



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



**PAROLE BOARD**

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*Chairman*

**Michael J. Callahan**  
*Executive Director*

**DECISION**

**IN THE MATTER OF**

**ROBIN MURPHY**

**F25652**

**TYPE OF HEARING:** **Review Hearing**

**DATE OF HEARING:** **March 28, 2017**

**DATE OF DECISION:** **November 1, 2017**

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Lucy Soto-Abbe. Tina Hurley was recused and did not participate in this case.

**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.<sup>1</sup> Parole is denied with a review scheduled in five years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On January 14, 1981, in Bristol Superior Court, Robin Murphy pled guilty to the second-degree murder of Karen Marsden and was sentenced to life in prison with the possibility of parole. Ms. Murphy had been indicted for first-degree murder, but was allowed to plead guilty to the lesser charge in exchange for her testimony at the trial of her co-defendants, Carl Drew and Carl Davis.

In December 1979, Robin Murphy and Karen Marsden were in a relationship and living together in the Fall River area. Ms. Marsden had previously lived with, and worked for, Carl Drew, a Fall River pimp who also led a satanic cult. Ms. Murphy was an active participant in a group of pimps, prostitutes, and drug abusers that included Mr. Drew and Ms. Marsden. On the evening of February 8, 1980, 17-year-old Ms. Murphy and Ms. Marsden were in a car with Mr.

<sup>1</sup> One Board Member was recused from the hearing.

Drew, Carl Davis, and another woman. The other woman, at the direction of Mr. Davis, drove to Family Beach in Westport. In a wooded location, Mr. Drew ordered Ms. Murphy to take Ms. Marsden out of the car. Ms. Murphy dragged the victim by her neck and hair into the woods. Mr. Drew and Ms. Murphy hit the victim and struck her with rocks. Mr. Davis handed Ms. Murphy a knife, and Mr. Drew told her to cut Ms. Marsden's throat. After Ms. Murphy slit the victim's throat, Mr. Drew snapped the victim's neck. Mr. Drew then took off the victim's pants, and Ms. Murphy committed a sexual act on Ms. Marsden's body. Mr. Drew cut off the victim's head and told Ms. Murphy to pull out the victim's hair. After she complied, Mr. Drew took the victim's head and kicked it and also marked her body. Ms. Murphy, Mr. Davis, Mr. Drew, and the other woman then left the area and went back to the car. Some months later, Ms. Murphy made incriminating statements to multiple friends, who later reported those statements to police.

Ms. Murphy was also involved in the murder of Barbara Raposa in Fall River on February 7, 1979. Ms. Murphy was present and played a role in the killing committed by Andre Maltais. Ms. Murphy was given immunity in exchange for her testimony at the trial, in which Mr. Maltais was convicted of first degree murder.

## **II. PAROLE HEARING ON MARCH 28, 2017**

Robin Murphy's initial hearing on May 2, 1995, resulted in the denial of parole. She was also denied parole following review hearings in 1998 and 2002. Ms. Murphy appealed her 2002 denial, and the Board granted her an appeal hearing. On April 24, 2004, the Board voted to parole Ms. Murphy to a long-term residential program. While on parole, Ms. Murphy received a warning on March 31, 2006, for her association with a known felon. On August 9, 2007, Ms. Murphy received a graduated sanction for a speeding ticket that she received. On July 19, 2011, Ms. Murphy was pulled over by Chelsea police, along with a known felon in the passenger seat of her car who had heroin in her purse, following a suspected drug transaction. The passenger admitted to police that a heroin transaction had just occurred. Ms. Murphy, however, failed to notify her parole officer of this contact with law enforcement. On August 15, 2011, Ms. Murphy was returned to custody for violating her parole by association with a known felon, irresponsible conduct for her connection to the heroin transaction, and failure to report the Chelsea police incident to her parole officer. Ms. Murphy was denied parole after her review hearing in 2012.

Ms. Murphy, now 54-years-old, appeared before the Parole Board for a review hearing on March 28, 2017. She was represented by Attorney Courtney Bradley. In her opening statement to the Board, Ms. Murphy apologized to Ms. Marsden's family and to her own family, as well. She also expressed embarrassment for appearing before the Board again. Ms. Murphy admitted that she was "evasive and defensive" during her last parole hearing. She told the Board that she had not wanted to open up about her relationship or take responsibility for her actions. Ms. Murphy also stated that she was "an enabler" in a relationship with a known felon and addict. She said that through her work in programming, she has been able to get a more accurate assessment of her past actions and thought processes. She now believes that she is ready to be a productive member of society.

