

for The Defense

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James J. Haas, Maricopa County Public Defender

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*Delivering America's
Promise of Justice for All*

for The Defense

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Miller v. Alabama: Is Arizona's Sentencing Scheme Unconstitutional As Applied to Juvenile Offenders Convicted of First Degree Murder?

By Terry Reid, Defender Attorney

In *Miller v. Alabama*, 132 S.Ct. 2455 (2012), the United States Supreme Court held that a mandatory life sentence for a juvenile offender convicted of homicide violates the Eighth Amendment's prohibition against cruel and unusual punishment. A sentencing judge must be given an opportunity to consider a sentence that gives the juvenile offender a meaningful opportunity for release.



In Arizona, a defendant convicted of first degree murder can be sentenced to life without the possibility of release or life with the possibility of release after twenty-five years or thirty-five years. The only mechanism for release of a defendant, including juvenile offenders, whose offense was committed after 1994 is the clemency process. The clemency process does not provide the type of meaningful opportunity for release as contemplated by the Supreme Court. Thus, the Arizona

sentencing scheme violates the Eighth Amendment of the United States Constitution and Article 2, §15 of the Arizona Constitution when applied to a juvenile offender.

The first opportunity to challenge the Arizona statutes is in superior court prior to sentencing. This article presents arguments regarding the constitutionality of the current statutes. The same arguments can be adapted for clients on direct appeal and post-conviction relief.¹

1. Who is a Juvenile Offender?

A juvenile offender is an individual who is under the age of eighteen at the time an offense is committed. In Arizona, a prosecutor must charge a fifteen, sixteen or seventeen year old juvenile as an adult if the juvenile is accused of first degree murder and has the discretion to do so if the juvenile is at least fourteen years old. Ariz. Rev. Stat. Ann. § 13-501(A)(1) & (B)(1). For juveniles under the age of fourteen, a prosecutor may file a motion requesting the juvenile court transfer jurisdiction to adult court. Ariz. Rev. Stat. Ann. § 8-327(A). A juvenile offender convicted in adult court faces the same sentencing consequences as an adult. Ariz. Rev. Stat. Ann. § 13-501(F).



2. Miller and its Predecessors

When crafting a *Miller* argument, it is necessary to have a good working knowledge of two precedential cases. Starting in 2005, the United States Supreme Court issued a series of decisions holding that the differences between juveniles and adults had a constitutional significance. In *Roper v. Simmons*, 543 U.S. 55, 57(2005), the Supreme Court held that “[t]he Eighth and Fourteenth Amendments forbid imposition of the death penalty on offenders who were under the age of 18 when their crimes were committed.” The *Roper* court found juvenile offenders could be differentiated from adult offenders in three general areas. *Id.* at 568. First, juveniles lacked maturity and had an underdeveloped sense of responsibility that led to “impetuous and ill-considered actions and decisions.” *Id.* at 569. Second, “juveniles are more vulnerable or susceptible to negative influences and outside pressures, including peer pressure.” *Id.* Finally, a juvenile’s character was not as fixed as an adult, and, thus was more open to change. *Id.* at 570.

In 2010, the Supreme Court held that a juvenile convicted of a non-homicide offense could not be sentenced to life without parole, but must be given “some meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation.” *Graham v. Florida*, 560 U.S. 48, 75 (2010). Again looking to the Eighth Amendment, the *Graham* court stated that the “concept of proportionality is central to the Eighth Amendment” and “[e]mbodied in the Constitution’s ban on cruel and unusual punishments is the “precept of justice that punishment for crime should be graduated and proportioned to [the] offense.” *Id.* at 59. The court found that *Roper* had “established that because juveniles have lessened culpability they are less deserving of the most severe punishments.” *Id.* at 68 (citing *Roper*, 543 U.S., at 569). Thus, a life without parole sentence, which was “the second most severe penalty permitted by law,” and the diminished culpability of juveniles led the court to conclude that a life without parole sentence for a juvenile convicted of a non-homicide crime was cruel and unusual. *Id.* at 69, 74.

In *Miller v. Alabama*, decided in 2012, the Supreme Court addressed the issue of juvenile offenders convicted of homicide and held that a sentence of “mandatory life without parole for those under the age of 18 at the time of

their crimes violates the Eighth Amendment’s prohibition on ‘cruel and unusual punishments.’” ___ U.S. ___, 132 S.Ct. 2455, 2460 (2012). The *Miller* opinion built on the differences between juveniles and adults as enumerated in *Roper*, and the concept of proportionality emphasized in *Graham* and extended the Eighth Amendment’s protection to juvenile offenders convicted of homicide.

3. Arizona’s sentencing statutes.

Arizona Revised Statutes § § 13-751(A)(2) and 41-1604.09(I) are in violation of the Eighth Amendment of the United States Constitution and Article 2, § 15 of the Arizona Constitution as applied to juveniles convicted of first degree murder as they provide no meaningful opportunity for release.² Currently, if a defendant is:

[c]onvicted of first degree murder pursuant to § 13-1105 and was under eighteen years of age at the time of the commission of the offense, the defendant shall be sentenced to imprisonment in the custody of the state department of corrections for life or natural life, as determined and in accordance with the procedures provided in § 13-752. A defendant who is sentenced to natural life is not eligible for commutation, parole, work furlough, work release or release from confinement on any basis. If the defendant is sentenced to life, the defendant shall not be released on any basis until the completion of the service of twenty-five calendar years if the murdered person was fifteen or more years of age and thirty-five years if the murdered person was under fifteen years of age or was an unborn child. Ariz. Rev. Stat. Ann. § 13-751(A)(2).



The *Miller v. Alabama* decision held that it is only a *mandatory* life without parole sentence that violates the Eighth Amendment. Thus, at first glance, Arizona’s sentencing scheme appears to comport with the federal constitution as it allows a sentencing judge to choose between life without parole and life with the opportunity for release at some point. However, parole is no longer available for any defendant who committed an offense after January 1, 1994. Ariz. Rev. Stat. Ann. § 41-1604.09 (I).³

Executive clemency is the only remaining form of release to a juvenile offender convicted of first degree murder. A grant of clemency is exceedingly rare in Arizona and, therefore, a sentencing judge has no option for sentencing that would give the juvenile offender a meaningful opportunity for release.

A review of Arizona statutes related to parole versus clemency illustrates the additional barriers an offender must overcome before qualifying for a commuted sentence. Arizona Revised Statute (“A.R.S.”) § 31-412(A) states in part “[i]f a prisoner is certified as eligible for parole pursuant to § 41-1604.09 the board of executive clemency shall authorize the release of the applicant upon parole if the applicant has reached the applicant’s earliest parole eligibility date pursuant to § 41-1604.09, subsection D and it appears to the board, *in its sole discretion*, that there is a substantial probability that the applicant will remain at liberty without violating the law and that the release is in the best interests of the state.” A.R.S. § 31-402 sets out the criteria for obtaining a commuted sentence. Pursuant to the statute, the board does not decide whether a defendant’s sentence will be commuted, but only makes a recommendation to the governor. Ariz. Rev.

