



PRESS RELEASE

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**SPENCER VALLEY, N.M., WOMAN PLEADS GUILTY TO
FEDERAL VOLUNTARY MANSLAUGHTER CHARGE**

Defendant Admits Killing a 4-Year-Old Boy in the Heat of Passion

ALBUQUERQUE – Earlier today, Evelyn James, 53, an enrolled member of the Navajo Nation from Spencer Valley, N.M., entered a guilty plea to an information charging her with voluntary manslaughter under a plea agreement with the U.S. Attorney’s Office. Under the terms of the plea agreement, James will be sentenced to a term of imprisonment of 25 to 27 years. James has been in federal custody since her arrest on Oct. 12, 2007, and remains detained pending her sentencing hearing, which has yet to be scheduled.

U.S. Attorney Kenneth J. Gonzales said that James pleaded guilty to killing a 4-year-old boy in Oct. 2007. At the time, James and her common law husband were acting as guardians of the boy, who was James' nephew. James initially was charged by criminal complaint on Oct. 11, 2007, and was indicted on a first degree murder charge in a superseding indictment on Oct. 8, 2008. The prosecution of the case was delayed by mental competency proceedings.

According to the criminal complaint, the FBI and Navajo Nation Department of Public Safety initiated an investigation into this case on Oct. 10, 2007, after receiving a report that the body of a young boy had been found. The boy’s body was placed in a cooler that was wrapped in a plastic bag and hidden in a structure located next to James' residence in Spencer Valley, which is located within the Navajo Indian Reservation. The investigation revealed that James killed the boy on or about Oct. 4, 2007, by repeatedly kicking and hitting the child. The next morning, when James observed that the boy was cold and not moving, she put the boy in the cooler and hid the cooler in the structure. James then told family members that the boy was with his aunt.

Court records reveal that, during a consensual search of James’ residence, officers found four letters in which James admitted that she had been abusing the boy and “over did it,” and then tried to cover up his death because she did not want to prison. An autopsy revealed that, among other injuries, the boy had multiple lacerations to the scalp with underlying new and old skull fractures, new and old rib fractures, and an old hematoma.

In entering her guilty plea, James admitted that she killed the boy in the heat of passion by striking, beating and wounding him without due caution and while acting with wanton and reckless disregard for human life. Under the terms of the plea agreement, the first degree murder charge will be dismissed after James is sentenced.

The case was investigated by the FBI and Crownpoint Division of the Navajo Nation Department of Public Safety, and is being prosecuted by Assistant U.S. Attorney Presiliano A. Torrez.

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