



**Charles D. Baker**  
Governor

**Karyn Polito**  
Lieutenant Governor

**Daniel Bennett**  
Secretary

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

**PAROLE BOARD**

*12 Mercer Road*  
*Natick, Massachusetts 01760*

*Telephone # (508) 650-4500*

*Facsimile # (508) 650-4599*



**Paul M. Treseler**  
Chairman

**Michael J. Callahan**  
Executive Director

**DECISION**

**IN THE MATTER OF**

**BRIAN PIERCE**

**W54098**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** December 20, 2016

**DATE OF DECISION:** July 17, 2017

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, 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 by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review in five years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On March 2, 1993, in Worcester Superior Court, 23-year-old Brian Pierce pled guilty to a reduced charge of second-degree murder and was sentenced to life imprisonment with the possibility of parole. The victim of his offense was 19-year-old Nikki Ann Evangelous.

On the night of July 7, 1991, Brian Pierce encountered Ms. Evangelous (whom he had known since high school) at a local bar. She and Mr. Pierce ended up back at his basement apartment in Clinton, where he murdered her. After the murder, he contorted her body and tied it up to fit in a box, which he then threw into a drainage culvert. When police interviewed him six days after the murder regarding her disappearance, Mr. Pierce said that he had a conversation with Ms. Evangelous outside the bar that night, but had no other contact with her. Mr. Pierce later made admissions to a friend, who then notified police. The friend/informant reported that Mr. Pierce stated he raped and murdered the victim and then disposed of the body. While wearing a wire, the informant had Mr. Pierce lead him to the body. Five months after her death, the body of Nikki Evangelous was found in an advanced state of decomposition.



After being arrested in December 1991, Mr. Pierce spoke to police a second time. In this statement, he claimed that he and Ms. Evangelous had consensual sex at his apartment, after which Ms. Evangelous planned to accuse him of rape because she had a boyfriend. Mr. Pierce became enraged and choked Ms. Evangelous to death. He then stood on her neck, with his hands pressed against the ceiling, to ensure that she was dead.

## **II. PAROLE HEARING ON DECEMBER 20, 2016**

Mr. Pierce, now 46-years-old, appeared before the Parole Board for a review hearing. He was not represented by counsel. Mr. Pierce was denied parole after his initial hearing in 2006, and again, at his review hearing in 2011. In his opening statement to the Board, Mr. Pierce apologized to the victim's family and to the community. Despite his numerous appeals and motions for a new trial as noted by the Board, Mr. Pierce indicated he is indeed responsible for the actions and behavior outlined in his criminal file regarding the murder of Ms. Evangelous. Mr. Pierce told the Board that he currently works in MassCorp and that he received his graduate degree from Boston University in 2011, where he continues to audit classes. Since his last hearing, he has participated in Restorative Justice, Able Minds, Skill building Techniques for Stress Reduction, and Alternatives to Violence (as a facilitator). He regularly attends Bethany Church Group and Quakers Meditation.

Despite having filed eight appeals and having had two prior parole hearings, Mr. Pierce could not recall the exact date or year that he murdered Ms. Evangelous. In describing the night of the murder, Mr. Pierce told the Board that he knew the victim from the neighborhood and that they were friendly in high school. He said that he was drinking and using cocaine all day prior to the murder. He said that Ms. Evangelous came up to him at the bar at around 1:00 a.m. and asked if he would take her for a ride in his new car. The two then walked back to his brother's house, where Mr. Pierce was living in the basement. When they arrived, however, he decided he did not want to take her out in his new car. He said she left and then he went to sleep. At about 3:00 a.m., Ms. Evangelous returned to his basement bedroom, and they had consensual intercourse. Mr. Pierce claims that he then told Ms. Evangelous he did not want to get involved with her, as she had a boyfriend, and he was trying to get back together with the mother of his child. He said she became angry and told him that she had AIDS, at which time he punched her in the face. She fell to the floor and said that, if he "put a mark on her," she would tell people he raped her. He became enraged, grabbed her by the throat, and strangled her to death.

