



*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



PAROLE BOARD

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Chair

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Executive Director

DECISION

IN THE MATTER OF

**RANDOLPH SCOTT
W47551**

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **April 2, 2019**

DATE OF DECISION: **January 28, 2020**

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, Colette Santa, Paul Treseler¹

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 five years from the date of the hearing.

I. STATEMENT OF THE CASE

On December 8, 1989, in Middlesex Superior Court, Randolph Scott pleaded guilty to the second-degree murder of 3-year-old Haniff Sutton and was sentenced to life in prison with the possibility of parole. Additionally, he received three concurrent sentences of 9-10 years for assault and battery with a dangerous weapon.

In 1989, 37-year-old Randolph Scott was living in Lowell with his girlfriend and her 3-year-old son Haniff Sutton. Mr. Scott beat his girlfriend's son over the course of several weeks prior to the child's death on April 30, 1989. Over that time period, the beatings became more frequent and more intense. On the night before the child died, Mr. Scott was alone with him in their home. He beat the child and inflicted various injuries to his genitalia. The injuries culminated with a severe blow to the head that caused the child's brain to bleed and swell.

¹ Board Member Treseler was present at the hearing, but was no longer a Board Member at the time of vote.

Upon the mother's return to the apartment between 2:30-3:00 a.m., she saw her son lying in bed. After she got herself ready for bed, she noticed that her son was not moving. His forehead was warm and his body stiff. When she could not wake him, she brought her son to St. John's Hospital. He was examined and rushed to Children's Hospital in Boston, where he subsequently died.

II. PAROLE HEARING ON APRIL 2, 2019

Randolph Scott, now 67-years-old, appeared before the Parole Board on April 2, 2019, for a review hearing. He was not represented by counsel and had been denied parole after both his 2004 initial hearing and his 2009 review hearing. Mr. Scott postponed his review hearing in 2014. In his opening statement to the Board, Mr. Scott took full responsibility for the death of Haniff Sutton. He admitted that he purchased drugs and alcohol and brought it to the home in which he lived with the child and the child's mother. When questioned by the Board as to the circumstances surrounding the death of Haniff, Mr. Scott claimed that he does not remember what happened. When asked if he was on drugs at the time of the incident, Mr. Scott's response was "of course" and then indicated that he had used heroin, cocaine, and marijuana. Mr. Scott stated, "I don't know if I beat him or not, but I was high." When Board Members questioned him about beating the child, Mr. Scott stated, "I don't want to go through all that." Mr. Scott said that he tries to forget what happened in the house, but takes full responsibility because he was under the influence of narcotics.

When Board Members questioned Mr. Scott as to why he postponed his hearing in 2014, he responded that he was sick. The Board noted that Mr. Scott has not participated in any programs to address violence, emotional awareness, or empathy. Mr. Scott mentioned that he was not told about program participation at his prior hearings. The Board noted, however, that two prior decisions mentioned the need for programming. Mr. Scott explained that he has been doing it his own way. He said that he participated in programming for substance abuse in 1989-1991, but has not engaged in further efforts since that time. He told the Board that he is on a wait list for a few programs and is willing to attend, if available. When questioned as to why he deserves parole, Mr. Scott responded, "I deserve a second chance," explaining that he has come to terms with himself. He indicated that he has gone to Alcoholics Anonymous (AA) a few times and works as a unit runner. When the Board (again) asked him why he should be paroled, Mr. Scott indicated that he has been in custody for 30 years and "that's about it."

The Board considered a letter read to the Board in opposition to parole from the victim's mother. Middlesex County Assistant District Attorney Daniel Harren testified in opposition to parole.

III. DECISION

The Board is of the opinion that Randolph Scott has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Scott continues to lack motivation toward rehabilitation. He should invest in treatment/programming to address his causative factors.

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

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

1/28/2020
Date