

New hope for convicted rapist's medical parole bid

Sentinel & Enterprise Staff Report

Sentinel & Enterprise

Updated: 2019-01-09 09:48:07.698

WORCESTER -- Convicted rapist Benjamin LaGuer has another chance for a medical parole after a judge ruled that his medical condition has "recently improved," according to the Telegram & Gazette.

LaGuer was sentenced to life in prison in 1984 with the possibility of parole after being convicted of beating and raping his 59-year-old neighbor in her Leominster home in 1983.

LaGuer, 55, filed a petition in April 2018 for a medical parole using a new state law that provides for the early release of dying inmates who no longer pose a risk to society, according to the T&G.

In the petition, LaGuer said he was suffering from terminal liver cancer and doctors gave him only months to live and if released he would stay with someone in Danvers experienced in hospice care, the T&G wrote.

The petition for medical parole was denied in June by then-state Department of Correction Commissioner Thomas A. Turco III, in part, wrote the T&G, because Turco still believed LaGuer posed a risk to the public. Turco III is now the state's public safety secretary.

LaGuer filed an appeal of the denial, alleging the decision was arbitrary, capricious and based on improper considerations, wrote the T&G.

In November, a hearing was held on the appeal before Judge James G. Reardon Jr. in Worcester Superior Court.

On Monday, the T&G wrote, the judge issued a nine-page ruling that included an updated prognosis on LaGuer's liver cancer.

The judge wrote, according to the T&G, that LaGuer's cancer "appears to be in temporary remission (and) is likely to reoccur" and that he has a predicted life expectancy of one year.

Reardon ordered the issue be sent to correction officials "for reconsideration of LaGuer's petition for medical parole, in light of his recently improved medical condition," according to the T&G.

The judge ruled LaGuer has 21 days to submit a renewed petition reflecting his current medical condition to the superintendent of the North Central Correctional Institution in Gardner, where he is held, wrote the T&G.

Within 21 days, the superintendent must comply with state law and review the new petition and develop a recommendation on LaGuer's parole status, wrote the T&G.

The recommendation, regardless of whether or not the superintendent supports the parole request, will be submitted to the state's Correction Commissioner, according to the Telegram & Gazette.

LaGuer has maintained his innocence since his conviction.

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