

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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DECISION

IN THE MATTER OF

ANTHONY DAWLEY

W38965

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **August 20, 2024**

DATE OF DECISION: **December 11, 2024**

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, and Rafael Ortiz.

VOTE: Parole is granted on or after completion of Correctional Recovery Academy (CRA) and 9 month step-down to lower custody to CRJ, but not before DA clearance.¹

PROCEDURAL HISTORY: On May 26, 1982, Anthony Dawley pleaded guilty in Hampshire Superior Court to the second-degree murder of 19-year-old Brenda Barry. Mr. Dawley was sentenced to life in prison with the possibility of parole. On that same date, a nolle prosequi was entered on the charge of assault with intent to rape.

Mr. Dawley was denied parole after an initial hearing in 1996. Parole was denied after four subsequent review hearings (1996, 2001, 2006, and 2021). On August 20, 2024, Mr. Dawley appeared before the Board for a review hearing and was represented by Attorney Christine Sunnerberg. The Board's decision fully incorporates, by reference, the entire video recording of Mr. Dawley's hearing on August 20, 2024.

STATEMENT OF THE CASE: On October 29, 1981, Anthony Dawley, age 24, entered the apartment of 19-year-old Brenda Barry. She was not at home. At the time, Ms. Barry and Mr. Dawley had recently ended their relationship. Upon entering the apartment, Mr. Dawley drank the three bottles of beer that he had brought with him. When he heard Ms. Barry coming up the

¹ One Board Member voted to deny parole with a review hearing in one year.

stairs, Mr. Dawley took the hunting knife he found in the living room, went to the bedroom, and laid on her floor. His intent was to ask Ms. Barry to get back together with him and, if she refused, he would tell her that he was going to kill himself. Ms. Barry told Mr. Dawley that, not only did she not want to get back together, but she was pregnant and had plans to terminate the pregnancy. Mr. Dawley then threatened to kill himself. When he asked her to lie on the bed, she refused. He again threatened to kill himself. Ms. Barry then got into the bed, but Mr. Dawley tied her hand with an electrical extension cord, removed her pants and underwear, and attempted to rape her. Unable to penetrate Ms. Barry, Mr. Dawley subsequently strangled her. Mr. Dawley claimed he was unaware that Ms. Barry died as a result, so he laid with her for a while. When Mr. Dawley realized that he had killed her, he attempted several means to kill himself but was unsuccessful.

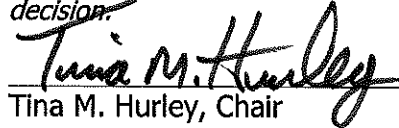
APPLICABLE STANDARD: Parole shall be granted "only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." G. L. c. 127, § 130. The Board considers multiple factors in making its decision, including the incarcerated individual's institutional behavior; their participation in available work, education, and treatment programs during their incarceration; and whether the incarcerated individual's chances of recidivism could be reduced by participation in risk reduction programs. G. L. c. 127, § 130. The Board considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the entirety of the incarcerated individual's criminal record, the incarcerated individual's institutional record, the incarcerated individual's testimony at the hearing, and the views of the public expressed at the hearing and/or in written submission to the Board.

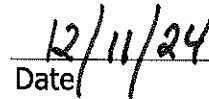
DECISION OF THE BOARD: This was Mr. Dawley's fifth hearing before the Parole Board. He is now 67 years old. Since his last hearing, Mr. Dawley completed two Domestic Violence correspondence courses, Low-intensity SOTP (Sex Offender Treatment Program), and Anger Management. Mr. Dawley has maintained his sobriety. He is 34 years sober and was enrolled in Correctional Recovery Academy (CRA) at the time of the hearing. Mr. Dawley has been incarcerated for 43 years. Mr. Dawley appears to have gained insight into his role in unhealthy relationships and patterns of abuse. Mr. Dawley has a strong commitment to sobriety. Mr. Dawley was working in the community, via minimum, during this sentence until classification changes required a return to medium custody. Mr. Dawley's LSCMI is low. He has maintained positive relationships in the community to assist with his re-entry. The Board considered the expert SOTP evaluation by Chrystal Scott, LMHC. Mr. Dawley established a re-entry plan to meet his needs. The Board considered testimony in opposition to parole from Ms. Barry's family members. The Board also considered testimony in opposition to parole from Northwestern Assistant District Attorney Alexa Pascucci. Four people testified in support of parole.

SPECIAL CONDITIONS: Report to assigned Parole Office on day of release; No contact with victim(s)' family; Waive work for two weeks; Curfew: must be home between 10 PM and 6AM, or at Parole Officer's discretion; Mandatory Sex-A conditions; Electronic monitoring for the first 90 days and then at the recommendation of the Parole Officer and with approval by the Board, or as set by Sex-A; Supervise for drugs with testing in accordance with Agency policy; Supervise for liquor abstinence with testing in accordance with Agency policy; Must have mental health

evaluation and follow recommended treatment; Residential Program CRJ; AA at least 3 times per week.

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.


Tina M. Hurley, Chair


Date