

David John Robitaille:

David's Life:

1. David was Born David John Robitaille to step father Edward and birth mother Margaret Robitaille. David's mother had an affair with his step father's friend resulting in his birth.
2. At age three, David and his six other siblings were removed from the home due to deplorable conditions. David would spend the next seven years in foster care before he was returned to his mother (age nine). This arrangement lasted until, at age eleven, David called his social worker asking to be placed back into foster care. His mother was a drunk, out all hours of the night, tried to run a business which failed, and there was little if any food in the apartment for him to eat. Had it not been for meals offered at public school, he would have withered away.
3. David went through several more foster homes before once again being placed with his mother, as he had now aged out of the system at age 17. He had been in a total of thirteen foster homes.
4. While at one foster home (around age thirteen or fourteen), David met a nice man named Charles DeBarger (Charlie) while walking home from a friend's house. He saw this older man working under the hot summer sun and couldn't understand why no one was helping him, so he went over and offered to lend a hand. It was the beginning of a wonderful mentor student relationship. Charlie gave David a paying job for helping him at the Forest Part clay tennis courts in Springfield, MA. He took David on long trips out to the country where they would spend hours just talking about everything. Charlie was a smart man, a decent man. He was like a father to him, and the only human role model David ever had in his short life. Charlie was even there in court during the first (of three) plea hearing encouraging David by patting the underside of his chin, indicating for David to keep his chin up. The man loved David like a son and treated him as such.
5. David's mother's boyfriend found an apartment for the three of them in Chicopee center. A fire in another apartment caused them to move to David's sister Marlene's apartment and live with her family. David bounced around from family member to family member before his mother was able to locate a two bedroom apartment on Stonina Drive in Chicopee, MA. David lived with there with his mother through most of his eighteenth year. He then moved in with his step father, brother Robert, and sister Terry, on Biltmore Street in Springfield, MA. David immediately got a job a Dunkin Doughnuts.
6. It was his relationship with Charles DeBarger which inspired David to do the exact same for Richard. So, the first thing he and Richard did was open a joint bank account.

David John Robitaille and Richard Joseph Ventura:

1. David John Robitaille met Richard Joseph Ventura while living with his mother on Stonina Drive in Chicopee, MA, after he was placed in her custody from state Department of Social Services (DSS). David was sixteen years old. They met when Richard came to the door to deliver the

paper. At that time no direct contact was made. David was very emotionally immature as well as sexually immature (as was the diagnosis of Dr. Michelson, court psychologist who reported his findings to the court).

2. Detectives did not take any witness statements from David's mother (with whom he lived and the location of alleged rapes), neighbors (including his then former 27 year old girlfriend Marry Kentfield who lived across the street - or her two children Tina age 12 and Eddie age 6), schoolmates, or anyone other than Richard and his mother, to verify their rape allegations. No witness statements were filed as none were taken. Rather, the detectives made up a total fiction involving several forced rapes that could never have occurred, threats to murder, weapons used as threats, etc.
3. They saw a poor, post pubescent black male teenager (sexually active) dating a white post pubescent (sexually active) male teenager, and because of their prejudices decided no investigation was needed. David is mulatto (Wht. Mother, Blk. Father) and Richard is half Hispanic and half Caucasian. David is no stranger to bigots, having dealt with them all through his youth.
4. Richard's mother knew her son and David (bi-sexual) were dating, as many teenagers have done in the past. Everybody in the neighborhood knew. Richard (homosexual) had been involved with several other teenage and adult (over eighteen) males in the housing projects prior. However, at no time did either of them perform anal sex, as was alleged. This was the beginning of the age of AIDS, and they both had concerns as it was new and so little was known about it. Sexual contact of any a type was external only, and certainly not by force. Richard came onto David during martial arts class, who shrugged off initial approaches, but later gave in. No sexual contact could have ever occurred in the living room of David's mother's apartment whether with or without force (see affidavit of Margaret Robitaille & Marlene Plant).
5. There is only one problem with the Commonwealth's allegations of forced rape or any type of sexual activities occurring at the Stonina Drive apartment which David shared with his mother. S.L.A.M.! (See Affidavits of Marlene Plant and Margaret Robitaille in support of the above).
6. Societies' League Against Molestation (S.L.A.M.!) was a nonprofit group started by a grandmother in FL. After David's niece and nephew (two of David's sister Marlene's children) were allegedly molested, David's sister Marlene Plant, David's mother Margaret Robitaille, Virginia Ventura (Richard's mother), and Marry Kentfield (whom David had been dating), joined together and formed a legally registered chapter of S.L.A.M., the headquarters of which was in the living room of he and his mother's apartment. A large oak desk was placed in the living room. Upon this desk were two hotline phones manned twenty-four hours a day. The phones were manned around the clock, with Police, detectives and social services workers in and out of the apartment at all hours of the day and night.
7. The group held weekly meetings in the living room of David's house, which he attended as solicitor for the group. Virginia's children (she had three boys, a girl and a baby) as well as Mary's two children, were allowed to attend these meetings, Richard included. We discussed only the topic of child sexual abuse. Reports were available to those authorized to view them (not including David), but they were often left out where the children who could read them, would, including Richard.