After the Board acknowledged Ms. Murphy's horrific history of childhood trauma, they questioned her about her life leading up to the murder of Ms. Marsden. Ms. Murphy stated

that, in October 1979, she moved in with a woman she had met at a bar and with whom she had entered into a relationship. The woman, who was a prostitute, told Ms. Murphy that she would have to engage in prostitution if she wanted to continue living in her house. Ms. Murphy maintains that she was not a prostitute and only engaged in prostitution on one occasion. Ms. Murphy then left the woman and entered into a relationship with Ms. Marsden, and the two began living together. Ms. Murphy told the Board that Ms. Marsden had been running away from Mr. Drew. According to Ms. Murphy, she brought Ms. Marsden to a mental health center after she started telling her that Mr. Drew worshipped the devil, Mr. Drew killed a girl under high school bleachers, and that they had séances with police officers. A Board Member then brought up an account given by a police officer, who witnessed Ms. Murphy and Mr. Drew holding a séance in an apartment with a satanic painting on the wall. In response, Ms. Murphy told the Board that she has never been involved in a satanic cult, devil worship, or séances.

During the course of the hearing, Board Members raised concerns regarding Ms. Murphy's credibility and her history of manipulation. A Board Member read aloud an excerpt from Ms. Murphy's last Record of Decision, which detailed the Board's concerns with her history of repetitive lying and noted their difficulty in believing anything she said regarding her criminal conduct or parole violations. Ms. Murphy was then asked to respond to what had been read to her. She stated, "I understand why no one would believe anything I say. I think in the past I have been evasive. Regarding the crimes, I understand why no one would believe whether any of that was true or not true... I think that I have been consistent with the Parole Board, though evasive at times and defensive at times, regarding my return..." A Board Member later asked Ms. Murphy why she recanted her testimony about the murders. Ms. Murphy said, "Because it wasn't true... If I'm really a different person than I was at 17, then that's a part of it."

Ms. Murphy was asked what she thinks is the most important quality in evaluating a candidate for parole. She replied, "I would hope honesty." A Board Member then noted how adamant Ms. Murphy had been at her last parole hearing regarding the Chelsea police incident and her relationship to the woman in the car. The Board Member referenced a memorandum submitted by Ms. Murphy's attorney two weeks prior to the present hearing, informing the Board that what Ms. Murphy had said at her last hearing was a lie and that, in fact, Ms. Murphy had been in a relationship with the woman. In response, Ms. Murphy told the Board that she believed taking responsibility for her actions was good. She explained that she did not realize her actions also included her relationship with the woman and that she was not always aware when her girlfriend was high. She admitted to hiding the relationship from her parole officer because she knew the relationship was forbidden. Ms. Murphy stated that she now believes a heroin transaction took place in her car, but claims that she did not see it happen. A Board Member pointed out to Ms. Murphy that she stopped to let a random woman get into the back of the car, drove the woman a short distance down the street, and then let her out of the vehicle, during which time the woman sat next to her girlfriend (a heroin addict), who was bleeding from track marks on her arms and hands. Ms. Murphy was asked how she did not know that this was a drug transaction. Ms. Murphy replied, "I don't know."

Ms. Murphy participated in many programs during her incarceration, including Restorative Justice, Healthy Relationships, and a childhood trauma class. Regarding her participation in the Victim Empathy Program, a Board Member asked Ms. Murphy how she thinks her (almost) four decades of lies have impacted the individuals who oppose her parole,

including those who live in the community of Fall River. Ms. Murphy stated, "I think that no one knows what to believe anymore."

Ms. Murphy had numerous supporters present at her hearing. The Board also received some letters in support of her parole. The Board considered oral testimony in opposition to parole from a friend of Barbara Raposa, a retired Fall River Police detective, and Karen Marsden's brother. Bristol County Assistant District Attorney Karen O'Sullivan spoke in opposition to Ms. Murphy being granted parole.

### **III. DECISION**

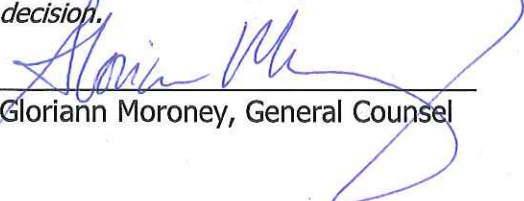
The Board is of the opinion that Ms. Murphy has not demonstrated a level of rehabilitative progress that would make her release compatible with the welfare of society. Robin Murphy has a history of repetitive lying, including an extended period on parole supervision. Ms. Murphy manipulated parole staff as she maintained a long-term relationship with a known felon. In addition, she aided her partner in obtaining drugs and was aware of illegal behavior that supported the addiction.

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 the context of an offender convicted of first or second degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015). The factors considered by the Board include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.*

In forming this opinion, the Board has taken into consideration Ms. Murphy's institutional behavior, as well as her participation in available work, educational, and treatment programs during the period of her incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Ms. Murphy's risk of recidivism. After applying this standard to the circumstances of Ms. Murphy's case, the Board is of the unanimous opinion that Robin Murphy is not yet rehabilitated and, therefore, does not merit parole at this time.

Ms. Murphy's next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Ms. Murphy to continue working towards her 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.*

  
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Gloriann Moroney, General Counsel

11/1/17  
Date