

# EXHIBIT J

## **EXPERT REPORT**

### **Jeffrey Fagan, Ph.D.**

I have been retained by the ACLU Foundation to serve as an expert in their litigation brought in connection with their representation of Mr. Cornell McNeal, who has been charged with capital murder under K.S.A. § 21-5401 in Sedgwick County, Kansas. My expert services include research to assess patterns of charging to determine the existence of racial disparities in the prosecution of capital-eligible cases under the same statutes in the period 1994 through August 2, 2020. My research and conclusions are based on a review of case documents, statutes and prosecution procedures, reports and monographs on capital punishment in Kansas and Sedgwick County, and statistical analyses of cases prosecuted under the same statute. I assess evidence on racial disparities in charging and sentencing of capital-eligible cases in this period, and compare patterns to cases charged and convicted capitally with all death eligible cases, including cases charged under K.S.A. §§ 21-5401 (capital murder), 21-5402 (first degree murder) and 21-5403 (second degree murder). This report presents details of the research completed for this case, including questions addressed, data accessed, methods, and conclusions.<sup>1</sup>

#### I. OVERVIEW

##### A. Qualifications

I am the Isidor and Seville Sulzbacher Professor of Law at Columbia Law School and Professor of Epidemiology at the Mailman School of Public Health at Columbia University. I also am a Senior Research Scholar at Yale Law School. A summary of my credentials and curriculum vitae are presented in Appendix F.

##### B. Questions Addressed

1. What are the demographic characteristics of persons charged by the Sedgwick County District Attorney (“DA”) with capital murder under K.S.A. § 21-5401? What are the characteristics of the cases who received death notices?
2. What are the demographic characteristics of defendants who were considered eligible for capital punishment by the Sedgwick County District Attorney but who were not charged under K.S.A. § 21-5401?
3. Of the cases where a death notice was issued, how many were sentenced to death? What is the gender, race and victim characteristics of those who were or were not sentenced to death?

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<sup>1</sup> I supervised a team of researchers (the "Columbia team") to assist in data collection, coding and analysis. The team included two retired criminology professors, a third year law student, a Computational Data Science researcher with a M.S. in Statistics, and advanced undergraduate majors and Ph.D. students in the Department of Psychology at Yale University.

4. Are there differences between those sentenced to death and those identified under ¶1-2 above based on their race, gender, and age, and the race, gender, and age of the victim?
5. What is the race-gender interaction of the cases identified in ¶1-2 above?

### C. Files Reviewed

1. A roster of all cases charged with Capital Murder (§ 21-5401) in Kansas on or after July 1, 1994 through 2020 was obtained from the statewide indigent defense services agency (BIDS) (see Appendix A). A second list was obtained in response to a discovery request from the Sedgwick County District Attorney's Office (see Appendix B, discovery request dated November 29, 2019 and responses dated February 21, 2020, March 30, 2021, and December 14, 2021).
2. From the BIDS list, capital charges were confirmed in 23 cases in Sedgwick County.<sup>2</sup> Cases charged with Capital Murder fulfilled one or more of seven categories of murder (see Appendix C). A list of those cases is in Appendix D.
3. Counsel for Mr. McNeal submitted a public records request for all potentially capital-eligible cases to the Sedgwick County District Attorney's office. In response, the Sedgwick County District Attorney's office provided a list of 168 homicide cases falling within seven categories of potentially capital-eligible offenses (see Appendix B). Updates with five additions and four deletions to this list were provided on two occasions after the initial discovery response, resulting in a revised total of 169 cases. *Id.*
4. We excluded all manslaughter cases at the outset. For the remaining cases, we reviewed relevant records. The records included at least three components: (1) probable cause affidavits shared under seal through a stipulated court order; (2) public court records, including docket reports, complaints, presentence reports, entries of judgment, notice of intent to seek the death penalty at a separate sentencing proceeding, withdrawal of notice to seek the death penalty, notice of aggravating circumstances, notice of mitigating circumstances, and jury instructions, where applicable; and (3) Kansas Standard Offense Reports (KSORs) requested and received from the investigating police agencies. Where available, appellate decisions were also reviewed. In some instances, we also reviewed media reports.
5. In addition, the Sedgwick County DA's office generated and provided a list of adult defendant prosecutions it considered as "possible" cases for capital murder charges and death notices. It updated this list twice. After

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<sup>2</sup> This list included one case, Gregory Moore, where venue had been changed from Harvey County to Sedgwick County. Mr. Moore thus was not prosecuted by the Sedgwick County DA office and is not included in my analysis in this report. The Harvey County prosecutors filed a death notice in his case, and he was tried and convicted by a Sedgwick County jury.

removal of the juveniles, who were not eligible for the death penalty, the DA's office "possible" list had 44 individuals. Of these, 23 cases were charged with capital murder, 17 cases were charged with first degree premeditated murder, three were charged with first degree felony murder, and one case was charged with second degree intentional murder. A roster of these cases is shown in Appendix D.

6. From these lists, the Columbia team coded the records for a large number of factors, including the race, age, and gender of the defendant and victim(s), whether the case was resolved by trial or plea, whether death was sought, and what sentence was imposed.

#### D. Additional Materials Reviewed

1. Additional materials reviewed included statutes, statistical data on the administration of the death penalty in Kansas during from 1990-2019, and media accounts of Sedgwick County capital cases.
2. I read the November 2004 report titled "Report of the Kansas Judicial Council Death Penalty Advisory Committee Report on Certain Issues Related to the Death Penalty" and the June 4, 2021 report titled "Equal Justice Under Law," Report of the Racial Justice Task Force of the Wichita Bar Association to the Board of Governors.
3. Statutes - K.S.A. § 24-5401: Capital Murder Statute; K.S.A. § 21-5402: First Degree Murder Statutes; K.S.A. § 21- 5403: Second Degree Murder Statute; K.S.A. § 21-6624: Aggravating Circumstances.
4. Handouts from a presentation by District Attorney Marc Bennett on when to seek the death penalty.

#### E. Summary of Conclusions

Statistical analyses comparing death-noticed and death-sentenced persons to several sets of similarly-situated cases suggest two forms of racial discrimination in charging.

1. Cases where one or more victims were White were significantly more likely to be charged with capital murder and to be death-noticed than compared to cases of intentional killing with victims who were Black or from other racial or ethnic groups.
2. Cases with one or more female victims were also significantly more likely to result in a capital murder charge or death notice compared to cases with male victims.
3. Cases where the victim was a White female are significantly more likely to be charged with capital murder and to be death noticed, compared to all other cases.

4. Black or Hispanic defendants who kill White victims are significantly more likely to be capitally charged and death noticed compared to other death-eligible cases. The presence of an increased propensity to seek death for cross-racial cases is consistent with results of several charging and sentencing studies in the post-*Gregg*<sup>3</sup> era.

## II. STUDY DESIGN

### A. Study Population

From the several sets of files described above, we developed four lists of cases for comparison and analysis. These cases originated from 1994, when Kansas reinstated the death penalty, through August, 2020. The specific cases on each list are shown in Appendix D. The tables in Appendix D show the demographics of each of these subsamples.

1. Death Sentenced Cases (N=6)<sup>4</sup>
2. Death Charged and Death Noticed Cases<sup>5</sup> (N=18)
3. DA compilation of Potential Death-Eligible Cases as defined (N=44)<sup>6</sup>
4. Cases evaluated to be death-eligible according to a systematic independent review using a decision tree analysis (N=58) (see Appendix E).<sup>7</sup>

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<sup>3</sup> *Gregg v. Georgia*, 428 U.S. 153 (1976).

<sup>4</sup> This list includes all death-sentenced cases, including those whose death sentences were later set aside.

<sup>5</sup> This includes all cases where the defendant was charged with capital murder and the state filed notice of its intent to seek death, regardless of whether that notice was later withdrawn or the case was resolved by plea for a lesser offense. This list includes eight cases where the state filed notice of its intent to seek death after January 14, 2013, under the tenure of the present Sedgwick County District Attorney.

<sup>6</sup> These are cases defined by the DA as death "possible," cases that the DA identified as possibly eligible for the death penalty, regardless of how they were charged or convicted. The DA's lists of "death possible" cases included individuals charged with (a) second degree murder, (b) first degree murder, (c) charged with capital murder but not death noticed, (d) charged with capital murder and noticed for the death penalty, and (e) those sentenced to death. Five persons on the original list were identified as minors who were below the age of 18 and ineligible for the death penalty (Sakone Donesay, Joshua Duque, Carlos De La Cadena-Edwards, Everett Gentry, and Santos Carrera-Morales).

<sup>7</sup> These cases were identified by a senior capital defense attorney who was not previously a participant in any aspect of the McNeal case. This person independently reviewed files of Sedgwick County cases of persons charged with (a) capital murder who were not death noticed and (b) first degree and second degree murder cases. The Independent Attorney used a formally structured decision tree to determine whether: (1) capital murder could have been charged; and (2) whether "death was possible." See Appendix E. The defense attorney did not independently review the cases that were actually death noticed; those cases were by definition treated as death eligible. Like the DA's "possible" list, the defense attorney's list included cases charged with: second degree murder, first degree murder, and capital murder.

## B. Variables and Measures

All cases were coded by students who were trained and supervised by Columbia researchers and a spreadsheet was created containing relevant information for each case from the source files. Data were cross-checked against the source documents, and again checked for consistency, accuracy and completeness by the supervisors. Data were ingested directly from the spreadsheets into a statistical data base Stata 17,<sup>8</sup> for computational analysis.

In addition to demographic variables on victims and defendants shown in Tables 1 - 4, variables representing the details of each case were coded, including:

1. Number of victims and defendants
2. Kansas Penal Code charges
3. Co-defendants
4. Number and demographic characteristics of victims and defendants
5. Statutory aggravators alleged and found, where applicable
6. Weapon used
7. Defense counsel and prosecutors
8. Appellate review and decisions

Variables were eliminated from the analyses that were either redundant with this list, or where missing information was too extensive and would bias the analyses.

## C. Methods of Analysis

Two analytic methods were used in the analyses. First, we conducted a series of bivariate cross-tabulations to isolate variables in response to specific questions that would identify the potential influences of race or ethnicity, gender, and age of defendants and victims. We also included information on the weapon used in the killing a potential consideration in the charging of the crime and the alleging of specific statutory aggravators.

### 1. *Bivariate analyses.*

The test for statistical significance in a bivariate analysis of a contingency table of categorical (discrete) variables is the Fisher's Exact T Test. It is ideally suited for tests when the sample sizes are small. It tests the statistical significance of an association between two variables. The p-value of significance is based on the deviation of the values in each combination of the variables compared to what one would expect from knowing frequencies of the composite variables.<sup>9</sup> In this example, we want to know if teenagers vary in how often they study for an important test.

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<sup>8</sup> <https://www.stata.com/new-in-stata/>

<sup>9</sup> See Graham J.G. Upton, *Fisher's Exact Test*, 155 J. ROYAL STATISTICAL SOCIETY (SERIES A) 395 (1992).

	Men	Women	Row Total
Studying	<i>a</i>	<i>b</i>	<i>a + b</i>
Non-studying	<i>c</i>	<i>d</i>	<i>c + d</i>
Column Total	<i>a + c</i>	<i>b + d</i>	<i>a + b + c + d (=n)</i>

We would test to see if these values in each cell were significantly different from what we would expect only knowing the row or column totals. The basic formula is:

$$p = \frac{\binom{a+b}{a} \binom{c+d}{c}}{\binom{n}{a+c}} = \frac{\binom{a+b}{b} \binom{c+d}{d}}{\binom{n}{b+d}}$$

The formula tells us the conditional probability that studying and gender are independent or if studying is conditional on gender. The statistical package<sup>10</sup> used for this analysis calculates the probability of observing the distribution. The p-values derived from these analyses assume a two-tailed distribution, which is agnostic about the actual distributions of this variable in a large population.

## 2. Multivariate Regression

A series of multivariate regressions were estimated to identify which factors would predict which cases will be charged as capital cases and have a death notice filed. The primary interest was on racial disparities in death-noticing and sentencing capital cases compared to cases that were capital-eligible but not death noticed or death sentenced. This requires a regression method that is tailored for categorical (including binary) outcomes. Accordingly, logistic regression methods were used to identify the case factors that predict the outcomes of interest.<sup>11</sup> The basic logistic regression model takes the form of:

$$\text{logit}(Y) = \text{natural log(odds)} = \ln\left(\frac{\pi}{1-\pi}\right) = \alpha + \beta X.$$

The results of the logistic regression show the odds ratio indicating the likelihood of a unit change in the dependent variable (group membership) given a change in the predictor (independent variable).<sup>12</sup>

<sup>10</sup> See Stata 17, supra n. 7.

<sup>11</sup> David W Hosmer Jr, Stanley Lemeshow, & Rodney X. Sturdivant, *Applied Logistic Regression* (2nd. ed.) 1- 7 (Wiley & Sons, Inc., 2<sup>nd</sup> ed. 2013).

<sup>12</sup> Max A. Halvorson, Connor J. McCabe, Dale S. Kim, Xiaolin Cao, and Kevin M. King. "Making sense of some odd ratios: A tutorial and improvements to present practices in reporting and visualizing quantities of interest for binary and count outcome models." *Psychology of Addictive Behaviors* <https://doi.org/10.1037/adb0000669> (2021).

However, the small number of cases in the various groups suggested that a linear or logistic regression would be underpowered to draw reliable conclusions.<sup>13</sup> Accordingly, we use a Firth regression, a form of logistic regression designed to reduce the risk of biased estimates in regression estimates under conditions of small samples.<sup>14</sup> Standard testing methods that rely on typical theories will also not preserve the Type I error rate, and they risk an inflated Type II (false positive) error rate. Joint analyses by pooling or “collapsing” multiple factors based on information are preferred in association tests with finely divided groups.<sup>15</sup> The Firth method provides a bias-reduction for small sample size to avoid these constraints. The Firth regression, as with logistic regression generally, generates unbiased statistical significance tests for the probability that a change in a predictor variable will produce a change in the dependent variable or outcome. The statistical package that used for data analysis in this Report, Stata, includes a component for the Firth regression.<sup>16</sup>

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<sup>13</sup> The power of a statistical test is probability it correctly rejects a false null hypothesis. In lay terms, if an effect (a difference between groups) has a certain size, how likely are we to discover it given the sample size? Will it have sufficient sensitivity to detect those effects it purports to test? A more technical definition is that it is the probability of avoiding a Type II error, or rejecting the null hypothesis of no group differences when it may actually be true. For this charging and sentencing study, power is the ability to detect bias when it exists given differences in the charging and sentencing rates of small groups. Power depends not only on the difference in charging rates but on their magnitudes as well. Small variations in these parameters can produce large variations in power. See JACOB COHEN, *STATISTICAL POWER ANALYSIS FOR THE BEHAVIORAL SCIENCES* (Routledge, 2013).

<sup>14</sup> David Firth, *Bias Reduction of Maximum Likelihood Estimates*, 80 *BIOMETRIKA* 27–38 (1993), doi: 10.1093/biomet/80.1.27

<sup>15</sup> Xuefeng Wang, *Firth Logistic Regression for Rare Variant Association Tests*. 5 *FRONTIERS IN GENETICS* 187 (2014), doi: [10.3389/fgene.2014.00187](https://doi.org/10.3389/fgene.2014.00187)

<sup>16</sup> Joseph Coveney, *FIRTHLOGIT: Stata Module to Calculate Bias Reduction in Logistic Regression*, (2021), available at <https://econpapers.repec.org/software/bocbocode/S456948.htm>.



### III. RESULTS

#### A. Bivariate Tests

We conducted a series of bivariate tests of each of the independent variables with the 'test' groups of capital-charged and death-noticed defendants.

Prosecutors filed death notices in 18 cases in Sedgwick County during the relevant time period. Table 1 compares these 18 cases to the 26 cases the Sedgwick County prosecutors identified as death eligible, but not death noticed.<sup>17</sup> Table 1 identifies four significant comparisons. Cases with female victims were more likely to be death-noticed as compared to cases with male victims.<sup>18</sup> The number of aggravators alleged also are a significant predictor, but the discussion below suggests reasons to doubt the reliability of those measures and the probative value of the conclusions about the aggravators. To examine the intersection of victim race and victim gender, a variable was created to compare White female victim cases with all other race-gender groups. The White female victim cases were significantly more likely than other victim race-gender combinations to be death-noticed.

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<sup>17</sup> There was a single Asian defendant in the death eligible population, and that case was the only case with Asian victims. Because of the small numbers, they were captured in the analysis for “Defendant POC” and “Victim POC” but not shown independently.

<sup>18</sup> In cases with multiple victims, the case was treated as “female” if there was at least one female victim.

**Table 1. Comparison of Death-Noticed Defendants with the State DA List of Possibly Death-Eligible Cases**

<b>Variables</b>	<b>Death Notice (N=18)</b>	<b>State DA List/No Notice (N=26)</b>
Defendant Black	7 (39%)	14 (54%)
Defendant Hispanic	3 (17%)	3 (12%)
Defendant White	7 (39%)	8 (31%)
Defendant POC†	11 (61%)	18 (69%)
Defendant Female	1 (6%)	1 (4%)
Defendant Male	17 (94%)	25 (96%)
Defendant Over 21	8 (44%)	12 (46%)
Defendant Under 21	10 (56%)	14 (54%)
Victim Black	2 (11%)	9 (35%)
Victim Hispanic	2 (11%)	7 (27%)
<b>Victim White</b>	<b>13 (72%)</b>	<b>10 (38%)* p=.036</b>
<b>Victim POC</b>	<b>5 (28%)</b>	<b>16 (62%)* p=.036</b>
<b>Victim Female</b>	<b>18 (100%)</b>	<b>11 (42%)* p=.000</b>
<b>Victim Male</b>	<b>0 (0%)</b>	<b>15 (58%)* p=.000</b>
Victim Under 14	2 (11%)	0 (0%)
Victim Over 14	16 (89%)	26 (100%)
<b>Victim White Female</b>	<b>13 (72%)</b>	<b>5 (19%) p=.001</b>
<b>Multiple Aggravators</b>	<b>15 (83%)</b>	<b>10 (38%) p=.005</b>
Mean Aggravators	3	1.42
Multiple Decedents	13	20
Mean Decedents	2	1.88

† “POC” or “Person of Color” includes any defendant who is not White; this includes all Black (7), Hispanic (3), and Asian (1) defendants.

Table 2 compares characteristics of death-noticed cases with cases identified as death-eligible through the Independent Review. Seven comparisons were statistically significant. Black victim cases were less likely to be death-noticed, while White victim cases were more likely to be death-noticed. Cases with victims who were either Black or Hispanic were significantly less likely to be death noticed. Similar to Table 1, cases with Female victims and White Female victims were significantly more likely to be death-noticed, as were cases with a higher number of statutory aggravators.

**Table 2. Comparison of Death-Noticed Cases with Cases Determined Death Eligible in the Independent Review**

<b>Independent Variables</b>	<b>Death Notice (N=18)</b>	<b>Independent Review (N=40)</b>
Def Black	7 (38.89%)	23 (57.50%)
Def Hispanic	3 (16.67)	6 (15.00)
Def White	7 (38.89)	10 (25.00)
Def POC	11 (61.11)	30 (75.00)
Def Female	1 (5.56)	2 (5.00)
Def Male	17 (94.44)	38 (95.00)
Def < 22 years old	8 (44.11)	20 (50.00)
Def > 21 years old	10 (55.56)	20 (50.00)
<b>Victim Black</b>	<b>2 (11.11)</b>	<b>18 (45.00)* p=.016</b>
Victim Hispanic	2 (11.11)	9 (22.50)
<b>Victim White</b>	<b>13 (72.22)</b>	<b>13 (32.50)* p=.009</b>
<b>Victim POC</b>	<b>5 (27.78)</b>	<b>27 (67.50)* p=.009</b>
<b>Victim Female</b>	<b>18 (100.00)</b>	<b>18 (45.00)* p=.000</b>
Victim Male	0 (0.00)	22 (55.00)
Victim < 15 years old	2 (11.11)	0 (0.00)
Victim > 14 years old	16 (88.89)	40 (100.00)
<b>Victim White Female</b>	<b>13 (72.22)</b>	<b>6 (15.00)* p=.000</b>
<b>Aggs &gt; 1 (v4025a)</b>	<b>15 (83.33)</b>	<b>14 (35.00)* p=.001</b>
<b>Mean # Aggs (v4025)</b>	<b>3.06</b>	<b>1.40* p=.000</b>
Decedents > 1 (v1019a)	13 (68.42)	31 (77.50)
Mean # decedents	2.11	1.85

Table 3 compares cases charged with Capital Murder with those on the State DA List of possibly death-eligible cases who were not capitally charged. As in the tables above, Female victim cases and White Female victim cases were significantly more likely to be charged as capital cases. Again, cases with more aggravators also were more likely to be charged with capital murder.