Stat. § 31-402(B). Before making such a recommendation, the board must find “by clear and convincing evidence that the sentence imposed is clearly excessive given the nature of the offense and the record of the offender and that there is a substantial probability that when released the offender will conform the offender’s conduct to the requirements of the law.” A.R.S. § 31-402(C)(2).

So to be released on parole, a prisoner must only gain the approval of one entity, the Board of Executive Clemency. Ariz. Rev. Stat. § 31-412(A); *State ex rel. Arizona State Bd. of Pardons and Paroles v. Superior Court of Maricopa County*, 12 Ariz. App. 77, 80, 467 P.2d 917, 920 (App. 1970). For a sentence to be commuted, a prisoner must gain both the approval of the Board of Executive Clemency and the sentence must then be approved by the governor of the state. Ariz. Const. art. V, § 5; Ariz. Rev. Stat. § 31-402(B); *State ex rel. Arizona State Bd. of Pardons and Paroles v. Superior Court of Maricopa County*, 12 Ariz. App. at 80, 467 P.2d at 920 (App. 1970).

In addition, the standard by which a prisoner is evaluated for release is much higher for sentence commutation than for being paroled. Parole requires only a substantial probability that the prisoner will be law-abiding. Commutation requires the same standard but adds that the Board must find by clear and convincing evidence that the sentence itself is excessive given the nature of the offense and the record of the prisoner. Clear and convincing evidence is evidence that allows the decision to “be persuaded that the truth of the contention is ‘highly probable.’” *State v. Roque*, 213 Ariz. 193, 141 P.3d 368 (2006). Thus, not only is the standard higher but the Board must consider an additional criteria: the relationship of the sentence to the nature of the offense and the record of the prisoner.

The Board’s decision to parole a prisoner implicitly contains a requirement to consider the prisoner’s entire record, “including the gravity of the offense in the particular case.” See *Cooper v. Arizona Bd. of Pardons and Paroles*, 149 Ariz. 182, 185, 717 P.2d 861, 864 (1986). However, the *Cooper* court went on to find “[t]he criterion set forth by the legislature for making such a determination is so broad that it hardly curtails the Board’s discretion at all.” *Id.* Thus, it is entirely within the Board’s discretion to determine the weight to be given to the nature of the offense in

relationship to other factors in the record. *Id.* (citing *Greenholtz v. Inmates of the Nebraska Penal & Correctional Complex*, 442 U.S. 1, 8 (1979) which stated the decision to release a prisoner on parole turns on a discretionary assessment of a multiplicity of imponderables, *entailing primarily what a man is and what he may become rather than simply what he has done*) (internal citations omitted) (emphasis added). On the other hand, in considering commutation, the Board has no discretion. It *must* determine by a high evidentiary standard that the sentence is excessive given the nature of the offense. Unless the Board does so, it cannot recommend commutation.



release on parole, as noted *supra*, the Board is allowed to consider a defendant’s age and his life circumstances as constitutionally required per *Miller*. In Arizona, commutation only looks to the nature of the offense, the defendant’s record and the ability of the defendant to be law abiding and is therefore, constitutionally deficient.

Given the holding in *Miller*, there is an even more compelling difference between commutation and parole. In determining

Miller extensively looked to *Graham*'s dictate of "meaningful opportunity for release," and the *Graham* court made it clear that executive clemency is not that type of release. The juvenile defendant in *Graham* was sentenced under Florida state law. *Graham*, 560 U.S. at 57. Like Arizona, Florida had abolished parole and the only release available to the juvenile was executive clemency. *Id.* As stated in *Graham*, life without parole "deprives the convict of the most basic liberties without giving hope of restoration, except perhaps by executive clemency—the remote possibility of which does not mitigate the harshness of the sentence." *Id.* at 70 (citing *Solem v. Helm*, 463 U.S. 277, , 300-301 (1983) (emphasis added)).

The plain words of the *Miller* decision confirm the conclusion that commutation is not a constitutionally valid substitute for a sentence with the possibility of parole. The *Miller* court clearly stated in its holding that "[b]y requiring that all children convicted of homicide receive lifetime incarceration without possibility of parole, regardless of their age and age-related characteristics and the nature of their crimes, the mandatory sentencing schemes before us violate this principle of proportionality, and so the Eighth Amendment's ban on cruel and unusual punishment." *Miller*, 132 S.Ct. at 2475 (emphasis added). The *Miller* court reversed the sentences of both defendants, Kuntrell Jackson and Evan Miller, even though the Arkansas sentencing scheme allowed for commutation of Jackson's sentence.⁴

The actual application of clemency in Arizona bears out the rarity of this type of release. Clemency Board hearings are held in two phases before the Board decides to recommend or not recommend commutation of a defendant's sentence. At the Phase I hearing, the inmate is not present. During Phase 2, the inmate may be present via telephone if the Board allows it. The Arizona Justice Project has compiled the following statistics from the Arizona Board of Clemency records showing the percentage of inmates who receive a commuted sentence after making it through the first two phases and actually being recommended for commutation.

EXECUTIVE CLEMENCY						
Fiscal Year	Phase I Hearings	Phase II Hearings**	Recommendations to Governor	Granted by Governor	%	
2004	960	87	87	11	1.1%	
2005	972	110	101	13	1.3%	
2006	604	84	52	9	1.5%	
2007	704	102	70	4	0.6%	
2008	586	94	63	7	1.2%	
2009	656	97	61	9	1.4%	
2010	406	53	41	6	1.5%	
2011	303	54	47	8	2.6%	
2012	398	70	50	9	2.3%	
2013*	1,157	60	24	6	0.5%	
TOTALS	6,746	811	596	82	1.2%	

* Data current through July 2013. (BOEC statistics, Fiscal Years 2004 through 2013, to date, attached as Exhibit E).

** Only applicable to commutation proceedings.

The Arizona Justice Project compiled similar statistics for inmates who have gone through through the parole process.