8. The detective Sgt. Thomas M. Kelley (sic) did take David into an office at the Springfield MA police department and, in the processes of having him empty his pockets, in a matter of fact manner, informed David that he (Sgt. Kelley) would not hit him until he took David's handcuffs off. Once pockets were emptied and cuffs removed, detective Sgt. Kelley pushed David up against the wall and hit him several times before David fell to the floor and was picked up against the wall again. Before Sgt. Kelley could hit him again, David came up with a way to make him stop. He informed Sgt. Kelley of a heart murmur condition he had, explaining that if he was struck again it could kill him. It worked. Sgt. Kelley stopped, re-cuffed David, and took him to booking where he called his friend and former foster brother Larry Keizer (see Keizer affidavit in support). There are most likely others with similar reports involving this detective, if one cared to look.
9. Court appointed defense attorney Samuel Richard Gordon (A.K.A. Richard Gordon) did not take any witness statements from David's mother (with whom he lived and the location of alleged rapes), neighbors (including his then former 27 year old girlfriend Marry Kentfield who lived across the street - or her two children Tina age 12 and Eddie age 6) to verify their rape allegations. No witness statements were filed as none were taken.
10. David explained to his attorney's investigator about his mental health issues since three years old and that he was currently (then) seeing a therapist he referred himself to. He told her about Alex, his alter personality (see Diagnosis River Valley Counseling Center) which David has had since early childhood in one manifestation or another, and which has become more prevalent since his incarceration and mandatory sex offender registry requirements.
11. Court appointed defense attorney Samuel Richard Gordon did absolutely nothing to aid David in his defense. David was brought to the court house every seven days to meet with his attorney (per legal requirement) but never actually met with him. It was only after, in total frustration, David contacted the detectives to give his own statement that his attorney finally showed up at the jail to yell at David, saying "I could have gotten you house of correction time". It was then very clear to David. No one was working to clear him, not even his own defense council.
12. Alex came forward several times during indicial plea hearings. It took Hon. Constance Sweeney three separate plea hearings over two days to finally elicit a plea of guilty from David, and even then she asked David's attorney to tender the plea, which he did. The first plea hearing occurred in the afternoon. Alex kept coming forward intermediately, hampering David and the proceeding, so the judge had him taken back to the jail, taken off all medications, and placed on "eyeball watch" (a guard sits outside the cell watching his every move). The following morning the plea hearing went much the same way, so it was postponed one final time. The problem was that David didn't commit those crimes and couldn't admit he did. After Alex came forward again, the judge asked David's attorney to tender the plea saying something like "he knows you better than he knows me." Frustrated, the judge accepted the attorney-tendered plea and sentenced David to several thirty year sentences to be run concurrently (thirty years total – 2014).
13. Alex protects David. He does this at times of stress by taking over David's mind, thus sparing him from the various physical, mental, emotional, and neglectful situations visited upon, experienced and witnessed by David while in those thirteen foster homes.

