



*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety*

**PAROLE BOARD**

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**DECISION**

**IN THE MATTER OF**

**FRANCISCO ROBLES**

**W63633**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** October 18, 2011

**DATE OF DECISION:** October 4, 2012

**PARTICIPATING BOARD MEMBERS:** Cesar A. Archilla, Charlene Bonner, Sheila M. Dupre, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

**DECISION OF THE BOARD:** Parole is denied with a review in five years. The decision is unanimous.

**I. STATEMENT OF THE CASE**

Francisco Robles appeared before the Massachusetts Parole Board on October 18, 2011 for his Initial Parole Hearing. On November 11, 1997, in Suffolk Superior Court, Francisco Robles was found guilty of second-degree murder after a trial by jury for the killing of his girlfriend, Christine Painten.

On November 10, 1996, police received an emergency 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 the victim's three-year-old son. The victim was on the floor, naked from the waist down and covered by a bed sheet with a copy of the bible on her chest. There were obvious bruise marks around the victim's neck. Mr. Robles held his hands out to be cuffed and stated to officers that he had just killed his girlfriend. Mr. Robles had been released from a House of Corrections sentence just two days before the murder.

Mr. Robles admits he had recently started dating the victim, he moved in after a month and their relationship was tumultuous. Mr. Robles admits to being very insecure and jealous. On the day of the murder Mr. Robles accused the victim of cheating on him (an accusation he made frequently) and admits to harboring irrational and negative thoughts. Mr. Robles became angrier and after Ms. Painten had gone to bed he remained awake, ruminating in his dark thoughts. He went into the bedroom, got on top of the victim, who was asleep, and began choking her. The victim awoke in shock and began to struggle, causing them to fall to the floor with Mr. Robles still on top of her. Mr. Robles admits he "just couldn't stop" and continued to choke Ms. Painten until she died.

Mr. Robles has a prior criminal record. On May 13, 1996 he was charged with possession of a firearm, stalking and threats involving a girlfriend he lived with. He served six months on the threats charge, the others being dismissed. He was arraigned on February 13, 1996 on charges of assault and battery and assault and battery with a dangerous weapon, both of which were dismissed. Since being incarcerated on this sentence, Mr. Robles has been arraigned on a burning charge on November 28, 1997 which was dismissed. He was also sentenced to two 4-5 year concurrent sentences out of Norfolk Superior Court for ABDW and a 4-5 year from and after sentence for armed assault with intent to kill. Those charges resulted from an incident at MCI-Norfolk.

## **II. INSTITUTIONAL HISTORY**

Mr. Robles has served fifteen years of his life sentence and was originally housed in a special unit due to his Security Threat Group status, having been listed as a member of the NETA gang. He incurred seven disciplinary reports at OCC including one for fighting with another inmate and another for encouraging a riot. After a return to higher custody to MCI-Cedar Junction in 1999, Mr. Robles rapidly picked up disciplinary reports including one for assaulting an officer and one for fighting with another inmate. After his release from the Special Management Unit, Mr. Robles picked up two additional disciplinary reports for fighting and refusing a direct order. He was transferred to Souza-Baronowski in September 2000 because of his poor conduct. Although employed in the kitchen, he was uninvolved in programming. He incurred numerous disciplinary reports including one for threatening an officer with physical injury. He was again returned to higher custody in May 2001 to MCI-Cedar Junction. On March 1, 2002, Mr. Robles was involved in a fight which caused life threatening injuries to another inmate. Mr. Robles stabbed the inmate with a sharp weapon and was arraigned in Norfolk Superior Court for armed assault with intent to kill and two counts of assault and battery with a dangerous weapon. He was sentenced to 4-5 years concurrent on both of the ABDW charges and 4-5 years from and after on the assault to kill charge. He was placed in DDU for 36 months. Within four months of release from DDU he was placed in restrictive housing after incurring serious disciplinary reports, including possession of a weapon and inappropriate comments to female medical staff. After his return to Souza-Baronowski in February 2009, he received four additional disciplinary reports and two SMU placements.

The inmate had almost no program participation prior to 2007. Since that time he has obtained a GED and completed Jericho Circle, Alternatives to Violence, Criminal Thinking, and Culinary Arts. Mr. Robles is currently involved in the Introduction to 12 Steps program and AA and NA. He is also the Director of Education for the La Familia and Latino Cultural clubs. He participates in both the Protestant and Catholic services and sings in the chorus at the Catholic service. Robles claims to have never been affiliated with any gang activity either before or during his incarceration.

Overall, Mr. Robles has incurred over 50 disciplinary reports throughout his incarceration.

### **III. PAROLE HEARING ON OCTOBER 18, 2011**

Mr. Robles' presentment before the Board demonstrated the need for continued rehabilitation. Mr. Robles failed to articulate the motive or explanation for killing the victim. He had a difficult time admitting his crime, projecting a denial that is troubling in light of his inexplicably violent crime. Mr. Robles displayed very little insight and revealed a poor understanding of the causative factors of this murder as well as his history of violence and assaultive behavior. He denied that he committed the threats offense against a former girlfriend for which he was convicted. He also refused to admit or discuss his apparent drug dealing. He had an unrealistic assessment of his terrible institutional conduct, at one point stating that he would give himself a "C" grade. He gave conflicting testimony that betrayed a lack of candor or sincerity despite his extensive history as a violent and disruptive inmate. Mr. Robles' history denotes significant issues with control and explosive anger, yet he has only recently engaged in programming.

The inmate's mother spoke in support of parole. Christine Painten's mother, brother, two cousins, and a friend spoke in opposition. One witness described the inmate as a crack dealer who was regularly mean to the victim. The Suffolk District Attorney and the Boston Police Commissioner both submitted letters in opposition to parole.

### **IV. DECISION**

Mr. Robles has a long way to go in his rehabilitation. After murdering an innocent and defenseless person, he compiled a significant record of violence while incarcerated. It will take sustained effort over a considerable time for the inmate to demonstrate rehabilitation and reduced risk. It is imperative that he engage in substantial programming to confront and deal with his rage and lack of insight into his domestic violence issues. He must work on maintaining a sustained period of positive and productive institutional conduct to demonstrate that he is committed to and capable of rehabilitation. Mr. Robles would, at this point, be likely to re-offend if released and his release is not compatible with the welfare of society. Parole is denied with a review in five years.

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

  
Caitlin E. Casey, Chief of Staff

10/19/12  
Date