



The Commonwealth of Massachusetts
Executive Office of Public Safety

Parole Board

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Josh Wall
Chairman

DECISION

IN THE MATTER OF

DONNELL ROBERTS

W56786

TYPE OF HEARING: Review Hearing

DATE OF HEARING: April 2, 2013

DATE OF DECISION: May 7, 2014

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, Tonomey Coleman, Shelia Dupre, Ina Howard-Hogan, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the inmate’s testimony at the hearing and the views of the public as expressed at the hearing or in written submission to the Board, 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 five years from the date of the hearing.

I. STATEMENT OF THE CASE

Donnell Roberts appeared before the Massachusetts Parole Board for a review hearing on the life sentence he is serving at MCI-Norfolk. Roberts received this sentence in Suffolk Superior Court on June 29, 1994 after pleading guilty to second degree murder in the beating death of 38-year-old Dennis Anderson.

On June 3, 1993, Donnell Roberts, age 45, and Dennis Anderson had been living under the bridge of the expressway in Boston for several months. On that same day, the two men continued an argument which began on the previous day regarding Roberts’ missing shoulder bag. The argument became physical without injury to either man. After this altercation, Roberts left the area and met up with two friends.

Later that same day, Roberts returned to the expressway in an area known as the “pit.” Upon arriving at the “pit,” Roberts armed himself with a wooden shaft of a shovel and approached Mr. Anderson who was sleeping in a reclining chair, and savagely beat Mr. Anderson with the wooden shaft resulting in Mr. Anderson’s death. After hitting Mr. Anderson

ten to fifteen times, Roberts dropped the wooden shaft and walked out of the pit area. The autopsy revealed blunt trauma to the skull and facial bones, as well as abrasions and contusions of the right shoulder, abdomen, and the hands. Roberts was arrested the following day.

II. CRIMINAL & INSTITUTIONAL HISTORY

Roberts' criminal history began in 1965 with a conviction for use without authority. He was convicted of manslaughter in 1967, for which he received a five year commitment. He was convicted of assault and battery with a dangerous weapon in 1972 for which he was sentenced to serve nine to ten years. The victim was five years old. He also received commitments for possession of a firearm in 1985, attempt to commit a crime in 1987, and larceny in 1965.

During his incarceration for the murder of Mr. Anderson, Roberts has received only one disciplinary report, for fighting in 1996. He did very little rehabilitative programming until 2007. Between 2007 and 2009, Roberts completed the Correctional Recovery Academy, Alternatives to Violence (four phases), and Active Listening Workshop.

Roberts has a history of alcohol and heroin abuse, and was an active substance abuser when he committed the murder. Yet, Roberts indicated prior to his hearing in 2013 that he does not attend AA/NA. Moreover, the Board noted in its 2008 decision that while Roberts attends "some AA meetings, he has not always been compliant with this recommendation."

III. PAROLE HEARING ON APRIL 2, 2013

Donnell Roberts appeared before the Board for a review hearing after being denied parole in 2008 with a five year setback. In 2008, Roberts was advised to continue to address his violent tendencies and develop more insight as to the harm he inflicted upon numerous victims.

At this review hearing, Board Members questioned Roberts about the murder, underlying anger issues, and substance abuse issues. Board members observed that Roberts continued to display little insight into his violent tendencies and harm he inflicted upon numerous victims. In response to inquiries about his prior hearing, Roberts' stated, "I am not the victim as I made it out to be . . . everything I said was in a condensed version." He further agreed that he was "not fully aware" of his violent tendencies, but later stated, "I don't think I was that violent." Board Members questioned Roberts about the victims of his other violent offenses. Roberts accepted minimal responsibility for his prior violent behavior. He advised the Board that he pled guilty to manslaughter "because they said I could have stopped it." He described the injuries he inflicted on his girlfriend's five-year-old daughter which resulted in a month-long hospitalization as "a little scar" and "welts." Despite evidence to the contrary, Roberts informed the Board that he hit Mr. Anderson "about six times," that the victim "tried to get up" and that "there was no blood at the scene."

In describing an aggravated assault in New Jersey in 1980, Roberts said, "my brother's friend came at me; I took a knife from a friend and cut him on the arm; then I stabbed my brother-in-law a couple of times in the stomach; I was 43." In describing a 1966 cruelty to animals conviction, Roberts said, "I stabbed a dog because the dog came at me; I was carrying a knife for protection."

Board Members asked Roberts to talk about the violence he displayed in the community and whether he has addressed that issue. Roberts said, "I had a lot of fights; I had a reputation as a good fighter; on Mission Hill they had the impression that I was a bad guy; I don't know why they had that impression; violence is no longer a problem for me."

Since his last hearing, Roberts has engaged in minimal programming. He has received program certificates for the following programs he completed in a three month period in 2009: Active Listening Workshop and Alternatives to Violence Workshop (Facilitator & Trainer). Several Board Members noted Roberts' issues with alcohol and questioned him about his lack of programming to address his substance abuse. Although Roberts admitted that he drank prior to the murder and that he had previously been involved in physical altercations while drunk, he refuses to participate in AA/NA meetings while incarcerated, informing the Board that alcohol is not a problem because he is incarcerated. A Board Member responded to this statement by informing the inmate that it did not appear that he thought thoroughly about his issues with alcohol. Currently, Roberts works two hours a day as a janitor in the laundry and participates in the chess club. He is not engaged in programming.

Roberts' sister, Beatrice Clark, and her husband Steven Clark, testified in support of parole. The victim's son, Matt Anderson, and daughter-in-law, Michelle Santos testified in opposition to parole. Suffolk Assistant District Attorney Charles Bartoloni opposed parole by pointing out Roberts' "downplaying" of what he did to Mr. Anderson and his violent history.

IV. DECISION

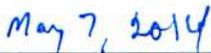
Donnell Roberts committed a brutal murder by savagely beating the victim with a stick while he was asleep in a recliner chair. Roberts was a violent person for decades in the community. He stabbed a dog in 1966, killed a man in 1967, severely beat a child in 1972, and stabbed a relative in 1980. Rehabilitation from this level of antisocial behavior requires a long and productive commitment to reform. For his first 15 years of incarceration, however, he did not commit to rehabilitation. He had productive program activity from 2007 to 2009, but has now reverted to a passive approach. At the hearing, Roberts displayed minimal insight into his violence, its effect on his victims, his culpability in several violent incidents, the cause of his antisocial behavior, and strategies for reducing his capacity for violence. The Parole Board concludes, therefore, that Donnell Roberts is not rehabilitated.

The standard for parole as 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 an 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 this standard, the Board concludes that Mr. Roberts is not suitable for parole because he is not rehabilitated. The review will be in five years, during which time Mr. Roberts should make a full investment in rehabilitative programs in order to learn more about his violent behavior, its causes, its effects on victims, his culpability for the harm caused, and how to reduce his capacity for violence.

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.



Josh Wall, Chairman



Date