PAROLE			
Fiscal Year	Hearings	Granted	%
2004	694	242	34.9%
2005	574	147	25.6%
2006	485	126	26.0%
2007	427	72	16.9%
2008	458	83	18.1%
2009	472	88	18.6%
2010	439	68	15.5%
2011	313	82	26.2%
2012	329	72	21.9%
2013*	326	80	24.5%
TOTALS	4,607	1,060	23.0%

* Data current through July 2013. (BOEC statistics, Fiscal Years 2004 through 2013, to date, attached as Exhibit E

Another way to compare the chances of release under the two procedures is:

Parole: 1 / 4

Clemency: 1 / 100

Clemency 2013: 1 / 200

As with any constitutional challenge, it is unlikely that even a favorable ruling by the trial court will go unchallenged. It is therefore imperative to make a good record for appeal when filing and arguing your motion in superior court prior to sentencing. You should provide the trial court with the statistics necessary to show how commutation actually works in Arizona. *See State v. Zuck*, 134 Ariz. 509, 513, 658 P.2d 162, 166 (1982) (“Where matters are not included in the record on appeal, the missing portions of the record will be presumed to support the action of the trial court.”) The Arizona Justice Project has compiled the records from the clemency board and they are available at:

<http://www.maricopa.gov/pdweb/docs/2014/suppDocs/v24q1-2004BOECAnnualRpt.pdf>

<http://www.maricopa.gov/pdweb/docs/2014/suppDocs/v24q1-2008BOECAnnualRpt.pdf>

<http://www.maricopa.gov/pdweb/docs/2014/suppDocs/v24q1-2009-2011BOECAnnualRpt.pdf>

<http://www.maricopa.gov/pdweb/docs/2014/suppDocs/v24q1-2005ExClemencyBdAnnualRpt.pdf>

<http://www.maricopa.gov/pdweb/docs/2014/suppDocs/v24q1-2006-2007ExClemencyBdAnnualRpt.pdf>

Arizona law requires a special notification be filed with any constitutional challenge to a statute. Arizona Revised Statute § 12-1841 states in part:

In any proceeding in which a state statute, ordinance, franchise or rule is alleged to be unconstitutional, the attorney general and the speaker of the house of representatives and the president of the senate

shall be served with a copy of the pleading, motion or document containing the allegation at the same time the other parties in the action are served and shall be entitled to be heard.

The notice must be filed with each pleading.

Since *Miller v. Alabama* was decided, only one memorandum decision has addressed whether Arizona's sentencing scheme comports with *Miller* and *Graham*. The defendant in *State v. Paulson*, 2012 WL 5363109, CA-CR-2011-0278 (Oct. 31, 2012), who was seventeen at the time of his offense, was convicted of first degree murder, and sentenced to life in prison with the possibility of release after twenty-five years. In Paulson's direct appeal the Division Two appellate court held that Paulson's sentence provided him with a meaningful opportunity for release pursuant to *Graham*. The court did not discuss the lack of the availability of parole but simply stated that life was a "lesser sentence" than natural life.

It would be best to file a motion challenging the constitutionality of the statutes early on. The court will have more time to consider the issue, and the prosecution cannot complain about late notice. It may also give you some help in plea negotiations. There are many unsettled issues regarding the sentencing of juvenile offenders at this time, and you could argue for a more favorable plea offer in order to avoid future litigation.

Conclusion

A judge must have the opportunity to sentence a juvenile offender convicted of first degree murder to a term of imprisonment that gives the juvenile a meaningful opportunity for release. The only release option in Arizona is executive clemency. The remote possibility for release via the clemency process does not comport with the constitutional requirement as set forth in *Miller v. Alabama* and the statutory scheme should be challenged.⁵

Endnotes:

1. Post-conviction proceedings will necessarily need to address the issue of retroactivity of *Miller v. Alabama*.
2. In the context of cruel and unusual punishment, Arizona courts have held that the protection of the Arizona Constitution is co-extensive with the protection of the Eighth Amendment. *State v. Davis*, 206 Ariz. 377, 79 P.3d 64 (2003).
3. The Arizona Supreme Court has recognized parole is not available as a form of release. See *State v. Fell*, 210 Ariz. 554, 555–56, 115 P.3d 594, 596–98 ¶1 (2005); *State v. Womble*, 225 Ariz. 91, 102, 235 P.3d 244, 255 (2010); *State v. Cota*, 229 Ariz. 136, 151, 272 P.3d 1027, 1042 (2012)
4. Alabama law did not allow for executive clemency for a natural life sentence, only for the death penalty.
5. Special thanks to Andrew Hacker and Katherine Puzauskas at the Arizona Justice Project.



How Your Paralegal Can Make You a Better Attorney

By Wendy Kunz¹ and Martin Becker



What can your paralegal do for you and your clients? That question has been asked many times by both new and veteran attorneys.

First off, let's talk about paralegals in general. In the Maricopa County Office of the Public Defender, there are two paralegals assigned to every trial group. There are also paralegals assigned to the Specialty Court Unit, the Vehicular Unit, and to each Capital team. Most paralegals in the office have a four-year degree bachelor degree and a paralegal degree from an ABA recognized paralegal school.

Now that we have covered the basics about paralegals, let's move on to what paralegals can do for you. For simplicity's sake, we have organized it into four general areas:

1. Discovery and Records

Paralegals can review the discovery for you. They can notice what discovery is missing and keep track of what discovery you need to ask for. They can organize the discovery to make it easier for you to handle, and they can write summaries that are as detailed or as simple as you request. Additionally, paralegals can order and track records for you. For example, on Rule 11 cases, paralegals can order the medical and mental health records of your clients and follow up with agencies if the records don't arrive.

2. Clients and Witnesses

Paralegals can conduct jail visits with you. It is often helpful to have another set of eyes to notice possible mental health problems or other issues when you first meet a new client. It also lets the client know that their defense will be a team effort. They can visit the client alone on your behalf to get releases signed or other required information. However, paralegals cannot go over plea agreements with clients or answer legal questions for clients because that would be practicing law.

In addition, paralegals can schedule psychological or medical evaluations for your clients. This is especially helpful for out-of-custody Rule 11 clients. Further, paralegals are an excellent source for finding expert witnesses and serving as a liaison between the attorney and expert witness. They can also serve as liaisons with the client, his or her family, and other witnesses in the case.

3. Pre-Trial

Your paralegal's main pre-trial task is creating the trial notebook. A good notebook will make your life much easier in trial. Each witness will have a separate tab with all relevant police reports or statements highlighted for you. A good trial notebook will also include any photographs or other exhibits in the case and provide a place for motions. Paralegals are trained to format trial notebooks in a way that makes interviews and trials much easier for the attorney.

¹Wendy Kunz is a past recipient of 2012 APDA Urban Paralegal of the Year Award

Before trial, your paralegal can also help you obtain suitable clothes for your in-custody clients who have no appropriate clothing to wear in court.

4. Trial

In trial, your paralegal is an amazing resource. During jury selection, paralegals can be an extra set of eyes and ears to give you feedback on potential jurors. They can serve as a buffer between client and attorney, handling tasks in order to allow the attorney to concentrate on trial. For example, paralegals can answer simple trial related questions for the client while the attorney is doing cross-examination on a witness. In addition, they can find and locate other exhibits or material for the attorney, such as impeachment material, while a witness is on the stand. Paralegals can coordinate witness appearance time and handle other issues for testifying witnesses.

