



The Commonwealth of Massachusetts  
Executive Office of Public Safety



**PAROLE BOARD**

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Chairman

**DECISION**

**IN THE MATTER OF**

**ROBERTO COLON**

**W62985**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** June 7, 2011

**DATE OF DECISION:** May 29, 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**

Roberto Colon is serving eight concurrent life sentences for rape of a child. Colon was convicted on July 16, 1997 after a jury trial. In denying the appeal, the Appeals Court summarized the facts: Colon began abusing the victim when she was eight years old; Colon "forced her to engage in multiple acts of vaginal and anal intercourse which continued intermittently for nearly two years." The jury also convicted Colon of two counts of intimidation of a witness (the victim's mother); he was sentenced to serve 4 to 5 years concurrent on each count and those sentences are completed.

This is Colon's first incarceration. He does have prior convictions for several offenses, including breaking and entering, assault and battery on a police officer, larceny of a motor vehicle, and malicious destruction of property.

## **II. PAROLE HEARING ON JUNE 7, 2011**

This is the first parole hearing for Roberto Colon. He is 54 years old. At the hearing, Colon insisted on his innocence. He admitted to no crime and denied any inappropriate behavior with the victim. He claimed that his ex-girlfriend was angry when he left her and that she manipulated her daughter into making false charges.

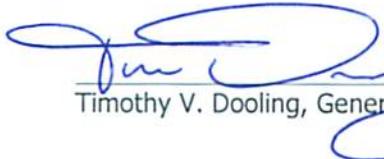
The jury rejected that defense at trial. The trial judge imposed multiple life sentences, which sends a clear message that she did not have concerns about the evidence or suspect an erroneous verdict. The Appeals Court denied Colon's appeal.

The inmate has only two disciplinary reports. He earned his GED in 2005. He has limited program participation, most notably Alternatives to Violence in 2010. Colon refuses to participate in sex offender treatment because he denies the crimes.

## **III. DECISION**

Roberto Colon does not accept the jury verdicts. At his parole hearing, he offered no information or evidence that would cast doubt on the verdicts. The trial judge issued multiple life sentences, which indicates her conclusion that solid evidence supported the jury verdicts. The inmate's assertion of innocence does not, under these circumstances, lead the Parole Board to forego the usual expectation of remorse and rehabilitative programming aimed directly at the causes of the inmate's criminal behavior. Roberto Colon does not have remorse for these offenses and he has not addressed his criminal behavior through sex offender treatment. He is likely to re-offend if released. He remains dangerous and his release, therefore, 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.*

  
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Timothy V. Dooling, General Counsel

5/29/12  
\_\_\_\_\_  
Date