



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

**PAROLE BOARD**

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**DECISION**

**IN THE MATTER OF**

**JOSE ROBLES**

**W64509**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** June 28, 2011

**DATE OF DECISION:** July 9, 2012

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, John Bocon, Dr. Charlene Bonner, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

**DECISION OF THE BOARD:** Parole is denied. The next hearing will be in five years. The decision is unanimous.

**I. STATEMENT OF THE CASE**

Juan Cruz Santiago was murdered on January 30, 1994. Jose Robles participated with fellow members of the Latin Kings in a planned and deliberate execution of Mr. Santiago. Mr. Robles and two co-defendants (Miguel Lozada and Heriberto Hernandez) secured pleas to second-degree murder by testifying against Angel Rivera, the leader of the Latin Kings who ordered the murder. Rivera was convicted of first-degree murder.

Mr. Robles was age 16 and enrolled at the Westover Job Corps program in Chicopee, Massachusetts at the time of these events. Angel Rivera, the leader of the Latin Kings in Job Corps, orchestrated a sequence of evil and violent events in which Juan Santiago, the eventual murder victim, began as a possible perpetrator of murder. As the gang leader, Rivera ordered Juan Santiago to kill a female staff person at Jobs Corps who had angered the Latin Kings. At the time of the planned murder, Juan Santiago was overcome by conscience and did not carry out the mission. As one of the co-defendants stated in his trial testimony, Juan Santiago "didn't have a violent bone in his body."

Gang leader Rivera, angered by the failure to kill, ordered Mr. Robles and two other Latin Kings to murder Juan Santiago. The three gang members lured Juan Santiago to a remote location by stating the four of them would go together to kill the female Job Corps staff member. The three set upon Juan Santiago, kicked and punched him, held him down, wrapped a belt around his neck, and choked him until he appeared dead with blood coming from his mouth. Mr. Lozada described at trial that "me and [Heriberto Hernandez] were pulling on both ends of the belt [while] Jose was holding [the victim] down." Mr. Lozada further described that as the victim "started giving up his struggle, Jose started jumping up and down on his chest." Mr. Lozada spit in the victim's face and said to the victim that he was never meant to be a Latin King because he was a homosexual (the trial witnesses were not asked to provide the exact words Mr. Lozada used to insult the victim). As Mr. Robles and his co-defendants hid the body, they noticed that the victim was still "gurgling and gasping for air," so they threw the unconscious Juan Santiago into the freezing waters of the Connecticut River.

## **II. PAROLE HEARING ON MAY 3, 2011**

This is the first parole hearing for Jose Robles. He admitted his participation in the murder of Juan Santiago, included his own actions in grabbing the victim from behind, giving his belt to Miguel Lozada, grabbing one end of the belt to pull it while it was wrapped around the victim's neck, then holding the victim while the co-defendants pulled the ends of the belt, kicking the victim, stomping on the victim's face, participating with the co-defendants in twisting the victim's neck in an effort to break it, and throwing the unconscious victim into the river. Mr. Robles said that he left Jobs Corps in April 1994 and was not arrested until April 1996. During those two years, he lived in Connecticut, Pennsylvania, and Rhode Island. He sold crack cocaine for periods of that time. Mr. Robles admitted that he committed the offenses for which he was charged in Connecticut (burglaries in 1993) and Pennsylvania (drug dealing in 1995).

During his 15 years of incarceration, Mr. Robles has received 27 disciplinary reports. He has repeatedly shown disregard for institutional rules and disrespect for correctional staff. At the time of this hearing, he was housed in a Special Management Unit as a result of his conduct on March 30, 2011 when he received a disciplinary report for insolent behavior and swearing at correctional staff. Mr. Robles has a history of mental health issues during his incarceration. He has two suicide attempts while incarcerated. He was housed in the Residential Treatment Unit for mental health treatment in 1998 but he was terminated from the program due to disciplinary incidents. He was sent to Bridgewater State Hospital for one month in 2003. In October 2003 he returned to the Residential Treatment Unit and completed the program. Mr. Robles is not currently in counseling or on medication and he stated that his mental health has improved as he has adjusted to incarceration in recent years.

He showed little interest in rehabilitation programming prior to 2003. His Classification Report from March 2000 noted that he is "non-compliant currently with his substance abuse and educational programming; he meets with Mental Health and is compliant with medication but he attends only 20% of the required groups" for counseling. He has improved his rehabilitative efforts in recent years. He obtained a GED in 2001. He has completed some programs, including the Correctional Recovery Academy, Emotional Awareness, and Alternatives to Violence.

The inmate has an uncertain parole plan. He would enter a residential treatment program and search for employment and housing.

Two witnesses testified in support of parole. Hampden County Assistant District Attorney Diane Dillon spoke in opposition to parole.

### **III. DECISION**

Jose Robles committed a brutal murder as a member of the Latin Kings. His institutional adjustment has been marked by disciplinary issues, indifference to rehabilitation, and mental health issues. He has not compiled the exemplary record that is necessary for parole from a life sentence at 15 years. It appears that for the first decade of his incarceration he was not seeking rehabilitation or parole. The goals of sentencing – rehabilitation, deterrence, punishment, and incapacitation for the safety of the public – have not yet been met. Based on Mr. Robles' criminal and institutional records, the Parole Board concludes that he presents a current risk to re-offend and his parole is not compatible with the welfare of society. Accordingly, parole is denied. In recent years his conduct has improved and he has completed some programs. He expressed at this hearing views and opinions that show more insight and understanding of his criminal and institutional behavior. He also showed a desire to reform himself by accessing the resources available to him in the institution. He has finally set himself on a path that could lead to rehabilitation. He needs to maintain excellent conduct, increase his program participation, develop a more solid parole plan with some community support, and continue stability in his mental health. Given the number of years he wasted without seeking rehabilitation, Mr. Robles needs considerably more time to work towards these goals. His next parole hearing, therefore, will be in five years.

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

  
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Timothy V. Dooling, General Counsel

7/9/12  
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Date