14. Alex, not David, pled guilty. David was a confused teenager with the emotion and reasoning of a preteen child, not an adult, hence Alex.
15. By chance or divine province, David fell into the law while working as a trustee librarian at Hampden County Jail and House of Correction (A.K.A. York Street Jail). He had written a letter to the sheriff (Ash), requesting to be allowed a transfer from state prison back to York Street Jail to complete his GED (which he did), and training David had started as a teenager at Massachusetts Career Development Institute in Springfield, MA, as well as attending the sex offender treatment program offered there (see THERAPY document Hampden County Sheriff's Department Sex Offender Abuse Treatment Program). David learned enough law to ultimately get himself out of prison in 1994.
16. Knowing a direct challenge to the plea itself would come to no good end; David chose instead to use the mechanism of the criminal courts to present a direct challenge to the manner in which the case was adjudicated (release from unlawful restraint) to compel negotiations for his release. With the evidence you now have within your possession he filed his briefs and motions.
17. Everyone involved in the case suddenly realized David had legal grounds for a law suit (over the eight years spent in prison) and criminal charges (police misconduct etc.). Despite the many legal obstacles he faced, David pressed on to get a hearing on his motion. But one more attempt to prevent him from reaching the courtroom was attempted in the form of a (then) new law requiring an attorney to determent the merits of the case before any hearing may be attended. Since David had no money he had to rely on the court to appoint one to him. Charles K. Stephenson was that attorney. As expected, he determined no merit existed and the case was blocked from the docket; effectively ending David's trek to the outside. They didn't want to be sued.
18. Alex came up with an idea. If the criminal courts won't allow access without an attorney, and it was the attorney who made the fatal decision, then the obstacle isn't the courts but rather the attorney it appointed. A letter with all of the evidence needed to be and was mailed to the board of bar overseers with a simple question attached. Do you, after going over all of the evidence, think the case has any merit? It was asked that if they DID find that the case "has merit", would they in some way compel the attorney of record to reverse his advice to the court, et al. The ABA contacted the attorney and he reversed his decision. David was allowed his court hearing (see Attorney_Charles_K_Stephenson PDF. – his letter to David after David contacted the American Bar Association). The last paragraph shows his (Stephenson's) true intent and yet he still stands by his "case has no merit" decision. He didn't change his mind; he was compelled to take David's case. At their last meeting before the hearing date, Att. Stephenson said these words to David. "I hope I'm not helping to let a monster into society."
19. As the transcripts from June 14th 1994 clearly demonstrate, directly after the Commonwealth mentioned "..., that the defendant agree to, in the future, that any pleadings related to civil lawsuits will be verified by an attorney,..." (pg. 11 plea transcripts), the judge halted the proceedings right there (as reflected in the transcripts pg. 11 as "(pause in the proceedings)").
20. What the transcripts DON'T tell you is the following which actually took place.