In conclusion, paralegals can be invaluable team members, but only if you allow them to fully participate in your case. We hope that this article has given you a better idea of what paralegals can do, both for you and your client.



Writer's Corner **Lesson #151:**

The art of hyphenating phrasal adjectives.

When a phrase functions as an adjective, the phrase should ordinarily be hyphenated.

Professional writers and editors regularly do this. Search for hyphens on a page of the Wall Street Journal or the New Yorker and you'll spot many. But less-polished writers often fail to appreciate the difference that adjective can make (consider criminal law professors vs. criminal-law professors). And for some reason, lawyers resist these hyphens.

To prevent miscues and make your writing clearer, you should master the art of hyphenating phrasal adjectives and consider the guiding principles every time you encounter one.

Here's the rule: if two or more consecutive words make sense only when understood together as an adjective modifying a noun, those words should be hyphenated {second-year associate, case-by-case analysis, trade-secret protection, summary-judgment motion, breach-of-contract claim}. [The possible phrases are infinite. For more examples see Garner's Modern American Usage 625-26 (3d ed. 2009); The Redbook 46-47 (3d ed. 2013); The Winning Brief 278-83 (2d ed. 2004).]

There are exceptions. Do not hyphenate the phrase in these situations:

1. When a phrase begins with an -ly adverb: newly admitted lawyer; legally permitted action; calmly spoken argument. An exception to this exception applies when the phrase is longer than two words. Hence: poorly-thought-out-strategy.
2. When the phrase contains a proper noun: a United States diplomat; that famous Civil War battle; the Pablo Picasso painting.
3. When the phrase is borrowed from a foreign language: de novo review; habeas corpus petition, prima facie case.
4. When the phrase follows the noun it modifies: that rule is well known (vs. a well-known rule); a claim of bad faith (vs. a bad-faith claim); action for unlawful detainer (vs. unlawful-detainer action). But there are some fixed phrases that are invariably hyphenated even if they follow the noun {cost-effective, old-fashioned, short-lived, star-studded, time-tested}. In general, these hyphenated, fixed phrases will be listed in a dictionary.

If you're still uncertain about why you should hyphenate, ponder the plain meaning of small animal veterinarian, high school dropout, or one armed bandit.

For further reading, see:

The Redbook: A Manual on Legal Style § 1.60, at 44-47 (3d ed. 2013).

The Winning Brief 276-83 (2d ed. 2004) (3d ed. forthcoming, with an expanded list of common phrasal adjectives in legal writing).

Garner's Dictionary of Legal Usage 674-75 (3d ed. 2011).

Garner's Modern American Usage 625-28 (3d ed. 2009).

The Chicago Manual of Style § 5.91, at 227-28, §§ 7.81-.85, at 373-84 (16th ed. 2010).

William A. Sabin, The Gregg Reference Manual §§ 813-32, at 224-40 (10th ed. 2005).

Editors' Note: Bryan A. Garner is a best selling legal author with more than a dozen titles to his credit, including A Dictionary of Modern Legal Usage, The Winning Brief, A Dictionary of Modern American Usage, and Legal Writing in Plain English. The selection above is an excerpt from Garner's "Usage Tip of the Day" e-mail service and is reprinted with his permission. You can sign up for Garner's free Usage Tip of the Day and read archived tips at <http://www.lawprose.org/blog/>. Garner's Modern American Usage can be purchased at bookstores or by calling the Oxford University Press at: 800-451-7556.



The Courts at the 2014 Arizona Veterans StandDown

Gary Kula, City of Phoenix Public Defender

The Arizona StandDown is an annual alliance of community-based organizations that come together to provide the State's homeless and at-risk military veterans with a variety of services.

On Friday, February 14 and Saturday February 15, 470 volunteers, including judges, attorneys, court staff, probation officers, law students, substance abuse screeners, and community workers, came together to assist 937 Veterans with their legal issues in the "Courts" area of the StandDown.

Veterans with criminal and traffic issues met with 125 private attorneys and public defenders from Maricopa County and the City of Phoenix. Prosecuting attorneys from the City of Phoenix and the Maricopa County Attorney's Office were also present to assist with the resolution of cases. The Adult Probation Department of Maricopa County worked with Veterans to help them with probation and court-compliance issues. Forty Judges were on hand to preside over cases.

The number of Courts participating in the StandDown has increased significantly in recent years thanks to the efforts of Jean Cooper, who coordinated the involvement of Courts from across the county. Phoenix Municipal Court, which for 20 years was the sole court represented, has now been joined by the Maricopa County Superior Court, Maricopa County Justice Courts, and Municipal Courts from Tempe, Scottsdale, Mesa, and Glendale. Together these courts, supported by their diligent staff, worked together to provide veterans with an opportunity to resolve their outstanding obligations through community service. The courts also worked in partnership with the Arizona Department of Motor Vehicles at the StandDown to aid veterans looking to obtain state-issued IDs and in many cases, reinstatement of their driving privileges. The Maricopa County Regional Homeless Court, coordinated by Margaret Sommer, provided guidance to veterans with cases in courts not present at the StandDown. Many of the veterans with out-of-county and state issues were assisted by attorneys and staff from the Law Firm of Snell & Wilmer, who contacted resources from across the country to provide veterans with legal advice, contacts, and information to resolve their legal matters.

Veterans with civil legal issues utilized the legal services available at the "Civil Law Clinic" organized by Alberto Rodriguez with the State Bar of Arizona. This Clinic provided 177 legal consultations by 23 attorneys who practice Family Law, Bankruptcy/Foreclosure/Tax Law, Probate/Trust Law, Elder/Mental Health Law, and Real Estate/Landlord & Tenant Law. In addition, Community Legal Services, Project Salute, the Sandra Day O'Connor College of Law at ASU, and the Summit Law School provided legal assistance at the StandDown.

The end of the weekend did not mean the end of the dedication of the “Court” area volunteers, as many services, including pro-bono legal services were offered after the StandDown to veterans who needed additional assistance or representation.



Editors' note: The Maricopa County Public Defender's Office extends its thanks to the following defender attorney and non-attorney volunteers who signed up through our office and helped handle hundreds of Superior Court and Justice Court matters at the StandDown – we could not have done it without each and every one of you.

