



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

CHRISTOPHER BERRY
W51267

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **February 18, 2025**

DATE OF DECISION: **August 13, 2025**

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley,¹ James Kelcourse

VOTE: Parole is denied with a review in 2 years from date of the hearing.

PROCEDURAL HISTORY: On October 4, 1991, following a jury trial in Essex Superior Court, Christopher Berry was convicted of murder in the first degree for the death of Virginia Woodward. He was sentenced to life in prison without the possibility of parole. On that same date, he was also convicted of armed burglary with assault on an occupant and sentenced to a concurrent term of life in prison. He became parole eligible following the Supreme Judicial Court's decision in *Diatchenko v. District Attorney for the Suffolk District*, 466 Mass. 655 (2013). Parole was denied following an initial hearing in 2015, and after a review hearing in 2023.² On February 18, 2025, Christopher Berry appeared before the Board for a review hearing. He was represented by Attorney Courtney Kenyon. The Board's decision fully incorporates by reference the entire video recording of Christopher Berry's February 18, 2025, hearing.

STATEMENT OF THE CASE³: On December 26, 1987, in Saugus, 16-year-old Christopher Berry repeatedly stabbed 87-year-old Virginia Woodward, resulting in her death. In December 1987, Mr. Berry was living with his father and sister in Saugus. On December 26, the evening of Ms. Woodward's death, Mr. Berry hosted a small party at his home. At the party, Mr. Berry was drinking beer and smoking marijuana, as well as ingesting Xanax and mescaline. The party concluded at approximately 11 p.m., and Mr. Berry left the apartment with his friends. When he

¹ Chair Hurley participated in the vote on this matter prior to her departure from the Board.

² Mr. Berry postponed his 2020, 2021, and 2023 hearings.

³ Taken from *Commonwealth v. Christopher Berry*, 420 Mass. 95 (1995))

returned alone at midnight, Mr. Berry and his father became involved in an argument that escalated into a physical confrontation. Mr. Berry's father physically removed him from the apartment and told him not to come back.

Ms. Woodward's home was located across the street from Mr. Berry's residence. Mr. Berry decided to break into Ms. Woodward's home to steal property and money. After gaining entry, Mr. Berry went into her kitchen and drank vodka. He then found Ms. Woodward lying in bed. With a butcher knife, Mr. Berry stabbed Ms. Woodward eight times in her head, chest, abdomen, upper arms, and hands. Mr. Berry then smoked a cigarette, which he extinguished on her forehead. He left to return home. Officers learned of Ms. Woodward's death the following day, and Mr. Berry was arrested shortly thereafter.

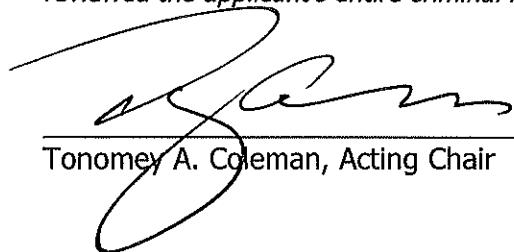
APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an incarcerated individual's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the incarcerated individual's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

In the context of an incarcerated individual 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 meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation. *Diatchenko v. District Attorney for the Suffolk District*, 466 Mass. 655, 674 (2013). See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015). The factors considered by the Board include a juvenile'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." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015). The Board also recognizes the incarcerated individual's right to be represented by counsel during their appearance before the Board. *Id.* at 20-24.

DECISION OF THE BOARD: Mr. Berry presented for the third time before the Board. He has been eligible for parole since 2013, secondary to the *Diatchenko v. Suffolk* decision. Mr. Berry is now 53-years-old and has served 37 years. The Board is of the opinion that Mr. Berry needs continued work on self-development, specifically regarding his judgment and coping skills. Mr. Berry continued to struggle with substance use and anger. Mr. Berry is encouraged to pursue programming to address his decision making, coping skills, relapse prevention, and anger. He is encouraged to engage in My Turn programming to further his education and remain disciplinary

report free. He is also encouraged to provide confirmation of renunciation from gang affiliation. The Board heard testimony from a friend of Mr. Berry in support of parole. The Board heard testimony from Essex County Assistant District Attorney Dawn Masterson in opposition to parole.

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.



Tonomey A. Coleman, Acting Chair

8/13/25

Date