



*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

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**RECORD OF DECISION**

**IN THE MATTER OF**

**DALTON SIMPSON**  
**W58163**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** March 25, 2025

**DATE OF DECISION:** June 5, 2025

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Tina M. Hurley,<sup>1</sup> James Kelcourse, Rafael Ortiz<sup>2</sup>

**VOTE:** Parole is denied with a review in 2 years from the date of the hearing.<sup>3</sup>

**PROCEDURAL HISTORY:** On March 1, 1995, following a jury trial in Suffolk Superior Court, Dalton Simpson was convicted of murder in the first-degree for the death of Berisford Wayne Anderson. He was sentenced to life in prison without the possibility of parole. On that same date, he was convicted of carrying a firearm without a license and sentenced to serve 4-5 years to run concurrent with his life sentence. He was also found guilty of receiving stolen property, as well as a misdemeanor charge of using a motor vehicle without authority. These convictions were placed on file.

Dalton Simpson became parole eligible following the Supreme Judicial Court's decision in Commonwealth v. Mattis, 493 Mass. 216 (2024), where the court held that sentencing individuals who were ages 18 through 20 at the time of the offense (emerging adults) to life without the possibility of parole is unconstitutional. As a result of the SJC's decision regarding Mr. Simpson's first-degree murder conviction, he was re-sentenced to life with the possibility of parole after 15 years.

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

<sup>2</sup> Board Members Edith J. Alexander and Sarah B. Coughlin were recused from this matter.

<sup>3</sup> One Board Member voted to deny parole with a review in 3 years.

On March 25, 2025, Dalton Simpson appeared before the Board for an initial hearing. He was represented by Attorney Kelly Auer. The Board's decision fully incorporates by reference the entire video recording of Dalton Simpson's March 25, 2025, hearing.

**STATEMENT OF THE CASE:** On February 5, 1994, in Dorchester, 18-year-old Dalton Simpson shot and killed off duty Police Officer Berisford Wayne Anderson, who was 37-years-old at the time of his murder. On February 5, 1994, between 4 p.m. and 5 p.m., Mr. Simpson was driving his vehicle at high speeds in a residential neighborhood in Dorchester. Mr. Simpson drove the wrong way down Spencer Street, a one-way street located one block from the scene of where he had just hit a vehicle, aggressively confronted the driver of that vehicle, and then sped away. Mr. Simpson stopped in front of a vehicle driven by Berisford Wayne Anderson, an off-duty Boston police officer who had just pulled out of his driveway onto the street in the correct direction. Mr. Simpson got out of his vehicle and stood toward the front of it. Officer Anderson opened his driver's side door and leaned out. The two men exchanged words briefly. Mr. Simpson then lifted his hand and began shooting at Officer Anderson. Officer Anderson leaned into his vehicle, came out with a .38 caliber handgun, and returned fire. Officer Anderson ran to the back passenger side of his van, and Mr. Simpson ran to the side of his car. The two continued firing shots at one another. Mr. Simpson fired the last shot. He then got into his car, backed up the street, and sped off. Officer Anderson tried to stand up, but he fell to the ground. Officer Anderson died from a single gunshot wound to his chest.

A Boston police officer in full uniform responded to the scene, saw Mr. Simpson, and followed him in his car. When Mr. Simpson parked his car, the officer ordered him to stop. Mr. Simpson stood by the car and started to place his hands on the top of the vehicle, but he then began running. The officer chased Mr. Simpson on foot and, with the help of other Boston police officers, arrested him. While being chased, Mr. Simpson dropped a firearm, which officers recovered and observed to be jammed.

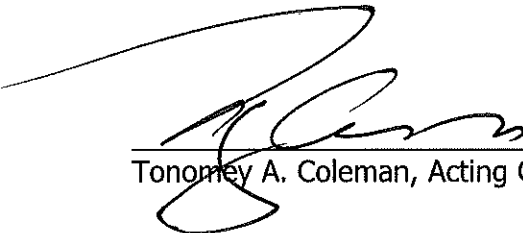
**APPLICABLE STANDARD:** Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and 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 inmate'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 inmate'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 inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the

commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." *Id.* (citing *Diatchenko v. District Attorney for the Suffolk Dist.*, 466 Mass. 655, 674 (2013) (*Diatchenko I*); *Miller v. Alabama*, 567 U.S. 460, 471 (2012); *Graham v. Florida*, 560 U.S. 48, 75 (2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. *See Mattis*, 493 Mass. at 225-229.

**DECISION OF THE BOARD:** This was Mr. Simpson's initial hearing before the Board. He was 18-year-old at the time of the offense. He is 49-years-old and has been incarcerated for over 30 years. Mr. Simpson had an open matter for a prior shooting incident at the time of this offense. Mr. Simpson acknowledged significant adverse childhood experiences that led to his criminal conduct at a young age. He began carrying a firearm at a young age. He has engaged in programming and invested in self-development prior to the Mattis decision. Although he has few disciplinary reports, the Board noted that in 2016 (at age 41), he engaged in concerning behavior that led to an assault of another inmate. Mr. Simpson has strong support both in the United States and Jamaica. The Board did consider testimony from the public in opposition, including a police officer who testified that, while in full uniform, Mr. Simpson also attempted to shoot him. This conflicted with Mr. Simpson's testimony that he would never intentionally shoot a police officer. The Board encourages Mr. Simpson to pursue continued education to gain HI-SET and additional rehabilitation programs. The Board heard testimony from two of Mr. Simpson's family members, and a friend, in support of parole. The Board heard testimony from two of Mr. Anderson's sons, his daughter, a retired Boston police officer, and Suffolk County Assistant District Attorney Montez Haywood in opposition to parole. The Board concludes by unanimous decision that Dalton Simpson has not demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

*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.*



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Tonomey A. Coleman, Acting Chair

Date

6/5/25