2014 StandDown Volunteers

Judy Adolfs, Legal Support Specialist
 Gary Beren, Attorney
 Susan Corey, Attorney
 Michael Jones, Law Office Manager
 Rose Rubio Gaytan, Capital Mitigation Specialist
 Charles Vogel, Attorney
 Brenna Durkin, Attorney
 Tracy Abastillas, Attorney
 Kristi Adams, Attorney
 Pamela Adwell, Attorney
 Dawnese Agnick, Attorney
 Beth Alexander, Attorney
 Lance Antonson, Attorney
 Shelby Beerling, Legal Secretary
 Tim Bein, Records Processor
 Josephine Bidwell, Law Clerk
 Duol Wiw Both, Records Processor
 Charlene Braaksma, Attorney

Yolanda Carrier, Initial Services Assistant
 Dan Carrion, Attorney
 Andrew Clemency, Attorney
 Stephanie Conlon, Training Director
 Gretchen Cooper, Attorney
 Janette Corral, Attorney
 Sylvia Curtis, Paralegal
 Jessie Davila, Initial Services Assistant
 Tara DeGeorge, Law Clerk
 Angela DeMarse, Attorney
 Mark Dwyer, Attorney
 Karen Emerson, Attorney
 Marshall Fields, Intern
 William Fischer, Attorney
 Jeff Force, Attorney
 Lina Garcia, Attorney
 Jennifer Gebhart, Mitigation Specialist
 Supervisor
 Paula Giron, Intern

Kenn Hanson, Attorney
Laura Hart, Paralegal
Nicole Hartley, Attorney
Jessica Hawley, Intern
Joseph Hermes, Defender Law Clerk
John Houston, Attorney
Christopher Hyler, Records Processor
Christine Jones, Attorney
David C. Jones, Client Services Manager
Natalie Jones, Attorney
Sovin Keans, Intern
Krystal Leyvas, Mitigation Specialist
Karen Link, Legal Secretary
Dan Lowrance, Attorney
Misty Marchione, Trainer
Brittany Martin, Office Aide
Tennie Martin, Attorney
Debbie McGivern, Payroll/Procurement Rep
Ashley Meyer, Attorney
Rodney Mitchell, Attorney
Jeremy Mussman, Attorney
Daniel Patterson, Attorney
Bill Pearlman, Attorney
Kaitlin Perkins, Attorney
Kathryn Petroff, Attorney

Zachary Pierce, Justice System Clerk
Laura Price, Legal Secretary
Barbara Rees, Attorney
Dustyn Sain, Defender Investigator
Theodore Saldivar, Attorney
Kimberly Salter, Attorney
Ronald Schyvynck, Defender Investigator
Garrett Simpson, Attorney
Vanessa Smith, Attorney
Jessica Spargo, Attorney
Fredrica Strumpf, Attorney
Sierra Taylor, Law Clerk
Amy Thomas, Justice System Clerk Sr.
CeCelia Valentine, Attorney
Amanda Vondra, Paralegal
Chelli Wallace, Attorney
Cathryn Whalen, Attorney
Kristin Whitaker, Attorney
Elizabeth Wilson, Attorney
James Wilson, Attorney
Emily Wolkowicz, Attorney
Danielle Yalden, Mitigation Specialist
Michael Ziemba, Attorney
Colby Kanouse, Private Attorney
Natalee Segal, Private Attorney



Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office – Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
Group 1					
11/18/2013	Walters	Miller	2012-159206 Marijuana Violation, F6	1	Court Trial - Not Guilty
12/5/2013	Knowles <i>Schvyvynck</i> <i>Leigh</i>	Vandenberg	2011-155501 Theft-Control Proper, F5	1	Jury Trial - Guilty as Charged
1/21/2014	Knowles <i>Rankin</i>	Gentry	2013-432413 Trafficking In Stole, F2 Theft, M1	1 1	Jury Trial - Not Guilty
1/31/2014	Hartley <i>Granillo</i>	Kiley	2013-112114 Aggravated Robbery, F3 Kidnap, F2 Burglary 2nd Degree, F3	1 1 1	Jury Trial - Guilty as Charged
2/14/2014	Walker <i>Rankin</i>	Mulleneaux	2013-002305 Marijuana Violation, F6	1	Court Trial – Guilty Lesser/Fewer
3/3/2014	Dees <i>Schvyvynck</i>	Hegy	2013-434214 Aggravated Assault-Deadly Weapon, F3	1	Jury Trial - Not Guilty
3/4/2014	Saldivar <i>Theodore</i>	Mulleneaux	2013-002805 Robbery, F4	1	Court Trial – Guilty Lesser/Fewer
4/3/2014	Turner <i>Leigh</i>	Reinstein	2011-154514 Aggravated Assault, F4	1	Jury Trial - Guilty as Charged
Group 2					
11/25/2013	Hallam	Svoboda	2013-421128 Imprsnat Peace Ofcr, F6	1	Court Trial - Not Guilty
11/26/2013	Peterson	Sanders	2013-430891 Unlaw Means Transp-C, F5	1	Court Trial – Guilty Lesser/Fewer
12/10/2013	Hallam <i>Munoz</i> <i>Beal</i>	O'Connor	2013-109623 Sexual Abuse, F5 Prostitution, M1	1 2	Jury Trial - Guilty as Charged
12/13/2013	Romshek	Bailey	2013-030029 Marijuana Violation, F6 Drug Paraphernalia V, F6	1 1	Court Trial - Guilty As Charged

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office - Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
12/13/2013	Romshek <i>Hales</i>	Gentry	2013-422033 Burglary 3rd Degree, F4	1	Jury Trial - Guilty as Charged
12/13/2013	Goodman <i>Hales</i> <i>Beal</i>	Kiley	2013-104527 Theft-Means Of Trans, F3 Fail Stop/Notfy/Acc-Unatt Veh, M3 Crim Tresp 1st Deg-Resid Yard, M1	1 1 1	Jury Trial - Guilty Lesser/Fewer
12/17/2013	Abramson <i>Munoz</i> <i>Beal</i>	O'Connor	2013-111485 Aggravated Assault, F5	2	Jury Trial - Guilty Lesser/Fewer
12/17/2013	Abramson <i>Munoz</i> <i>Beal</i>	O'Connor	2013-001557 Theft, F2 Theft-Means Of Trans, F3 Criminal Damage, F4	1 1 2	Jury Trial - Guilty as Charged
12/17/2013	Gurion <i>Schvyvynck</i>	Gottsfield	2013-114071 Theft, F3	1	Jury Trial - Mistrial On Defense Motion
12/19/2013	Vandergaw <i>Samuel</i> <i>Avalos</i>	Bailey	2012-159924 Aggravated Assault, F3 Kidnap, F2 Armed Robbery, F2 Misconduct Involving, F4	3 2 1 1	Jury Trial - Guilty Lesser/Fewer
12/20/2013	Vandergaw <i>Menendez</i>	Brotherton	2004-024022 Escape 2nd Degree, F5	1	Jury Trial - Not Guilty
1/9/2014	Vandergaw <i>Brazinskas</i>	Mulleneaux	2011-008197 Aggravated Assault, F5 Resisting Arrest, F6 Aggravated Assault, F3	2 1 1	Jury Trial - Guilty as Charged
1/10/2014	Gurion	Gottsfield	2013-114071 Theft, F3	1	Jury Trial - Not Guilty
1/13/2014	Goodman <i>Hales</i>	Sanders	2013-002432 Theft, F6	1	Court Trial - Guilty Lesser/Fewer
1/13/2014	Downs <i>Scholfield</i>		2013-438035 Forgery, F4	1	Jury Trial - Not Guilty
1/15/2014	Hallam <i>Munoz</i>	Svoboda	2013-103720 Dangerous Drug Viola, F4	1	Jury Trial - Guilty Lesser/Fewer Pled After Trial Began

