



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



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RECORD OF DECISION

IN THE MATTER OF

ARNOLD EVANS
W38270

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: June 17, 2025

DATE OF DECISION: November 17, 2025

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

VOTE: Parole is denied with a review in 3 years from the date of the hearing.¹

PROCEDURAL HISTORY: On May 22, 1981, in Middlesex Superior Court, Arnold Evans was found guilty of first-degree murder and sentenced to life without the possibility of parole. On that same date, he was convicted of two counts of armed assault with intent to rob and assault and battery with a dangerous weapon. He was sentenced to 19-20 years and 9-10 years, respectively, to be served concurrently with his life sentence. On July 15, 1981, in Suffolk Superior Court, Mr. Evans was convicted of armed robbery, assault and battery with a dangerous weapon, and two counts of carrying a firearm without a license. He received the following sentences: 12-20 years (armed robbery), 9-10 years (assault and battery with a dangerous weapon), and 4-5 years (carrying a firearm without a license). Those sentences were ordered to run consecutive to his life sentence.

Mr. Evans 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 in regard to his first-degree murder conviction, Mr. Evans' mittimus was corrected to reflect that his life sentence carries the possibility of parole after 15 years.

¹ One Board Member voted to deny parole with a review in 2 years.

On June 17, 2025, Mr. Evans appeared before the Board for an initial hearing and was represented by Attorney Michael Nam-Krane. The Board's decision fully incorporates by reference the entire video recording of Mr. Evans' June 17, 2025, hearing.

STATEMENT OF THE CASE:² Mr. Evans shot and killed 26-year-old Edward T. Bigham, III, an assistant district attorney, on October 2, 1980, in Cambridge. Mr. Evans and two others drove around the Boston area looking for someone to rob. At approximately 1:00 a.m., the group noticed Mr. Bigham's disabled car parked near the M.I.T. boathouse and pulled up behind the car. Mr. Bigham and a female passenger were inside the car. The group formulated a plan to rob them. When Mr. Evans approached the driver's side of the vehicle with a loaded firearm and asked Mr. Bigham for the time, a second male tried to pull the female passenger out of the vehicle. Meanwhile, Mr. Evans pointed the firearm at Mr. Bigham and shot him from approximately 2 feet away. Mr. Bigham was at least partially in his car when the shooting occurred. When he was apprehended in February 1981, Mr. Evans made an incriminating statement to the police. He admitted to participating in the robbery by pointing a firearm in Mr. Bigham's face and demanding his wallet. Mr. Evans told police that he had his finger on the trigger of the firearm, but the weapon "just went off in [Bigham's] chest" when Mr. Bigham hit Mr. Evans' hand. After the shooting, the assailants fled the scene. The men returned to Boston, and Mr. Evans committed another robbery in Boston.

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.

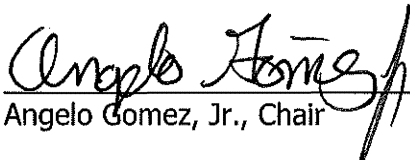
Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). 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

² The Statement of the Case is not intended to serve as an exhaustive recitation of the facts surrounding the murder. The facts are a summary derived from *Commonwealth v. Evans*, 390 Mass. 144, 145-150 (1983).

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: Mr. Evans presented for his initial hearing before the Board. He was 20 years old at the time of the offense; he is currently 65 years old. Mr. Evans presents with a troubling adjustment, incurring over 190 disciplinary reports. He recently began engaging in meaningful programs. The Board notes that Mr. Evans has serious medical issues and based on expert forensic evaluation and testimony by Dr. Laurie Guidry, he may also have some cognitive deficits. Dr. Guidry recommended further neuropsychological testing to better understand his current level of functioning and needs. Mr. Evans admits to self-medicating with K2 to manage feelings of depression and his symptoms from medical issues. Mr. Evans scored high on the LS/CMI. Mr. Evans has many needs and would benefit from programs to address his addiction and mental health issues, if he is able to do so. The Board considered public testimony from those who spoke in support of parole and in opposition to parole. A mental health worker, as well as Mr. Evans' sister and brother, testified in support of parole. Special Middlesex County Assistant District Attorney Patrick Driscoll, as well as the surviving victim, testified in opposition to parole. The Board concludes that Mr. Evans 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.



Angelo Gomez, Jr., Chair

11-17-25
Date