



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**CHRISTOPHER PINA**

**W31725**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** January 9, 2018

**DATE OF DECISION:** July 26, 2018

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, Lucy Soto-Abbe

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of offense, criminal record, institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing or in written submissions to the Board, we conclude that the inmate is a suitable candidate for parole. Parole is granted to the Gavin House Long Term Residential Program, 2 weeks from the issuance of the Record of Decision, with Vivitrol protocols and special conditions.<sup>1</sup>

**I. STATEMENT OF THE CASE**

On May 27, 1968, in Plymouth County Superior Court, Christopher Pina pleaded guilty to the second-degree murder of Joseph Sheerin. He was sentenced to life in prison with the possibility of parole. That same day, he received a 15 to 25 year concurrent sentence for robbery and an 8 to 10 year concurrent sentence for kidnapping.<sup>2</sup> On March 3, 1975, Mr. Pina and his co-defendant moved to withdraw their guilty pleas, have their sentences vacated, and be granted new trials. The Superior Court denied relief and, after further appellate review by the Supreme Judicial Court, the guilty pleas were upheld.<sup>3</sup>

<sup>1</sup> Five Board Members voted to parole Mr. Pina. Two Board Members voted to deny parole with a 2 year review.  
<sup>2</sup> On October 1, 1975, Governor Dukakis commuted Mr. Pina's sentence to 15 years to life, resulting in the advancement of his parole eligibility date to November 27, 1977.  
<sup>3</sup> *Commonwealth v. Leate*, 367 Mass. 689 (1975)

On November 25, 1967, 19-year-old Christopher Pina and his co-defendant decided to rob and attack 53-year-old Joseph Sheerin, after he left a bar in Scituate. They took his wallet, but found no money. They proceeded to beat Mr. Sheerin and threw him into the backseat of his own car. During the ride to a secluded location, Mr. Sheerin was struck repeatedly. Mr. Sheerin told them that there was an envelope under the seat, containing approximately \$400, which Mr. Pina found. After dumping Mr. Sheerin's badly beaten body on the side of the road, the men left the scene. Mr. Pina then drove Mr. Sheerin's car to Hanover and set it on fire.

Mr. Sheerin sustained massive hemorrhaging, caused by blunt force trauma injuries to his head, face, and chest, and succumbed to his injuries. On November 26, 1967, his body was discovered by a horseback rider. Mr. Pina was arrested shortly thereafter.

## **II. PAROLE HEARING ON JANUARY 9, 2018**

Christopher Pina, now 69-years-old, appeared before the Parole Board on January 9, 2018, for a review hearing. He was represented by Attorney John Rull. Mr. Pina was denied parole after his initial hearing in 1977, as well as after his review hearing in 1978. Mr. Pina was first paroled on November 21, 1979. He was returned to custody in 1986 for an arrest. On October 3, 1988, Mr. Pina was released again on parole after a review hearing. On July 2, 1989, however, Mr. Pina was arrested and returned to custody. Mr. Pina was denied parole after his 1990 review hearing. On February 14, 1992, he was paroled (for a third time) after a review hearing. Mr. Pina remained on parole until March 23, 1998, when he was arrested and charged with aggravated rape, assault and battery by means of a dangerous weapon, and threats. Mr. Pina's parole was revoked and he was returned to custody, where he has remained for the past 19 years. Mr. Pina stood trial and was acquitted on all charges. Mr. Pina has appeared before the Board for review hearings in 2001, 2002, 2007, 2008, 2012, and 2017, all of which resulted in the denial of parole.

In his opening statement to the Board, Mr. Pina apologized to the family and friends of Joseph Sheerin for taking his life in 1967. He stated that he pleaded guilty to his murder because he was guilty. He stated that he beat him and left him on the side of the road, not caring if Mr. Sheerin lived or died. He acknowledged that he has been full of shame and guilt for "50 years." Mr. Pina stated that since his last hearing, he has worked harder on programming, specifically, Alcoholics Anonymous (AA). He has attended AA for 19 years and now attends three times a week. He has completed the Correctional Recovery Academy (CRA) and the Graduate Maintenance Program. Currently, he is involved with counseling and the 12-Step Religious AA program. He continues to be employed in the metal shop as a welder. He stated that he has certifications in refrigeration and welding. Mr. Pina agreed that he has not had any disciplinary reports since his last hearing, and that it's been "6 or 7 years" since his last disciplinary report. In response to a Board Member, Mr. Pina stated that "minding my own business" and "stay[ing] focused in different programs" has kept him out of trouble.

Mr. Pina acknowledged that he has been paroled three times, and that he was drinking (while on parole) the first two times. He denied drinking during his third release on parole. Mr. Pina denied ever having a drug problem, but admitted to an alcohol issue. He was 8 or 9-years-old when he took his first sip of alcohol. His drink of choice was hard liquor. Mr. Pina stated, however, that he last drank alcohol in 1987 or 1988, and has done a great deal of work over the years to address this issue. He stated that his triggers were anger and frustration,

which drove him to drink. He stated, "Today I understand that I can't really be around anybody that drinks." He went on to say, "I accept this with open arms." Mr. Pina described alcohol as being his biggest regret. When questioned by Board Members, Mr. Pina stated, "I have excellent support," citing his two daughters and his sisters. He acknowledged that he has people in the community he can speak with, if any issue arises. Mr. Pina described his parole plan to include the Gavin House, Vivitrol, and counseling.

The Board considered testimony in support of parole from Mr. Pina's sister and niece, his friends, and William Ostiguy (Chairman of the Gavin House Board of Directors). The Board considered testimony in opposition to parole from Plymouth County Assistant District Attorney Christina Crowley.

### **III. DECISION**

The Board is of the opinion that Mr. Pina has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Pina has been re-incarcerated for nearly 20 years. His adjustment has been positive since his return to custody. Mr. Pina is heavily invested in his rehabilitation. He has a solid re-entry plan to address his alcohol problem, and he has strong family support. He will benefit from supervision, accountability, and release.

The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." 120 C.M.R. 300.04. In forming this opinion, the Board has taken into consideration Mr. Pina's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Pina's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Pina's case, the Board is of the opinion that Christopher Pina merits parole at this time. Parole is granted to the Gavin House Long Term Residential Program, two weeks from the issuance of the Record of Decision, with Vivitrol protocols and special conditions.

**SPECIAL CONDITIONS:** Waive work for Long Term Residential Program; Must be at home between 10:00 pm and 6:00 am; Electronic monitoring at Parole Officer's discretion; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with victim's family; No contact with victim(s); Must have mental health evaluation and must comply with the recommendations; Long Term Residential Treatment Program; AA/NA at least 3 times/week; Mandatory - Must complete program.

*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.*

  
Gloriann Moroney, General Counsel

  
Date