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Tina M. Hurley
Chair

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RECORD OF DECISION

IN THE MATTER OF

GARY DONAGHY
W38037

TYPE OF HEARING: Review Hearing

DATE OF HEARING: January 8, 2025

DATE OF DECISION: April 7, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman¹, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz

VOTE: Parole is granted to CRJ or Solider On, or Veterans' Program, but not before DA clearance.

PROCEDURAL HISTORY: On February 4, 1981, in Bristol Superior Court, Gary Donaghy pleaded guilty to second-degree murder for the death of Carol Drolet. He was sentenced to life in prison with the possibility of parole. Parole was denied after an initial hearing in 1995, and after review hearings in 1998, 2001, 2003, 2007, 2019 and 2023. On January 8, 2025, Gary Donaghy appeared before the Board for a review hearing. He was represented by Harvard PLAP student attorneys Hannah Levine and Frank Obermeyer under the supervision of Attorney Joel Thompson. The Board's decision fully incorporates by reference the entire video recording of Gary Donaghy's January 8, 2025, hearing.

STATEMENT OF THE CASE: On May 28, 1980, 25 year-old Gary Donaghy stabbed and killed 21-year-old Carol Dorlet in New Bedford. Massachusetts State Police arrived at 37 Sixth Street in New Bedford as a result of a call concerning a possible homicide. Ms. Drolet was lying on her back on the apartment floor with a large pool of blood around her head and her face covered with blood. Her shirt was partially pulled up and her blue cut-off dungaree shorts were opened at the waist and partially pulled down. A military type belt was observed around the victim's neck with no buckle on it and not very tight. Blood was observed on the lower walls and door

¹ Board Member Coleman was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

frames from the living area into the kitchenette. There was blood in the kitchen sink and on the hot water faucet handle and several spots visible on the countertop. Dr. Ambrose Keeley, State Pathologist, observed that there were four stab wounds in the chest, five stab wounds in the neck and throat, and two stab wounds over the right eye. Following an investigation, Mr. Donaghy was placed under arrest for the murder.

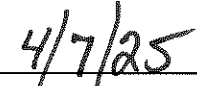
APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

DECISION OF THE BOARD: Mr. Donaghy has served 45 years of a life sentence for the murder of Carol Drolet in 1980. He was 25-years-old at the time of the offense. Mr. Donaghy received a 2-year setback following his hearing in January 2023. The Board recommended at that time that he engage in further programming in the area of victim empathy. Mr. Donaghy has followed the Board's recommendation by participating in VOG, Restorative Justice Retreat and Reading Group, and Anger Management. During his hearing, he demonstrated that he has developed the tools to control his anger and emotions. He has had no disciplinary reports since 2012. Mr. Donaghy attends AA weekly and has taken on leadership roles, while incarcerated. The Board also notes that he received an honorable discharge from the United States Marine Corp. The Board considered testimony from Mr. Donaghy's sister in support of parole and Bristol County Assistant District Attorney Dan Walsh, who did not oppose parole, but expressed concern that Mr. Donaghy did not present a solid re-entry program. The Board concludes by unanimous decision that Gary Donaghy has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Approve home plan before release; Waive work for 2 weeks; Electronic Monitoring for 6 months; Supervise for drugs; Testing in accordance with Agency policy; Supervise for liquor abstinence; Testing in accordance with Agency policy; Report to assigned MA Parole Office on day of release; No contact with victim(s)' family; Must have mental health counseling for adjustment; AA/NA at least 3 times per week; Mandatory DA clearance.

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.


Tina M. Hurley, Chair


Date