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PAROLE BOARD

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Josh Wall
Chairman

DECISION

IN THE MATTER OF

TAWON ROBINSON

W47687

TYPE OF HEARING: Revocation Review Hearing

DATE OF HEARING: September 27, 2011

DATE OF DECISION: April 23, 2013¹

PARTICIPATING BOARD MEMBERS: Cesar Archilla, John Bocon, Dr. Charlene Bonner, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall.

DECISION OF THE 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 three years. The next hearing will be in September of 2014.

I. STATEMENT OF THE CASE

Tawon Robinson appeared before the Parole Board on September 27, 2011, for a revocation review hearing. He was re-paroled on August 8, 2007, but was returned to custody on July 6, 2010, after he had tested positive for cocaine three times.

On December 13, 1989, Mr. Robinson pleaded guilty to second degree murder and was sentenced to serve life in prison. On the night of the murder, December 18, 1988, according to Mr. Robinson, he had been smoking crack cocaine with co-defendant Sharon Baker and the two went in search of more. They came across Manuel Rosa, and a confrontation ensued. Ms. Baker produced a knife, which she dropped. Both Mr. Robinson and Mr. Rosa reached for it,

¹ This decision was delayed because it had been assigned to an employee who left the agency without completing the decision. The Parole Board regrets the uncertainty and inconvenience that this delay caused to those involved.

and Mr. Robinson was able to grab it. Mr. Rosa came toward Mr. Robinson, and Mr. Robinson fatally stabbed him once in the chest.

II. PAROLE HEARING ON SEPTEMBER 27, 2011

Tawon Robinson received a positive parole vote on his life sentence after his first parole hearing in 2003. He was not released, however, until 2006 because of complications in classifying for pre-release as required by the parole vote. He tested positive for cocaine three times during the summer of 2010, and his parole was revoked. This hearing is for the purpose of determining whether Mr. Robinson merits re-parole. Attorney James Murphy represented Mr. Robinson at the hearing.

Mr. Robinson has a history of serious addiction issues. At age 13 he smoked marijuana daily, and within months moved to daily use of cocaine. He became a crack cocaine addict, and was smoking crack the night he murdered Manuel Rosa. He denied that he used cocaine on parole, and presented the Board with a very unlikely story to explain how he ended up with a positive test for cocaine on June 24, 2010. His lawyer suggested that two other positive results, on July 1 and July 6, somehow resulted from the original unlikely incident which caused the June 24 positive test. Mr. Robinson's story was not believable, and Board Members concluded that he had returned to cocaine use while on parole and gave false testimony at his parole hearing.

Board Member Charlene Bonner pointed out that Mr. Robinson used prescription narcotics (including oxycontin) and benzodiazapines frequently on parole, which are "red flags that you had a hard time staying clean; with numerous prescriptions I see a struggling addict, teetering on the brink of staying clean." Mr. Robinson had two serious car accidents in a year, with both cars totaled, which adds to the suspicion of relapse.

In describing the murder, Mr. Robinson said that he and Sharon Baker were smoking crack cocaine in Lynn. They went in search of more crack, and ended up in a confrontation with Manuel Rosa. According to Mr. Robinson, Sharon Baker produced a knife but she dropped it. Both Mr. Robinson and the victim grabbed for the knife; Mr. Robinson was able to pick it up; when the victim stepped towards him, Mr. Robinson stabbed him once in the chest.

III. DECISION

Tawon Robinson received parole after his initial parole hearing. He relapsed on cocaine, a fact which he has been unable to admit. His denial resulted in false testimony at his parole hearing. His denial also gives the Parole Board no positive platform for working with Mr. Robinson to address his addiction in the community. A drug addict who is an active user in denial is not ready for community supervision. He presents a high risk for violence associated with his substance abuse.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "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." Applying that appropriately high standard here, the

Board finds that Mr. Robinson is not a suitable candidate for parole at this time. Accordingly, parole is denied at this time. The Parole Board advises Mr. Robinson to be honest with himself about his drug use, seek help in the institution, and present a parole plan that keeps him in treatment and removes him from the path that begins with narcotic medication and leads to cocaine use.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. This signature does not indicate authorship of the decision.

Josh Wall

Josh Wall, Chairman

April 23, 2013

Date