



# The Commonwealth of Massachusetts

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## *Press Release*

### Fugitive California Parolee convicted In 2011 Braintree kidnapping

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The fugitive California parolee who terrorized a Braintree woman, holding her at gunpoint for hours in 2011, was convicted by a Norfolk Superior Court jury on December 19 and sentenced to 15 to 20 years in State Prison, according to Norfolk District Attorney Michael W. Morrissey.

Charles N. Diorio, 51, was living under the bogus name of Joseph Rabinowitz, or Joseph Rabb, in a rooming house on 5th Street, Chelsea, when he met the victim through a Craigslist ad; the two dated for a limited time. While dating, Diorio had convinced the victim to purchase a pistol for her personal protection, and then obtained it from her. He was armed with that pistol when he arrived at the victim's Braintree some two months after she had ended that relationship.

"Diorio arrived unannounced at about 1 a.m. on July 3, 2011. The victim had been asleep for several hours. He appeared to have been drinking and began going from room to room yelling at her for having taken down pictures of them together during the time they were dating," District Attorney Morrissey said. "He then displayed a loaded firearm to her."

Diorio then began to talk about needing to leave the state and start new somewhere else, telling her that if anyone called her asking for a name she should say she did not know him, and repeatedly saying that he "should have killed her months ago." During this time, she was not free to leave or contact others.

After Diorio lost consciousness, the victim was able to flee the apartment about 4:30 a.m. with the help of a friend who had arrived to check on her. She went directly to the police station, still clad in her nightgown. Braintree Police activated a SWAT response, surrounded the building, and convinced Diorio to surrender about 8:30 a.m.

"We asked for a 20 to 25 year sentence based on the severity of his criminal record, his obvious contempt for parole in the California case and his threatening and violent behavior," District Attorney Morrissey said. "He was convicted of first degree sexual assault in New York state in 1988 and had done state prison time in California as well. We felt those factors justified a sentence beyond the sentencing guidelines."

Judge Susan Garsh sentenced Diorio to 15 to 20 years for the charge of kidnapping while armed with a firearm, 8 to 10 years concurrent for witness intimidation, 3 to 4 years for carrying a firearm without a license and one year in the House of Correction to be served after his state prison sentence for furnishing a false name to police after arrest. Defense attorney James Gavigan had requested an 8 to 10 year sentence.

"Being held at gunpoint, in fear for your life, has a pronounced and lasting impact on even the strongest of those who experience it," District Attorney Morrissey said. "We thank the victim in this case for working with us for more than two years, for her testimony and her courage in seeing this through to the end."