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Tina M. Hurley
Chair

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Executive Director

RECORD OF DECISION

IN THE MATTER OF

FRANCISCO ROBLES
W63633

TYPE OF HEARING: Review Hearing

DATE OF HEARING: October 10, 2024

DATE OF DECISION: January 30, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz

VOTE: Parole is granted on/after six months in lower security to Interstate Compact New York, but not before District Attorney clearance.

PROCEDURAL HISTORY: On November 11, 1997, after a jury trial in Suffolk Superior Court, Francisco Robles was convicted of second-degree murder in the death of 23-year-old Christine Painten. Mr. Robles was sentenced to life in prison with the possibility of parole.

On October 10, 2024, Francisco Robles appeared before the Board for a review hearing. Parole was previously denied after Mr. Robles' initial hearing in 2012, and after his review hearings in 2016 and 2021. The Board's decision fully incorporates by reference the entire video recording of Mr. Robles' October 10, 2024, hearing.

STATEMENT OF THE CASE: On November 10, 1996, police received a 911 call from Francisco Robles notifying the dispatcher that he had just killed his girlfriend, Christine Painten, in her East Boston apartment. Responding officers found Mr. Robles sitting on the couch with Ms. Painten's 3-year-old son. Ms. Painten was on the floor, naked from the waist down. She was covered by a bed sheet, with a copy of the bible on her chest. There were obvious bruise marks around Ms. Painten's neck. Mr. Robles held out his hands to be cuffed, stating to officers that he had just killed his girlfriend. Mr. Robles had been released from a House of Corrections sentence two days before the murder.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

DECISION OF THE BOARD: This was Mr. Robles' fourth appearance before the Board. Mr. Robles was 20-years-old at the time of the offense. He is now 48-years-old. He has been incarcerated for 28 years. He has invested in self-development, completing approximately 90 programs. Mr. Robles has addressed the concerns of the Board. He was a co-founder of the Family Violence Education Group, where he worked with DOC staff to develop the curriculum. He completed 30 programs since the last hearing and was granted a reconsideration hearing. He has earned his B.A. from Boston University and invested in Vocational Skills training. Mr. Robles has been sober since 1996. He participated in Restorative Justice and presented with insight into his history of domestic violence and the harm he has caused. Mr. Robles has a strong support system and release plan to address his re-entry needs. The Board concludes by unanimous decision that Mr. Robles has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

The Board considered testimony from his supporters, as well as testimony from those opposing his parole. There were five people who spoke in support of parole. There were four family members of Ms. Painten, who spoke in opposition to his parole. Suffolk County ADA Montez Haywood also provided testimony in opposition to parole.

SPECIAL CONDITIONS: Release to Interstate – NY; Approve home plan before release; Waive work for two weeks; Curfew must be home between 10 pm and 6 am; Electronic monitoring for six months and then at request by PO to Board if GPS is needed to continue; Supervise for drugs with testing in accordance with Agency policy; Supervise for liquor abstinence with testing in accordance with Agency policy; Report to assigned MA Parole Office on day of release; No contact with victim(s); No contact with victim(s)' family; Must have mental health evaluation and follow recommendations; Must have substance abuse evaluation and follow recommendations; Must have mental health counseling for adjustment and healthy relationships; Mandatory Interstate NY.

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.

Tina M. Hurley
Tina M. Hurley, Chair

1/30/25
Date