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Tina M. Hurley
Chair

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Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

JOHN MACKENZIE
W91273

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: May 4, 2023

DATE OF DECISION: July 31, 2023

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

STATEMENT OF THE CASE: On January 8, 2008, in Essex Superior Court, John MacKenzie pleaded guilty to murder in the second degree and was sentenced to life imprisonment with the possibility of parole. On September 25, 2005, Mr. MacKenzie suffocated and killed 35-year-old Wendy Cox in his home in Rockport. Her body was not discovered until October 12, 2005.

Mr. MacKenzie appeared before the Board for his initial hearing on May 4, 2023. He was not represented by counsel. The entire video recording of Mr. MacKenzie's May 4, 2023 hearing is fully incorporated by reference into 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.

The Board is of the opinion that John MacKenzie has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Parole denied with

a 5-year review.¹ On September 25, 2005, John MacKenzie suffocated Wendy Cox to death. The body was not discovered until October 12, 2005. This was his initial hearing.

Mr. MacKenzie was in a dating relationship with the victim for over a year. Mr. Mackenzie insisted that the victim was suicidal and that she wanted him to help her end her suffering by assisting in her suicide. He then carried her body to their couch and left her there for 2½ weeks, insisting she did not want her death revealed until after a family wedding because she did not want to ruin it. It is noted that Mr. MacKenzie was due to appear in court the day after the murder for a charge of domestic A&B upon the victim. While subject has engaged in some programming, he continues to view himself as the victim's savior. This position reveals a profound lack of insight, empathy, and acceptance of his crime.


The Board raised concerns of a pattern of domestic abuse and coercive orientation. Subject was on supervised release for a 1994 conviction out of federal court for mail fraud, money laundering, and transportation of property taken by fraud at the time of this offense. [The] Board highly recommends that subject participate in rehabilitative programming to specifically address domestic violence, criminal thinking, and continue to address victim empathy.

There was no one who spoke in support of his parole. The Assistant District Attorney from Essex County spoke in opposition of parole, emphasizing his lack of responsibility for the offense, blaming the victim for her own death, and leaving her decomposed body in the home.

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

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


Tina M. Hurley, Chair

07/31/2023

Date

¹ One Board Member voted to deny parole with a 4-year review.