

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

FRANK ROBINSON

W61295

TYPE OF HEARING: Review Hearing

DATE OF HEARING: August 6, 2020

DATE OF DECISION: August 19, 2021

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

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 unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in three years from the date of this hearing.

I. STATEMENT OF THE CASE

On September 20, 1996, in Suffolk Superior Court, Frank Robinson was found guilty of second degree murder in the death of 19-year-old Maurice Vance, following a jury trial. He was sentenced to life in prison with the possibility of parole. On that same date, Mr. Robinson received a 9 to 10 year concurrent sentence sentenced for kidnapping. On appeal, Mr. Robinson's murder conviction was affirmed, and his kidnapping charge was vacated.¹

On June 13, 1995, Frank Robinson, Karla Hayes, Eugene Hayes, and Maurice Vance were at Mr. Robinson's home in Stoughton. Mr. Vance told Mr. Robinson that he stole money and drugs from Keith Fitzpatrick, so Mr. Fitzpatrick put a "hit" out on him. With the intent to bring Mr. Vance to Mr. Fitzpatrick, so that he could "take care of him," Mr. Robinson hit Mr. Vance over the head with a gun. Ms. Hayes then placed a rope around his neck and hog-tied

¹ *Commonwealth v. Robinson*, 48 Mass. App. Ct. 329 (1999)

him. They placed a gag in his mouth and put a pillowcase over his head. Mr. Robinson and Mr. Hayes then placed Mr. Vance, who was still alive, in the trunk of a motor vehicle. Ms. Hayes and Mr. Robinson drove to Boston to deliver Mr. Vance to Mr. Fitzpatrick. Then, Mr. Robinson and Mr. Fitzpatrick drove off with Mr. Vance in the trunk of the car to a secluded area, where they stabbed him. Both men set his body on fire and then fled the area.

II. PAROLE HEARING ON AUGUST 6, 2020

Frank Robinson appeared before the Parole Board for a review hearing on August 6, 2020. He was not represented by counsel. Mr. Robinson was denied parole after his initial hearing in 2010, and after his review hearing in 2015. In Mr. Robinson's opening statement to the Board, he apologized to Mr. Vance's family, as well as his own, for his "callous actions." He stated that his upbringing contributed to his "poor choices," but indicated that he is no longer the same person. Mr. Robinson acknowledged that he acted selfishly in the past, stating, "I now consider how my actions affect other people."

Board Members inquired as to the details surrounding the governing offense, noting that Mr. Robinson has given multiple accounts of the crime over the years. When asked to address the discrepancies, Mr. Robinson told the Board that he was not ordered to kill Mr. Vance, as previously indicated. Rather, he explained that Mr. Vance stole money and drugs from a friend of his, so he, along with Kara and Eugene Hayes, convinced Mr. Vance to return a portion of the money. However, Mr. Vance changed his mind shortly after the plan was made. Mr. Robinson then became angry, and an altercation ensued. Mr. Robinson admitted to "punching him [Mr. Vance] out of frustration" and then going inside his home and ordering the others to "get him out of here." However, when he went back outside, Mr. Robinson saw that Mr. Vance had been tied up and appeared to be deceased. Mr. Robinson told the Board that he was unaware of how much time had transpired, or what had occurred, while he was inside the house. Mr. Robinson, Kara Hayes and Eugene Hayes then moved Mr. Vance's body into the trunk of the car, at some point, covered his face with a pillowcase and then "jointly" decided to bring Mr. Vance's body to Mr. Fitzpatrick's residence. Upon arrival, Mr. Robinson and Mr. Fitzpatrick decided to drive to a vacant lot in Dorchester to stab him and burn his body. Upon questioning, Mr. Robinson claimed that he did not know who tied up Mr. Vance or put the pillowcase over his head. He maintained, however, that he was not the one that did it. When Board Members asked why he involved himself in the moving and burning of the body, if he was inside the home when the altercation escalated, Mr. Robinson responded that he "panicked."