**Table 3. Comparison of Cases Charged with Capital Murder and the State DA List of Potentially Death-Eligible Cases Not Capitally Charged**

Independent Variables	Charged Capital Murder (N=23)	State DA List (N=21)
Def Black	10 (43.48%)	11 (52.38%)
Def Hispanic	3 (13.04)	3 (14.29)
Def White	9 (39.13)	6 (28.57)
Def POC	14 (60.87)	15 (71.43)
Def Female	1 (4.35)	1 (4.76)
Def Male	22 (95.65)	20 (95.24)
Def < 22 years old	12 (52.17)	8 (38.10)
Def > 21 years old	11 (47.83)	13 (61.90)
Victim Black	4 (17.39)	7 (33.33)
Victim Hispanic	3 (13.04)	6 (28.57)
Victim White	15 (65.22)	8 (38.10)
Victim POC	8 (34.78)	13 (61.90)
<b>Victim Female</b>	<b>22 (95.65)</b>	<b>7 (33.33)* p=.000</b>
Victim Male	<b>1(4.35)</b>	<b>14 (66.67)*p=.000</b>
Victim < 15 years old	2 (8.70)	0 (0.00)
Victim > 14 years old	21 (91.30)	21 (100.00)
<b>Victim White Female</b>	<b>14 (60.87)</b>	<b>4 (19.05)* p=.007</b>
<b>Aggs &gt; 1 (v4025a)</b>	<b>19 (82.61)</b>	<b>6 (28.57) * p=.001</b>
<b>Mean # Aggs (v4025)</b>	<b>2.87</b>	<b>1.24* p=.000</b>
Decedents > 1 (v1019a)	17 (73.91)	16 (76.19)
Mean # decedents	2.13	1.81

Note: The State DA List included all of the cases that were capitally charged. For this analysis, those cases were included in the capitally charged group and thus omitted from the State DA List.

Table 4 shows a familiar pattern of case factors that distinguish cases charged as Capital Murder from those on the Independent Review list of possible death-eligible cases. Cases with Black victims were less likely to be charged with Capital Murder than victims of other racial or ethnic groups. The same is true in cases where the victim is a Person of Color. In contrast, cases with White victims and Female victims also are significantly more likely to be charged as capital murders compared to potentially death-eligible cases identified in the Independent Review. Together, these results suggest a preference to charge cases with White victims more often as capital cases. Cases with female victims, and White female victims in particular, were significantly more likely to be charged capitally. The number of aggravators alleged is also a significant predictor.

**Table 4. Comparison of Cases Charged as Capital Murder with Cases Identified as Death-Eligible but Not charged as Capital Murder from the Independent Review**

Independent Variables	Charged Capital Murder (N=23)	Independent Review (N=35) <sup>a</sup>
Def Black	10 (43.48%)	20 (57.14%)
Def Hispanic	3 (13.04)	6 (17.14)
Def White	9 (39.13)	8 (22.86)
Def POC	14 (60.87)	27 (77.14)
Def Female	1 (4.35)	2 (5.71)
Def Male	22 (95.65)	33 (94.29)
Def < 22 years old	12 (52.17)	16 (45.71)
Def > 21 years old	11 (47.83)	19 (54.29)
<b>Victim Black</b>	<b>4 (17.39)</b>	<b>16 (45.71)* p=.047</b>
Victim Hispanic	3 (13.04)	8 (22.86)
<b>Victim White</b>	<b>15 (65.22)</b>	<b>11 (31.43)* p=.016</b>
<b>Victim POC</b>	<b>8 (34.78)</b>	<b>24 (68.57)* p=.016</b>
<b>Victim Female</b>	<b>22 (95.65)</b>	<b>14 (40.00)* p=.000</b>
Victim Male	1 (4.35)	21 (60.00)* p=.000
Victim < 15 years old	2 (8.70)	0 (0.00)
Victim > 14 years old	21 (91.30)	35 (100.00)
<b>Victim White Female</b>	<b>14 (60.87)</b>	<b>5 (14.29)* p=.000</b>
<b>Aggs &gt; 1 (v4025a)</b>	<b>19 (82.61)</b>	<b>10 (28.57) * p=.000</b>
<b>Mean # Aggs (v4025)</b>	<b>2.87</b>	<b>1.29* p=.000</b>
Decedents > 1 (v1019a)	17 (73.91)	27 (77.14)
Mean # decedents	2.13	1.80

Table 5 compares death sentenced individuals to those defined as death eligible by the DA. Only six defendants have ever been sentenced to death in Sedgwick County. The ability to draw statistical conclusions about sentencing practices from this group is necessarily limited by the small number of cases. Nonetheless, similar patterns from the charging analyses apply in the death sentenced cases.

Statistically significant differences were found in comparisons between those individuals ever sentenced to death and those considered death eligible, as defined by the District Attorney. Compared to the DA death eligible list, White victim, female victim, and White female victim cases were all significantly more likely to result in death, and victim of color cases were less likely to result in death.

**Table 5. Comparison of Death Eligible Cases as Defined by the State without Death Sentences and Death Sentenced Cases**

Variables	Death Eligible by State (N=38)	Death Sentence (N=6)
Defendant Black	19	2
Defendant Hispanic	6	0
Defendant White	11	4
Defendant POC	27	2
Defendant Female	2	0
Defendant Male	36	6
Defendant Over 21	16	4
Defendant Under 21	22	2
Victim Black	11	0
Victim Hispanic	9	0
<b>Victim White</b>	<b>17</b>	<b>6*</b>
<b>Victim POC</b>	<b>21</b>	<b>0*</b>
Victim Female	23	6
Victim Male	15	0
Victim Under 14	2	0
Victim Over 14	36	6
<b>Victim White Female</b>	<b>12</b>	<b>6**</b>
<b>Multiple Aggravators</b>	<b>19</b>	<b>6*</b>
Mean Aggravators	29	4
<b>Multiple Decedents</b>	<b>2</b>	<b>3.33*</b>
Mean Decedents	2	2.67

Table 6 compares death eligible cases, as determined by the Independent Review, that did not result in death sentences with those that did result in a death sentence. For the Independent Review, these same factors as with the State’s definition of death eligibility—White victim, victim of color, White female victim, multiple aggravators and multiple decedents—were statistically significant when comparing death eligible defendants not death sentenced to those individuals death sentenced.

**Table 6. Comparison of Cases Identified as Death-Eligible from the Independent Review But Not Death Sentenced with Those Death Sentenced**

Variables	Death Eligible by Independent Review (N=52)	Death Sentence (N=6)
Defendant Black	28	2
Defendant Hispanic	9	0
Defendant White	13	4
Defendant POC	39	2
Defendant Female	3	0
Defendant Male	49	6
Defendant Over 21	24	4
Defendant Under 21	28	2
Victim Black	20	0
Victim Hispanic	11	0
Victim White	20	6**
Victim POC	32	0**
Victim Female	30	6
Victim Male	22	0
Victim Under 14	2	0
Victim Over 14	50	6
Victim White Female	13	6***
Multiple Aggravators	23	6*
Mean Aggravators	40	4
Multiple Decedents	2	3.33*
Mean Decedents	2	2.67

Table 7 reports the numbers of individuals at each stage of the process, beginning with the universe of death eligible individuals as defined by the State. This demonstrates where demographic groups fall out or concentrate in the process from eligibility to death imposition. For example, male defendants are in the vast majority at every stage of the process and all capital trials and death sentences are of male defendants. In contrast, Black victims are a significant portion of death eligible cases but a much smaller portion of death noticed cases and are entirely absent from death sentenced cases.

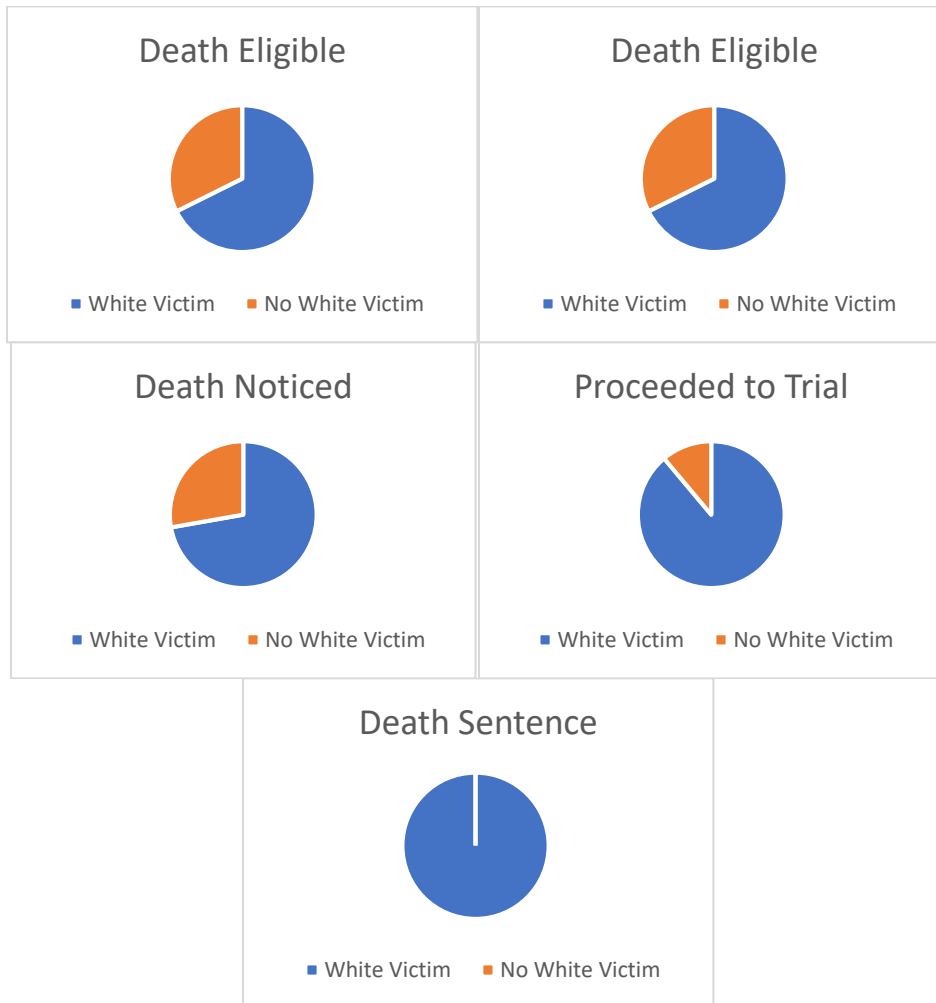
**Table 7. Progression of Death Eligible Cases as Defined by the State Through Charging, Death Noticing, Capital Trial and Death Sentencing**

Variables	Death Eligible by State		Charged Capital Murder		Death Noticed		Proceeded to Trial		Death Sentenced	
Defendant Black	21	48%	10	43%	7	39%	5	56%	2	33%
Defendant Hispanic	6	14%	3	13%	3	17%	0	0%	0	0%
Defendant White	15	34%	9	39%	7	39%	4	44%	4	67%
Defendant POC	29	66%	14	61%	11	61%	5	56%	2	33%
Defendant Female	2	5%	1	4%	1	6%	0	0%	0	0%
Defendant Male	42	95%	22	96%	17	94%	9	100%	6	100%
Defendant Over 21	20	45%	12	52%	8	44%	6	67%	4	67%
Defendant Under 21	24	55%	11	48%	10	56%	3	33%	2	33%
Victim Black	11	25%	4	17%	2	11%	1	11%	0	0%
Victim Hispanic	9	20%	3	13%	2	11%	0	0%	0	0%
Victim White	23	52%	15	65%	13	72%	8	89%	6	100%
Victim POC	21	48%	8	35%	5	28%	1	11%	0	0%
Victim Female	29	66%	20	87%	18	100%	9	100%	6	100%
Victim Male	15	34%	1	4%	0	0%	0	0%	0	0%
Victim Under 14	2	5%	2	9%	2	11%	2	22%	0	0%
Victim Over 14	42	95%	21	91%	16	89%	7	78%	6	100%
Victim White Female	18	41%	14	61%	13	72%	8	89%	6	100%

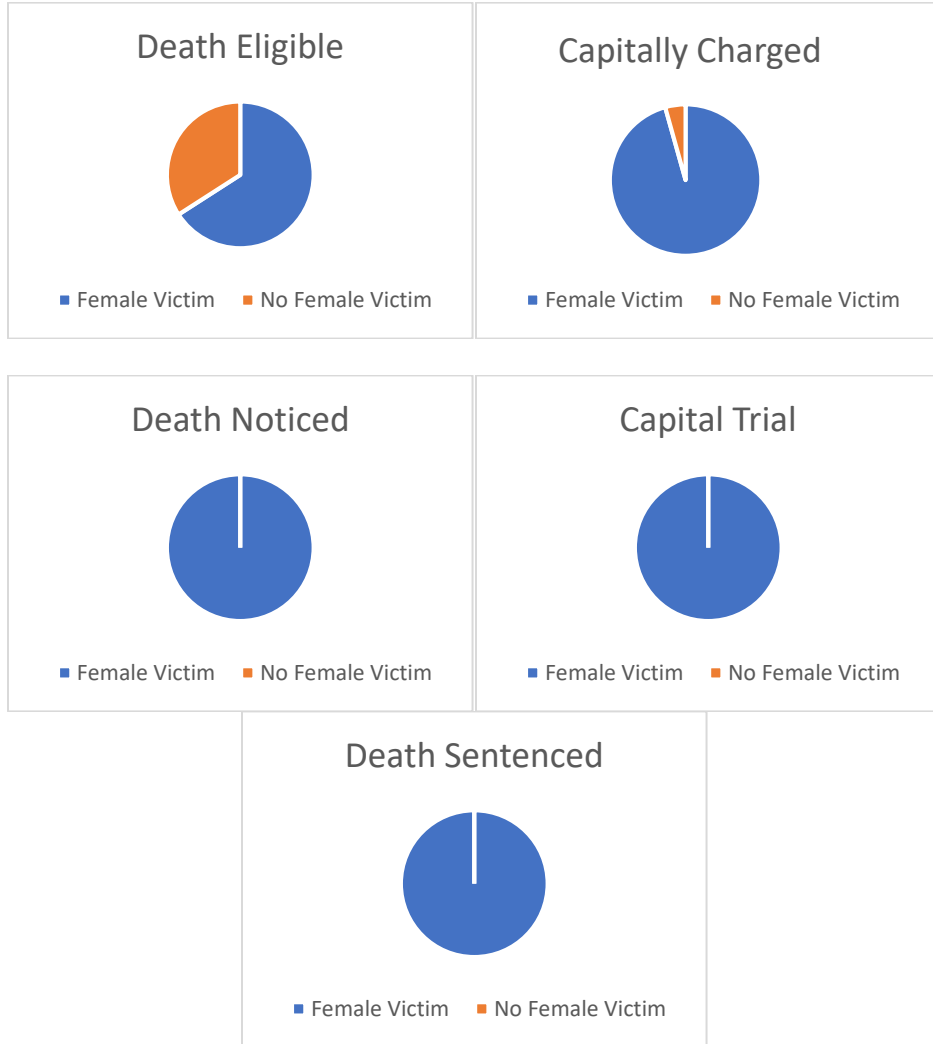


This progression across cases can also be shown graphically. Figures 1 to 3 illustrate the different stages beginning with the State’s estimation of death eligible cases for cases with at least one White victim compared to all others (Fig. 1); cases with at least one Female victim compared to all others (Fig. 2); and cases with at least one White Female victim compared to all others.

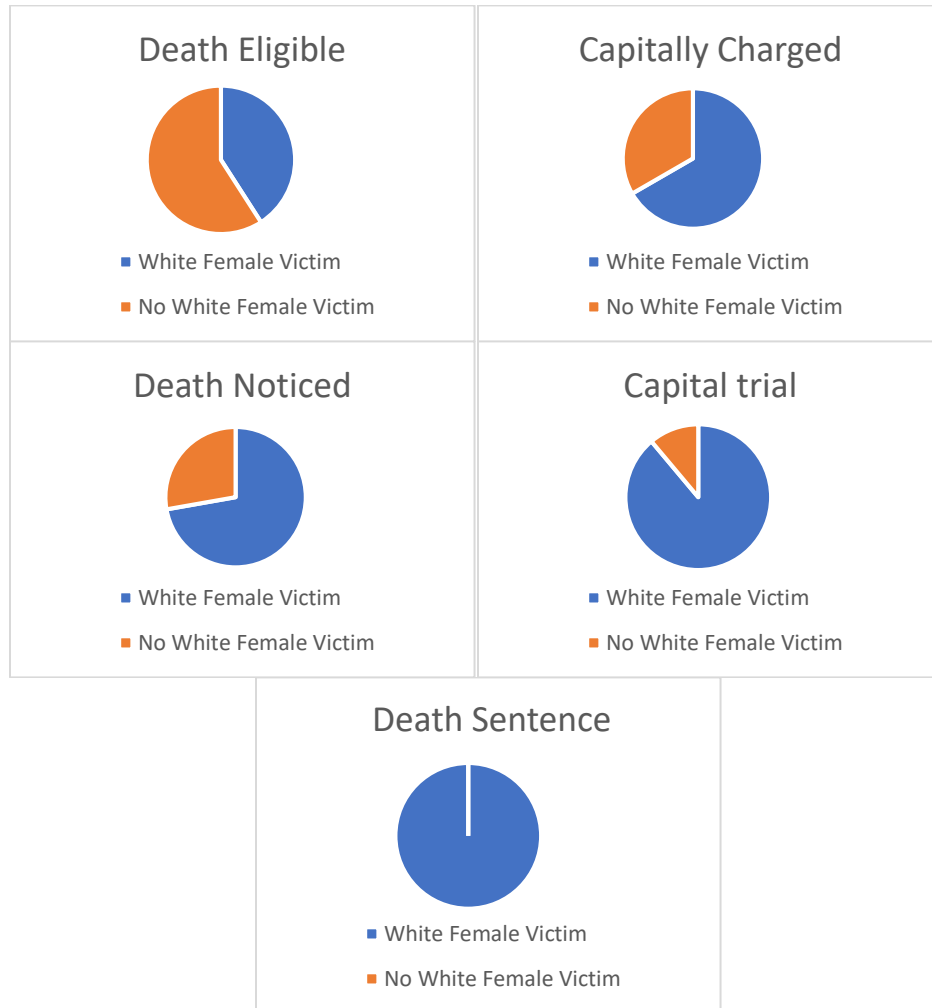
**Fig 1. Capital Stages By White Victim**



**Fig 2. Capital Stages By Female Victim**



**Fig 3. Capital Stages for White Female Victims Compared to All Others**



**Summary Of Bivariate Charging and Death Sentencing Results**

The tables and figures shown above collectively and consistently identify a set of case characteristics that are associated with the decision to either charge a case as a capital murder or to pursue a death sentence, distinguishing those cases from other similarly situated murders where death is not sought. The patterns show the systematic contributions of White victim status to the decision to charge or seek a death sentence. A second consistent contributor to death-seeking is the subgroup of White victim cases where the victim is female. Additionally, some of these tables identify a pattern of not charging Black victim cases capitally, suggesting again a preference for White victim cases. Even in the presence of other potential contributors to the decision to seek death, the robustness of the White victim feature of death-seeking stands out. This racial gap in death-seeking aligns with

the results of empirical studies over the past three decades on charging and sentencing in capital-eligible cases.<sup>19</sup>

## B. Firth Logistic Regressions

Using the results in Tables 1–4, I estimated a series of Firth logistic regressions to identify the interaction of these factors in predicting which cases are more likely to lead to a decision to charge, seek or impose a death sentence. From the tables above, I isolated factors associated with victim race, victim gender, and case features including the number of decedents and the statutory aggravators.<sup>20</sup>

Table 8 below shows the results of the regressions. These models were designed to test the combined effects of the various case factors identified in Tables 1–4. The regression parameters are shown as odds ratios, for ease of interpretation. An odds ratio greater than 1.0 suggests that the factor is positively influencing the outcome compared to the reference group. An odds ratio below 1.0 suggests the factor is negatively influencing the outcome.<sup>21</sup>

Four regressions were estimated, matching several of the bivariate comparisons and isolating the significant effects from those tables in the decision to charge or seek death. The first compares cases where defendants received death notices compared to those whom the State DA identified as "death eligible." The second compares Death-Noticed cases with those identified as death eligible based on the Independent Review discussed earlier. The third compares cases where capital murder was charged with the State DA list of "possible" death penalty cases. The

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<sup>19</sup> See, e.g., Catherine M. Grosso, et al., *Race Discrimination and the Death Penalty: An Empirical and Legal Overview, in America's Experiment with Capital Punishment: Reflections on The Past, Present, And Future of the Ultimate Penal Sanction* 525-576 (J.D. Bessler et al. eds., 3rd ed., 2014); David C. Baldus, George Woodworth, Michael Laurence, Jeffrey Fagan, Catherine M. Grosso & Richard Newell, *Furman at 40: Constitutional Challenges from California's Failure to (Again) Narrow Death Eligibility*, 16 J. EMP. LEG. STUD. 693 (2019); Barbara O'Brien, Catherine M. Grosso, George Woodworth & Abijah Taylor, *Untangling the Role of Race in Capital Charging and Sentencing in North Carolina, 1990-2009*, 94 NCL REV. 1997 (2015); Scott Phillips & Justin Marceau, *Whom the State Kills*, 55 HARV. CR-CLL REV. 585, 625 (2020) (showing that those convicted of killing white victims were more likely to be sentenced to death and to be put to death). (2020) (showing that those convicted of killing white victims were more likely to be sentenced to death and to be put to death.)

