

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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Executive Director

RECORD OF DECISION

IN THE MATTER OF

FRANCIS SEPULVEDA
W83038

TYPE OF HEARING: Review Hearing
DATE OF HEARING: December 14, 2021
DATE OF DECISION: June 15, 2022

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa

STATEMENT OF THE CASE: On January 13, 2004, in Lawrence Superior Court, Francis Sepulveda pleaded guilty to second-degree murder of seven-year-old Eva Rojas and was sentenced to life in prison with the possibility of parole. Mr. Sepulveda also pleaded guilty to four counts of armed assault in the dwelling, four counts of stealing by confining or putting in fear, and one count of armed robbery and received nine additional life sentences with the possibility of parole. Also, he pleaded guilty to four counts of assault and battery with a deadly weapon, for which he was sentenced to serve 8-10 years, and one count of armed assault with intent to murder, for which he was sentenced to 18-20 years. All sentences were to be served concurrently. In 2010, Mr. Sepulveda’s appeal of the denial of his motion to withdraw his guilty plea was affirmed.¹

Mr. Sepulveda appeared before the Parole Board for a review hearing on December 14, 2021 and was represented by Attorney Inna Landsman. This was Mr. Sepulveda’s second appearance before the Board having been denied in 2017. The entire video recording of Mr. Sepulveda’s December 14, 2021 hearing is fully incorporated by reference to the Board’s decision.

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 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 a unanimous vote that the inmate is a suitable candidate for parole.

¹ Commonwealth v. Sepulveda, 78 Mass. App. Ct. 1107 (2010), cert. denied, 459 Mass. 1102 (2011).

Reserve to Long-Term Residential Program (LTRP) after completion of six months in lower security. Mr. Sepulveda and his co-defendants were involved in an armed home invasion that ultimately resulted in the death of Eva Rojas. Mr. Sepulveda has taken advantage of all programming to include a Bachelor of Arts degree, Alternatives to Violence, the Correctional Recovery Academy, and Criminal Thinking among others. The Board took into consideration the evaluation and testimony of Dr. Tabashneck who indicated he is a low risk to reoffend with implementation of the plan submitted and believes he could positively contribute to society,

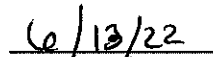
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society."

In forming this opinion, the Board has taken into consideration Mr. Sepulveda's 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 a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Sepulveda's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Sepulveda's case, the Board is of the opinion that Mr. Sepulveda is rehabilitated and merits parole at this time.

Special Conditions: Reserve to Long Term Residential Program (LTRP) – must complete; Waive work for two weeks or program; Curfew must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring; Supervise for drugs; testing in accordance with agency policy; Supervise for liquor abstinence; testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact or association with co-defendants; No contact with victims; No contact with victim's family; Must have mental health counseling for adjustment/transition, ADD and PTSD; AA/NA at least 3 times/week; Mandatory – No STG affiliation or activity

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.


Pamela Murphy, General Counsel


Date