

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
Acting Secretary

Telephone # (508) 650-4500

Facsimile # (508) 650-4599

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

DECISION

IN THE MATTER OF

LORENZO PERDOMO

W40652

TYPE OF HEARING: Review Hearing

DATE OF HEARING: September 24, 2020

DATE OF DECISION: October 7, 2021

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

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 by unanimous vote 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 July 31, 1984, after a jury trial in Suffolk Superior Court, Lorenzo Perdomo was convicted of second-degree murder in the death of 15-year-old Marielos Hernandez. He was sentenced to life in prison with the possibility of parole. On that same date, he received a concurrent life sentence for unlawful possession of a sawed-off shotgun. On November 27, 1985, the sentence was revoked and revised to a 10 to 15 year concurrent sentence.

On August 23, 1982, 25-year-old Lorenzo Perdomo shot and killed Marielos Hernandez in their Jamaica Plain apartment. They had been in a relationship for approximately one year at the time of the murder. On that day, the couple had an argument that resulted in Mr. Perdomo shooting Ms. Hernandez in the stomach with a sawed-off shotgun. Shortly after shots were fired, police arrived on the scene. Mr. Perdomo confessed to the responding officers, and Ms.

Hernandez was transported to the hospital. Ms. Hernandez succumbed to her injuries two days later.

Subsequently, on May 5, 1995, Mr. Perdomo struck Paul Dusablon, his 54-year-old cellmate, in the head, killing him. He used a wooden chair leg and struck Mr. Dusablon approximately 50-60 times, while he was asleep. Mr. Perdomo admitted to having a contentious relationship with Mr. Dusablon prior to the attack. Mr. Perdomo pleaded guilty to manslaughter, on December 27, 1995, in Norfolk Superior Court. He received a 15 to 20 year sentence to run concurrently with his life sentence.

II. PAROLE HEARING ON SEPTEMBER 24, 2020

Lorenzo Perdomo, now 64-years-old, appeared before the Parole Board on September 24, 2020, for a review hearing. He was represented by Attorney Chetan Tiwari. Mr. Perdomo was denied parole after his initial hearing in 2005, and after his review hearings in 2010 and 2015. In Attorney Tiwari's opening statement, he told Board Members that Mr. Perdomo is remorseful for the crimes he committed and is working to address his mental health issues. Moreover, Attorney Tiwari stated that Mr. Perdomo has improved since his last hearing; he is medication compliant and employed and has not incurred a disciplinary report since 2014. When Board Members questioned him about his improvements, Mr. Perdomo stated that he feels "good" because he is working towards his rehabilitation.

Mr. Perdomo has been in the Residential Treatment Unit (RTU) at Souza Baranowski for 11 years. He told the Board that he has completed approximately 41 cycle courses that address such issues as anger management, violence reduction, and mental health. In addition, he participates in groups throughout the week and receives positive evaluations from the mental health staff and clinician. When the Board inquired as to the benefits of his mental health treatment, Mr. Perdomo shared that he now "thinks and behaves better." He is also able to control his anger in different situations. At the onset of Mr. Perdomo's incarceration, he was diagnosed with paranoid schizophrenia. Although he understands his formal diagnosis, Mr. Perdomo does not believe its accuracy since he "acts differently" now. Moreover, he shared that he has been medication compliant since 2005, with one exception in 2006. When asked to expand on that incident, Mr. Perdomo explained that he stopped taking his medication because he was suffering from negative side effects. Board Members raised concern as to whether Mr. Perdomo now recognizes the importance of remaining medication compliant, especially since he has demonstrated a propensity for violence when he is not taking his prescribed dosage. In response, Mr. Perdomo claimed that he has not had any violent thoughts in a long time because he "learned his lesson." Similarly, he told the Board that he no longer hears voices or is paranoid. Nonetheless Mr. Perdomo (later) admitted that he believes a "chip" has been implanted in his brain. Although the "chip" is currently not bothering him, Mr. Perdomo fears that it will make him "do things he doesn't want to do." Ultimately, the Board stressed the importance of Mr. Perdomo continuing his mental health treatment and remaining medication compliant.

When Board Members inquired as to the details leading up to the governing offense, Mr. Perdomo explained that Ms. Hernandez was upset that day because she discovered he was having an affair. When Ms. Hernandez arrived at the apartment, she took his shotgun from under his bed and threatened to kill him. When Board Members asked why he had a gun in his apartment, Mr. Perdomo claimed that it belonged to a friend, and that he was only in possession of it temporarily. Further, Mr. Perdomo stated that he had never fired the gun before that day. When

Board Members asked whether he was able to gain control of the gun, Mr. Perdomo said, "no." He told the Board he "struggled" with Ms. Hernandez and, as a result, the gun "went off." Board Members noted, however, that Ms. Hernandez was shot in the stomach, indicating that Mr. Perdomo had control of the shotgun at the time of the shooting. In response, Mr. Perdomo maintained that they were both holding the gun and, because the "trigger did not have a lock," Ms. Hernandez was shot. When questioned by Board Members, Mr. Perdomo states that he feels "very sad" about the death of Ms. Hernandez. He explained that he shares details about the murder with his therapist and during group exercises.

The Board also questioned Mr. Perdomo as to the circumstances surrounding the death of his former cellmate, Paul Dusablon. Mr. Perdomo explained that Mr. Dusablon "always messed with [him], so they did not get along." Mr. Perdomo said that he had inquired about moving prior to the attack, but the institution did not allow it. When asked if he felt threatened by Mr. Dusablon, Mr. Perdomo claimed that he was not scared of him. When Board Members asked why he killed him, Mr. Perdomo stated, "He was driving me crazy, and I couldn't stand it." When asked whether he was taking medication at the time, Mr. Perdomo said that he was on a lower dosage. He indicated, however, that a higher dosage would not have changed the outcome.

The Board considered testimony in opposition to parole from both Mr. Dusablon's son and Ms. Hernandez's brother. Boston Police Commissioner William Gross submitted a letter in opposition to parole.

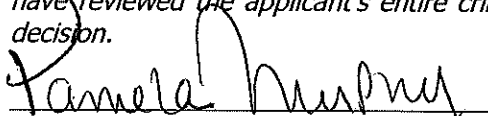
III. DECISION

The Board is of the opinion that Lorenzo Perdomo has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Perdomo has served 38 years for the murder of his 15-year-old girlfriend Marielos Hernandez. Mr. Perdomo remains in the Residential Treatment Unit at Souza Baronowski Correctional Center. It appears to the Board that Mr. Perdomo has significant mental health needs, but [he] does not have sufficient documentation to assess his risks/needs. Mr. Perdomo was afforded counsel to assist him to prepare for his hearing and during. This was at the request of the Parole Board's General Counsel. Mr. Perdomo and his counsel are encouraged to have a forensic evaluation completed and [to] submit an application to DMH (Department of Mental Health). Mr. Perdomo presented with psychotic symptoms during the hearing and does not acknowledge that he has a mental illness.

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

Mr. Perdomo'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. Perdomo 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

10/7/2021
Date