<sup>20</sup> Data on aggravators that were found at trial was sparse and unreliable, and that factor was omitted from the regressions.

<sup>21</sup> Odds ratios of 1.0 suggest no difference based on that factor. An odds ratio above 1.0 is interpreted as a multiple of the factor. For example, when the victim is a White female, the odds ratio above 1.0 suggests that defendant in that case is more likely to face a death charge or notice or sentence. If, for example, the defendant is Black, the odds ratio of .675 in Table 8 suggests that that person is 32.5% less likely to face the death penalty compared to defendants of other races. If the victim is a White female, the defendant is 9 times more likely to face a death charge than a person who murders a Black or Hispanic or Other Race Female or male.

fourth compared cases charged with capital murder with death-eligible cases identified in the Independent Review.

**Table 8. Firth Logistic Regressions on Factors Predicting Death Penalty Charge or Notice (OR,SE, p)**

	Death-Noticed Cases v. State DA List		Death-Noticed Cases v. Independent Review		Capital Murder Charged Cases v. State DA List		Capital Murder Charged Cases v. Independent Review List <sup>a</sup>	
	OR	SE	OR	SE	OR	SE	OR	SE
Defendant Black or Hispanic	3.020	(3.00)	1.91	(1.69)	1.680	(1.43)	1.05	(.81)
Victim White Female	8.75**	(7.66)	9.39***	(7.62)	3.60*	(2.83)	4.30*	(3.13)
>1 Aggravators	4.68*	(3.89)	4.04*	(3.07)	6.76***	(4.95)	5.78***	(3.83)
Multiple Decedents	1.22	(.991)	1.33	(1.06)	1.32	(1.03)	1.32	(.96)
Constant	.042**	(.06)	.042**	(.06)	.125*	(.15)	.118**	(.123)
N of Observations	44		58		44		58	
Log likelihood	-19.12		-22.59		-20.16		-25.48	
Chi-square	10.25		14.51		11.24		15.15	
p(Chi-square)	0.040		0.006		0.024		0.004	

a. Excludes five cases that were prosecuted as death cases

Significance: \* = p < .10, \*\* = p < .05, \*\*\* = p < .01

Across the four models in Table 8, the regressions show strong preference for seeking death in cases where the victim was a White female, and where multiple aggravators were alleged. The regression estimates for each variable take into account the influences of the other variables in the regression model. In other words, mutual influences of the various predictors are accounted for. The effects of victim-gender dyads are adjusted for - or controlled for - the effects of the other variables in the model. Accordingly, the results show that in White female victim cases, death is sought or charged at least three times more often than in other victim-gender dyads, and as high as nine times more likely in the death-noticed model compared to the Independent Review list, controlling for the other variables in the model.

An additional set of Firth regressions was estimated to assess racial discrimination in the subset of cross-racial killings in the pool of cases charged with capital murder. This is an important feature of death penalty caselaw and research for over three decades, and that remains controversial today as a matter of Fourteenth Amendment Equal Protection and Eighth Amendment Cruel and Unusual Punishment caselaw.<sup>22</sup> Using the set of cases analyzed in Table 4, 18 cross racial

<sup>22</sup> See, e.g., Marvin E. Wolfgang & Marc Riedel, RACE, JUDICIAL DISCRETION, AND THE DEATH PENALTY, ANNALS OF THE AM. ACAD. OF POL. & SOC. SCI. 407.1 (1973): 119-133. *McCleskey v. Kemp*, 481 U.S. 279 (1987); Grosso et al., supra n. 18. David C. Baldus, Charles Pulaski & George Woodworth, *Comparative Review of Death Sentences: An*

killings were identified, including 14 cases of Black or Hispanic defendants killing White victims and an additional four cases of Whites killing non-White victims. The model of four White defendants charged with killing non-White victims did not converge due to insufficient statistical power, and accordingly are not shown.

Table 9 shows the results of the Firth logistic regression on charging or death noticing in cross-racial killings in cases with Black or Hispanic defendants charged with killing White victims. Compared to within-race killings by Black or Hispanic defendants in the State DA List or in the Independent Review, cross-racial killings were five times more likely to be charged or noticed as a capital case compared to the same killings among those identified as possibly death-eligible in the independent review. The result was statistically significant ( $p < .05$ ).

**Table 9. Firth Logistic Regressions on Cross-Race Killings and Death Penalty Charge (OR, SE, p)**

	Capital Murder Charged Cases v. Independent Review List <sup>a</sup>		Capital Murder Charged Cases v. Independent Review List	
	OR	SE	OR	SE
Cross-Racial Killing <sup>b</sup>	5.00**	(3.74)	5.08**	(4.00)
Constant	.231***	(.12)	.171***	(.10)
N of Observations	37		36	
Log likelihood	-14.13		-16.79	
Chi-square	7.19		4.25	
p(Chi-square)	0.028		0.039	

a. Independent Review excludes cases charged as capital murder

*Empirical Study of the Georgia Experience*. 74 J. CRIM. L. & CRIMINOLOGY 661 (1983); Barbara O'Brien *et al.*, *The Role of Race in Charging and Sentencing*, *supra* n. 18; Glenn L., Pierce, Michael L. Radelet & Susan Sharp, *Race and Death Sentencing for Oklahoma Homicides Committed Between 1990 and 2012*, 107 J. CRIM. L. & CRIMINOLOGY 733 (2017); Philips and Marceau, *Whom the State Kills*, *supra* n. 18; David C. Baldus, George Woodworth & Charles A. Pulaski Jr., *The Influence of Racial and Suspect Factors in the Postconviction Phases of Georgia's Capital-Sentencing System*, in *Equal Justice and the Death Penalty: A Legal and Empirical Analysis* 140–97 (1990); Frank R. Baumgartner, Amanda J. Grigg & Alisa Mastro, *#BlackLivesDon'tMatter: Race-of-Victim Effects in US Executions, 1976–2013*, 3 POLITICS, GROUPS & IDENTITIES 209 (2015), doi: 10.1080/21565503.2015.1024262; FRANK BAUMGARTNER, MARTY DAVIDSON, KANEESHA JOHNSON, ARVIND KRISHNAMURTHY & COLIN WILSON, *DEADLY JUSTICE: A STATISTICAL PORTRAIT OF THE DEATH PENALTY* 139 (2018).

b. Includes 14 killings of White Victims by Black or Hispanic defendants. Models with 4 Killings by White Defendants of Black or Hispanic victims did not converge.

Significance: \* =  $p < .10$ , \*\* =  $p < .05$ , \*\*\* =  $p < .01$

Accordingly, within the broader set of cases in Sedgwick County, the analysis of this small subset of cross-racial killings adds to the evidence of racial discrimination in the application of the state's death penalty statutes.

### C. Interpreting Statutory Aggravators

The *Gregg* Court was adamant that statutory aggravators are the case factors that would assist courts to distinguish crimes that might receive a death sentence from "ordinary" murders.<sup>23</sup> However, empirical studies on charging and sentencing rarely take aggravators into consideration in assessing racial disparities. Although the research for this case collected and coded information on statutory aggravators, these data were inconsistently available. This information was often missing from the court and prosecution records that were the sources relied on to describe the specific nature of the killing and its eligibility for capital punishment. There are strong doubts about their probative value in an empirical project to compare cases, and their validity as a measure of the severity of a murder. For the following reasons, data on statutory aggravators were not discussed in the interpretation of the analyses of racial bias in charging and sentencing.

First, the number of aggravating factors charged, if any, is entirely a function of prosecutorial discretion, because there is nothing in Kansas law requiring prosecutors to charge aggravating circumstances. Whether a prosecutor seeks death is likely to have a direct impact on whether the prosecutor will notice aggravating factors. While aggravating factors are a requirement for a capital sentence and must be noticed, there is no requirement in Kansas law to allege aggravating factors in first degree murder cases. State law changed in July 2014 to increase the presumptive sentence for first-degree intentional murder to life in prison with the possibility of parole after 50 years.<sup>24</sup> From that point on, there was no functional purpose for prosecutors to allege statutory aggravators in first-degree premeditated murder cases. The data analyzed in this study confirm that statutory aggravators are rarely mentioned in any of the first-degree murder case files. Incentives for prosecutors to assess and charge aggravators are attenuated

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<sup>23</sup> Chelsea Creo Sharon, "The" most deserving" of death: The narrowing requirement and the proliferation of aggravating factors in capital sentencing statutes." 46 *Harv. CR-CLL Rev.* 223 (2011). Sam Kamin and Justin Marceau. "Vicarious Aggravators." 65 *Fla. L. Rev.* 769 (2013). David C., Baldus et al. "Furman at 45: Constitutional challenges from California's failure to (again) narrow death eligibility." 16 *Journal of Empirical Legal Studies* 693 (2019). James S. Liebman, James S. "The overproduction of death." 100 *Colum. L. Rev.* 2030 (2000)

<sup>24</sup> See Kansas Legislator Briefing Book (2017) at 1-2, available at <http://www.kslegresearch.org/KLRD-web/Publications/BriefingBook/2017Briefs/G-7-Sentencing.pdf>.

for many otherwise death-eligible cases. In those cases, an observer would be unaware of their presence.

For this analysis, then, no conclusion can be made about the role of statutory aggravators in charging or death-noticing a case, when comparing cases charged or not charged with capital murder, or death-noticed. This is true for the subset of cases that were thought to be "potentially death-eligible," either through the Independent Review or the cases nominated in the State DA's list.

In terms of research design and statistical analysis, this inconsistent reporting means that data on aggravators are considered missing or censored information, and no assumptions can be made about these cases. A researcher might assume that missing data are random, in which case they might be ignorable. One ignores this kind of selection bias at the risk of reliability of any conclusions; ignoring selection bias on cases or information would lead to flawed conclusions.<sup>25</sup> In simpler terms, the claim of race-neutral prosecutorial decisions to charge suspects with death-eligibility without complete or robust information on the necessary aggravators is blind to the possibility that these results may not be replicable under other sampling and measurement conditions.<sup>26</sup>

An additional problem is the highly subjective nature of aggravating circumstances. The Independent Review, which was based on the record in the case files, identified 40 cases which could have been death noticed but were not. The attorney identified 54 factually applicable aggravating circumstances across those 40 cases. In no case did she identify more than 2 applicable aggravating factors; the average number of applicable aggravating factors per case is 1.3. The aggravator "knowingly or purposely killed or created a great risk of death to more than one person" was by far considered the most applicable. Table 10 shows the aggravators most frequently identified in the Independent Review.

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<sup>25</sup> Todd D. Little, Terrence D. Jorgensen, Kyle M. Lang, and E. Whitney G. Moore. "On the joys of missing data." 39 *Journal of pediatric psychology* 151 (2014). Douglas G., Altman, and J. Martin Bland. "Missing data." *Bmj* 334, no. 7590 (2007): 424-424. Dean Knox, William Lowe and Jonathan Mummolo, "Administrative records mask racially biased policing." 114 *American Political Science Review* 619 (2020).

<sup>26</sup> Roland Neil and Christopher Winship, "Methodological challenges and opportunities in testing for discrimination in policing," 2 *Ann. Rev. Crim'gy* 73 (2019).



Table 10. Aggravating Factor	# Cases charged	% Cases applicable
(a) The defendant was previously convicted of a felony in which the defendant inflicted great bodily harm, disfigurement, dismemberment or death on another.	2	5%
(b) The defendant knowingly or purposely killed or created a great risk of death to more than one person.	32	80%
(c) The defendant committed the crime for the defendant's self or another for the purpose of receiving money or any other thing of monetary value.	6	15%
(d) The defendant authorized or employed another person to commit the crime.	2	5%
(e) The defendant committed the crime in order to avoid or prevent a lawful arrest or prosecution.	4	10%
(f) The defendant committed the crime in an especially heinous, atrocious or cruel manner.	5	13%
(g) The defendant committed the crime while serving a sentence of imprisonment on conviction of a felony.	1	3%
(h) The victim was killed while engaging in, or because of the victim's performance or prospective performance of, the victim's duties as a witness in a criminal proceeding.	2	5%

This was a more conservative estimate than the State DA list, whose evidentiary basis was unknown and undocumented. Table 11 shows that the Sedgwick County District Attorney’s office specified aggravating factors in all of the 18 cases in which a death notice was filed. Across those 18 cases, 56 aggravators were charged—an average of 3.1 aggravating factors per case, a total number nearly three times the number charged in the list of cases that were considered death-eligible by the DA. If these considerations are based on the record, there is no reason for this difference to be present.

Similar to the Independent Review, State prosecutors considered the “risk of death to more than one person” aggravating factor to be factually present in about 75% of cases.

Table 11. Aggravating Factors Identified by the State DA	# Cases charged	% Cases charged
(a) The defendant was previously convicted of a felony in which the defendant inflicted great bodily harm, disfigurement, dismemberment or death on another.	0	0%
(b) The defendant knowingly or purposely killed or created a great risk of death to more than one person.	13	72%
(c) The defendant committed the crime for the defendant's self or another for the purpose of receiving money or any other thing of monetary value.	10	56%
(d) The defendant authorized or employed another person to commit the crime.	4	22%
(e) The defendant committed the crime in order to avoid or prevent a lawful arrest or prosecution.	11	61%
(f) The defendant committed the crime in an especially heinous, atrocious or cruel manner.	14	78%
(g) The defendant committed the crime while serving a sentence of imprisonment on conviction of a felony.	0	0%
(h) The victim was killed while engaging in, or because of the victim's performance or prospective performance of, the victim's duties as a witness in a criminal proceeding.	4	22%

Similar to the Independent Review, State prosecutors considered the “risk of death to more than one person” aggravating factor to be factually present in about 75% of cases. But there were important differences in which aggravators the prosecutors charged. They charged the “heinous, atrocious, or cruel” (HAC) aggravating circumstance in more than 75 percent of the cases which were identified as potentially death-eligible, while the Independent Review found it applicable in only 13 percent of cases. Similar patterns exist for the aggravating factors alleging that the defendant committed the crime to avoid a lawful arrest or prosecution (61 percent v. 10 percent) and that the defendant committed the crime for the purpose of receiving money or any other thing of monetary value (56 percent v. 15 percent). Because the data is derived from two sources with different perspectives about the overall applicability of aggravating circumstances, the impact of aggravating factors on the likelihood that a case will be death-noticed will be overstated in the results. The gap in these two estimates of the presence of statutory aggravators typify reliability threats in social science: the ability of different observers to see a pattern of facts and reach the same conclusions about what those facts are saying.<sup>27</sup>

These comparative differences in these perceptions of aggravation from two very different perspectives—perceptions about both which aggravators are present and

<sup>27</sup> Keith S. Taber, "The use of Cronbach's alpha when developing and reporting research instruments in science education." 48 *Research In Science Education* 1273 (2018): 1273-1296. Meiyuzi Gao, Philip Kortum, and Frederick Oswald. "Psychometric evaluation of the use (usefulness, satisfaction, and ease of use) questionnaire for reliability and validity." In 62 *Proceedings of The Human Factors and Ergonomics Society Annual Meeting*, 1414-1418 (2018).

their applicability in seeking a death sentence—suggest caution in interpreting the impact of aggravating factors on the likelihood that a case will be death-noticed. If present at all in the records, the role of aggravators is likely to be overstated in the data analyzed in this report. It is less of a burden to charge an aggravator, but prosecutors have the burden of proving that aggravator beyond a reasonable doubt at sentencing. That evidence is missing far more often than it appears in the data, suggesting that there is some inflation in the lodging of aggravators to attain a death sentence.

Finally, perhaps the most important reason to doubt the probative value of the heavy use of statutory aggravators is empirical: the models that were estimated for this report show that whether aggravators were present or absent, the White victim preference, and the White female victim preference, were still significant predictors of a death charge and a death notice. In other words, the racial and gender components of death charging superseded the contributions of aggravators—if they could be at all observed and measured—in the decision to seek death.

#### IV. SUMMARY AND CONCLUSION

In statistical social science, when different analytic methods are applied to the same datasets and empirical questions, and when those methods reach the same conclusions, one can have confidence that relationships among the predictor variables and the outcomes are robust and reliable. That is the case in these analyses. Using tests specifically designed for small datasets, the analyses identified a consistent pattern of preferences by prosecutors to charge capital murder and seek the death penalty in cases where the victim is White, and especially when the victim is a White female. These results are present across comparisons of multiple subsets of cases that reflect a set of selection decisions by prosecutors.

The regression models are particularly important because the results of each variable are adjusted to account for the mutual influences among the predictors on the outcomes. However, the results of the bivariate models complement the multivariate models and show an overall pattern of effects that reinforce the statistical depiction of disparate treatment. Prosecutors are more likely to charge and seek death when the victim is White, and less likely to seek or charge death when the victim is Black. These patterns point to biases that can affect the decision making processes of prosecutors in deciding which cases are death-worthy.

The disparate treatment identified in these analyses reflect decision processes often cited in studies on charging and sentencing.<sup>28</sup> The essential role of

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<sup>28</sup> See, e.g., Nick Petersen, Examining the Sources of Racial Bias in Potentially Capital Cases: A Case Study of Police and Prosecutorial Discretion, 7 RACE & JUSTICE 7 (2017); Jefferson

prosecutorial discretion in deciding when to seek death and for which victims and offenders was highlighted in the June 2021 report of The Racial Justice Task Force of the Board of Governors of the Wichita Bar Association.<sup>29</sup> The report notes that "[T]he decision whether or not to charge a crime, what crime to charge, and what plea negotiations to engage in, are inherently judgment calls of the prosecutor. If those decisions are affected by bias of the prosecutors against racial and ethnic minority people, including any implicit bias, that would be a way that the system would not result in 'equal justice' for those people."<sup>30</sup>

The Racial Justice Task Force report goes on to note that there is data to "explore this problem."<sup>31</sup> This report does just that, to identify the extent of racial disparities in the selection of cases for capital punishment.

### *Post-Script*

The data analyzed in this report begins at the charging stage of capital-eligible proceedings. Recent events in Wichita draw attention to earlier stages of the process: police investigation and arrests. As I have previously written about, the patterns of racial disparity may exist at this earlier stage, which, if present, produce a racially skewed supply of capital-eligible defendants.<sup>32</sup> My earlier research examined data from the FBI Supplementary Homicide Reports for every homicide reported between 1976 and 2009, and found that homicides with White victims are significantly more likely to be "cleared" by the arrest of a suspect than are homicides with minority victims. *Id.* at 266. Thus, the racially skewed process does not begin with discretionary decisions by prosecutors to seek death, but is implicated at the earliest stages of the administration of justice and the creation of a supply of potential capital cases for possible prosecution.

