



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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DECISION

IN THE MATTER OF

WILFRED DACIER

W62511

TYPE OF DECISION: **Action Pending**

DATE OF DECISION: **November 4, 2015**

PARTICIPATING BOARD MEMBERS: Charlene Bonner, Tonomey Coleman, Sheila Dupre, Lee Gartenberg, Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe.

DECISION OF THE BOARD: The Board concludes by unanimous vote to continue action pending for the Department of Mental Health (DMH) review. The inmate is in need of a current evaluation from DMH to determine if he is eligible for services. In 2010, the Parole Board had requested an evaluation by DMH prior to making a final decision on Wilfred Dacier's suitability for parole release. However, DMH rendered a decision that stated Dacier does not meet the criteria for services. The Board requested another evaluation by DMH in June 2014. DMH again determined that Dacier does not meet the criteria for services. On March 3, 2015, the Board voted to "continue action pending" for a mental health evaluation conducted by Dr. Robert Kinscherff. On August 26, 2015, the Parole Board reviewed Dr. Kinscherff's evaluation and, based on those recommendations, the Board votes again to "continue action pending" and requests that Dacier appeal his DMH decisions that have deemed him not eligible for services.

I. STATEMENT OF THE CASE

On April 15, 1997, in Middlesex Superior Court, Wilfred Dacier pleaded guilty to second degree murder and was given a life sentence with the possibility of parole after serving 15 years. The murder resulted from a domestic dispute between Dacier (then age 38) and his sister, Susan Dacier, age 34 at the time of her death. They had lived together in Lowell, MA.

On October 21, 1995, in the early morning hours, Dacier walked into his sister's bedroom to discuss the household financial situation. According to Dacier, his sister had been "harassing" him because he could not keep a job and she had to support the family. His sister refused to discuss the issue with Dacier due to the hour, but Dacier persisted nonetheless.

According to Dacier, his sister stated that if he did not leave her room, she would hit him. Then, according to Dacier, his sister hit him with a book in the back of the head. Dacier left his sister's room and returned to his bedroom, where he retrieved a large military style knife. He then returned to his sister's bedroom and stabbed her 14 times in the face and body, as she lay in bed. Thereafter, Dacier called his brother and sister-in-law and stated that he had done "a real bad thing" – he had become very mad and had thrown a knife at his sister. They told Dacier to call 911 and they contacted the Lowell Police Department. Police arrived at the home and found Dacier sitting on the front steps with a cell phone. There was blood on his hands and clothing. In the second floor bedroom, they found the victim lying on her bed, profusely bleeding and unresponsive. Shortly thereafter, Ms. Dacier was pronounced dead at the hospital.

Wilfred Dacier's initial parole hearing, on September 21, 2010, resulted in the Board's decision to grant parole to a Department of Mental Health secured facility. The Parole Board specified that security cannot be reduced without Board approval and that no less a restrictive setting would be compatible with the demands of public safety. As a result of that decision, Dacier was evaluated by DMH and found not to meet the criteria for services. Given Dacier's inability to meet the Parole Board's prescribed vote, his parole was rescinded in December 2013, and he was placed on the next available hearing list. Dacier had next hearing on April 1, 2014.

II. PAROLE HEARING ON APRIL 1, 2014

Wilfred Dacier was represented by a Harvard Law School student attorney and was also being treated for schizoaffective disorder. Parole Board Members questioned Dacier extensively about the relationship between his mental illness and the murder. Based on information gained at the hearing, and through mental health evaluations that were conducted following the murder, there appears to be a direct correlation between Dacier's mental state and his decision to murder his sister. Dacier contradicted himself numerous times when trying to explain whether his mental state was a factor when he murdered his sister. He initially stated that his mental illness was not a factor; however, he later described a decline in his mental state, paranoid feelings, and an inability to "read human nature" as being precipitants to the murder.

Dacier attempted suicide twice during the early stage of his incarceration and was committed to Bridgewater State Hospital. He has been engaged in mental health treatment since that time. On many occasions, Dacier has been incarcerated within the most intensive psychiatric treatment programs that the prison has to offer. Dacier stated that he benefits from this type of psychiatric setting because he needs "structure, routine, and I need to take my medication or I don't know what would happen. The RTU [residential treatment unit] was a godsend. They have art therapy, current events, cognitive behavioral therapy, life skills and anger management." When asked to elaborate on what would happen if he were not compliant with his medication, he stated that "when my mental illness comes out, I get in other people's faces. It scares people. I learned that." He did not elaborate further. When asked what he would need to succeed, he stated that "I won't succeed unless I take my medication or I get therapy."

Dacier has maintained institutional employment throughout his incarceration. At the time of his hearing, he was working at the optical shop making glasses, and he stated that he would like to continue with that type of employment in the community. Most of his

programming accomplishments have been within the RTU setting. His institutional conduct has been excellent, and Dacier attributes his progress to the structure and treatment he has received. Dacier had no one present in support of parole, but he submitted several letters of support from people in the community. However, he stated that he no longer has family support and has a "huge enemy issue with my brother." He denied any contact with his brother or being any sort of threat to his brother.

Middlesex Assistant District Attorney Doug Cannon provided testimony emphasizing the previous Board's concern that Dacier required the strict security of a DMH setting only. ADA Cannon emphasized the violent nature of the offense, as well as his concerns that Dacier has verbalized that his brother is an enemy.

III. DECISION

The Parole Board continues to have significant concerns regarding Dacier's current mental health. Dacier stated that he is in need of structure, routine, and medication compliance in order to maintain his stability. He has required the services of the most intensive treatment program, at various times, during his incarceration. The violent murder of his sister appears to be directly related to his mental illness. Dacier stated that he is unsure of what would happen if he were to terminate his medication. It is evident that Dacier's stability relies on the structure, routine, and services that the institution provides for him. Dacier proposed a parole plan to transition to a long-term residential treatment program. Such programs generally provide ongoing treatment for those suffering from addictions for approximately six months. However, in this particular case, that setting appears insufficient both in length of time and in providing for Dacier's daily living needs. Dacier's mental health needs appear to exceed that which long-term residential treatment programs are able to provide and, thus, he will need a more comprehensive short-term and long-term release plan in order to function successfully in the community.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 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 an 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." Following Dacier's parole hearing on April 1, 2014, the Parole Board voted "action pending" and requested that a mental health evaluation be conducted by Dr. Robert Kinscherff to assist the Parole Board in understanding Dacier's current needs. Based on Dr. Kinscherr's expert opinion, as provided in his evaluation dated July 25, 2015, the Parole Board is seeking a re-evaluation by DMH to determine Dacier's eligibility for services. The Parole Board will assist in the process of having Dacier re-evaluated by DMH.

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.



Michael J. Callahan

November 4, 2015

Date