No contact with victim(s); AA/NA at least 3 times/week; Mandatory Sex A conditions.

*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

12/16/2019  
Date