Board Members inquired as to whether his involvement in the governing offense was gang-related, as the facts indicate that both Mr. Fitzpatrick and Mr. Vance came to him for help, as if he was in a position of power. Mr. Robinson stated that he had not participated in a "hit" against Mr. Vance and denied that his murder was gang-related. Rather, Mr. Robinson explained that he was only "helping" Mr. Fitzpatrick with a problem. Board Members questioned Mr. Robinson about witness testimony that alleged he was more involved with the murder than he had previously admitted. Specifically, witness testimony alleged that, earlier in the day of the governing offense, Mr. Robinson threatened Mr. Vance and assaulted him with a firearm. Mr. Robinson maintained that both statements were untrue. When confronted by these inconsistencies, Mr. Robinson became visibly frustrated and did not provide an explanation as to why his version of the offense differed from witness testimony. He suggested, however, that the testimony was "coached and doctored." At this hearing, Mr.

Robinson assured the Board that he is providing an accurate version of the offense and expressed regret for not being forthright in the past, as he had been "living by a criminal code."

The Board discussed Mr. Robinson's substance abuse issues, noting that his last drug related disciplinary infraction occurred in 2018. Mr. Robinson admitted to using synthetic marijuana ("K-2") from 2012-2018 on a consistent basis. When asked why he never sought help, Mr. Robinson cited the death of his son as a significant factor, explaining that drug use was his way of "coping and self-medicating." In addition, Mr. Robinson indicated that K-2 helped him "lead a productive life." Board Members raised concern, however, as it appeared that Mr. Robinson was minimizing his substance abuse problem. In addition, his participation in substance abuse programs appeared inconsistent since Mr. Robinson admitted to using substances for a significant period of time. Nonetheless, Mr. Robinson was not concerned about relying on substances to cope (despite his prior substance abuse history) because "using heroin or cocaine is not the same thing as using K-2." Considering his remarks, Board Members encouraged Mr. Robinson to develop alternative coping mechanisms, such as availing himself of mental health services, so that he can gain additional insight on his substance abuse issues.

At Mr. Robinson's previous hearing in 2015, Board Members noted his poor institutional adjustment. At this hearing, Mr. Robinson acknowledged his poor behavior in the past and stated that he has made improvements since then, most notably the renunciation of his gang affiliation. Mr. Robinson began the renunciation process in the 1990's; however, it was not formerly accepted by the Department of Correction until 2016. When questioned as to his leadership position in the gang, Mr. Robinson stated that he was "the boss" and "ran the yard." However, he "stepped down" from his position in 2012, when he learned that his son had died due to gang violence. At that time, he wanted "to do something different" with his life. As such, he distanced himself from negative influences and engaged in programming efforts, such as Alternative to Violence, Restorative Justice, and Correction Recovery Academy (CRA).

The Board considered testimony in support of parole from Mr. Robinson's father, brother, daughter, and cousin. Boston Police Commissioner William Gross submitted a letter in opposition to parole.

III. DECISION

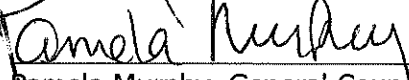
The Board is of the opinion that Frank Robinson has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Robinson has served 25 years for the murder of Maurice Vance. Mr. Robinson has provided varying versions of the offense over the years. Additionally, he continues to minimize his criminal behavior. Since his last hearing, he has completed several programs to address his causative factors. Mr. Robinson admitted to regular K-2 use over a six-year period. His last use was in 2018. The Board did recognize that his renunciation has been officially accepted by the MA DOC (Department of Correction). Mr. Robinson is encouraged to continue to participate in all recommended programming and maintain a positive adjustment. Mr. Robinson needs to maintain his sobriety. In rendering their decision, the Board did take into consideration subject's underlying health issues and COVID-19.

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

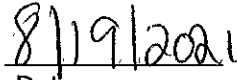
liberty without violating the law and that release is not incompatible with the welfare of society." 120 C.M.R. 300.04. In forming this opinion, the Board has taken into consideration Mr. Robinson's institutional behavior, as well as his participation in available work, educational, and treatment programs 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. Robinson's risk of recidivism. After applying this standard to the circumstances of Mr. Robinson's case, the Board is of the opinion that Frank Robinson does not merit parole at this time.

Mr. Robinson's next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Robinson to continue working towards his full rehabilitation.

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.



Pamela Murphy, General Counsel



Date