



### F23 New York City (NYC) Polo Grounds Murders: Was It Bernard Perez or “The Beast”?

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**Learning Overview:** The goal of this presentation is to describe the steps taken to meet a claim of psychiatric defense to charges of homicide in a notorious New York City serial killing.

**Impact on the Forensic Science Community:** This presentation will impact the forensic science community by providing assistance in amassing, preserving, and presenting psychiatric evidence in a criminal trial.

Bernard Perez was convicted by a jury trial, after a host of crimes, for murdering Doris Drakeford and Jerry Pollard in two separate murders. In January 2001, Perez viciously murdered Doris Drakeford so he could take over her apartment in the Dykman Houses in Upper Manhattan, a public housing cluster called The Polo Grounds. At the time, Perez was staying with Drakeford, but when she told him he would have to leave, he decided to kill her. Perez knew that she was a drug addict and was not likely to be missed. Perez strangled her with an electrical cord, wrapped the body in a sheet, stuffed it into a shopping cart, wheeled her to the 207<sup>th</sup> Street bridge, then tossed her and the cart into the Harlem River, where it remained submerged until the spring thaw.

Perez was evicted in late May, just before the body was found, and needed another place to live. Bernard Perez enlisted the help of two friends and struck a second target in The Polo Grounds, Jerry Pollard. After plotting together for a day, Perez realized he should do more than just dump the body, so the murderous trio agreed they would dismember Pollard and dispose of his head and hands in New Jersey. The next day, Perez, Walker, and Williams accosted Pollard in the elevator, dragged him into his apartment, then finished him off. They then proceeded to methodically dismember his body in the bathtub. After they finished the job, Perez invited another friend up to Pollard’s apartment. The visitor saw the dismembered torso in the bathtub and later reported what he had seen to the police. The police later discovered Perez and Williams in the apartment, along with various parts of Pollard’s body wrapped in plastic bags. Other body parts were discovered in bags on the ground outside the apartment and in a nearby dumpster. At the precinct, after waiving his Miranda rights, Perez confessed to killing Pollard and Drakeford. Two of his lengthy, detailed statements were recorded on videotape.

Those statements and others were made after Perez declined any medical attention and said that he felt fine. However, he had made a half-hearted attempt to hang his 300 lb. frame in the jail cell immediately after his arrest, and after speaking to police and prosecutors, he was sent to Bellevue Hospital for a psychiatric evaluation. His attorney filed a notice of psychiatric defense, an affirmative defense in New York, and sought to prove that disability through an expert. The doctors at Bellevue who initially examined Perez concluded that Perez had an antisocial character structure with a long-standing pattern of committing and even enjoying violent, sadistic acts, but that he gave no evidence during the interview of any symptoms consistent with dissociative identity disorder.

At suppression hearings held many months later, Perez claimed that the confessions were false. However, in the Drakeford confession, Perez had concocted a bizarre story of being swept up in a retaliatory killing by drug dealers, who enlisted his help in disposing of the body. In the Pollard confession, when he was talking with Detective Davis, Perez never said anything about hearing voices, a strange being called the “beast” telling him what to do, or the walls turning red. But, in his videotaped statement, Perez claimed that he heard voices and saw things, and that he went through emotional stages. He said he had an alter ego, a “consultant,” that spoke to him even before he formulated the plan with Williams and Walker to kill Pollard. In preparation for trial with his expert, Perez gave a detailed history of communicating with his alter-ego named “The Beast,” who he averred caused a red color to permeate Perez’s surroundings when present, and who urged him to kill Pollard.

There was ample evidence in the hospital records, both sides’ expert reports, and in the confessions themselves to meet the affirmative defense, and Bernard Perez was convicted of both killings and sentenced to life without the possibility of parole. His two accomplices in the Pollard murder were likewise convicted, one by plea and the other after a separate trial.

This work presents a case study of an improbable psychiatric defense of a serial killer.

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#### Homicide, Confession, Psychiatric Defense