



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Terrence Reidy
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

DECISION

IN THE MATTER OF

GEORGE DONOVAN

W46283

TYPE OF HEARING: Review Hearing

DATE OF HEARING: June 8, 2021

DATE OF DECISION: April 20, 2022

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa¹

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. Parole is denied with a review scheduled in two years from the date of the hearing.

I. STATEMENT OF THE CASE

On April 13, 1989, in Middlesex Superior Court, George Donovan pleaded guilty to the second-degree murder of his 29-year-old live-in girlfriend Kathleen Kane and was sentenced to life in prison with the possibility of parole.

On June 23, 1988, at approximately 7:30 a.m., Everett police responded to the residence of Kathleen Kane and her two daughters. Neighbors had called police after the girls came to their house, screaming that their mother was bleeding and would not wake up. Ms. Kane was found lying on the couch with a blanket over her. Her head was covered in blood, and she appeared to be badly beaten. She was pronounced dead at Whidden Memorial Hospital shortly after arrival. Police learned that George Donovan may have been responsible for the murder.

¹ One Board Member voted to parole Mr. Donovan after completion of one year in lower security.

When Mr. Donovan was apprehended and interviewed by police, he admitted that (his) drinking and drug abuse was a constant source of fighting with Ms. Kane and was, most likely, the reason she had asked him to move out. On the night of the crime, Ms. Kane awoke and called down to Mr. Donovan in the basement. When she realized he was smoking and drinking again, they began to argue. Mr. Donovan said that he was leaving and went to the closet to grab a jacket. He grabbed a metal baseball bat in the closet and stated to police that he began swinging the bat, hitting Ms. Kane several times. Mr. Donovan also indicated to police that he attempted to cover up the murder and escape, taking such steps as placing a blanket over her head (as he was concerned about the children upstairs), ripping the phone from the wall (so that no calls could be placed), stealing Ms. Kane's car, and taking both the VCR and baseball bat. He called his sister, although he didn't say why, and asked her to get a doctor to check on Ms. Kane. After arriving at his father's house, Mr. Donovan learned that Ms. Kane had died. After he told his father what he had done, his father accompanied him to the police station.

II. PAROLE HEARING ON JUNE 8, 2021

George Donovan, now 65-years-old, appeared before the Board for a review hearing on June 8, 2021, and was represented by Attorney Lorenzo Perez. Mr. Donovan was denied parole in 2003, 2008, 2011, and 2017. In his opening statement, Mr. Donovan apologized to the victim's children, family, and friends. Mr. Donovan also indicated that he "[does not] fully understand how the Board Members came to the conclusion that he had a long history of domestic violence." He explained that he never had a relationship that required [his] partner to be sent to the hospital for broken bones," nor has he "had a restraining order filed against him." Mr. Donovan attributed his actions to a "long history of substance abuse" and anger. He claims to have addressed his issues through various programs and counseling.

In discussing the governing offense, Mr. Donovan explained that he murdered Ms. Kane because he "could not control [his] anger" after an argument that "got out of hand." Prior to the argument, Mr. Donovan explained that he read Ms. Kane's journal and believed she had been unfaithful. When asked if Ms. Kane defended herself when he attacked her, Mr. Donovan answered in the negative, indicating that "it all happened so fast, she didn't see it coming." Afterwards, he "panicked" and put a blanket over Ms. Kane's head before leaving the residence. Upon Board Member questioning, Mr. Donovan conceded that there was one prior incident of physical abuse, where he "shoved" Ms. Kane through a screen door. Mr. Donovan also admitted that he was verbally abusive towards Ms. Kane, but denied any abuse of her daughter. When asked what he did after he murdered Ms. Kane, Mr. Donovan stated that he withdrew money from the bank and sold some jewelry, so that he could flee to avoid being caught. The Board inquired, however, as to Mr. Donovan's ability to cover Ms. Kane's body, withdraw money, and sell certain items, if he was under the influence of substances at the time of the murder (as he claimed). Mr. Donovan indicated that he "wanted to get away" because he was afraid of going to prison. He stated, "I didn't think, I just reacted."

The Board acknowledged that Mr. Donovan has completed several programs. Despite completing domestic violence correspondence programming, Mr. Donovan told the Board, "I am not a domestic abuser" and denied any history of domestic abuse. He stated, "I am a substance abuser; I have a long history of substance abuse - there is a difference." Mr. Donovan further explained that this was his first offense and attributed his actions to his history of substance abuse. The Board pointed to indications of a pattern of domestic abuse with Ms. Kane, including a letter from the District Attorney's Office, as well as testimony at trial. Mr. Donovan, nonetheless, denied that such a pattern existed.

The Board considered the testimony of Mr. Donovan's brother, two cousins, and a sister, all of whom expressed their support of parole. The Board also considered the testimony of the victim's two sisters and two daughters. The Board considered testimony in opposition to parole from Middlesex County Assistant District Attorney Ashlee Mastrangelo, as well as a letter and addendum in opposition to parole from Middlesex County Assistant District Attorney Adrienne Lynch.

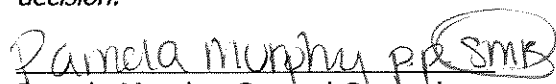
III. DECISION

The Board is of the opinion that George Donovan has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Donovan is serving a sentence for the murder of Kathleen Kane. He has been incarcerated for 33 years during which time he has maintained his sobriety and remained disciplinary report free. However, despite domestic abuse programming, the Board has concerns about his pattern of domestic violence and his lack of insight and risk to reoffend. By his own admission, he took Ms. Kane's life and, although [he] indicates he was controlling and abusive, he shifted blame to the victim and insists he is not a domestic abuser. The Board considered the evaluation by Dr. Saleh, but remains concerned for the reasons stated.

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

Mr. Donovan's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages Mr. Donovan to continue working toward his full rehabilitation.

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


Date