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E. Holcomb, Marian R. Williams & Stephen Demuth, White Female Victims and Death Penalty Disparity Research, 21 JUSTICE QUARTERLY 877 (2004); Catherine Lee, Hispanics and the Death Penalty: Discriminatory Charging Practices in San Joaquin County, California, 35 J. CRIMINAL JUSTICE 17 (2007); Jeffery T. Ulmer, John H. Kramer & Gary Zajac, The Race of Defendants and Victims in Pennsylvania Death Penalty Decisions: 2000–2010, 37 JUSTICE QUARTERLY 955 (2020); Sherod Thaxton, Disentangling Disparity: Exploring Racially Disparate Effect and Treatment in Capital Charging, 45 AM. J. CRIM. L. 95 (2018); Scott Phillips & Justin Marceau, Whom the State Kills, 55 HARV. CR-CLL REV. 585 (2020); Jeffrey Fagan & Amanda Geller, Police, Race, and the Production of Capital Homicides 23 BERKELEY J. CRIM. L. 261 (2018)

<sup>29</sup> Equal Justice Under Law: Report of The Racial Justice Task Force to The Board of Governors of The Wichita Bar Association (2018). Available at: [https://cdn.ymaws.com/www.wichitabar.org/resource/resmgr/files/wba\\_racial\\_justice\\_report\\_06.pdf](https://cdn.ymaws.com/www.wichitabar.org/resource/resmgr/files/wba_racial_justice_report_06.pdf)

<sup>30</sup> *Id.* at 9.

<sup>31</sup> *Id.*

<sup>32</sup> See, Jeffrey Fagan & Amanda Geller, Police, Race, and the Production of Capital Homicides, *supra* n. 28.

Recent disclosures about officers employed by the Wichita Police Department and Wichita Sheriff's Department underscore this concern for the Sedgwick County cases. On March 21, 2022, an investigation by the *Wichita Eagle* revealed several overtly racist private messages exchanged between several officers in both departments.<sup>33</sup> The messages depicted memes, photoshopped images, and text containing racial slurs that praised the “hunting” and killing of Black people by police officers. *Id.* Though the text messages were discovered in April 2021, neither the police department nor the sheriff's office revealed the existence of a particularly offensive racist meme to the Sedgwick County District Attorney's office.<sup>34</sup> Other city officials were similarly dismayed by the lack of disclosure and the nature of the messages, with one county commissioner stating “I am very disappointed that this type of blatant racism is tolerated in part of our government.”<sup>35</sup>

These revelations suggest that antagonism among police toward Black and Latinx residents may be widespread and diminish the intensity and integrity of investigations of homicides in their communities.<sup>36</sup> These tensions and antagonism explain substantially why a diminished quality of investigations of Black or Latinx victim homicides may suppress prosecution of those cases. Studies and reports of distrust between minority citizens and police have complicated police investigations of homicides in Los Angeles,<sup>37</sup> New York<sup>38</sup> and

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<sup>33</sup> Available at <https://www.kansas.com/news/local/article259423154.html>.

<sup>34</sup> See Michael Stavola, *Racist meme sent by Wichita officer could affect cases, but DA wasn't told for months*, *The Wichita Eagle* (March 21, 2022) (“Federal law requires attorneys to disclose any exculpatory or impeachable evidence to anyone accused or convicted of a crime. That includes evidence that an officer involved in the case is biased toward a group of people.”). Available at <https://www.kansas.com/news/local/article259620404.html>.

<sup>35</sup> Chance Swaim & Matthew Kelly, *'Slap in the face': Officials react to racist messages between Wichita-area officers*, *The Wichita Eagle* (March 21, 2022). Available at <https://www.kansas.com/news/politics-government/article259633769.html>.

<sup>36</sup> Jeffrey Fagan and Daniel Richman, *Understanding Recent Spikes and Longer Trends in American Murders*, 117 *COLUMBIA LAW REVIEW* 1235, 1278-9 (2017) (citing a 2016 survey of African American residents in South Los Angeles showing “deep distrust and anger toward the police among African American residents, leading to a “profoundly serious disconnect” between the LAPD and the city's Black citizens”). See, e.g., Cindy Chang, *The LAPD's Biggest Conundrum: How to Suppress Crime Without Alienating South L.A.'s Black Residents*, *L.A. Times* (Feb. 4, 2017), <http://www.latimes.com/local/california/la-me-lapd-crime-trust-20170203-story.html>). See, also, Kate Mather & Cindy Chang, *LAPD Watchdog Takes a Long Look into Allegations of Racial Profiling*, *L.A. Times* (Nov. 15, 2016), <http://fw.to/WjQB4oY>.

<sup>37</sup> Chang, *id.* Mather & Chang, *id.*

<sup>38</sup> Benjamin Mueller & Al Baker, *Rift Between Officers and Residents as Killings Persist in South Bronx*, *N.Y. Times* (Dec. 31, 2016), <http://nyti.ms/2jVye66> (on file with the Columbia Law Review) [hereinafter Mueller & Baker, *Rift Between Officers and Residents*]. Among the NYPD's seventy-seven precincts, nine of the fourteen lowest-staffed detective squads are in the Bronx.

Chicago.<sup>39</sup> In general, hostile policing in minority neighborhoods expose local residents to repeated stops, disrespect from police, and the types of petty indignities.<sup>40</sup> These police actions confirm the attitudes of police officers that characterize the views among police toward minority residents, views that reduce incentives for aggressive investigation of murders of people of color. The poor evidentiary record, for those cases that do result in an arrest, may translate into a weak evidentiary record and a pattern of decisions to prioritize White victim cases while reducing the salience of Black victim cases. We now have valid reasons to suspect that these pressures exist in Sedgwick County to produce the statistical findings presented in this report.

## DECLARATION

I have not been compensated for this work.

A handwritten signature in black ink, appearing to read "Jeffrey Fagan". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Fagan" clearly distinguishable.

Jeffrey Fagan, Ph.D.  
New York, NY

April 6, 202

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<sup>39</sup> Monica Davey & Giovanni Russonello, In Deeply Divided Chicago, Most Agree: City Is Off Course, N.Y. Times (May 6, 2016), <http://nyti.ms/2kV84of> . See, also, Monica Davey, In Chicago, Bodies Pile Up at an Intersection of ‘Depression and Rage,’ N.Y. Times (Dec. 9, 2016), <http://nyti.ms/2k4UY3U> (detailing uncooperative witnesses after a major shooting).

<sup>40</sup> See Jill Leovy, *Ghettoside: A True Story of Murder in America* 48–49 (2015)(discussing clearance rates in L.A. County and South L.A.). See, generally, Josh Bowers, Probable Cause, Constitutional Reasonableness, and the Unrecognized Point of a “Pointless Indignity,” 66 *Stan. L. Rev.* 987, 1008 (2014). I. Bennet Capers, Policing, Race, and Place, 44 *Harv. C.R.-C.L. L. Rev.* 43, 68–69 (2009) (stating similar claims in terms of “public shaming”).



# APPENDIX A





## CONFIDENTIAL MEMORANDUM

From: Ashlyn Buck Lewis  
To: Dr. Frank Baumgartner, Ph.D.  
Dr. Phil Cook, Ph.D.  
Date: May 15, 2020  
Re: Identification of capital-filed cases in Kansas

When the Kansas legislature re-enacted the death penalty in 1994, it did not provide for any data collection on capital-filed or -eligible cases, nor did it task any agency or body with doing so. However, the Board of Indigents' Defense Services (BIDS) undertook on its own to maintain a list of capital cases. A copy of the BIDS list, updated through June 2019, is attached.

To our understanding, cases are placed on the BIDS list if they come to the attention of the BIDS administration, whether through informal channels or through more formal means such as a court looking to appoint capital-qualified counsel. So, while the BIDS list should be a pretty accurate reflection of cases in which the State *actually filed* capital charges – or at least seriously considered them – it is possible there are some capital-filed cases that never came to the BIDS administration's attention and so never made it onto the list. Further, the BIDS list should not be interpreted as a comprehensive list of all potentially capital-*eligible* cases, in which the facts might have supported the filing of capital charges but for whatever reason the State did not seriously pursue them.

Few previous attempts have been made to empirically analyze Kansas's implementation and administration of its death penalty scheme. In December 2003, the Legislative Division of Post-Audit (LPA) conducted a performance audit on costs incurred for death penalty cases.<sup>1</sup> The Kansas Judicial Council Death Penalty Advisory Committee issued reports on various death penalty issues in January 2004, November 2004, December 2009, and February 2014.<sup>2</sup> It appears that these reports relied on the BIDS list as their main source of information on capital-filed and -eligible cases. The November 2004 Judicial Council report specifically acknowledged that “comprehensive statewide data has not been compiled from the various agencies involved in the capital process.”

Given these limitations, our office's identification of capital-filed cases likewise began with the BIDS list, which lists 164 potentially capital-eligible cases filed

<sup>1</sup> LPA report available at <https://www.kslpa.org/audit-report-library/costs-incurred-for-death-penalty-cases-a-k-goal-audit-of-the-department-of-corrections/>.

<sup>2</sup> All Judicial Council reports available at <https://www.kansasjudicialcouncil.org/studies-and-reports>.

through June 2019. Since that date, 4 more cases have been capitally-filed (John Pepper, Hugo Villanueva, Javier Alatorre, and Ismael Caballero). Based on our review of the LPA and Judicial Council reports, Westlaw searches, and news article searches, we added 7 cases to investigate for capital charges (Alton Sheffield, Darrell Wilkerson, Eric Colvin, Jeremiah Grubb, Myrta Rangel, Sakone Donesay, and Ramon Juiliano).

In total, we requested court records (including records of action and charging documents) in **175** cases to determine whether capital charges were actually filed. We verified capital charges were filed in **123** cases (14 of which are currently pending in district court). In the remaining **52** cases, no capital charges were filed or we were unable to verify any capital charges.

	<b>County</b>	<b>Name</b>	<b>Court case #</b>	<b>Cap filed</b>	<b>Notes</b>
1	Atchison	Hollister, Roger	2010-CR-000150	Y	
2	Barton	Gleason, Sidney	2004-CR-000052	Y	
3	Barton	Thompson, Damien	2004-CR-000052	Y	
4	Barton	Longoria, Adam	2010-CR-000231	Y	
5	Barton	Younger, Kimberley	2018-CR-000555	Y	Pending dist ct
6	Barton	Frasier, Rusty	2018-CR-000556	Y	Pending dist ct
7	Barton	Fowler, Michael	2018-CR-000558	Y	Pending dist ct
8	Bourbon	Beckman, Uriah	2003-CR-000286	Y	
9	Butler	Mireles, Israel	2007-CR-000524	Y	
10	Chautauqua	Ovalle-Cruz, Camilo	2015-CR-000009	Y	
11	Cherokee	Livingston, Pamela	1998-CR-000096	Y	
12	Cherokee	Sheffield, Alton	1998-CR-000097	N	
13	Cherokee	Wilkerson, Darrell	1998-CR-000098	N	
14	Cherokee	Deiterman, Frank	1998-CR-000099	Y	
15	Clay	Hebert, Jeffery	1999-CR-000102	Y	
16	Clay	Colvin, Eric	2004-CR-000053	N	
17	Clay	Stanley, Aaron	2004-CR-000053	N	
18	Cowley	Thurber, Justin	2007-CR-000045	Y	Pending dist ct (remand)
19	Crawford	Kleypas, Gary	1996-CR-000240	Y	
20	Crawford	Gill, Raymond	1997-CR-000266	N	
21	Crawford	Bethel, Michael	2000-CR-000053	Y	
22	Crawford	Badart, Jimmy	2001-CR-000209	N	

	<b>County</b>	<b>Name</b>	<b>Court case #</b>	<b>Cap filed</b>	<b>Notes</b>
23	Dickinson	Verge, Robert	1997-CR-000107	Y	
24	Dickinson	Bradford, Virgil	1997-CR-000114	Y	
25	Doniphan	Irwin, William	1996-CR-000183	Y	
26	Douglas	Lewis, Damien	2002-CR-001268	Y	
27	Ellsworth	Silveria, Robert	1996-CR-000043	N?	No ROA available
28	Finney	DeAnda, Joaquin	2009-CR-000138 2010-CR-000122	N	
29	Franklin	Flack, Kyle	2013-CR-000104	Y	
30	Geary	Young, Chano	1995-CR-000271	N	
31	Geary	Everitt, Christopher	1995-CR-000273	Y	
32	Geary	Cobb, Artis	1999-CR-001809	N	
33	Geary	Green, Dion	2018-CR-000914	Y	Pending dist ct
34	Geary	Baker, Mashaun	2019-CR-000009	Y	
35	Geary	Grubb, Jeremiah	2019-CR-000046	N	
36	Grant	Lomas, Marco	2009-CR-000117	Y	
37	Greenwood	Cheever, Scott	2005-CR-000018 2006-CR-000198	Y	
38	Harvey	Nelson, Jereme	2016-CR-000599	Y	
39	Harvey	Rangel, Myrta	2016-CR-000600	Y	
40	Harvey	Hawkins, Keith	2017-CR-000555	Y	
41	Haskell	Amos, Dawn	1995-CR-000014 1997-CR-000019	N?	No ROA available
42	Haskell	Spain, David	1996-CR-000050	N?	No ROA available
43	Haskell	Winter, Douglas	1996-CR-000051	Y	
44	Haskell	Jones, Lorenzo	1997-CR-000018	Y	
45	Jefferson	Bledsoe, Thomas	1999-CR-000318	N	
46	Johnson	Green, Debora	1995-CR-005387	Y	
47	Johnson	Watson, James	1996-CR-003558	Y	
48	Johnson	Henry, Rodney	1998-CR-001093	N	
49	Johnson	Rails, Carl	1998-CR-002158	Y	
50	Johnson	Robinson, John	2000-CR-001444	Y	
51	Johnson	Appleby, Benjamin	2004-CR-002934	Y	
52	Johnson	Solis, Jose	2006-CR-003686	N	

	<b>County</b>	<b>Name</b>	<b>Court case #</b>	<b>Cap filed</b>	<b>Notes</b>
53	Johnson	Hall, Edwin	2007-CR-001474	Y	
54	Johnson	Reed, Brandon	2008-CR-003099	Y	
55	Johnson	Cott, Jason	2010-CR-000195	Y	
56	Johnson	Cross, Frazier	2014-CR-000853	Y	
57	Johnson	Brune, Alex	2014-CR-001609	N	
58	Johnson	Rinke, Korrey	2016-CR-002222	Y	
59	Johnson	Wash, Devonte	2018-CR-001128	Y	Pending dist ct
60	Labette	Bennett, David	2013-CR-000263	Y	
61	Leavenworth	Tillman, Marshall	1995-CR-000130 1999-CR-000652	Y	
62	Leavenworth	Fox, Sedale	2008-CR-000041	Y	
63	Leavenworth	McDonald, Aundray	2012-CR-000135	N	
64	McPherson	Jones, Christopher	1999-CR-000181	Y	
65	Miami	Ratliff, Roger	2006-CR-000131	Y	
66	Montgomery	Dalton, John	2000-CR-000027	Y	
67	Montgomery	Hill, Nathaniel	2003-CR-000250	Y	
68	Montgomery	Jones, Sylvester	2003-CR-000306	N	
69	Montgomery	Lowrance, Christopher	2007-CR-000489	Y	
70	Osage	Kahler, James	2009-CR-000270	Y	
71	Pottawatomie	Martin, James	1997-CR-000044	Y	
72	Pratt	Seba, Bryant	2013-CR-000242	N	
73	Reno	Shears, Kendrick	2008-CR-000493	Y	
74	Reno	Robinson, Charvell	2008-CR-000494	Y	
75	Reno	Strand, Jason	2008-CR-000495	Y	
76	Reno	Gifford, Marvin	2008-CR-000525	Y	
77	Riley	Aguirre, Luis	2009-CR-001072	Y	
78	Saline	Peirano, Ronald	1994-CR-001230	Y	
79	Saline	White, Alan	1996-CR-001371	Y	
80	Saline	Watson, Terrence	2009-CR-000156	Y	
81	Saline	Pavey, James	2017-CR-000595	Y	
82	Saline	Rodgers, Charles	2017-CR-000596	Y	
83	Sedgwick	Barnes, Gordon	1995-CR-000994	N	
84	Sedgwick	Wilson, Kristy	1995-CR-000994	N	
85	Sedgwick	Donesay, Sakone	1996-CR-000317	Y	

	<b>County</b>	<b>Name</b>	<b>Court case #</b>	<b>Cap filed</b>	<b>Notes</b>
86	Sedgwick	Marsh, Michael	1996-CR-001157	Y	
87	Sedgwick	Wakefield, Jason	1996-CR-001748	N	
88	Sedgwick	Scott, Gavin	1996-CR-001748	Y	
89	Sedgwick	Gillespie, Eddie	1996-CR-002103	N	
90	Sedgwick	Penn, Samuel	1997-CR-000776	N	
91	Sedgwick	Jamison, Chester	1997-CR-002097	N	
92	Sedgwick	Elms, Stanley	1998-CR-001706	Y	
93	Sedgwick	Noyce, David	1998-CR-002058	Y	
94	Sedgwick	Douglas, Romane	1999-CR-002636	N	
95	Sedgwick	Oliver, Cornelius	2000-CR-002945	Y	
96	Sedgwick	Bell, Earl	2000-CR-002963	Y	
97	Sedgwick	Carr, Reginald	2000-CR-002978	Y	
98	Sedgwick	Carr, Jonathan	2000-CR-002979	Y	
99	Sedgwick	Belt, Douglas	2003-CR-001255	Y	
100	Sedgwick	Alford, Achaz	2004-CR-001938	N	
101	Sedgwick (venue change from Harvey)	Moore, Gregory	2006-CR-000700 (Sedgwick) 2005-CR-000132 (Harvey)	Y	
102	Sedgwick	Robinson, Elgin	2006-CR-001523	Y	
103	Sedgwick	Burnett, Theodore	2006-CR-001524	Y	
104	Sedgwick	Gentry, Everett	2006-CR-001683	Y	
105	Sedgwick	Jones, Austin	2009-CR-001852	N	
106	Sedgwick	Holton, Samuel	2009-CR-003560	N	
107	Sedgwick	Marshall, Marquis	2012-CR-003025	Y	
108	Sedgwick	Schaberg, Kisha	2013-CR-003263	Y	
109	Sedgwick	Bluml, Anthony	2013-CR-003264	Y	
110	Sedgwick	Smith, Braden	2013-CR-003265	Y	
111	Sedgwick	Ellington, Andrew	2013-CR-003266	Y	
112	Sedgwick	Nguyen, Vinh	2014-CR-001589	Y	Pending dist ct
113	Sedgwick	McNeal, Cornell	2014-CR-003129	Y	Pending dist ct
114	Sedgwick	Edwards, Steven	2014-CR-003174	Y	
115	Sedgwick	Alvarado-Meraz, Luis	2015-CR-000176	Y	Pending dist ct

	<b>County</b>	<b>Name</b>	<b>Court case #</b>	<b>Cap filed</b>	<b>Notes</b>
116	Sedgwick	Carter, Jonathan	2015-CR-003500	N	
117	Sedgwick	Carter, Quincy	2015-CR-003501	N	
118	Sedgwick	Wimbley, Jamion	2015-CR-003502	N	
119	Sedgwick	Carter, Brent	2015-CR-003503	N	
120	Sedgwick	Pepper, John	2019-CR-003855	Y	Pending dist ct
121	Seward	Fox, Robert	2004-CR-000274	Y	
122	Shawnee	Shively, Stephen	1995-CR-003764	Y	
123	Shawnee	Standford, Russell	1996-CR-003193	Y	
124	Shawnee	Manis, Brian	1998-CR-001292	N	
125	Shawnee	Felder, Davanon	2000-CR-001837	Y	
126	Shawnee	Cheatham, Phillip	2003-CR-002635	Y	
127	Shawnee	Carnoali, James	2009-CR-000654	Y	
128	Shawnee	Davis, Billy	2012-CR-000464	Y	
129	Shawnee	Leftwich, Dustin	2012-CR-001063	Y	
130	Shawnee	Lane, Ross	2014-CR-001795	Y	
131	Shawnee	Phillips, Nicholas	2015-CR-002357	N	
132	Shawnee	Mays, Shane	2017-CR-000328	N	
133	Shawnee	Krahn, Joseph	2017-CR-000329	N	
134	Wichita	Arellano, German	2000-CR-000010	Y	
135	Wyandotte	Brady, Joseph	1995-CR-000100	Y	
136	Wyandotte	Adams, Terry	1997-CR-001036	Y	
137	Wyandotte	Juiliano, Ramon	1997-CR-001188	N	
138	Wyandotte	Harper, Branden	1997-CR-002446	N	
139	Wyandotte	Bolton, Gentry	1997-CR-002581	Y	
140	Wyandotte	Law, Robert	1998-CR-000125	Y	
141	Wyandotte	Williams, Lemarco	1998-CR-000680	Y	
142	Wyandotte	Markee, Tracy	1998-CR-001123	Y	
143	Wyandotte	Almaguer, Rodney	1998-CR-001984	Y	
144	Wyandotte	Littlewood, Carsey	1998-CR-001984	Y	
145	Wyandotte	Powell, Richard	1998-CR-002384	Y	
146	Wyandotte	Hargrove, Demetrius	1999-CR-000308	Y	
147	Wyandotte	Martis, Gordon	1999-CR-001091	Y	
148	Wyandotte	Hill, Donta	1999-CR-001974	N	