21. During this lengthy “pause,” the judge allowed the Commonwealth a side bar, and covered the microphone. Everyone in the courtroom, including David, could still clearly hear the untranscribed conversation, and witnessed what followed.
22. The Commonwealth expressed to her honor concerns about David suing them for the eight years of unlawful incarceration and other things. The judge said “well he can’t sue me”. The Commonwealth asked for a brief recess to address this issue, and one was granted.
23. David, his attorney, the judge, Susan Galvin from the probation department, and a Commonwealth representative from the DA’s office, all shuffled into a room off the courtroom.
24. The printed and signed terms of probation document was placed in front of David. Susan Galvin from probation proceeded to hand write new conditions which effectively prevented David from self representation in any civil action he might be thinking of filing, a violation of his constitutional right to redress of grievance, just to mention one (literally the first amendment). They said he must have an attorney (not true in a civil actions), and force him to sign, with the caveat that if he didn’t sign (initial), the judge would flatly deny his motion and he would be placed back in prison. Keep something in mind. At this point David is still a ward of the Mass. Department Of Corrections (DOC) and is still both handcuffed and shackled around the ankles. Of course he signed! Once he did, everyone shuffled back out of the room and the hearing proceeded as you read in the transcripts.
25. While no date of signing was added, you can clearly see that this additional probation requirement was added after the typed requirements above.
26. Even the agreement to plead again was not something David wanted to do (done under duress), but was informed of the same, he would stay in prison. All of this, even though it was not he who did anything wrong in the first place, nor did he mishandle his criminal case, he complied with just to get out of that hellish place.
27. In conclusion.
 - a. In the end, David was wrongfully accused of crimes he never committed. The detectives deliberately ignored their duty by not questioning.
 - b. David’s mother, who would have informed them of the S.L.A.M.!, Nonprofit organization.
 - c. David was never provided adequate council to defend against the allegations.
 - d. David was prevented from attending his plea hearing by the merit question, and had to go outside the court system to correct the issue.
 - e. David was forced to plead guilty again just to correct all of the above and get him out of prison, only to have the court take away his only method of redress during the plea proceedings.
 - f. Finally, David was placed on a level two status on the sex offender registry.
 - g. No attention was paid to the evidence that he never even committed the crimes in the first place.
 - h. David has followed all of society’s rules since his release. He has not been arrested for any crime since 1986. He bought a duplex with a friend after purchasing a real-estate course with the \$200.00 he was given by the Commonwealth upon release (which he

and his friend then used to purchase his current residence), owned a video store in the south end of Springfield, MA, and has taken numerous technical courses for employment.

- i. David will never know the joys and pains of meeting someone special, dating them, getting married, having and raising children, watch his son graduate or walking his daughter down the aisle, and perhaps even see great grand children. All of this was ripped away from him forever. Now he spends most of his days living in solitude, locked away in his duplex, afraid to engage a world of people who hate and despise him for what they think he is “a monster”, a myth spread by prejudice, fear and hatred.
- j. David will never have a career in any of his chosen professions (what he has trained/attended school for) because no one will hire him. He has professional schooling in graphic design & website design and creation, had a short term music contract cut short, and became a civil litigation paralegal (accredited remote learning school Blackstone Career Institute).
- k. David (and all on the Sex Offender Registry) is being treated exactly the way humans throughout history have always treated those they dislike, don't understand, fear and hate.
- l. David, the Jews of WWII Germany, Native Americans, Blacks during Jim Crow Law era and beyond, and the entire LGBTQ+ community everywhere! They all have one thing in common. All were persecuted, feared, hated, marginalized, forced to live by different laws rules and standards than the rest of their country's population, told lies about in the media/papers/TV/movies, arrested for crimes they didn't commit, made to appear as an enemy and threat to the people and a pariah for life.
- m. David is kind, compassionate, caring, romantic, generous, empathic, and giving and a soul worth fighting for. He still has much good to offer society.

PURPOSE: Closure.

Our society talks a lot about giving closure to the victims of violent crime, but what of the victims of the state itself? Are we not also victims in need of closure?

The reason I place my own story of continued victimization at the hands of the state before you (with my evidence), is because I seek international attention for all others unjustly accused to any degree and for any reason.

I've been silent, patient, and long suffering to the point of suicide. No more! This must STOP!!!

This repetitive cycle of finding a group we can all hate and then marginalizing them into shame and nonexistence, has to stop. There must be post conviction follow-up, to ensure the innocent don't lose their shot at a life of freedom, and to enforce the court's intent (as was not done in my case).

David Robitaille