The Board questioned Mr. Pierce about his inconsistent statements regarding the murder over the years and at his prior parole hearings. One Board Member pointed out that police reports indicate Mr. Pierce did not know anything about the victim and AIDS until police provided him with that information (after the murder). The Board also noted that during this hearing, Mr. Pierce minimized his behavior in disposing of the body and only agreed that his actions were horrific, cold, and callous when confronted by a Board Member with the transcript of his conversation with the informant (who was wearing a wire). The transcript indicated that he was bragging and laughing about how he mutilated the body to fit in the box. Mr. Pierce became agitated with the Board at the suggestion that he fabricated AIDS as a motive for his actions after the murder, and that he was untruthful about his actions in disposing of the body. The Board also noted that at his initial hearing in 2006, his story was that he did not mean to kill Ms. Evangelous, but rather, her death was an accident after he hit her and she fell into a



coffee table in his bedroom – that there was no strangulation. Mr. Pierce acknowledged that he lied in 2006, and he now accepts what he did. He said that his hearing in 2011 was the first time he admitted to the Board that he strangled Ms. Evangelous, but that he began to admit culpability to others in 2008, after participating in family violence programming.

The Board expressed concern over his denial that he was abusive in his relationships with women, including the victim, the mother of his child, and another ex-girlfriend. The mother of his child and an ex-girlfriend both spoke to police during the murder investigation and stated that Mr. Pierce was an angry, controlling, and possessive boyfriend. One of these women described an incident in which Mr. Pierce choked her, causing bruises on her neck, and another incident in which he forced her to have sex. At this hearing, Mr. Pierce told the Board that these women were lying and had fabricated the abuse because they were upset with him over other issues. He said that he never hurt any of his girlfriends, and yet, at another point during this hearing, described himself at the time of the murder as "a monster who did not care about anyone or anything" and "would have hurt people for drugs and money." One Board Member noted that his statements were a huge contradiction, which was a consistent problem in his past parole hearings and in this hearing, as well.

The Board Member explained that Mr. Pierce has a long pattern (which he admits) of telling people what they want to hear, and it is now hard for the Board to decipher whether he is telling the truth, or just telling them what they want to hear in order to be granted parole. Another Board Member commented that in addition to continuing his work on substance abuse and anger issues, Mr. Pierce needs to address his issues with women. When asked about his parole plan, Mr. Pierce said he would like to go to minimum security for a year and then reside in a halfway house. He told the Board that he has family support in the community. However, there was no one in attendance in support of parole at the hearing, nor did the Board receive any letters of support from family members. Mr. Pierce said that he has no contact with his son and has no real contact with his son's mother.

There was no testimony in support of parole for Mr. Pierce. The Board considered testimony in opposition to parole from the victim's sister and from Worcester County Assistant District Attorney Michelle King. ADA King also submitted a letter in opposition to parole.

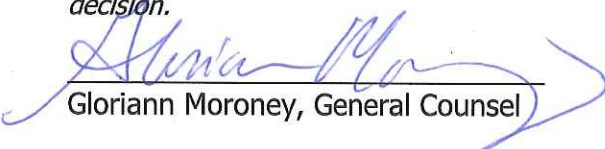
### **III. DECISION**

The Board is of the unanimous opinion that Brian Pierce has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Pierce committed a brutal murder and has yet to address his causative factors. Mr. Pierce exhibits limited insight, empathy, and remorse.

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 also taken into consideration Mr. Pierce's institutional behavior, as well as his participation in available work, educational, and treatment programs during his incarceration. The Board considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Pierce's

risk of recidivism. After applying the appropriately high standard to the circumstances of Mr. Pierce's case, the Board is of the unanimous opinion that Brian Pierce is a not a suitable candidate for parole. Mr. Pierce's next review before the Board will take place in five years from the date of this hearing.

*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

7/17/17  
Date