	County	Name	Court case #	Cap filed	Notes
149	Wyandotte	Diaz, Robert	1999-CR-001974	N	
150	Wyandotte	Livingston, Edgar	2000-CR-000257	N	
151	Wyandotte	Trober, Brian	2001-CR-000468	Y	
152	Wyandotte	Sappington, Marc	2001-CR-000604 2001-CR-000608 2001-CR-000615	N	
153	Wyandotte	Trotter, Christopher	2001-CR-000974	Y	
154	Wyandotte	Navarre, Michael	2001-CR-000974	N	
155	Wyandotte	Eddington, Kevin	2001-CR-000974	N	
156	Wyandotte	Trotter, James	2001-CR-000974	N	
157	Wyandotte	Nash, Virdal	2001-CR-000974	N	
158	Wyandotte	James, Tyron	2002-CR-000615	N	
159	Wyandotte	Stallings, Darrell	2002-CR-000975	Y	
160	Wyandotte	Harris, Errik	2002-CR-000975	Y	
161	Wyandotte	King, Ernest	2007-CR-001683	Y	
162	Wyandotte	Williams, Kenton	2007-CR-001684	Y	
163	Wyandotte	Tatum, Ataven	2007-CR-001685	Y	
164	Wyandotte	Guerrero, Andrew	2008-CR-000219	Y	
165	Wyandotte	Burks, Adrian	2009-CR-000962	Y	
166	Wyandotte	Horn, Curtis	2013-CR-000137	N	
167	Wyandotte	Serrano-Vitorino, Pablo	2016-CR-000166	N	
168	Wyandotte	Ayers, Curtis	2016-CR-000355	Y	
169	Wyandotte	Lewis, Jamaal	2016-CR-000525	Y	
170	Wyandotte	Tucker, Jason	2017-CR-000477	Y	
171	Wyandotte	Fielder, Antoine	2018-CR-000640	Y	Pending dist ct
172	Wyandotte	Hervey, Carlisle	2019-CR-000082	N	
173	Wyandotte	Villanueva, Hugo	2019-CR-001144	Y	Pending dist ct
174	Wyandotte	Alatorre, Javier	2019-CR-001145	Y	Pending dist ct
175	Wyandotte	Caballero, Ismael	2020-CR-000001	Y	Pending dist ct

**Attachment:**

CapitalEligibleCases by FY19 (Excel spreadsheet)

# APPENDIX B



700 SW Jackson St, Ste 500  
Topeka, KS 66603

phone: 785.296.0948  
fax: 785.291.3979



**Mark Manna**  
*Chief Attorney, Death Penalty Defense Unit*

**Jeffrey G. Dazey**  
*Assistant Public Defender*

**Peter Conley**  
*Assistant Public Defender*

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## DEATH PENALTY DEFENSE UNIT - TOPEKA

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December 3, 2019

Sedgwick County District Attorney  
535 N Main St #1  
Wichita, KS 67203

**By electronic mail: [kora-fio@sedgwick.gov](mailto:kora-fio@sedgwick.gov)**

Dear Jennifer Scriven,

The Kansas Open Records Act (KORA), K.S.A. § 45-215 *et. seq.*, provides that all public records shall be open for inspection by any person. K.S.A. § 45-216(a). Public records are *any* recorded information, regardless of form, characteristics, or location, which is made, maintained, or kept by any public agency, unless specifically exempted by the Open Records Act. K.S.A. § 45-217(g). In the event that an agency denies a request and an action is brought in district court, the reviewing court is instructed to construe the purpose of the open records act liberally, and the burden is on the agency to prove that a specific exemption of the Open Records Act applies to the information requested. *See* K.S.A. § 45-216(a), K.S.A. 45-222(c).

Pursuant to the Open Records Act, I request copies of the following public records from the Sedgwick County District Attorney's Office:

An accounting of all cases filed between July 1, 1994, and present day in the Sedgwick County District Attorney's Office which match the description for each category listed below. This accounting can take any form that the records may exist in, such as: case numbers for each case in a list format, sentencing disposition forms from each case, or charging documents from each case that would identify the defendant's name and/or case number. To be clear, the purpose of this request is to receive an accurate accounting of both *how many* defendants fall into each category and *which cases or defendants, specifically*, fall into each category. Please respond to requests (a) through (h) separately.

- a. The defendant was charged with at least one first-degree murder charge pursuant to K.S.A. 21-5402<sup>1</sup> and a charge of rape pursuant to K.S.A. 21-5503.<sup>2</sup>
- b. The defendant was charged with at least one first-degree murder charge pursuant to K.S.A. 21-5402<sup>3</sup> and a charge of criminal sodomy or aggravated criminal sodomy pursuant to K.S.A. 21-5504.<sup>4</sup>
- c. The defendant was charged with at least one first-degree murder charge pursuant to K.S.A. 21-5402<sup>5</sup> and a charge of kidnapping or aggravated kidnapping pursuant to K.S.A. 21-5408.<sup>6</sup>
- d. The defendant was charged with at least two first-degree murder charges pursuant to K.S.A. 21-5402.<sup>7</sup>
- e. The defendant was charged with at least one capital murder charge pursuant to K.S.A. 21-5401.<sup>8</sup>
- f. The defendant was charged with any level of homicide, including capital murder, first-degree murder, second-degree murder, felony murder, and/or manslaughter, and there were at least two deceased victims.
- g. The defendant was charged with any level of homicide and the deceased victim was either an inmate in a jail or correctional facility, an officer or employee of a jail or corrections facility, or any law enforcement officer.
- h. The defendant was charged with any level of homicide and the deceased victim was under 14 years of age.

In the event that your office believes it would be impossible to provide any of the information requested above, please provide a detailed description of why it would not be possible. Please also provide a description of the information that is kept in your computer system and the form in which it can be made available. *See* K.S.A. § 45-221(16) (“each public agency shall maintain a register, open to the public, that describes the information which the agency maintains on computer facilities and the form in which the information can be made available using existing computer programs”).

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<sup>1</sup> The first-degree murder charge was formerly cited as KS ST 21-3401. For each request, please also include cases charged pursuant to the previous statutory citations.

<sup>2</sup> Formerly KS ST 21-3502.

<sup>3</sup> *See* footnote 1.

<sup>4</sup> Formerly KS ST 21-3505 and 21-3506.

<sup>5</sup> *See* footnote 1.

<sup>6</sup> Formerly KS ST 21-3420 and 21-3421.

<sup>7</sup> *See* footnote 1.

<sup>8</sup> Formerly KS ST 21-3439.

In the event that it is possible to retrieve these records, but the records are voluntarily withheld in full or in part, please include the *specific statute* you believe justifies the exemption of this information from a public records request and provide a detailed description of why the exemption applies. K.S.A. § 45-218(d) (“If the request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for denial”).

The Kansas Open Records Act requires a response to this request within three business days. If fulfilling this request justifies an extension, please provide an estimated timeline. *See* K.S.A. 45-218(d).

As an attorney with the State Board of Indigent Defense Services, another government agency of Kansas which provides services only to indigent clients, I respectfully request that any fees you might otherwise charge for production of these records be waived.

Please send all responses **electronically** to [pconley@sbids.org](mailto:pconley@sbids.org).

Thank you for time and attention to this request.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Peter Conley', is written over a horizontal line. The signature is fluid and cursive.

Peter Conley



**OFFICE OF THE DISTRICT ATTORNEY  
EIGHTEENTH JUDICIAL DISTRICT**

**MARC BENNETT**  
*District Attorney*

**ANN SWEGLE**  
*Deputy District Attorney, Administration*

**RON PASCHAL**  
*Deputy District Attorney, Juvenile  
Division and Ethics Coordinator*

February 21, 2020

Mr. Peter Conley  
Assistant Public Defender  
Death Penalty Defense Unit – Topeka  
700 SW Jackson St., Ste 500  
Topeka, KS 66603

Re: Open Records Request of December 3, 2019

Peter:

Accompanying this letter are 3 documents that contain data responsive to you request under the Kansas Open Records Act (KORA). As this office did not possess the type of accounting you requested, we agreed to create such a record though not required under KORA. We did ask you for clarification on a couple of points. The first related to your initial request for an “accounting of all cases filed between July 1, 1994 and present day in the Sedgwick County District Attorney’s Office which match the description for each category listed below.” The categories you listed are:

- a. The defendant was charged with at least one first-degree murder charge pursuant to K.S.A. 21-5402<sup>1</sup> and a charge of rape pursuant to K.S.A. 21-5503.<sup>2</sup>
- b. The defendant was charged with at least one first-degree murder charge pursuant to K.S.A. 21-5402<sup>3</sup> and a charge of criminal sodomy or aggravated criminal sodomy pursuant to K.S.A. 21-5504.<sup>4</sup>
- c. The defendant was charged with at least one first-degree murder charge pursuant to K.S.A. 21-5402<sup>5</sup> and a charge of kidnapping or aggravated kidnapping pursuant to K.S.A. 21-5408.<sup>6</sup>

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- d. The defendant was charged with at least two first-degree murder charges pursuant to K.S.A. 21-5402.<sup>7</sup>
- e. The defendant was charged with at least one capital murder charge pursuant to K.S.A. 21-5401.<sup>8</sup>
- f. The defendant was charged with any level of homicide, including capital murder, first-degree murder, second-degree murder, felony murder, and/or manslaughter, and there were at least two deceased victims.

The footnotes indicated you wanted data from cases using older statutory citations that corresponded to the same listed crimes. You clarified that you were only seeking information for offenses that occurred on or after July 1, 1994, not cases filed on or after that date, as the later might include offenses that occurred before July 1, 1994. Capital murder became a crime in Kansas on July 1, 1994.

The second point of clarification involved your categories a and b, cases charging first-degree murder and sex offenses that could lead to a charge of capital murder. You confirmed that you wanted the report to include only cases where the victim of the murder was also the victim of the sex offense. Cases where there were different victims of the two types of crimes would not be eligible for a capital murder charge.

Even with those clarifications, your request included cases where a charge of capital murder could not be considered because the element of the crime were not included. For example, you requested cases where a defendant was charged with first-degree murder and another predicate offense for capital murder. That would include cases of felony murder that cannot statutorily serve as a basis for capital murder. You also asked for cases involving first-degree murder and kidnapping or aggravated kidnapping. Only those kidnapping offenses that were done with the intent to hold the kidnapped person for ransom would be eligible for consideration for a capital murder case if that person were murdered with premeditation. You asked for cases where the deceased victim was under 14 years of age, but only cases where such a child was killed during the commission of a kidnapping or aggravated kidnapping that was committed with the intent to commit a sex offense upon or with the child or with intent that the child commit or submit to a sex offense would be eligible to be considered for charging as capital murder.

Several staff members worked to provide a response to your request as clarified. That report is attached and labeled KORA Response Data All. Because we wanted to review the same data and determine for ourselves which cases could and could not be filed as capital murder cases because the requisite statutory element were or were not involved, we created separate reports listing each category. We titled these reports KORA Response Data Possible and KORA Response Data Not Eligible. We have shared those with you as well.

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All reports show the case number, defendant name, name and age of the deceased victim, the original homicide charge and the disposed charge, the disposition type and a designation of which of your category types applied.

Sincerely,



Ann Swegle

Deputy District Attorney

316/660-3600 | [ann.swegle@sedgwick.gov](mailto:ann.swegle@sedgwick.gov)

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Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
1995CR000994	GORDON R BARNES Jr.	04/29/95	SANTO, ROGER W. JR. (16)	1st Premed Murder	1st Premed Murder	JT	c
1995CR000994	KRISTY L WILSON	04/29/95	SANTO, ROGER W. JR. (16)	1st Premed Murder	1st Premed Murder	Pled	c
1995CR001346	ANGELA L BARNES	04/29/95	SANTO, ROGER W. JR. (16)	1st Premed Murder	2nd Intent Murder	Pled	c
1995CR001966	VINCENT D ALTUM	11/01/95	COX, DYLAN M. (1)	1st Premed Murder	1st Premed Murder	JT	h
1995CR002065	KELLEY L WILLIAMS	11/17/95	HORRIE, KATHERINE M. (3)	Felony Murder	Felony Murder	JT	h
1996CR000140	SHARON K CARR	09/07/95	CARR, SHAYLEEN N. (3)	Felony Murder	Felony Murder	JT	h
1996CR000317	Sakone Donesay	01/08/96	EASTER, KEVIN (24)	Capital Murder	Capital Murder	JT	g
1996CR001128	MICHAEL LEE MARSH II	06/17/96	PUSCH, MARRY ANE (21); PUSCH, MARRY ELIZABETH (1)	1st Premed Murder	DS by State	Refiled as 97CR1157	d, e, f, h
1996CR001157	MICHAEL LEE MARSH II	06/17/96	PUSCH, MARRY ANE (21); PUSCH, MARRY ELIZABETH (1)	Capital Murder	1st Premed Murder	JT	d, e, f, h
1996CR001157	MICHAEL LEE MARSH II	06/17/96	PUSCH, MARRY ANE (21); PUSCH, MARRY ELIZABETH (1)	Capital Murder	Capital Murder	JT	d, e, f, h
1996CR001194	Robert R. Johnson	08/17/95	SHOWALTER, PHYLLIS A. (73); SHOWALTER, QUENTIN D. (75)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
1996CR001194	Robert R. Johnson	08/17/95	SHOWALTER, PHYLLIS A. (73); SHOWALTER, QUENTIN D. (75)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
1996CR001748	JASON M WAKEFIELD	09/13/96	BRITTAİN, ELIZABETH (35); BRITTAİN, DOUGLAS (35)	1st Premed Murder	1st Premed Murder	JT	d, f
1996CR001748	JASON M WAKEFIELD	09/13/96	BRITTAİN, ELIZABETH (35); BRITTAİN, DOUGLAS (35)	1st Premed Murder	1st Premed Murder	JT	d, f
1996CR001748	GAVIN D SCOTT	09/13/96	BRITTAİN, ELIZABETH (35); BRITTAİN, DOUGLAS (35)	Capital Murder	Capital Murder	JT	d, e, f
1996CR001748	GAVIN D SCOTT	09/13/96	BRITTAİN, ELIZABETH (35); BRITTAİN, DOUGLAS (35)	Capital Murder	1st Premed Murder	JT	d, e, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
1996CR002103	Eddie L. Gillespie	11/01/96	HUBBLE, ROBERT S. (38); MCCLURE, JAMES (41)	1st Premed Murder	1st Premed Murder	Pled	d, f
1996CR002103	Eddie L. Gillespie	11/01/96	HUBBLE, ROBERT S. (38); MCCLURE, JAMES (41)	1st Premed Murder	1st Premed Murder	Pled	d, f
1997CR000776	SAMUEL E PENN	04/18/97	SNIDER, KENNETH E. (48)	1st Premed Murder	DS by State	N/A	g
1997CR002097	CHESTER R JAMISON	10/06/97	BERRY, JAMES E. (35); NELSON, KEVIN L. (24)	1st Premed Murder	1st Premed Murder	JT	d, f
1997CR002097	CHESTER R JAMISON	10/06/97	BERRY, JAMES E. (35); NELSON, KEVIN L. (24)	1st Premed Murder	1st Premed Murder	JT	d, f
1998CR000874	VICTOR R MITCHELL Jr.	04/16/98	HOBBAUGH, JEFFREY T. (36); HOBBAUGH, RANDY E. (38)	1st Premed Murder	2nd Intent Murder	JT	d, f
1998CR000874	VICTOR R MITCHELL Jr.	04/16/98	HOBBAUGH, JEFFREY T. (36); HOBBAUGH, RANDY E. (38)	1st Premed Murder	2nd Intent Murder	JT	d, f
1998CR001559	ALITA CASTRO	07/21/98	GALVAN, ANTONIO (8)	Felony Murder	Voluntary Manslaughter	Pled	h
1998CR001560	OSCAR F TORRES	07/21/98	GALVAN, ANTONIO (8)	1st Premed Murder	Felony Murder	Pled	h
1998CR001561	Jesse Jonathan Lozano Jr	07/21/98	GALVAN, ANTONIO (8)	Felony Murder	Crim Disch@Occ Bldg	Pled	h
1998CR001706	Stanley M. Elms	05/04/98	GRAY, REGINA L (28)	Capital Murder	Capital Murder	JT	e
1998CR002004	EVERETT R MCGINNIS	07/21/98	GALVAN, ANTONIO (8)	1st Premed Murder	Felony Murder	Pled	h
1998CR002005	DANIEL MEDRANO	07/21/98	GALVAN, ANTONIO (8)	1st Premed Murder	Felony Murder	Pled	h
1998CR002006	ISAAC D SAIZ	07/21/98	GALVAN, ANTONIO (8)	1st Premed Murder	1st Premed Murder	JT	h
1998CR002058	DAVID A NOYCE	09/14/98	NOYCE, CLIFFORD J (2); NOYCE, DALENE M (27)	1st Premed Murder	1st Premed Murder	Pled	f, h
1998CR002058	DAVID A NOYCE	09/14/98	NOYCE, CLIFFORD J (2); NOYCE, DALENE M (27)	Capital Murder	Capital Murder	Pled	e, f, h



Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
1998CR002080	NAM T PHAM	09/20/98	NGUYEN, NA T. (12)	Felony Murder	2nd Intent Murder	Pled	h
1999CR000431	MARY A MILES	02/15/99	NEWMAN, AMY (6)	1st Premed Murder	Not Guilty	BT	h
1999CR001605	VIET Q DOAN	09/20/98	NGUYEN, NA T. (12)	Felony Murder	2nd Reckless Murder	Pled	h
1999CR001818	COREY R GHOLSTON	10/04/95	SMITH, BRENTASIA S (2)	1st Premed Murder	N/A	Court DS	h
1999CR001824	GLORIA A DUPREE	07/06/99	CAUTHON, DALE A (64); CAUTHON, JOYCE L (61)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
1999CR001824	GLORIA A DUPREE	07/06/99	CAUTHON, DALE A (64); CAUTHON, JOYCE L (61)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
1999CR002636	ROMANE R DOUGLAS	10/03/99	MEJIA, JESSE (35); MARTINEZ, ALFRED L (37)	1st Premed Murder	1st Premed Murder	JT	d, f
1999CR002636	ROMANE R DOUGLAS	10/03/99	MEJIA, JESSE (35); MARTINEZ, ALFRED L (37)	1st Premed Murder	1st Premed Murder	JT	d, f
1999CR002774	COREY R GHOLSTON	10/04/95	SMITH, BRENTASIA S (2)	1st Premed Murder	1st Premed Murder	JT	h
2000CR000033	RON E PRITCHARD	01/03/99	GARNER, JUSTIN H (1)	Felony Murder	Invol Manslaughter	JT	h
2000CR000058	MICHAEL L JENKINS	08/19/99	KUNKEL, BRENT (13); KUNKEL, LAURA (15)	2nd Reckless Murder	Invol Manslaughter	JT	f, h
2000CR000058	MICHAEL L JENKINS	08/19/99	KUNKEL, BRENT (13); KUNKEL, LAURA (15)	2nd Reckless Murder	Invol Manslaughter	JT	f, h
2000CR000540	CURTIS A. HINES	02/18/00	MAYS, TIONNA J. (2)	Felony Murder	Voluntary Manslaughter	Pled	h
2000CR001048	MICHAEL L EMBRY	04/17/00	HARP, KASSICA A (1)	2nd Reckless Murder	Involuntary Manslaughter	JT	h
2000CR001399	JACK L HUDSON II	01/16/98	CHAPPELLE, KYLIE D (2)	Felony Murder	Not Guilty	JT	h
2000CR002898	Dennie Johnson	11/28/00	HAYWOOD, NICCOL D (2)	2nd Reckless Murder	Voluntary Manslaughter	Pled	h