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office - Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
1/17/2014	Abramson	Bailey	2012-150337 Dschg Firearm At A S, F2 Misconduct Involving, F4	2 2	Jury Trial - Guilty as Charged
1/24/2014	Vandergaw <i>Fiore</i>	Svoboda	2013-114320 Misconduct Involving, F4	1	Jury Trial - Guilty as Charged
1/29/2014	Downs <i>Hales</i>	Mulleneaux	2013-435834 Aggravated Assault, F4	1	Jury Trial - Guilty as Charged
2/19/2014	Downs <i>Munoz</i>	Gottsfeld	2013-432133 Forgery, F4	1	Jury Trial - Not Guilty
2/19/2014	Vandergaw <i>Hales</i> <i>Gebhart</i>	Rueter	2013-105729 Burglary 3rd Degree, F4 Burglary Tools Posse, F6	1 1	Jury Trial - Guilty Lesser/ Fewer
2/20/2014	Nadimi	Ditsworth	2013-436221 Resisting Arrest, F6 Aggravated Assault, F5	1 1	Jury Trial - Not Guilty
3/6/2014	Gurion <i>Schyvynck</i> <i>Menendez</i>	Kaiser	2013-435428 Misconduct Involving, F4 Drive W/Lic Susp/Revoke/ Canc, M1	1 1	Jury Trial - Guilty Lesser/ Fewer
3/7/2014	Gurion	Kaiser	2013-030127 Poss Wpn By Prohib P, F4	2	Jury Trial - Guilty Lesser/ Fewer
3/12/2014	Nadimi <i>Munoz</i>	Richter	2013-106154 Aggravated Assault, F5 Resisting Arrest, F6	1 1	Jury Trial - Mistrial (Hung Jury) New Trial Set
3/18/2014	Nadimi	Gottsfeld	2013-113134 Narcotic Drug Violat, F3	1	Jury Trial - Guilty as Charged
3/18/2014	Peterson	Sanders	2013-438034 Disord Conduct-Weapo, F6 Misconduct Involving, F4	1 1	Court Trial - Guilty As Charged
3/19/2014	Goodman	Bernstein	2013-436626 Crim Tresp 1st Deg-R, F6 Interfer W/Judicial Proceeding, M1 Criminal Damage, M2 Crim Tresp 1st Deg-R, F6	2 2 1 1	Court Trial - Guilty Lesser/ Fewer

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office - Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
3/26/2014	Gurion <i>Munoz</i>	Kaiser	2013-453131 Aggravated Assault, F3	1	Jury Trial - Not Guilty
Group 3					
11/15/2013	Allen <i>Gilchrist</i> <i>Farley</i> <i>Yalden</i>	Ditsworth	2012-006669 Murder 1st Degree, F1 Murder 2nd Degree, F1 Robbery, F5 Burglary 3rd Degree, F4 Theft, F6	1 1 1 1 1	Jury Trial - Guilty as Charged
12/5/2013	Williams	Vandenberg	2012-151635 Misconduct Involving, F4	1	Jury Trial - Guilty as Charged
12/13/2013	Parker <i>Salvato</i> <i>Farley</i> <i>Shaw</i>	Cohen	2010-113900 Resisting Arrest, F6 Aggravated Assault, F5 Aggravated Assault, F3	1 1 1	Court Trial - Guilty Lesser/ Fewer
12/13/2013	Spears <i>Thompson</i>	Richter	2013-416241 Aggravated Assault, F5 Resisting Arrest, F6	2 1	Jury Trial - Guilty Lesser/ Fewer
12/16/2013	Spears <i>Thompson</i>	Hegy	2013-418836 Burglary 3rd Degree, F4	1	Jury Trial - Guilty as Charged
1/29/2014	Williams <i>Thompson</i> <i>Falle</i> <i>Yalden</i>	Steinle	2013-000406 Aggravated Assault, F2 Narcotic Drug Violat, F4 Drug Paraphernalia-D, F6	1 1 1	Jury Trial - Guilty Lesser/ Fewer
2/20/2014	Henager <i>Thompson</i> <i>Avalos</i> <i>Yalden</i>	Reinstein	2012-005599 Murder 2nd Degree, F1 Child/Vulnerable Adu, F2 Aggravated Assault, F3	1 1 1	Jury Trial - Not Guilty
Group 4					
11/4/2013	Peterson	Rueter	2013-108758 Bribery Pub Servant/, F4	3	Jury Trial - Not Guilty
12/2/2013	Wallace <i>Gilchrist</i>	Richter	2013-111961 Aggravated Assault, F3 Aggravated Assault, F4	1 1	Jury Trial - Mistrial (Hung Jury) New Trial Set

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office - Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
12/6/2013	Manberg	Mroz	2012-164559 Dangerous Drug Viola, F4 Drug Paraphernalia V, F6	2 1	Jury Trial - Guilty Lesser/ Fewer
12/9/2013	Peterson Diaz	Garcia-Riley	2013-418261 Theft, F3 Fraudulent Schemes/A, F2 Trafficking In Stole, F2	1 1 1	Jury Trial - Guilty as Charged
12/12/2013	Walker Flannagan Kunz	Richter	2013-115054 Marijuana Violation, F6 Drug Paraphernalia V, F6	1 2	Court Trial - Guilty Lesser/ Fewer
12/17/2013	Becker Kunz	Vandenberg	2012-115567 Dangerous Drug Viola, F2 Drug Paraphernalia V, F6 Narcotic Drug Violat, F4	3	Jury Trial-Guilty Lesser/ Fewer
12/18/2013	Wallace Curtis	Chavez	2012-124264 Animal Cruelty/Work, F6	1	Jury Trial - Mistrial (Hung Jury) New Trial Set
2/19/2014	Manberg Best	Brotherton	2013-422659 Trafficking In Stole, F3	1	Jury Trial - Mistrial On Defense Motion
2/24/2014	Finefrock Tomaiko	Mullins	2013-437663 Narcotic Drug Violat, F4 Drug Paraphernalia V, F6	1 1	Jury Trial - Mistrial (Hung Jury) New Trial Set
2/26/2014	Wilson Verdugo	Richter	2013-112066 Marijuana Violation, F6	1	Court Trial - Guilty Lesser/ Fewer
3/4/2014	Peterson	Richter	2013-441556 Aggravated Assault, F3	3	Jury Trial-Guilty Lesser/ Fewer
3/5/2014	Manberg	Brotherton	2013-422659 Trafficking In Stole, F3	1	Jury Trial - Not Guilty
3/11/2014	Finefrock	Mullins	2013-437663 Narcotic Drug Violat, F4 Drug Paraphernalia-P, F6	1 1	Jury Trial - Mistrial (Hung Jury) New Trial Set
3/12/2014	Roach Gilchrist	Richter	2013-443759 Resisting Arrest, F6 Threat-Intimidate, M1 Liquor-Consume In Pu, M2	1 1 1	Jury Trial - Guilty as Charged

