



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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AMENDED DECISION

IN THE MATTER OF

REDELL PERRY

W90573

TYPE OF HEARING: **Initial Hearing**

DATE OF HEARING: **March 10, 2020**

DATE OF DECISION: **September 1, 2020**

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 five years from the date of the hearing.

I. STATEMENT OF THE CASE

On September 10, 2007, in Middlesex County Superior Court, Redell Perry pleaded guilty to second degree murder and was sentenced to life in prison with the possibility of parole. On that same date, Mr. Perry also pleaded guilty to larceny over \$250 and breaking and entering a dwelling in the nighttime. He received sentences of 4 to 5 years for each charge, which were ordered to be served concurrently with each other and with his life sentence.

On April 28, 2005, in Malden, 32-year-old Redell Perry and his co-defendant, Robert Downs, beat and killed 32-year-old Mark Gorrie. On the night of the murder, police responded to reports of a man on the ground, by a dumpster, behind an apartment complex. Upon arrival, officers discovered the body of Mr. Gorrie laying face up on the ground. Severe trauma to his head and face was plainly visible. Mr. Gorrie had a gray Nike running shoe on his right foot. The left shoe was missing. Malden police officers questioned Mr. Perry and his co-defendant as they exited the front of the same apartment complex.

The investigating officer learned that both Mr. Perry and the victim lived in apartments on the fourth floor. There was a trail of blood from Mr. Gorrie's body to the fourth floor, and a police dog traced the scent of his body to Mr. Perry's apartment. After Mr. Perry consented to a search, blood stains and spatter were found throughout the living room area. A blood-stained towel had been taken from the bathroom sink. Additionally, a left foot gray Nike running shoe, matching the victim's right shoe, was discovered in the apartment. Ultimately, Mr. Perry admitted to participating in the beating death of Mr. Gorrie. Stolen items from Mr. Gorrie's apartment were subsequently found in Mr. Perry's apartment.

II. PAROLE HEARING ON MARCH 10, 2020

Redell Perry, now 47-years-old, appeared before the Parole Board on March 10, 2020, for an initial hearing. He was not represented by an attorney. In his opening statement, Mr. Perry apologized for his role in the murder of Mr. Gorrie. Upon questioning, Mr. Perry said that he started drinking and using marijuana at 5-years-old. Further, he had been abused by both his mother and grandmother. Mr. Perry also admitted to struggling with alcohol and crack cocaine addiction, telling the Board that he had been homeless most of his adult life. The Board noted his prior convictions for assault and battery with a knife and assault and battery with a shod foot.

When Board Members questioned him about the murder, Mr. Perry said that he, Mr. Downs, and a third individual were drinking in his apartment. Mr. Perry claimed that Mr. Downs had invited Mr. Gorrie with the intent to rob him, but that he (Mr. Perry) was reluctant to go along with the plan. They had gotten Mr. Gorrie drunk in the past and had stolen his apartment key and other items from his apartment. When Mr. Gorrie passed out that night, Mr. Downs stole his apartment key, entered his apartment, and stole various items. Mr. Perry stated that, at some point, they wanted the victim to leave, so both he and Mr. Downs started slapping him in order to wake him up. The slaps turned into punches, and Mr. Perry thought he may have broken the victim's nose. Mr. Perry said that he and Mr. Downs eventually dragged the victim down the stairs, leaving him in an alley behind the apartment complex. He thought that if Mr. Gorrie had some fresh air, he would feel better. When they left him, Mr. Perry believed that Mr. Gorrie was still breathing.

A Board Member noted that Mr. Perry seemed to be minimizing his part in the murder by stating that he was reluctant to go along with the plan, he was unaware that his medicine was used to drug the victim, and he believed the victim was alive when he left him. Mr. Perry acknowledged that what he did to Mr. Gorrie was inexcusable. When the Board noted that the drugs found in the victim's system were the same as those prescribed to Mr. Perry, he claimed that he did not know, at the time, that Mr. Downs had put them in the victim's drink that night. A Board Member stated that, nonetheless, a witness to the murder said that Mr. Perry had provided the drugs to Mr. Downs. Although he agreed to have given the drugs to him, Mr. Perry maintained that he did not know that Mr. Downs was going to put the drugs in the victim's drink.

The Board questioned Mr. Perry about his institutional adjustment, which included a 2017 disciplinary report for fighting and a 2019 report for refusing an order to lock up. Mr. Perry said that an inmate had been sexually harassing him, which led to a fight. He claimed that his 2019 report resulted from his refusal to have a cell mate. The Board stated that Mr.

Perry was under the influence during the commission of the governing offense and, despite the fact that he had been advised to enroll in the Correctional Recovery Academy, he has not done so. Mr. Perry said that the CRA is no longer available where he is housed. Mr. Perry said that he took a substance abuse program, along with the Restorative Justice reading program, Alternatives to Violence, and the RTU program. Mr. Perry does not attend Alcoholics Anonymous or Narcotics Anonymous. He said that he attended an alternative to AA in 2011-2012. When asked if he was ready for parole, Mr. Perry recognized that he had more work to do before he could be paroled.

Mr. Gorrie's mother and cousin testified in opposition to parole. Mr. Gorrie's mother also sent a letter of opposition. Middlesex Assistant District Attorney Lee Hettinger testified in opposition to parole. The Middlesex District Attorney's Office submitted a letter of opposition.

III. DECISION

It is the opinion of the Board that Redell Perry has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Perry has served approximately 15 years for his involvement in the murder of Mark Gorrie. Mr. Perry, at the time of the offense, had been abusing alcohol and drugs for many years. During this commitment, he has completed limited programming to address his causative factors to include substance abuse, criminal thinking, victim empathy, and violence. The Board is concerned as to the varying versions he has provided surrounding this senseless murder of Mr. Gorrie. Mr. Perry, by his own admission, recognizes he has more work to do to be considered a suitable candidate for parole supervision. He is encouraged to fully invest in all recommended treatment and programming and remain disciplinary report free.

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. Perry'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. Perry's risk of recidivism. After applying this standard to the circumstances of Mr. Perry's case, the Board is of the unanimous opinion that Redell Perry does not merit parole at this time.

Mr. Perry'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 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

9/11/2020
Date