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2000CR002945	CORNELIUS D OLIVER	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	1st Premed Murder	1st Premed Murder	JT	d, e, f
2000CR002945	CORNELIUS D OLIVER	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	1st Premed Murder	JT	d, e, f
2000CR002945	CORNELIUS D OLIVER	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Felony Murder	JT	d, e, f
2000CR002945	CORNELIUS D OLIVER	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Felony Murder	JT	d, e, f
2000CR002963	EARL W BELL II	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Not Guilty	JT	d, e, f
2000CR002963	EARL W BELL II	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Not Guilty	JT	d, e, f
2000CR002963	EARL W BELL II	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Not Guilty	JT	d, e, f
2000CR002963	EARL W BELL II	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Not Guilty	JT	d, e, f
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002979	JONATHAN D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002979	JONATHAN D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002979	JONATHAN D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002979	JONATHAN D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2001CR001042	CHRISTOPHER L WOLLEY	11/19/00	FARRELL, STACY (18); RUDICK, JASON (24)	2nd Reckless Murder	Invol Manslaughter-DUI	JT	f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2001CR001042	CHRISTOPHER L WOLLEY	11/19/00	FARRELL, STACY (18); RUDICK, JASON (24)	2nd Reckless Murder	Invol Manslaughter-DUI	JT	f
2001CR001394	JERMANE D LOWE	06/10/01	MATHIS, LEXUS T. (1)	Felony Murder	Felony Murder	JT	h
2001CR001395	MICHAEL D WALKER	06/10/01	MATHIS, LEXUS T. (1)	Felony Murder	Felony Murder	JT	h
2003CR000094	CLINT E WOODS	09/22/02	ALLEN, ANTONIO (19); MITCHELL, DAVONTA (19)	1st Premed Murder	2nd Intent Murder	Pled	d, f
2003CR000094	CLINT E WOODS	09/22/02	ALLEN, ANTONIO (19); MITCHELL, DAVONTA (19)	1st Premed Murder	DS by State	N/A	d, f
2003CR000095	MANUEL A ROACH	09/22/02	ALLEN, ANTONIO (19); MITCHELL, DAVONTA (19)	1st Premed Murder	DS by State	N/A	d, f
2003CR000095	MANUEL A ROACH	09/22/02	ALLEN, ANTONIO (19); MITCHELL, DAVONTA (19)	1st Premed Murder	DS by State	N/A	d, f
2003CR000903	JOSEPH P SONA	12/29/02	HOLLIS, MAKINNA L. (3)	Invol Manslaughter-DUI	Involuntary Manslaughter	Pled	h
2003CR000931	JAMES D SEGRAVES	01/26/02	NOONE, JAMES (18); PAWLAK, JEREMY (18)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
2003CR000931	JAMES D SEGRAVES	01/26/02	NOONE, JAMES (18); PAWLAK, JEREMY (18)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
2003CR001255	DOUGLAS S BELT	06/24/02	GALLEGOS, LUCILLE (43)	Capital Murder	Capital Murder	JT	e
2003CR001857	ARTURO J GARCIA	07/27/03	JONES, CLINT (30); RAMIREZ, NICHOLAS (21); RAMIREZ, OSCAR A. (27)	1st Premed Murder	1st Premed Murder	JT	d, f
2003CR001857	ARTURO J GARCIA	07/27/03	JONES, CLINT (30); RAMIREZ, NICHOLAS (21); RAMIREZ, OSCAR A. (27)	1st Premed Murder	2nd Intent Murder	JT	d, f
2003CR001857	ARTURO J GARCIA	07/27/03	JONES, CLINT (30); RAMIREZ, NICHOLAS (21); RAMIREZ, OSCAR A. (27)	1st Premed Murder	1st Premed Murder	JT	d, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2004CR000044	ROSA E SANCHEZ	01/08/04	SANCHEZ, BRIAN (3)	Felony Murder	Felony Murder	JT	h
2004CR000165	RAY F GARCIA	11/12/95	ELDRIDGE, PHYLLIS L. (73)	Felony Murder	Felony Murder	JT	a
2004CR001343	ANTHONY R MELTON	05/17/04	POOL, TOSHUA (0)	Felony Murder	2nd Intent Murder	Pled	h
2004CR001938	Achaz Alford	11/12/99	FREDERICK, TINA JO (22)	1st Premed Murder	1st Premed Murder	Pled	a, b
2005CR001015	Misty D. Redburn	02/14/05	SERNA, SANTIAGO (5)	Invol Manslaughter-DUI	Invol Manslaughter Reckless	Pled	h
2006CR000510	ANTHONY J LONGORIA	02/16/06	GUNTHER, JORDAN (0)	Felony Murder	2nd Intent Murder	Pled	h
2006CR000740	CHRISTOPHER D GANT	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2006CR000741	JEREMY T MILES	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Att Agg Robbery	Pled	d, f
2006CR000741	JEREMY T MILES	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Crim Poss Firearm	Pled	d, f
2006CR000742	KENDRALL D RANSOM	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2006CR000742	KENDRALL D RANSOM	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2006CR000743	KARLAN D RANSOM	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2006CR000743	KARLAN D RANSOM	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2006CR001523	ELGIN R ROBINSON Jr.	06/09/06	BROOKS, CHELSEA A. (14)	Capital Murder	Capital Murder	JT	e
2006CR001524	THEODORE G BURNETT	06/09/06	BROOKS, CHELSEA A. (14)	Capital Murder	Capital Murder	JT	e
2006CR001683	EVERETT LEANTHONY GENTRY	06/10/06	BROOKS, CHELSEA A. (14)	Capital Murder	Capital Murder	Pled	e
2006CR002814	BILLY J MCCASLIN	12/02/06	DURAN-ORTIZ, ANGELA D. (31)	1st Premed Murder	1st Premed Murder	JT	a
2007CR000199	ADRIAN M HOPPER	01/08/07	REED, DEANDRE (24); SEARS, PRINCESS (23)	1st Premed Murder	Not Guilty	JT	d, f
2007CR000199	ADRIAN M HOPPER	01/08/07	REED, DEANDRE (24); SEARS, PRINCESS (23)	1st Premed Murder	Not Guilty	JT	d, f
2007CR000798	PEDRO BAILON-CARMEN	03/08/07	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	2nd Intent Murder	Pled	d, f
2007CR000798	PEDRO BAILON-CARMEN	03/08/07	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	2nd Intent Murder	Pled	d, f
2007CR000799	Edelberto Basurto-Flores	05/22/08	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	Crim Disch@Occ Vehicle	Pled	d, f
2007CR000799	Edelberto Basurto-Flores	05/22/08	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	Crim Disch@Occ Vehicle	Pled	d, f
2007CR001523	SANTOS M CARRERA-MORALES	03/08/07	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	Felony Murder	Pled	d, f
2007CR001523	SANTOS M CARRERA-MORALES	03/08/07	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	Felony Murder	Pled	d, f
2007CR001733	ASA H ADAMS	05/16/07	TURNER, SHYMIR A (1)	Felony Murder	Felony Murder	JT	h
2007CR001813	ERIC FORTINO HUERTA	05/16/07	KAPAUN, ROSANN M. (43)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR001814	STEVEN L CORNELIUS	05/16/07	KAPAUN, ROSANN M. (43)	1st Premed Murder	2nd Intent Murder	Pled	c

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2007CR001815	CHARLES L CULLUM	05/16/07	KAPAUN, ROSANN M. (43)	1st Premed Murder	1st Premed Murder	Pled	c
2007CR001816	ERIC FORTINO HUERTA	05/22/07	CLAYTON, CHAD LEE (26)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR001817	STEVEN L CORNELIUS	05/22/07	CLAYTON, CHAD LEE (26)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR001818	BRIAN T KEEHN	05/22/07	CLAYTON, CHAD LEE (26)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR002031	CHRISTOPHER R KING	01/19/07	MATTIX, DANNIELLE R (22); SMITH, LARRY D (24)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
2007CR002031	CHRISTOPHER R KING	01/19/07	MATTIX, DANNIELLE R (22); SMITH, LARRY D (24)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
2008CR000058	HEIDI RUTH DIEBALL	01/04/08	HAGA, ANDREW J (1)	Felony Murder	2nd Intent Murder	Pled	h
2008CR000315	Megan Mott	01/29/08	COX, ROBBY T. (0)	2nd Intent Murder	2nd Reckless Murder	Pled	h
2008CR000611	Katie Joanne Robertson	02/22/08	ROBERTSON, DAYTONA JOE-LEI (2)	Felony Murder	Voluntary Manslaughter	Pled	h
2008CR001148	JESSICA D CUMMINGS	03/25/08	HUNDLEY, KAILEE (1)	Involuntary Manslaughter	Involuntary Manslaughter	JT	h
2008CR001506	SHANNON E BOGGUESS	05/12/08	COLLINS, JAMES GEORGE II (55)	1st Premed Murder	1st Premed Murder	BT	c
2008CR001507	KEDRIN D LITTLEJOHN	05/12/08	COLLINS, JAMES GEORGE II (55)	1st Premed Murder	Felony Murder	JT	c
2008CR002248	Jonell K. Lloyd	07/31/08	BROWN, CHAVIRA (1)	Felony Murder	1st Premed Murder	JT	h
2008CR002441	RENE CHAVEZ-AGUILAR	08/23/08	ARREOLA, MARILYN K (54); MARTINEZ, JUAN E (22)	2nd Intent Murder	2nd Reckless Murder	JT	f

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2008CR002441	RENE CHAVEZ-AGUILAR	08/23/08	ARREOLA, MARILYN K (54); MARTINEZ, JUAN E (22)	2nd Reckless Murder	2nd Reckless Murder	JT	f
2008CR002442	CARLOS A CHAVEZ-AGUILAR Jr.	08/23/08	ARREOLA, MARILYN K (54); MARTINEZ, JUAN E (22)	2nd Intent Murder	Involuntary Manslaughter	JT	f
2008CR002442	CARLOS A CHAVEZ-AGUILAR Jr.	08/23/08	ARREOLA, MARILYN K (54); MARTINEZ, JUAN E (22)	2nd Reckless Murder	2nd Reckless Murder	JT	f
2008CR002739	DEWHITE B CAMERON	09/19/08	THOMAS, DAMION (3)	Felony Murder	Felony Murder	JT	h
2008CR002893	GARY L HAMMITT	10/01/08	MIJARES, CLAUDIA ZAVALA-DE (37); MIJARES, GISELE (4)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
2008CR002893	GARY L HAMMITT	10/01/08	MIJARES, CLAUDIA ZAVALA-DE (37); MIJARES, GISELE (4)	2nd Reckless Murder	2nd Reckless Murder	Pled	f, h
2008CR003012	NOE BARRON Jr.	10/10/08	BARRON, VICTORIA (0)	Felony Murder	2nd Intent Murder	Pled	h
2008CR003556	MICHAEL J JANZEN	11/26/08	BROWN, BROOKLYN N (0)	Felony Murder	2nd Reckless Murder	Pled	h
2009CR001852	Austin N. Jones	07/02/09	DELATORRE, EMMANUEL (24); ESPARZA, JESUS M (19)	1st Premed Murder	1st Premed Murder	JT	d, f
2009CR001852	Austin N. Jones	07/02/09	DELATORRE, EMMANUEL (24); ESPARZA, JESUS M (19)	1st Premed Murder	1st Premed Murder	JT	d, f
2009CR002064	James W. Thomas	07/21/09	THOMAS, ZEREON L. (0)	Felony Murder	2nd Intent Murder	Pled	h
2009CR003560	Samuel Holton	11/25/09	FOUST, JESSIE M. (25); JACKSON, PHARON ADRIAN (26)	1st Premed Murder	2nd Intent Murder	Pled	d, f
2009CR003560	Samuel Holton	11/25/09	FOUST, JESSIE M. (25); JACKSON, PHARON ADRIAN (26)	Felony Murder	2nd Intent Murder	Pled	d, f
2010CR000897	Shawn A. Blackburn	03/22/10	YOUNG, KARSYN (1)	Felony Murder	2nd Reckless Murder	Pled	h
2010CR001241	Joshua A Duque	11/25/09	FOUST, JESSIE M. (25); JACKSON, PHARON ADRIAN (26)	Felony Murder	Solicit Felony Murder	Pled	d, f
2010CR001241	Joshua A Duque	11/25/09	FOUST, JESSIE M. (25); JACKSON, PHARON ADRIAN (26)	Felony Murder	Solicit Felony Murder	Pled	d, f



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2010CR002016	Eli A. Betancourt	06/20/10	ANDRADE, MIGUEL A. (13)	1st Premed Murder	1st Premed Murder	JT	h
2010CR002017	Alejandro E. Betancourt Jr.	06/20/10	ANDRADE, MIGUEL A. (13)	1st Premed Murder	1st Premed Murder	JT	h
2010CR002018	Gregory J. Patton	06/20/10	ANDRADE, MIGUEL A. (13)	1st Premed Murder	2nd Reckless Murder	Pled	h
2010CR003648	Edward D. Laurel	06/20/10	ANDRADE, MIGUEL A. (13)	1st Premed Murder	1st Premed Murder	JT	h
2011CR000731	Ronald Dale Bevan	02/12/11	RANDOLPH, AMBER G. (6)	2nd Reckless Murder	Invol Manslaughter-DUI	JT	h
2011CR000732	Matthew M. Noel	02/12/11	RANDOLPH, AMBER G. (6)	Involuntary Manslaughter	Not Guilty	JT	h
2011CR002858	Eldridge D. Sherrill	09/23/11	ARNOLD, DANA D. (46)	1st Premed Murder	2nd Intent Murder	Pled	c
2012CR002205	Zachary S. Gaston	09/04/12	MOORE, KIMBRA (9)	Felony Murder	2nd Reckless Murder	Pled	h
2012CR003025	Marquis J. Marshall	11/30/12	HUNT, ZACHARY (22); HARVEY, HENRY (79)	Capital Murder	Capital Murder	JT	e, f
2013CR000188	Phomphikak A. Phouthalaksa	01/11/13	LINDSEY, SHAWN M. (35)	1st Premed Murder	Conspiracy Agg Batt	Pled	c
2013CR000190	Dang Sean	01/11/13	LINDSEY, SHAWN M. (35)	1st Premed Murder	1st Premed Murder	JT	c
2013CR000192	Jason A. Jones	01/11/13	LINDSEY, SHAWN M. (35)	1st Premed Murder	1st Premed Murder	JT	c
2013CR000193	Justin A. Jones	01/11/13	LINDSEY, SHAWN M. (35)	1st Premed Murder	2nd Reckless Murder	Pled	c
2013CR000214	Raudel Sandoval Jr.	06/26/12	TWO-HATCHETT, FEODORA S. (6)	2nd Reckless Murder	Involuntary Manslaughter	Pled	h

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2013CR000947	Alban L. Vanzandt	04/09/13	GONZALEZ, HIGINIO III (35); HERNANDEZ-MARTINEZ, FEDERICO (50)	2nd Reckless Murder	Invol Manslaughter-DUI	Pled	f
2013CR000947	Alban L. Vanzandt	04/09/13	GONZALEZ, HIGINIO III (35); HERNANDEZ-MARTINEZ, FEDERICO (50)	2nd Reckless Murder	Invol Manslaughter-DUI	Pled	f
2013CR001515	Crystal G. Ross	01/26/13	HALL, CRYISOL (7)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	h
2013CR003263	Kisha Denise Schaberg	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	1st Premed Murder	DS by State	N/A	d, e, f
2013CR003263	Kisha Denise Schaberg	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	Capital Murder	Capital Murder	Pled	d, e, f
2013CR003264	Anthony J. Bluml	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	1st Premed Murder	DS by State	N/A	d, e, f
2013CR003264	Anthony J. Bluml	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	Capital Murder	Capital Murder	Pled	d, e, f
2013CR003265	Braden Michael Smith	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	1st Premed Murder	2nd Intent Murder	Pled	d, e, f
2013CR003265	Braden Michael Smith	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	Capital Murder	2nd Intent Murder	Pled	d, e, f
2013CR003266	Andrew Wallace Ellington	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	1st Premed Murder	2nd Intent Murder	Pled	d, e, f
2013CR003266	Andrew Wallace Ellington	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	Capital Murder	1st Premed Murder	Pled	d, e, f
2014CR000349	Jason M. Bugner	08/30/12	PENDLAND, FARRAH E. (1)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	h
2014CR001387	Monica Krueger	05/23/14	KRUEGER, EMMA J. (3)	Felony Murder	2nd Reckless Murder	Pled	h
2014CR001388	Evan A. Schuessler	05/23/14	KRUEGER, EMMA J. (3)	Felony Murder	2nd Intent Murder	Pled	h

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2014CR001589	Vinh V. Nguyen	06/23/14	HUYNH, TUYET T. (45); PHAM, TRINH L. (21); PHAM, XUAN T. (21)	1st Premed Murder			e, f
2014CR001589	Vinh V. Nguyen	06/23/14	HUYNH, TUYET T. (45); PHAM, TRINH L. (21); PHAM, XUAN T. (21)	Capital Murder			e, f
2014CR001875	Seth M. Jackson	07/24/14	POE-JONES, KADILLAK (1)	Felony Murder	Involuntary Manslaughter	Pled	h
2014CR001889	Juan Pablo Gandara-Rodela	07/27/14	HALLACY, JAKE J (26); PHILLIPS, EMILY R (21); TAYLOR, ZACHARY S (27)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
2014CR001889	Juan Pablo Gandara-Rodela	07/27/14	HALLACY, JAKE J (26); PHILLIPS, EMILY R (21); TAYLOR, ZACHARY S (27)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
2014CR001889	Juan Pablo Gandara-Rodela	07/27/14	HALLACY, JAKE J (26); PHILLIPS, EMILY R (21); TAYLOR, ZACHARY S (27)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
2014CR002624	Zachary L Brown	08/19/14	PAULEY-BARRIENTOZ, TREVADAWN R. (21); SAIZ, ANIYAH G. (0)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	f, h
2014CR002624	Zachary L Brown	08/19/14	PAULEY-BARRIENTOZ, TREVADAWN R. (21); SAIZ, ANIYAH G. (0)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	f, h
2014CR002740	KASEY L. NESBITT	09/30/14	SHELL, MARTHA M. (101)	Felony Murder	Felony Murder	JT	a
2014CR003129	Cornell A. McNeal	11/14/14	DAVIS, LETITIA S. (36)	Capital Murder			a, e
2014CR003174	Steven Wade Edwards	10/16/14	MORENO, MARTHA LOPEZ (70); MORENO-LOPEZ, GODOFREDO L. (73)	1st Premed Murder	Felony Murder	Pled	a, d, f
2014CR003174	Steven Wade Edwards	10/16/14	MORENO, MARTHA LOPEZ (70); MORENO-LOPEZ, GODOFREDO L. (73)	Capital Murder	Felony Murder	Pled	a
2015CR000157	Ishmael J. Bryant	01/10/15	BROWN, QUENTIN T (33); SMITH, ANDREW M. (29)	Voluntary Manslaughter	Voluntary Manslaughter	Pled	f
2015CR000157	Ishmael J. Bryant	01/10/15	BROWN, QUENTIN T (33); SMITH, ANDREW M. (29)	Voluntary Manslaughter	Voluntary Manslaughter	Pled	f
2015CR000176	Luis C Alvarado-Meraz	01/14/15	ALVARADO-MERAZ, MANUEL A. (25); RODRIGUEZ, LUCERO (23)	1st Premed Murder	DS by State	N/A	d, e, f
2015CR000176	Luis C Alvarado-Meraz	01/14/15	ALVARADO-MERAZ, MANUEL A. (25); RODRIGUEZ, LUCERO (23)	Capital Murder	Capital Murder	JT	d, e, f
2015CR000196	Sly Maples	01/20/15	DARNELL, AVRY M. (2)	Felony Murder	Not Guilty	JT	h