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office - Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
Group 5					
11/1/2013	Beatty <i>Romani</i>	Mulleneaux	2012-115579 Unlaw Flight From La, F5	1	Jury Trial - Guilty as Charged
11/6/2013	Glass-Hess <i>Romani</i>	Mullins	2011-151474 Armed Robbery, F3 Burglary 1st Degree, F3	1	Jury Trial - Guilty Lesser/ Fewer Pled After Trial Began
12/17/2014	Baker	Hegy	2012-155076 Burglary 2nd Degree, F3 Theft, M1 Criminal Damage, M1	1 1 1	Jury Trial - Guilty Lesser/ Fewer
12/18/2013	Valentine <i>Romani</i>	Bailey	2012-150676 Forgery, F4	2	Jury Trial - Guilty as Charged
3/4/2014	Ditsworth <i>Cosgrove</i>	Granville	2012-007254 Sexual Assault, F2 Sexual Assault, F3 Kidnap, F2 Public Sexual Indece, M1 Sexual Abuse, F5	7 1 4 1 1	Jury Trial - Guilty Lesser/ Fewer
Group 6					
11/18/2013	Neville <i>Ofarrell</i> <i>Springer</i>	Mulleneaux	2013-001582 Aggravated Assault, F5	2	Jury Trial - Not Guilty
12/18/2013	Taradash	Kiley	2013-107085 Animal Cruelty/Work, F6	1	Court Trial - Guilty Lesser/ Fewer
12/19/2013	Chiang <i>Godinez</i> <i>Springer</i>	Passamonte	2013-426695 Assault-Intent/Reckless/ Injure, M1 Aggravated Assault, F3 Aggravated Assault, F5	1 1 1	Jury Trial - Guilty Lesser/ Fewer Pled After Trial Began
12/20/2013	Sheperd <i>Curtis</i>	Garcia-Riley	2013-000414 Sexual Abuse, F3 Molestation Of Child, F2 Sexual Conduct With, F2 Sexual Abuse, F3 Obscene Matl-Furnish, F4 Sexual Exploitation, F2	2 2 5 1 2 10	Jury Trial - Guilty as Charged

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office - Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
1/14/2014	Sheperd Souther	Sanders	2012-154484 Theft-Means Of Trans, F3	1	Jury Trial - Guilty Lesser/ Fewer Pled After Trial Began
1/16/2014	Llewellyn Souther Springer	McCoy	2012-142392 Sexual Assault, F3 Kidnap, F2 Assault-Intent/Reckless/ Injure, M1 Criminal Damage, M2	1 1 1 1	Jury Trial - Guilty Lesser/ Fewer Pled After Trial Began
1/24/2014	Taradash Lewis Springer	Ditsworth	2013-000305 Murder 1st Degree, F1 Armed Robbery, F2 Kidnap, F2 Aggravated Assault, F3 Misconduct Involving, F4	1 1 2 1 1	Jury Trial - Guilty as Charged
2/25/2014	Neville Ofarrell	Nothwehr	2012-008591 Marijuana Violation, F6	1	Court Trial - Guilty Lesser/ Fewer
2/25/2014	McCarthy Souther Johnson	Vandenberg	2013-418495 Assault-Touched To Injure, M3 Aggravated Assault, F5	1 3	Jury Trial - Guilty Lesser/ Fewer
2/25/2014	Neville Ofarrell Vasquez	Chavez	2013-425299 Aggravated Assault, F5 Resisting Arrest, F6 Marijuana Violation, F6 Drug Paraphernalia V, F6	2 1 1 1	Jury Trial - Guilty Lesser/ Fewer
2/26/2014	McCarthy Souther Leyvas	Reinstein	2013-428984 Burglary 1st Degree, F2	1	Jury Trial - Guilty as Charged
3/18/2014	Fritz	Kiley	2013-421184 Armed Robbery, F2	1	Court Trial - Pled Less/Few After Trial Began

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office - Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
4/4/2014	Sheperd <i>Falle</i>	Ditsworth	2011-145186 Hit And Run/Damage Attend Veh, M2 Disorderly Conduct, F6 Armed Robbery, F2 Murder 1st Degree, F2 Aggravated Assault, F2	1 1 1 1 3	Jury Trial - Guilty Lesser/ Fewer
Specialty Court Group					
12/6/2013	Jones <i>Thompson</i>	Passamonte	2013-429748 Dangerous Drug Viola, F4 Narcotic Drug Violat, F4	1 1	Jury Trial - Mistrial (Hung Jury) New Trial Set
12/17/2013	Duncan <i>Spizer</i>	Hegy	2013-112115 Burglary 2nd Degree, F3	1	Jury Trial - Mistrial On Defense Motion
12/18/2013	Jones		2013-429748 Dangerous Drug Viola, F4 Narcotic Drug Violat, F4	1 1	Jury Trial - Not Guilty
1/16/2014	Duncan	Hegy	2013-112115 Burglary 2nd Degree, F3	1	Jury Trial - Not Guilty
Vehicular					
11/22/2013	Dehner	Bernstein	2012-102201 Agg Dui-Lic Susp/Rev, F4 Aggravated Dui-Third, F4 Crim Tresp 1st Deg-Resid Yard, M1	2 2 1	Jury Trial - Guilty as Charged
12/2/2013	Hann <i>Jarrell</i>	Mroz	2012-149583 Agg Dui-Lic Susp/Rev, F4	2	Jury Trial - Guilty Lesser/ Fewer
12/6/2013	Conter <i>Jarrell</i> <i>Baker</i> <i>Yalden</i>	McCoy	2012-118843 Murder 2nd Degree, F1 Hit And Run W/Death/, F2	1 1	Jury Trial - Guilty as Charged

