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DECISION

IN THE MATTER OF

LARRY ROBINSON

W50442

TYPE OF HEARING: Review Hearing

DATE OF HEARING: November 10, 2015

DATE OF DECISION: December 22, 2015

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Sheila Dupre, Tonomey Coleman, Tina Hurley, Lucy Soto-Abbe, Ina Howard-Hogan.

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying 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 two years from the date of the hearing.

I. STATEMENT OF THE CASE

On April 26th, 1991, in Suffolk Superior Court, Larry Robinson pled guilty to the armed robbery and second degree murder of Mark Peter Belmore. A sentence of life in prison, with the possibility of parole, was imposed on Mr. Robinson for the murder of Mr. Belmore. Mr. Robinson was also sentenced to a concurrent term of not more than 35 and not less than 25 years in prison, for his robbery conviction. Mr. Robinson is currently 45 years old.

During January of 1990, Mr. Robinson was living with his aunt in Brockton, whom he had moved in with after separating from the mother of two of his children. On the evening of Mr. Belmore's death, January 15, 1990, Mr. Robinson went to the 9:50 PM showing of "Internal Affairs" at Cinema 57 in Boston with a group of friends. Prior to attending the film, Mr. Robinson rode the number 43 bus with some of these individuals. While on the bus, Mr. Robinson and other members of his group engaged in conversation regarding the necessity of

carrying weapons for personal protection. Mr. Robinson and two of his male companions brandished knives during this conversation.

After the movie, Mr. Robinson and this group boarded a subway train to Massachusetts Avenue, via the New England Medical Center T Station. As they passed through the Carter Playground on foot, the conversation between the group turned to the prospect of targeting a random stranger for robbery. Mr. Robinson and three of the four males continued this conversation, eventually formulating a plan to select and attack a random stranger. Mr. Robinson and one of the males then crossed Columbus Avenue and began to watch people as they walked down the street. One individual, Northeastern University student Mark Peter Belmore, caught the attention of the group because he was alone. Mr. Robinson and the other male began to follow Mr. Belmore. Cognizant of their presence, Mr. Belmore picked up his pace after looking back in the direction of Mr. Robinson and the other male. Mr. Robinson then yelled out "Get him" and began to chase after Mr. Belmore, while the other males converged on him. The other males formed a semi-circle around Mr. Belmore, beating and stabbing him. Mr. Robinson then reached Mr. Belmore's location. Realizing he had already been stabbed, Mr. Robinson none the less assaulted Mr. Belmore. Prior to being left in the street to die, Mr. Belmore was robbed of his wallet and leather jacket. On January 22, 1990 Mr. Robinson turned himself into police on an open warrant charging him with murder.

II. PAROLE HEARING ON SEPTEMBER 15, 2015

Mr. Robinson came before the Parole Board on November 10, 2015 for a review hearing. This was his third appearance before the Board. Mr. Robinson's initial hearing took place on November 9, 2005 and resulted in parole being denied. Subsequently, he appeared before the Board for a review hearing on November 16, 2010, which was also denied.

Mr. Robinson gave an opening statement to the Board, in which he apologized to Mr. Belmore's family and expressed remorse. During the course of his hearing, and in a written submission to the Board, Mr. Robinson spoke about the night of the murder. According to Mr. Robinson, he had been drinking and smoking marijuana earlier that day and at the movie theatre. While walking home, he and his friends developed a plan to rob a random stranger. Mr. Belmore was selected as a target for the robbery because he was alone.

When Mr. Belmore realized he was being followed and began to run, Mr. Robinson yelled out "Get him", in order to prevent Mr. Belmore's escape. The other males converged on Mr. Belmore and stabbed him before Mr. Robinson could reach their location. Mr. Robinson nonetheless beat and robbed Mr. Belmore with the full knowledge that he had already been stabbed. Mr. Robinson told the Board he was surprised when he subsequently learned of Mr. Belmore's death, as he did not think his wounds were that serious.

When questioned by the Board, Mr. Robinson addressed his behavior prior to and during his incarceration. According to Mr. Robinson he committed five robberies and one stabbing before Mr. Belmore's death. He also engaged in theft, substance abuse and selling drugs. While serving his sentence, Mr. Robinson has been involved in numerous disciplinary incidents including the stabbing of a fellow inmate. Acknowledging the role his disciplinary record played in the Board's decision making in his past parole hearings, Mr. Robinson described his behavior as an effort to "make a name for himself" in prison.

Mr. Robinson cited the effects of childhood abuse and the negative influence of family and friends as the main reason for his descent into criminal activity. According to Mr. Robinson, he experienced severe abuse as a child. First, Mr. Robinson witnessed the abuse his father inflicted on his mother. Then Mr. Robinson experienced abuse at the hands of his mother. At

the age of 12, Mr. Robinson told the Board he was sent to live with his grandmother where he experienced a period of momentary stability. By his own admission, however, this was also the age at which he committed his first robbery. Mr. Robinson reported to the Board that each robbery he committed was similar in nature to the robbery of Mr. Belmore.

In addition to Mr. Robinson, the Board also received live testimony from numerous witnesses, both in support of and in opposition to Mr. Robinson's petition for parole. The Board considered testimony from members of Mr. Robinson's family, all of whom expressed support for his release. The Board also noted the presence of friends and/or family who appeared in support of Mr. Robinson, but who did not testify. Mr. Robinson's mother described the abuse he was exposed to as a child and how the strict parenting style she used in raising him strained their relationship. Mr. Robinson's father expressed his belief that his own personal experiences with the criminal justice system have put him in a position to help his son meet the challenges of reintegrating into society. Mr. Robinson's son and daughter both spoke positively of their relationship with their father and expressed their support for his release.

Testimony from members of Mr. Belmore's family and the Suffolk County District Attorney's Office, all of whom expressed opposition to Mr. Robinson's petition for parole, was also taken under consideration. Additionally, the Board noted the presence of friends and/or family of Mr. Belmore who appeared for the hearing in opposition to Mr. Robinson's release, but who did not testify. Two of Mr. Belmore's sisters gave testimony before the Board, in which they described in detail the sequence of events their family experienced following Mr. Belmore's death. Mr. Belmore's sisters described the emotional toll Mr. Belmore's murder took on their family and the particularly painful emotions evoked when they learned of the violent nature of Mr. Belmore's murder.

ADA Charles Bartoloni testified on behalf of the Suffolk County District Attorney's Office. ADA Bartoloni highlighted Mr. Robinson's poor institutional behavior and admissions to additional criminal activity as the basis for his argument to deny parole. ADA Bartoloni further argued that Mr. Robinson had not yet grasped the severity of his behavior, pointing to portions of his testimony that he suggested were tailored and aimed at minimizing his involvement in Mr. Belmore's murder. In making this argument, ADA Bartoloni cited documented evidence in the underlying criminal investigation.

III. DECISION

The Board is of the opinion that Mr. Robinson has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes a longer period of positive institutional adjustment would be beneficial to Mr. Robinson's rehabilitation.

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 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 unanimous opinion that Mr. Robinson is not yet rehabilitated and therefore does not merit parole at this time.

The Board recognizes the significant length of time that has passed since Mr. Belmore's death. During that time, Mr. Robinson has made significant progress toward his rehabilitation. In addition to taking advantage of institutional programming, Mr. Robinson has recognized his poor institutional behavior and taken steps to improve it.

Mr. Robinson's next appearance before the Board will take place in two years from the date of the review hearing related to this decision. During the interim, the Board encourages Mr. Robinson to remain discipline free and to continue working towards his full rehabilitation by participating in institutional programming.

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.


Michael Callahan, Executive Director


Date