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2015CR001234	Carlos B. De La Cadena-Edwards	10/16/14	MORENO, MARTHA LOPEZ (70); MORENO-LOPEZ, GODOFREDO L. (73)	Felony Murder	2nd Intent Murder	Pled	f
2015CR001234	Carlos B. De La Cadena-Edwards	10/16/14	MORENO, MARTHA LOPEZ (70); MORENO-LOPEZ, GODOFREDO L. (73)	Felony Murder	2nd Intent Murder	Pled	f
2015CR001952	MARVIN L. GRAY	06/25/15	RAY, CIERA D (28)	1st Premed Murder	1st Premed Murder	JT	a, b
2015CR002651	Michael C. Williams	09/09/15	WILLIAMS, PRINCESS T. (1)	Felony Murder	2nd Intent Murder	Pled	c, h
2015CR003082	Adam T Ray	10/22/15	AGUILAR-RETANA, ERNESTO A. (21); GARCIA, OMAR (21)	2nd Intent Murder	Voluntary Manslaughter	Pled	f
2015CR003082	Adam T Ray	10/22/15	AGUILAR-RETANA, ERNESTO A. (21); GARCIA, OMAR (21)	2nd Intent Murder	Voluntary Manslaughter	Pled	f
2015CR003164	Benjamin J. Thomas	11/01/15	POYNTER, LISA M. (41)	1st Premed Murder	Voluntary Manslaughter	Pled	c
2015CR003236	Michael C. Ross	11/09/15	HARRIS, GRACE L. (1)	Felony Murder	Felony Murder	JT	h
2015CR003500	Johnathan Eli Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003500	Johnathan Eli Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003501	Quincy R.T. Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003501	Quincy R.T. Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003502	Jamion D. Wimbley	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003502	Jamion D. Wimbley	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003503	Brent J. Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003503	Brent J. Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f

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2015CR003742	Aubrey D. Cole	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	Agg Battery 8	Pled	c
2015CR003745	Gabriel R Lara	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	Involuntary Manslaughter	Pled	c
2015CR003746	Jose Antonio Rajas	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	Dismissed by Court@PH	N/A	c
2015CR003747	Diego S. Olivas	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	2nd Intent Murder	Pled	c
2015CR003748	Amelia Wilson-Ramos	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	Involuntary Manslaughter	Pled	c
2016CR000303	Myles Thomas Evans	08/21/15	BELL, DAVID KENNETH (70); LABRUE, PAUL L. SR (72)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	BT	f
2016CR000303	Myles Thomas Evans	08/21/15	BELL, DAVID KENNETH (70); LABRUE, PAUL L. SR (72)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	BT	f
2016CR001428	Bret Blevins	05/06/16	ATTERBERY, LEONARD D (26); MACMILLAN, DIRK JACKSON (47)	Invol Manslaughter-DUI	2nd Reckless Murder	JT	f
2016CR001428	Bret Blevins	05/06/16	ATTERBERY, LEONARD D (26); MACMILLAN, DIRK JACKSON (47)	Invol Manslaughter-DUI	2nd Reckless Murder	JT	f
2016CR002020	Ramaj Malik White	03/11/15	BURNETT, DERRICK I (17); WILLIAMS, DONTREZ J (16)	Involuntary Manslaughter	Vehicular Homicide	Pled	f
2016CR002020	Ramaj Malik White	03/11/15	BURNETT, DERRICK I (17); WILLIAMS, DONTREZ J (16)	Involuntary Manslaughter	Vehicular Homicide	Pled	f
2016CR003262	HASSAN LAMONT WRIGHT	11/03/16	MITCHELL, LANIYA (6)	1st Premed Murder	1st Premed Murder	Pled	c, h
2016CR003285	Jeff Hillard	11/06/16	GOODPASTER, SCOTTIE W. JR. (33)	1st Premed Murder	1st Premed Murder	JT	c
2016CR003286	Heidi L. Hillard	11/06/16	GOODPASTER, SCOTTIE W. JR. (33)	1st Premed Murder	1st Premed Murder	JT	c

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2016CR003287	Brian W. Bussart	11/06/16	GOODPASTER, SCOTTIE W. JR. (33)	1st Premed Murder	Felony Murder	Pled	c
2016CR003288	Willie E. Morris	11/06/16	GOODPASTER, SCOTTIE W. JR. (33)	1st Premed Murder	1st Premed Murder	JT	c
2017CR003331	TRAVIS J BECKER Jr.	11/13/17	RODRIGUEZ, PERLA M (42)	1st Premed Murder	Felony Murder	Pled	c
2017CR003475	Miranda Ryann Miller	03/01/17	BREWER, EVAN C (3)	Felony Murder	2nd Intent Murder	Pled	c, h
2017CR003476	Stephen M. Bodine	03/01/17	BREWER, EVAN C (3)	Felony Murder	Felony Murder	JT	c, h
2018CR000283	DANIEL IVAN JUAREZ	08/10/17	JUAREZ, DANIEL (6)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	h
2018CR000920	Dorl C. Gwyn	04/10/18	GWYN, JAZZ C. (1)	Felony Murder	2nd Reckless Murder	Pled	h
2018CR001208	Lucas A. Diel	05/04/18	BUNN, ANTHONY (3)	Felony Murder	2nd Intent Murder	Pled	h
2018CR001209	Elizabeth A. Woolheater	05/04/18	BUNN, ANTHONY (3)	Felony Murder	2nd Intent Murder	Pled	h
2018CR002423	Kyle Lloyd Kempton	08/30/18	KEMPTON, PATRICK (0)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	h
2018CR002424	Christy L Rollings	08/30/18	KEMPTON, PATRICK (0)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	h
2018CR002599	ANDREW WAYNE FRANKLIN	09/08/18	FRANKLIN, BREXLEY GRACE (0)	Felony Murder			h
2018CR002896	Tito N Kyando	09/04/18	LATNEY, MIYAH (20); SALABAO, URIEL V (22)	Involuntary Manslaughter			f
2018CR002896	Tito N Kyando	09/04/18	LATNEY, MIYAH (20); SALABAO, URIEL V (22)	Involuntary Manslaughter			f
2018CR003053	James Neal Dalrymple	04/27/18	WOODSON, BRAEDEN E (10); WOODSON, STACY L - C2071 (38)	Invol Manslaughter-DUI			f, g

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2018CR003053	James Neal Dalrymple	04/27/18	WOODSON, BRAEDEN E (10); WOODSON, STACY L - C2071 (38)	Invol Manslaughter-DUI			f, h
2019CR000990	Brandi Kai Marchant	04/11/19	JAVONOVICH, ZAIDEN (2)	Felony Murder			d, f, h
2019CR000991	PATRICK R JAVONOVICH	04/11/19	JAVONOVICH, ZAIDEN (2)	Felony Murder			d, f, h
2019CR001251	Mia Marie Collins	05/05/19	MCELROY, ROSEMARY (13); WOOD, MARIA (71)	Felony Murder			d, f, h
2019CR001251	Mia Marie Collins	05/05/19	MCELROY, ROSEMARY (13); WOOD, MARIA (71)	Felony Murder			d, f, h
2019CR002391	Kimberly D. Compass	05/31/19	JAYNESAHKLUAH, ZAYDEN L (3)	Felony Murder			h
2019CR002946	Stephanie Aviles	09/29/19	AVILES, JACOB A (3)	Felony Murder			h
2019CR002947	Bernardo Gonzalez Mejia	09/29/19	AVILES, JACOB A (3)	Felony Murder			h
2019CR003581	Efrain D Arroyo	11/27/19	HERNANDEZ, CHRISTIAN O (30)	Felony Murder			c
2020CR000150	Marlin D. Williams Jr.	01/10/20	WILLIAMS, MARRELL L (0)	Felony Murder			h
2020CR000152	Brietan Ron Rader	01/10/20	FLORES, MAELA J. (0)	Felony Murder			h

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1996CR000317	Sakone Donesay	01/08/96	EASTER, KEVIN (24)	Capital Murder	Capital Murder	JT	g
1996CR001128	MICHAEL LEE MARSH II	06/17/96	PUSCH, MARRY ANE (21); PUSCH, MARRY ELIZABETH (1)	1st Premed Murder	DS by State	Refiled as 97CR1157	d, e, f, h
1996CR001157	MICHAEL LEE MARSH II	06/17/96	PUSCH, MARRY ANE (21); PUSCH, MARRY ELIZABETH (1)	Capital Murder	1st Premed Murder	JT	d, e, f, h
1996CR001157	MICHAEL LEE MARSH II	06/17/96	PUSCH, MARRY ANE (21); PUSCH, MARRY ELIZABETH (1)	Capital Murder	Capital Murder	JT	d, e, f, h
1996CR001748	JASON M WAKEFIELD	09/13/96	BRITTAIN, ELIZABETH (35); BRITTAIN, DOUGLAS (35)	1st Premed Murder	1st Premed Murder	JT	d, f
1996CR001748	JASON M WAKEFIELD	09/13/96	BRITTAIN, ELIZABETH (35); BRITTAIN, DOUGLAS (35)	1st Premed Murder	1st Premed Murder	JT	d, f
1996CR001748	GAVIN D SCOTT	09/13/96	BRITTAIN, ELIZABETH (35); BRITTAIN, DOUGLAS (35)	Capital Murder	Capital Murder	JT	d, e, f
1996CR001748	GAVIN D SCOTT	09/13/96	BRITTAIN, ELIZABETH (35); BRITTAIN, DOUGLAS (35)	Capital Murder	1st Premed Murder	JT	d, e, f
1996CR002103	Eddie L. Gillespie	11/01/96	HUBBLE, ROBERT S. (38); MCCLURE, JAMES (41)	1st Premed Murder	1st Premed Murder	Pled	d, f
1996CR002103	Eddie L. Gillespie	11/01/96	HUBBLE, ROBERT S. (38); MCCLURE, JAMES (41)	1st Premed Murder	1st Premed Murder	Pled	d, f
1997CR000776	SAMUEL E PENN	04/18/97	SNIDER, KENNETH E. (48)	1st Premed Murder	DS by State	N/A	g
1997CR002097	CHESTER R JAMISON	10/06/97	BERRY, JAMES E. (35); NELSON, KEVIN L. (24)	1st Premed Murder	1st Premed Murder	JT	d, f
1997CR002097	CHESTER R JAMISON	10/06/97	BERRY, JAMES E. (35); NELSON, KEVIN L. (24)	1st Premed Murder	1st Premed Murder	JT	d, f
1998CR000874	VICTOR R MITCHELL Jr.	04/16/98	HOBAUGH, JEFFREY T. (36); HOBAUGH, RANDY E. (38)	1st Premed Murder	2nd Intent Murder	JT	d, f
1998CR000874	VICTOR R MITCHELL Jr.	04/16/98	HOBAUGH, JEFFREY T. (36); HOBAUGH, RANDY E. (38)	1st Premed Murder	2nd Intent Murder	JT	d, f
1998CR001706	Stanley M. Elms	05/04/98	GRAY, REGINA L (28)	Capital Murder	Capital Murder	JT	e



Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
1998CR002058	DAVID A NOYCE	09/14/98	NOYCE, CLIFFORD J (2); NOYCE, DALENE M (27)	1st Premed Murder	1st Premed Murder	Pled	f, h
1998CR002058	DAVID A NOYCE	09/14/98	NOYCE, CLIFFORD J (2); NOYCE, DALENE M (27)	Capital Murder	Capital Murder	Pled	e, f, h
1999CR002636	ROMANE R DOUGLAS	10/03/99	MEJIA, JESSE (35); MARTINEZ, ALFRED L (37)	1st Premed Murder	1st Premed Murder	JT	d, f
1999CR002636	ROMANE R DOUGLAS	10/03/99	MEJIA, JESSE (35); MARTINEZ, ALFRED L (37)	1st Premed Murder	1st Premed Murder	JT	d, f
2000CR002945	CORNELIUS D OLIVER	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	1st Premed Murder	1st Premed Murder	JT	d, e, f
2000CR002945	CORNELIUS D OLIVER	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	1st Premed Murder	JT	d, e, f
2000CR002945	CORNELIUS D OLIVER	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Felony Murder	JT	d, e, f
2000CR002945	CORNELIUS D OLIVER	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Felony Murder	JT	d, e, f
2000CR002963	EARL W BELL II	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Not Guilty	JT	d, e, f
2000CR002963	EARL W BELL II	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Not Guilty	JT	d, e, f
2000CR002963	EARL W BELL II	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Not Guilty	JT	d, e, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2000CR002963	EARL W BELL II	12/06/00	FORD, DESSA (17); LEVY, JERMAINE (20); WHEATON, RAESHAWNDA (18); WILLIAMS, QUINCY (17)	Capital Murder	Not Guilty	JT	d, e, f
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002978	REGINALD D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002979	JONATHAN D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002979	JONATHAN D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2000CR002979	JONATHAN D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2000CR002979	JONATHAN D CARR	12/14/00	BEFORT, JASON (26); HEYKA, BRADLEY (27); MULLER, HEATHER S (25); SANDER, AARON (29); WALENTA, LINDA ANN (55)	Capital Murder	Capital Murder	JT	a, b, c, d, e, f
2003CR000094	CLINT E WOODS	09/22/02	ALLEN, ANTONIO (19); MITCHELL, DAVONTA (19)	1st Premed Murder	2nd Intent Murder	Pled	d, f
2003CR000094	CLINT E WOODS	09/22/02	ALLEN, ANTONIO (19); MITCHELL, DAVONTA (19)	1st Premed Murder	DS by State	N/A	d, f
2003CR000095	MANUEL A ROACH	09/22/02	ALLEN, ANTONIO (19); MITCHELL, DAVONTA (19)	1st Premed Murder	DS by State	N/A	d, f
2003CR000095	MANUEL A ROACH	09/22/02	ALLEN, ANTONIO (19); MITCHELL, DAVONTA (19)	1st Premed Murder	DS by State	N/A	d, f
2003CR001255	DOUGLAS S BELT	06/24/02	GALLEGOS, LUCILLE (43)	Capital Murder	Capital Murder	JT	e
2003CR001857	ARTURO J GARCIA	07/27/03	JONES, CLINT (30); RAMIREZ, NICHOLAS (21); RAMIREZ, OSCAR A. (27)	1st Premed Murder	1st Premed Murder	JT	d, f
2003CR001857	ARTURO J GARCIA	07/27/03	JONES, CLINT (30); RAMIREZ, NICHOLAS (21); RAMIREZ, OSCAR A. (27)	1st Premed Murder	2nd Intent Murder	JT	d, f
2003CR001857	ARTURO J GARCIA	07/27/03	JONES, CLINT (30); RAMIREZ, NICHOLAS (21); RAMIREZ, OSCAR A. (27)	1st Premed Murder	1st Premed Murder	JT	d, f
2004CR001938	Achaz Alford	11/12/99	FREDERICK, TINA JO (22)	1st Premed Murder	1st Premed Murder	Pled	a, b
2006CR001523	ELGIN R ROBINSON Jr.	06/09/06	BROOKS, CHELSEA A. (14)	Capital Murder	Capital Murder	JT	e
2006CR001524	THEODORE G BURNETT	06/09/06	BROOKS, CHELSEA A. (14)	Capital Murder	Capital Murder	JT	e
2006CR001683	EVERETT LEANTHONY GENTRY	06/10/06	BROOKS, CHELSEA A. (14)	Capital Murder	Capital Murder	Pled	e
2006CR002814	BILLY J MCCASLIN	12/02/06	DURAN-ORTIZ, ANGELA D. (31)	1st Premed Murder	1st Premed Murder	JT	a

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2007CR000199	ADRIAN M HOPPER	01/08/07	REED, DEANDRE (24); SEARS, PRINCESS (23)	1st Premed Murder	Not Guilty	JT	d, f
2007CR000199	ADRIAN M HOPPER	01/08/07	REED, DEANDRE (24); SEARS, PRINCESS (23)	1st Premed Murder	Not Guilty	JT	d, f
2007CR000798	PEDRO BAILON-CARMEN	03/08/07	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	2nd Intent Murder	Pled	d, f
2007CR000798	PEDRO BAILON-CARMEN	03/08/07	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	2nd Intent Murder	Pled	d, f
2007CR000799	Edelberto Basurto-Flores	05/22/08	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	Crim Disch@Occ Vehicle	Pled	d, f
2007CR000799	Edelberto Basurto-Flores	05/22/08	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	Crim Disch@Occ Vehicle	Pled	d, f
2007CR001523	SANTOS M CARRERA-MORALES	03/08/07	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	Felony Murder	Pled	d, f
2007CR001523	SANTOS M CARRERA-MORALES	03/08/07	MORELOS, JULIO C. (16); VEGA, ADRIAN (19)	1st Premed Murder	Felony Murder	Pled	d, f
2009CR001852	Austin N. Jones	07/02/09	DELATORRE, EMMANUEL (24); ESPARZA, JESUS M (19)	1st Premed Murder	1st Premed Murder	JT	d, f
2009CR001852	Austin N. Jones	07/02/09	DELATORRE, EMMANUEL (24); ESPARZA, JESUS M (19)	1st Premed Murder	1st Premed Murder	JT	d, f
2009CR003560	Samuel Holton	11/25/09	FOUST, JESSIE M. (25); JACKSON, PHARON ADRIAN (26)	1st Premed Murder	2nd Intent Murder	Pled	d, f
2009CR003560	Samuel Holton	11/25/09	FOUST, JESSIE M. (25); JACKSON, PHARON ADRIAN (26)	Felony Murder	2nd Intent Murder	Pled	d, f
2010CR001241	Joshua A Duque	11/25/09	FOUST, JESSIE M. (25); JACKSON, PHARON ADRIAN (26)	Felony Murder	Solicit Felony Murder	Pled	d, f
2010CR001241	Joshua A Duque	11/25/09	FOUST, JESSIE M. (25); JACKSON, PHARON ADRIAN (26)	Felony Murder	Solicit Felony Murder	Pled	d, f
2012CR003025	Marquis J. Marshall	11/30/12	HUNT, ZACHARY (22); HARVEY, HENRY (79)	Capital Murder	Capital Murder	JT	e, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2013CR003263	Kisha Denise Schaberg	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	1st Premed Murder	DS by State	N/A	d, e, f
2013CR003263	Kisha Denise Schaberg	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	Capital Murder	Capital Murder	Pled	d, e, f
2013CR003264	Anthony J. Bluml	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	1st Premed Murder	DS by State	N/A	d, e, f
2013CR003264	Anthony J. Bluml	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	Capital Murder	Capital Murder	Pled	d, e, f
2013CR003265	Braden Michael Smith	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	1st Premed Murder	2nd Intent Murder	Pled	d, e, f
2013CR003265	Braden Michael Smith	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	Capital Murder	2nd Intent Murder	Pled	d, e, f
2013CR003266	Andrew Wallace Ellington	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	1st Premed Murder	2nd Intent Murder	Pled	d, e, f
2013CR003266	Andrew Wallace Ellington	11/15/13	BLUML, MELISSA (53); BLUML, ROGER (48)	Capital Murder	1st Premed Murder	Pled	d, e, f
2014CR001589	Vinh V. Nguyen	06/23/14	HUYNH, TUYET T. (45); PHAM, TRINH L. (21); PHAM, XUAN T. (21)	1st Premed Murder			e, f
2014CR001589	Vinh V. Nguyen	06/23/14	HUYNH, TUYET T. (45); PHAM, TRINH L. (21); PHAM, XUAN T. (21)	Capital Murder			e, f
2014CR002740	KASEY L. NESBITT	09/30/14	SHELL, MARTHA M. (101)	Felony Murder	Felony Murder	JT	a
2014CR003129	Cornell A. McNeal	11/14/14	DAVIS, LETITIA S. (36)	Capital Murder			a, e
2014CR003174	Steven Wade Edwards	10/16/14	MORENO, MARTHA LOPEZ (70); MORENO-LOPEZ, GODOFREDO L. (73)	1st Premed Murder	Felony Murder	Pled	a, d, f
2014CR003174	Steven Wade Edwards	10/16/14	MORENO, MARTHA LOPEZ (70); MORENO-LOPEZ, GODOFREDO L. (73)	Capital Murder	Felony Murder	Pled	a
2015CR000176	Luis C Alvarado-Meraz	01/14/15	ALVARADO-MERAZ, MANUEL A. (25); RODRIGUEZ, LUCERO (23)	1st Premed Murder	DS by State	N/A	d, e, f
2015CR000176	Luis C Alvarado-Meraz	01/14/15	ALVARADO-MERAZ, MANUEL A. (25); RODRIGUEZ, LUCERO (23)	Capital Murder	Capital Murder	JT	d, e, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2015CR001234	Carlos B. De La Cadena-Edwards	10/16/14	MORENO, MARTHA LOPEZ (70); MORENO-LOPEZ, GODOFREDO L. (73)	Felony Murder	2nd Intent Murder	Pled	f
2015CR001234	Carlos B. De La Cadena-Edwards	10/16/14	MORENO, MARTHA LOPEZ (70); MORENO-LOPEZ, GODOFREDO L. (73)	Felony Murder	2nd Intent Murder	Pled	f
2015CR001952	MARVIN L. GRAY	06/25/15	RAY, CIERA D (28)	1st Premed Murder	1st Premed Murder	JT	a, b
2015CR003082	Adam T Ray	10/22/15	AGUILAR-RETANA, ERNESTO A. (21); GARCIA, OMAR (21)	2nd Intent Murder	Voluntary Manslaughter	Pled	f
2015CR003082	Adam T Ray	10/22/15	AGUILAR-RETANA, ERNESTO A. (21); GARCIA, OMAR (21)	2nd Intent Murder	Voluntary Manslaughter	Pled	f