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Public Defender's Office - Trial Division					
Closed Date*	Attorney	Judge	CR Number and Charge(s)	Counts	Result
12/12/2013	Whitfield	Garfinkel	2012-129721 Dangerous Drug Viola, F4 Drug Paraphernalia V, F6	1 2	Court Trial - Guilty Lesser/ Fewer
12/20/2013	Whitney	Bernstein	2012-147872 Agg Dui-Passenger Un, F6	3	Jury Trial - Guilty as Charged
1/6/2014	Whitney	Bernstein	2013-104392 Agg Dui-Lic Susp/Rev, F4	1	Jury Trial - Guilty as Charged
1/9/2014	Hann Jarrell	McCoy	2012-153036 Agg Dui-Lic Susp/Rev, F4	2	Jury Trial - Guilty as Charged
2/18/2014	Conter	Svoboda	2010-005843 Aggravated Dui-Third, F4	2	Jury Trial - Guilty as Charged
2/18/2014	Randall McGrath Vondra	Miller	2012-162355 Agg Dui-Lic Susp/Rev, F4	2	Jury Trial - Guilty Lesser/ Fewer
2/21/2014	Emerson Decker Vondra	Bernstein	2013-003199 Aggravated Dui, F4	3	Jury Trial - Guilty as Charged
2/25/2014	Marner	Miller	2013-438860 Agg Dui-Lic Susp/Rev For Dui, F4	1	Jury Trial - Mistrial (Hung Jury) New Trial Set
3/14/2014	Randall Jarrell Vondra	Miller	2012-148610 Agg Dui-Lic Susp/Rev For Dui, F4 Aggravated Dui-Third Dui, F4	3 2	Jury Trial - Guilty as Charged
3/28/2014	Brink Decker	Bernstein	2013-417592 Agg Dui-Lic Susp/Rev, F4	2	Jury Trial - Guilty as Charged

Legal Defender's Office - Dependency					
Last Day of Trial	Attorney Case Manager	Judge	Case Number and Type	Result	Bench Or Jury Trial
2/18/2014	Sanders	Smith	JD23459 Severance Trial	Dependence Found	Bench

*Defined as the date the defendant was sentenced or case was dismissed.

Jury and Bench Trial Results

November 2013 - March 2014

Legal Defender's Office – Trial Division					
Closed Date*	Attorney <i>Investigator</i> <i>Paralegal</i> <i>Mitigation</i>	Judge	CR Number and Charge(S)	Counts	Result
11/5/2013	Evans <i>Rangel</i>		2013-109285 Aggravated Assault, F3	1	Jury Trial - Guilty as Charged
11/7/2013	Franklin <i>Monroe</i>		2013-103066 Marijuana Violation, F2 Marijuana Violation, F6	1 1	Jury Trial - Guilty as Charged
11/7/2013	Lee		2012-155927 Dangerous Drug Viola, F4 Drug Paraphernalia V, F6	1 1	Jury Trial - Guilty Lesser/Fewer
11/13/2013	Kinthead <i>De Santiago</i>	Bassett	2013-000431 Murder 1st Degree, F1 Animal Cruelty/Work Animal, M1	1 1	Jury Trial - Not Guilty
12/17/2013	Walton <i>Alkhoury</i>		2013-103283 Armed Robbery, F2 Kidnap, F2 Theft-Means Of Trans, F3	1 1 1	Jury Trial - Guilty as Charged
1/16/2014	Evans <i>Brown</i>		2012-006713 Theft, F3	1	Jury Trial - Guilty as Charged
1/31/2014	Amiri	Bernstein	2012-125438 Aggravated Dui-Third, F4	2	Jury Trial - Guilty as Charged
2/19/2014	Vogel	Bergin	2013-105765 Misconduct Involving, F4	1	Jury Trial - Not Guilty
2/19/2014	Babbitt		2013-433082 Marijuana Violation, F2	1	Jury Trial - Guilty Lesser/Fewer
3/14/2014	Schaffer <i>Rangel</i> <i>Chavez</i>	Kreamer	1992-001232 Murder 1st Degree, F1 Armed Robbery, F2 Burglary 1st Degree, F2	9 10 1	Jury Trial - Guilty as Charged
3/24/2014	Abernethy		2013-451979 Armed Robbery, F2 Theft-Means Of Trans, F3	1 1	Jury Trial - Guilty Lesser/Fewer
3/28/2014	Gray <i>Enriquez</i>		2013-439984 Burglary 2nd Degree, F3	1	Jury Trial - Guilty as Charged

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Jury and Bench Trial Results

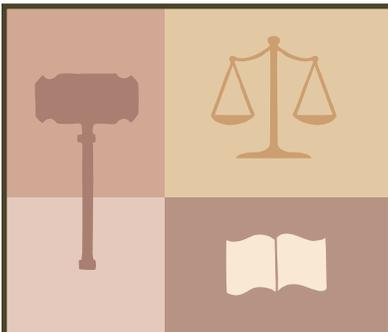
November 2013 - March 2014

Legal Advocate's Office – Trial Division

Closed Date*	Attorney <i>Investigator</i> <i>Paralegal</i> <i>Mitigation</i>	Judge	CR Number and Charge(S)	Counts	Result
12/19/2013	Buck	Barton	2009-160953 Murder 1st Degree, F1 Sexual Assault, F2	2 1	Court Trial - Not Guilty
2/12/2014	Lemoine		2013-458535 Aggravated Assault, F3	1	Court Trial - Guilty Lesser/Fewer
2/19/2014	Lemoine		2013-450818 Narcotic Drug Violat, F6	1	Court Trial - Guilty Lesser/Fewer
3/21/2014	Elzerman		2014-106644 Criminal Trespass 1s, F6	1	Court Trial - Guilty As Charged
3/28/2014	Agan		2012-135551 Murder 1st Degree, F1 Burglary 1st Degree, F2	1 1	Jury Trial - Guilty as Charged

Legal Advocate's Office – Dependency

Last Day of Trial	Attorney <i>CWS</i>	Judge	Case Number and Type	Result	Bench Or Jury Trial
11/18/2013	Haywood <i>Sanchez</i>	Anderson	JD511256 Dependency Trial	Dependency Finding	Bench
12/5/2013	Haywood <i>Sanchez</i>	Houser	JD507921 Dependency Trial	Dependency Finding	Bench
12/13/2013	Haywood <i>Sanchez</i>	Anderson	JD511109 Dependency Trial	Dependency Finding	Bench
1/30/2014	Youngblood <i>Pederson</i>	Harrison	JD18202 Severance Trial	Under advisement	Bench
2/4/2014	Timmes <i>Gill</i>	Beene	JD510474 Severance Trial	Granted	Bench
3/31/2014	Konkol <i>Nations</i>	Miles	JD18433 Dependency Trial	Dependency Found	Bench



2014 APDA CONFERENCE

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The Arizona Public Defender Association Annual Statewide Conference is the training and social event of the year. The three-day conference offers training on an incredibly diverse range of topics for attorneys, investigators, paralegals, mitigation specialists, and administrative support staff. Each year, we offer more than 125 classes and provide up to 18 hours of continuing legal education credit, including more than 12 hours of ethics credit.

But the real story of the conference is the energy created when almost 1,500 individuals who are dedicated to the same core values get together. The atmosphere is charged with anticipation of new discoveries and joyful reunions of old friends who have drifted apart to work in different areas of the state. The excitement is palpable, making the conference the ideal way for attorneys and staff to recharge their batteries. **Registration opens Thursday, May 15, 2014 and closes June 10.**

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