



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

GARY DONAGHY

W38037

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **January 19, 2023**

DATE OF DECISION: **February 9, 2023**

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On February 4, 1981, in Bristol Superior Court, Gary Donaghy pleaded guilty to second degree murder in the death of 21-year-old Carol Drolet and was sentenced to life in prison with the possibility of parole.

Mr. Donaghy appeared before the Parole Board for a review hearing on January 19, 2023. He was not represented by counsel. Mr. Donaghy was denied parole after his initial hearing in 1995, and after his review hearings in 1998, 2001, 2003, 2007, and 2019. The entire video recording of Mr. Donaghy's January 19, 2023, hearing is fully incorporated by reference to the Board's decision.

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.¹

The Board is of the opinion that Gary Donaghy has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Donaghy killed Carol Drolet on May 28, 1980, in New Bedford. Mr. Donaghy completed the Sex Offender

¹ Two Board members voted to grant parole.

Treatment Program and has been in maintenance for eleven months. It appears that Mr. Donaghy has begun to gain insight into his crime. The Board finds that he has more work to do in the area of victim empathy. He is encouraged to pursue programming in this area, namely any Restorative Justice programs, although the Board notes he participated in the Restorative Justice retreat. He will benefit from additional time in maintenance to apply what he has learned in the Sex Offender Treatment Program. The Board would like to see Mr. Donaghy strengthen his parole plan and identify robust community supports.

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. Donaghy'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. Donaghy's risk of recidivism. After applying this standard to the circumstances of Mr. Donaghy's case, the Board is of the opinion that Gary Donaghy is not yet rehabilitated and, therefore, does not merit parole at this time.

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



Pamela Murphy, General Counsel

2/9/2023
Date