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DECISION

IN THE MATTER OF

ROBERT GRADY
W49504

TYPE OF HEARING: Review Hearing

DATE OF HEARING: February 23, 2016

DATE OF DECISION: June 20, 2016

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe

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 the 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 3, 1990, in Worcester Superior Court, Robert Grady pled guilty to the second degree murder of Donna Cavanaugh. Mr. Grady also pled guilty to assault and battery on a public servant, use of a motor vehicle without authority, and escape. A sentence of life in prison, with the possibility of parole, was imposed on Mr. Grady for the murder of Ms. Cavanaugh. Mr. Grady was sentenced to serve concurrent terms of 2 years and 2 and a half years in the House of Correction for his convictions of assault and battery on a public servant and use of a motor vehicle without authority. Mr. Grady was also sentenced to a term of imprisonment of not more than 10 years and not less than 9 years for his conviction of escape. All terms of imprisonment imposed on Mr. Grady were ordered to run concurrent with his life sentence.

Prior to the murder, Mr. Grady and Ms. Cavanaugh had been involved in a relationship that recently ended. However, the night before Ms. Cavanaugh's death, Mr. Grady spent the night with her at a friend's house, and they left the friend's house together. The following day, Mr. Grady called his father and told him that Ms. Cavanaugh was dead. Mr. Grady's father contacted the authorities. After searching for Mr. Grady, investigators discovered his abandoned, blood stained car. Officers then traveled to a summer home in New Hampshire that belonged to Mr. Grady's father. Inside, officers found Mr. Grady in a bedroom with the body of Ms. Cavanaugh.

Upon being discovered by authorities, Mr. Grady ignited a propane tank that caused an explosion. Mr. Grady was taken to the hospital by police, where he was treated for burns. Doctors also discovered (and treated) self-inflicted wounds to Mr. Grady's left wrist. Subsequent investigation revealed that Ms. Cavanaugh had been beaten and stabbed 17 times. An autopsy conducted on Ms. Cavanaugh's body indicated that some of the wounds were inflicted post-mortem.

II. PAROLE HEARING ON FEBRUARY 23, 2016

Mr. Grady, now 52-years-old, appeared before the Parole Board on February 23, 2016, for a review hearing and was represented by Attorney John Rull. This was his third appearance before the Board, having been denied parole in February 2004 and January 2010. In his 2010 hearing, Mr. Grady admitted that he was not ready to be released. In Mr. Grady's opening statement for this hearing, he apologized for his actions and expressed his remorse. He admitted that the murder was completely unprovoked and described his behavior as "cowardly" and "ruthless." Although he initially tried to place blame for the murder on the victim, Mr. Grady now realizes that he alone was responsible for Ms. Cavanaugh's death. Mr. Grady also said that by blaming the victim, and by his use of drugs and alcohol, he had continued to victimize Ms. Cavanaugh and her family.

According to Mr. Grady, he met Ms. Cavanaugh in Worcester on the day before the murder to return some personal property. Mr. Grady told the Board that Ms. Cavanaugh had recently ended their 10 month relationship and had moved back into her parent's home. At approximately 5:00 p.m., Mr. Grady and Ms. Cavanaugh went to a party, and then spent the rest of the evening together.

When asked why he killed Ms. Cavanaugh, Mr. Grady explained that the murder stemmed from his issues with power and control. Mr. Grady said that he grew up in a dysfunctional household and was taught by his father to use violence as a way of gaining respect and getting what he wanted. He told the Board that he was devastated when Ms. Cavanaugh ended their relationship. Mr. Grady felt as though he had no control over his life and did not deserve what was happening to him. At that point in his life, image was very important to Mr. Grady. He said that after serving time for a prior sexual assault, he sought to change the way that people perceived him. Mr. Grady stated that he had wanted people to see the "beautiful woman by my side" and the nice life that he was building for himself. When Ms. Cavanaugh broke off their relationship, Mr. Grady felt "rejected" and "abandoned." He admitted to being filled with rage and resentment before the murder.

Until 2009, Mr. Grady had insisted that the knife used to kill Ms. Cavanaugh had belonged to the victim, and that she had pulled the knife on him. He now admits that the knife was his. Mr. Grady said that Ms. Cavanaugh never touched the knife, nor did she do anything to provoke the attack. While discussing the murder, Mr. Grady said that he became enraged after Ms. Cavanaugh refused to return cocaine that belonged to him. He stated that he "wasn't going to accept being told no" and "hated what she was doing to me." Upon inquiry by the Board, Mr. Grady denied that Ms. Cavanaugh's murder was sexually motivated. However, he admitted to committing a sexual act on Ms. Cavanaugh's body when he bit her private area after he killed her. He also acknowledged that investigators had recovered foreign objects from Ms. Cavanaugh's private area. According to Mr. Grady, he bit Ms. Cavanaugh in an effort to retrieve cocaine that she had secreted onto her body. Mr. Grady told the Board that he was under the impression that Ms. Cavanaugh was still alive when he bit her, and that he did so in an effort to force her to give him the cocaine.

Mr. Grady has been sober for over 20 years. During his incarceration, he has participated in over 60 programs that address his issues with violence and substance abuse, including the Sex Offender Treatment Program, Sex Offender Treatment Maintenance Program, Restorative Justice, Alternatives to Violence, Advanced Alternatives to Violence, End Violence, Alcoholics Anonymous (AA), AA Big Book, and Narcotics Anonymous (NA). He believes that he has developed empathy for other people, as well as the ability to resolve conflicts. Mr. Grady acts as a peer aide, teacher, mentor, and tutor for other prisoners in various programs. He also continues to take Boston University classes.

Although the Board recognizes that Mr. Grady has done some positive work during his years of incarceration, Board Members expressed concern regarding his history of manipulative behavior and deceit. Mr. Grady acknowledged that he has manipulated a number of people over the years, but claimed that he does not always realize that he is being manipulative. When questioned by the Board regarding a disciplinary violation, Mr. Grady took responsibility for an incident that he described as "straight manipulation" by taking advantage of the prison phone system. Mr. Grady said that he was able to make unmonitored phone calls by having a telephone number reactivated and installed at a friend's home. Mr. Grady also admitted to lying about his employment and income on an application while incarcerated, in order to be added as a joint holder on his (former) wife's credit card account. When asked whether he still considers himself to be manipulative, Mr. Grady admitted that he still uses manipulation at times as a "fallback" or "safety," but claims that he is trying to use alternative methods to get his needs met in a more positive manner. He believes that he is still a "work in progress." The Board also questioned Mr. Grady about his romantic relationships with women on the outside and becoming intimately involved in the lives of strangers that he has contacted from prison. Mr. Grady maintains that he was trying to help the people that he has corresponded with during his incarceration.

The Board considered testimony from Mr. Grady's brother, cousin, and friends, all of whom expressed support for his release. They also received letters from Mr. Grady's friends and members of the community in support of parole. The Board considered testimony from Worcester County District Attorney Michelle King, who expressed opposition to Mr. Grady's parole.

III. DECISION

The Board is of the opinion that Mr. Grady has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment and programming would be beneficial to Mr. Grady's 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. Grady's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Grady's risk of recidivism. After applying this standard to the circumstances of Mr. Grady's case, the Board is of the unanimous opinion that Mr. Grady is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Grady'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. Grady 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.


Gloriann Moroney, General Counsel

6/20/16
Date