

The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**RICHARD MAYES**

**W40068**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** January 24, 2019

**DATE OF DECISION:** December 17, 2019

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa<sup>1</sup>

**DECISION OF BOARD:** After careful consideration of all relevant facts, including the nature of the underlying 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 writing, we conclude by unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in four years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On November 2, 1983, after a jury trial in Berkshire Superior Court, Richard Mayes was convicted of second degree murder in the death of his 2-year-old son Onaje. He was sentenced to life in prison with the possibility of parole.

Between May 27 and 28, 1983, Richard Mayes (age 36) beat his son Lawrence Jackson Ritchon (Onaje) with a split plastic bat, his open hands, and his closed fists, just days before the child's third birthday. After beating the child, Mr. Mayes took him to the bathroom, removed his bloodied clothes, and attempted to clean the blood from them in soap and bleach. Mr. Mayes then put the child back into bed. When Mr. Mayes went to get Onaje the next morning, he found him lying on the bed "asleep" with a clear wet spot on the bed. Mr. Mayes got Onaje out of bed and into the bathroom, where Onaje vomited and went limp. Mr. Mayes

<sup>1</sup> Chair Moroney was present at the time of vote, but abstained, as she was not a Board Member at the time of hearing.

called Onaje's mother for help, and the two began to perform CPR on Onaje. When he didn't respond, Mr. Mayes left the apartment to get his cousin. He then told his cousin to drive Onaje and his mother to the hospital. Onaje was not breathing, nor did he have a pulse, when he arrived at the hospital. Mr. Mayes remained behind, told the remaining children to stay in their beds, and then went to hide and smoke marijuana in the attic.

After interviewing Onaje's mother at the hospital, police went to the apartment and found the three remaining children lying in their beds awake. The children stated that Mr. Mayes was the man who hit Onaje with the wiffle ball bat. Police interviewed other witnesses, including a neighbor, who overheard the beating. While being interviewed at the police station, Mr. Mayes confessed to the beating of Onaje and further disclosed that he had been hitting the children for the last two years, including at least one severe incident when he knocked out the three front teeth of another son. Onaje died four days later, on May 31, 1983, having suffered fatal brain hemorrhaging from multiple blows to his skull. At the time of the medical examination, Onaje's body was covered with numerous bruises to the chest, stomach, back and legs.

## **II. PAROLE HEARING ON JANUARY 24, 2019**

On January 24, 2019, Richard Mayes, now 71-years-old, appeared before the Parole Board for a review hearing. He was represented by Northeastern University Law Student Brendon Hersey. Mr. Mayes was denied parole after his initial hearing in 1998, and after his review hearings in 2003, 2009, and 2014. In his opening statement to the Board, Mr. Mayes said that he has not yet come to grips with his feelings regarding the problems he caused the families and all those connected to the death of his son.

When the Board questioned him about the murder of his son, Mr. Mayes stated that his 2-year-old son's pants were unzipped and, when he told him to zip the pants up, he felt his son did not try hard enough. Mr. Mayes said that he began to view his son as defying him and thought he "should put more effort into getting him to do what I asked him to do." Although Mr. Mayes did not describe beating Onaje during the hearing, he said that "the force seemed more than it probably was" and, upon further reflection, added that "because of his death, it was more than I thought it was." According to Mr. Mayes, Onaje went to bed that night, but when he yelled at him the next morning, Onaje got scared and ran. He tripped over the mattress and then hit his head against the wall and fell down, which Mr. Mayes believed to be the cause of Onaje's injuries. Mr. Mayes said that he arranged to have his cousin take Onaje and Onaje's mother to the hospital. Rather than go to the hospital with his son, Mr. Mayes said that he stayed home to watch the other children, and to hide his drugs and drug paraphernalia that were in the house.

The Board noted the abuse that Mr. Mayes suffered as a child and questioned him as to whether his own abuse may have influenced his mistreatment of his children. Mr. Mayes denied ever physically abusing his children prior to the governing offense. He stated, however, that he had abused the mothers<sup>2</sup> of his children on occasion. He said he thought of his "past actions" against his children as "disciplinary intervention," and that "no one ever died or received serious injuries before." When Board Members confronted him with the fact that he told police that he hit his children on prior occasions, including an admission that he knocked

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<sup>2</sup> Mr. Mayes lived with two girlfriends, who each had children with Mr. Mayes. The women and their four children all lived in the same house. Mr. Mayes' other girlfriend was giving birth to a fifth child at the time of the murder.

out three front teeth of one of his other children, Mr. Mayes' response was that one of his sons was beating one of his daughters. When he shoved a milk crate between them to break up the fight, Mr. Mayes claimed that the child hit his teeth on the milk crate, causing the child's teeth to get knocked out.

Board Members questioned Mr. Mayes about his lack of participation in rehabilitative programming. Mr. Mayes claimed that it would not be safe for him to participate, as he would have to address the details of his crime in every program, making him a target of abuse within the prison. The Board noted Mr. Mayes' relatively few disciplinary problems, as well as his steady employment since incarceration (although recent pulmonary problems have made it difficult for him to work).

Three members of Mr. Mayes' family submitted letters of support. Berkshire County Assistant District Attorney Joseph Pieropan testified and submitted a letter in opposition to parole.

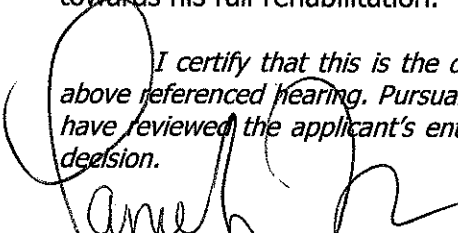
### **III. DECISION**

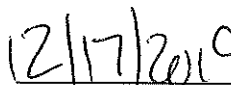
The Board is of the opinion that Richard Mayes has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Mayes beat his (nearly) three-year-old child with a wiffle ball bat. He has been incarcerated for 35 years and has yet to invest in rehabilitation.

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. Mayes' 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 whether risk reduction programs could effectively minimize Mr. Mayes' risk of recidivism. After applying this standard to the circumstances of Mr. Mayes' case, the Board is of the unanimous opinion that Richard Mayes is not yet rehabilitated and, therefore, does not merit parole at this time.

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

  
Date