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1995CR000994	GORDON R BARNES Jr.	04/29/95	SANTO, ROGER W. JR. (16)	1st Premed Murder	1st Premed Murder	JT	c
1995CR000994	KRISTY L WILSON	04/29/95	SANTO, ROGER W. JR. (16)	1st Premed Murder	1st Premed Murder	Pled	c
1995CR001346	ANGELA L BARNES	04/29/95	SANTO, ROGER W. JR. (16)	1st Premed Murder	2nd Intent Murder	Pled	c
1995CR001966	VINCENT D ALTUM	11/01/95	COX, DYLAN M. (1)	1st Premed Murder	1st Premed Murder	JT	h
1995CR002065	KELLEY L WILLIAMS	11/17/95	HORRIE, KATHERINE M. (3)	Felony Murder	Felony Murder	JT	h
1996CR000140	SHARON K CARR	09/07/95	CARR, SHAYLEEN N. (3)	Felony Murder	Felony Murder	JT	h
1996CR001194	Robert R. Johnson	08/17/95	SHOWALTER, PHYLLIS A. (73); SHOWALTER, QUENTIN D. (75)	Invol Manslaughter- DUI	Invol Manslaughter- DUI	Pled	f
1996CR001194	Robert R. Johnson	08/17/95	SHOWALTER, PHYLLIS A. (73); SHOWALTER, QUENTIN D. (75)	Invol Manslaughter- DUI	Invol Manslaughter- DUI	Pled	f
1998CR001559	ALITA CASTRO	07/21/98	GALVAN, ANTONIO (8)	Felony Murder	Voluntary Manslaughter	Pled	h
1998CR001560	OSCAR F TORRES	07/21/98	GALVAN, ANTONIO (8)	1st Premed Murder	Felony Murder	Pled	h
1998CR001561	Jesse Jonathan Lozano Jr	07/21/98	GALVAN, ANTONIO (8)	Felony Murder	Crim Disch@Occ Bldg	Pled	h
1998CR002004	EVERETT R MCGINNIS	07/21/98	GALVAN, ANTONIO (8)	1st Premed Murder	Felony Murder	Pled	h
1998CR002005	DANIEL MEDRANO	07/21/98	GALVAN, ANTONIO (8)	1st Premed Murder	Felony Murder	Pled	h
1998CR002006	ISAAC D SAIZ	07/21/98	GALVAN, ANTONIO (8)	1st Premed Murder	1st Premed Murder	JT	h
1998CR002080	NAM T PHAM	09/20/98	NGUYEN, NA T. (12)	Felony Murder	2nd Intent Murder	Pled	h
1999CR000431	MARY A MILES	02/15/99	NEWMAN, AMY (6)	1st Premed Murder	Not Guilty	BT	h
1999CR001605	VIET Q DOAN	09/20/98	NGUYEN, NA T. (12)	Felony Murder	2nd Reckless Murder	Pled	h
1999CR001818	COREY R GHOLSTON	10/04/95	SMITH, BRENTASIA S (2)	1st Premed Murder	N/A	Court DS	h
1999CR001824	GLORIA A DUPREE	07/06/99	CAUTHON, DALE A (64); CAUTHON, JOYCE L (61)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
1999CR001824	GLORIA A DUPREE	07/06/99	CAUTHON, DALE A (64); CAUTHON, JOYCE L (61)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
1999CR002774	COREY R GHOLSTON	10/04/95	SMITH, BRENTASIA S (2)	1st Premed Murder	1st Premed Murder	JT	h
2000CR000033	RON E PRITCHARD	01/03/99	GARNER, JUSTIN H (1)	Felony Murder	Invol Manslaughter	JT	h

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2000CR000058	MICHAEL L JENKINS	08/19/99	KUNKEL, BRENT (13); KUNKEL, LAURA (15)	2nd Reckless Murder	Invol Manslaughter	JT	f, h
2000CR000058	MICHAEL L JENKINS	08/19/99	KUNKEL, BRENT (13); KUNKEL, LAURA (15)	2nd Reckless Murder	Invol Manslaughter	JT	f, h
2000CR000540	CURTIS A. HINES	02/18/00	MAYS, TIONNA J. (2)	Felony Murder	Voluntary Manslaughter	Pled	h
2000CR001048	MICHAEL L EMBRY	04/17/00	HARP, KASSICA A (1)	2nd Reckless Murder	Involuntary Manslaughter	JT	h
2000CR001399	JACK L HUDSON II	01/16/98	CHAPPELLE, KYLIE D (2)	Felony Murder	Not Guilty	JT	h
2000CR002898	Dennie Johnson	11/28/00	HAYWOOD, NICCOL D (2)	2nd Reckless Murder	Voluntary Manslaughter	Pled	h
2001CR001042	CHRISTOPHER L WOLLEY	11/19/00	FARRELL, STACY (18); RUDICK, JASON (24)	2nd Reckless Murder	Invol Manslaughter-DUI	JT	f
2001CR001042	CHRISTOPHER L WOLLEY	11/19/00	FARRELL, STACY (18); RUDICK, JASON (24)	2nd Reckless Murder	Invol Manslaughter-DUI	JT	f
2001CR001394	JERMANE D LOWE	06/10/01	MATHIS, LEXUS T. (1)	Felony Murder	Felony Murder	JT	h
2001CR001395	MICHAEL D WALKER	06/10/01	MATHIS, LEXUS T. (1)	Felony Murder	Felony Murder	JT	h
2003CR000903	JOSEPH P SONA	12/29/02	HOLLIS, MAKINNA L. (3)	Invol Manslaughter-DUI	Involuntary Manslaughter	Pled	h
2003CR000931	JAMES D SEGRAVES	01/26/02	NOONE, JAMES (18); PAWLAK, JEREMY (18)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
2003CR000931	JAMES D SEGRAVES	01/26/02	NOONE, JAMES (18); PAWLAK, JEREMY (18)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
2004CR000044	ROSA E SANCHEZ	01/08/04	SANCHEZ, BRIAN (3)	Felony Murder	Felony Murder	JT	h
2004CR000165	RAY F GARCIA	11/12/95	ELDRIDGE, PHYLLIS L. (73)	Felony Murder	Felony Murder	JT	a
2004CR001343	ANTHONY R MELTON	05/17/04	POOL, TOSHUA (0)	Felony Murder	2nd Intent Murder	Pled	h
2005CR001015	Misty D. Redburn	02/14/05	SERNA, SANTIAGO (5)	Invol Manslaughter-DUI	Invol Manslaughter Reckless	Pled	h
2006CR000510	ANTHONY J LONGORIA	02/16/06	GUNTHER, JORDAN (0)	Felony Murder	2nd Intent Murder	Pled	h



Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2006CR000740	CHRISTOPHER D GANT	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2006CR000741	JEREMY T MILES	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Att Agg Robbery	Pled	d, f
2006CR000741	JEREMY T MILES	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Crim Poss Firearm	Pled	d, f
2006CR000742	KENDRALL D RANSOM	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2006CR000742	KENDRALL D RANSOM	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2006CR000743	KARLAN D RANSOM	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2006CR000743	KARLAN D RANSOM	03/20/06	DONTA L MCDONALD, AKA O.B. MCDONALD (27); SPAIN-BEY, CHRISTOPHER (28)	Felony Murder	Felony Murder	JT	d, f
2007CR001733	ASA H ADAMS	05/16/07	TURNER, SHYMIR A (1)	Felony Murder	Felony Murder	JT	h
2007CR001813	ERIC FORTINO HUERTA	05/16/07	KAPAUN, ROSANN M. (43)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR001814	STEVEN L CORNELIUS	05/16/07	KAPAUN, ROSANN M. (43)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR001815	CHARLES L CULLUM	05/16/07	KAPAUN, ROSANN M. (43)	1st Premed Murder	1st Premed Murder	Pled	c
2007CR001816	ERIC FORTINO HUERTA	05/22/07	CLAYTON, CHAD LEE (26)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR001817	STEVEN L CORNELIUS	05/22/07	CLAYTON, CHAD LEE (26)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR001818	BRIAN T KEEHN	05/22/07	CLAYTON, CHAD LEE (26)	1st Premed Murder	2nd Intent Murder	Pled	c
2007CR002031	CHRISTOPHER R KING	01/19/07	MATTIX, DANNIELLE R (22); SMITH, LARRY D (24)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2007CR002031	CHRISTOPHER R KING	01/19/07	MATTIX, DANNIELLE R (22); SMITH, LARRY D (24)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	f
2008CR000058	HEIDI RUTH DIEBALL	01/04/08	HAGA, ANDREW J (1)	Felony Murder	2nd Intent Murder	Pled	h
2008CR000315	Megan Mott	01/29/08	COX, ROBBY T. (0)	2nd Intent Murder	2nd Reckless Murder	Pled	h
2008CR000611	Katie Joanne Robertson	02/22/08	ROBERTSON, DAYTONA JOE-LEI (2)	Felony Murder	Voluntary Manslaughter	Pled	h
2008CR001148	JESSICA D CUMMINGS	03/25/08	HUNDLEY, KAILEE (1)	Involuntary Manslaughter	Involuntary Manslaughter	JT	h
2008CR001506	SHANNON E BOGGUESS	05/12/08	COLLINS, JAMES GEORGE II (55)	1st Premed Murder	1st Premed Murder	BT	c
2008CR001507	KEDRIN D LITTLEJOHN	05/12/08	COLLINS, JAMES GEORGE II (55)	1st Premed Murder	Felony Murder	JT	c
2008CR002248	Jonell K. Lloyd	07/31/08	BROWN, CHAVIRA (1)	Felony Murder	1st Premed Murder	JT	h
2008CR002441	RENE CHAVEZ-AGUILAR	08/23/08	ARREOLA, MARILYN K (54); MARTINEZ, JUAN E (22)	2nd Intent Murder	2nd Reckless Murder	JT	f
2008CR002441	RENE CHAVEZ-AGUILAR	08/23/08	ARREOLA, MARILYN K (54); MARTINEZ, JUAN E (22)	2nd Reckless Murder	2nd Reckless Murder	JT	f
2008CR002442	CARLOS A CHAVEZ-AGUILAR Jr.	08/23/08	ARREOLA, MARILYN K (54); MARTINEZ, JUAN E (22)	2nd Intent Murder	Involuntary Manslaughter	JT	f
2008CR002442	CARLOS A CHAVEZ-AGUILAR Jr.	08/23/08	ARREOLA, MARILYN K (54); MARTINEZ, JUAN E (22)	2nd Reckless Murder	2nd Reckless Murder	JT	f
2008CR002739	DEWHITE B CAMERON	09/19/08	THOMAS, DAMION (3)	Felony Murder	Felony Murder	JT	h
2008CR002893	GARY L HAMMITT	10/01/08	MIJARES, CLAUDIA ZAVALA-DE (37); MIJARES, GISELE (4)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
2008CR002893	GARY L HAMMITT	10/01/08	MIJARES, CLAUDIA ZAVALA-DE (37); MIJARES, GISELE (4)	2nd Reckless Murder	2nd Reckless Murder	Pled	f, h
2008CR003012	NOE BARRON Jr.	10/10/08	BARRON, VICTORIA (0)	Felony Murder	2nd Intent Murder	Pled	h
2008CR003556	MICHAEL J JANZEN	11/26/08	BROWN, BROOKLYN N (0)	Felony Murder	2nd Reckless Murder	Pled	h
2009CR002064	James W. Thomas	07/21/09	THOMAS, ZEREON L. (0)	Felony Murder	2nd Intent Murder	Pled	h
2010CR000897	Shawn A. Blackburn	03/22/10	YOUNG, KARSYN (1)	Felony Murder	2nd Reckless Murder	Pled	h

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2010CR002016	Eli A. Betancourt	06/20/10	ANDRADE, MIGUEL A. (13)	1st Premed Murder	1st Premed Murder	JT	h
2010CR002017	Alejandro E. Betancourt Jr.	06/20/10	ANDRADE, MIGUEL A. (13)	1st Premed Murder	1st Premed Murder	JT	h
2010CR002018	Gregory J. Patton	06/20/10	ANDRADE, MIGUEL A. (13)	1st Premed Murder	2nd Reckless Murder	Pled	h
2010CR003648	Edward D. Laurel	06/20/10	ANDRADE, MIGUEL A. (13)	1st Premed Murder	1st Premed Murder	JT	h
2011CR000731	Ronald Dale Bevan	02/12/11	RANDOLPH, AMBER G. (6)	2nd Reckless Murder	Invol Manslaughter-DUI	JT	h
2011CR000732	Matthew M. Noel	02/12/11	RANDOLPH, AMBER G. (6)	Involuntary Manslaughter	Not Guilty	JT	h
2011CR002858	Eldridge D. Sherrill	09/23/11	ARNOLD, DANA D. (46)	1st Premed Murder	2nd Intent Murder	Pled	c
2012CR002205	Zachary S. Gaston	09/04/12	MOORE, KIMBRA (9)	Felony Murder	2nd Reckless Murder	Pled	h
2013CR000188	Phomphikak A. Phouthalaksa	01/11/13	LINDSEY, SHAWN M. (35)	1st Premed Murder	Conspiracy Agg Batt	Pled	c
2013CR000190	Dang Sean	01/11/13	LINDSEY, SHAWN M. (35)	1st Premed Murder	1st Premed Murder	JT	c
2013CR000192	Jason A. Jones	01/11/13	LINDSEY, SHAWN M. (35)	1st Premed Murder	1st Premed Murder	JT	c
2013CR000193	Justin A. Jones	01/11/13	LINDSEY, SHAWN M. (35)	1st Premed Murder	2nd Reckless Murder	Pled	c
2013CR000214	Raudel Sandoval Jr.	06/26/12	TWO-HATCHETT, FEODORA S. (6)	2nd Reckless Murder	Involuntary Manslaughter	Pled	h
2013CR000947	Alban L. Vanzandt	04/09/13	GONZALEZ, HIGINIO III (35); HERNANDEZ-MARTINEZ, FEDERICO (50)	2nd Reckless Murder	Invol Manslaughter-DUI	Pled	f
2013CR000947	Alban L. Vanzandt	04/09/13	GONZALEZ, HIGINIO III (35); HERNANDEZ-MARTINEZ, FEDERICO (50)	2nd Reckless Murder	Invol Manslaughter-DUI	Pled	f
2013CR001515	Crystal G. Ross	01/26/13	HALL, CRYISOL (7)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	h
2014CR000349	Jason M. Bugner	08/30/12	PENDLAND, FARRAH E. (1)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	h

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2014CR001387	Monica Krueger	05/23/14	KRUEGER, EMMA J. (3)	Felony Murder	2nd Reckless Murder	Pled	h
2014CR001388	Evan A. Schuessler	05/23/14	KRUEGER, EMMA J. (3)	Felony Murder	2nd Intent Murder	Pled	h
2014CR001875	Seth M. Jackson	07/24/14	POE-JONES, KADILLAK (1)	Felony Murder	Involuntary Manslaughter	Pled	h
2014CR001889	Juan Pablo Gandara-Rodela	07/27/14	HALLACY, JAKE J (26); PHILLIPS, EMILY R (21); TAYLOR, ZACHARY S (27)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
2014CR001889	Juan Pablo Gandara-Rodela	07/27/14	HALLACY, JAKE J (26); PHILLIPS, EMILY R (21); TAYLOR, ZACHARY S (27)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
2014CR001889	Juan Pablo Gandara-Rodela	07/27/14	HALLACY, JAKE J (26); PHILLIPS, EMILY R (21); TAYLOR, ZACHARY S (27)	2nd Reckless Murder	2nd Reckless Murder	Pled	f
2014CR002624	Zachary L Brown	08/19/14	PAULEY-BARRIENTOZ, TREVADAWN R. (21); SAIZ, ANIYAH G. (0)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	f, h
2014CR002624	Zachary L Brown	08/19/14	PAULEY-BARRIENTOZ, TREVADAWN R. (21); SAIZ, ANIYAH G. (0)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	f, h
2015CR000157	Ishmael J. Bryant	01/10/15	BROWN, QUENTIN T (33); SMITH, ANDREW M. (29)	Voluntary Manslaughter	Voluntary Manslaughter	Pled	f
2015CR000157	Ishmael J. Bryant	01/10/15	BROWN, QUENTIN T (33); SMITH, ANDREW M. (29)	Voluntary Manslaughter	Voluntary Manslaughter	Pled	f
2015CR000196	Sly Maples	01/20/15	DARNELL, AVRY M. (2)	Felony Murder	Not Guilty	JT	h
2015CR002651	Michael C. Williams	09/09/15	WILLIAMS, PRINCESS T. (1)	Felony Murder	2nd Intent Murder	Pled	c, h
2015CR003164	Benjamin J. Thomas	11/01/15	POYNTER, LISA M. (41)	1st Premed Murder	Voluntary Manslaughter	Pled	c
2015CR003236	Michael C. Ross	11/09/15	HARRIS, GRACE L. (1)	Felony Murder	Felony Murder	JT	h
2015CR003500	Johnathan Eli Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003500	Johnathan Eli Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2015CR003501	Quincy R.T. Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003501	Quincy R.T. Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003502	Jamion D. Wimbley	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003502	Jamion D. Wimbley	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003503	Brent J. Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003503	Brent J. Carter	12/01/15	HOLLOMAN, BETTY A (55); OLIVER, BRENTON DUVAL (24)	Felony Murder	Felony Murder	JT	d, f
2015CR003742	Aubrey D. Cole	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	Agg Battery 8	Pled	c
2015CR003745	Gabriel R Lara	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	Involuntary Manslaughter	Pled	c
2015CR003746	Jose Antonio Rajas	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	Dismissed by Court@PH	N/A	c
2015CR003747	Diego S. Olivas	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	2nd Intent Murder	Pled	c
2015CR003748	Amelia Wilson-Ramos	12/23/15	ARIAS-ARANDA, MOISES (42)	1st Premed Murder	Involuntary Manslaughter	Pled	c
2016CR000303	Myles Thomas Evans	08/21/15	BELL, DAVID KENNETH (70); LABRUE, PAUL L. SR (72)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	BT	f
2016CR000303	Myles Thomas Evans	08/21/15	BELL, DAVID KENNETH (70); LABRUE, PAUL L. SR (72)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	BT	f
2016CR001428	Bret Blevins	05/06/16	ATTERBERY, LEONARD D (26); MACMILLAN, DIRK JACKSON (47)	Invol Manslaughter-DUI	2nd Reckless Murder	JT	f
2016CR001428	Bret Blevins	05/06/16	ATTERBERY, LEONARD D (26); MACMILLAN, DIRK JACKSON (47)	Invol Manslaughter-DUI	2nd Reckless Murder	JT	f
2016CR002020	Ramaj Malik White	03/11/15	BURNETT, DERRICK I (17); WILLIAMS, DONTREZ J (16)	Involuntary Manslaughter	Vehicular Homicide	Pled	f

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2016CR002020	Ramaj Malik White	03/11/15	BURNETT, DERRICK I (17); WILLIAMS, DONTREZ J (16)	Involuntary Manslaughter	Vehicular Homicide	Pled	f
2016CR003262	HASSAN LAMONT WRIGHT	11/03/16	MITCHELL, LANIYA (6)	1st Premed Murder	1st Premed Murder	Pled	c, h
2016CR003285	Jeff Hillard	11/06/16	GOODPASTER, SCOTTIE W. JR. (33)	1st Premed Murder	1st Premed Murder	JT	c
2016CR003286	Heidi L. Hillard	11/06/16	GOODPASTER, SCOTTIE W. JR. (33)	1st Premed Murder	1st Premed Murder	JT	c
2016CR003287	Brian W. Bussart	11/06/16	GOODPASTER, SCOTTIE W. JR. (33)	1st Premed Murder	Felony Murder	Pled	c
2016CR003288	Willie E. Morris	11/06/16	GOODPASTER, SCOTTIE W. JR. (33)	1st Premed Murder	1st Premed Murder	JT	c
2017CR003331	TRAVIS J BECKER Jr.	11/13/17	RODRIGUEZ, PERLA M (42)	1st Premed Murder	Felony Murder	Pled	c
2017CR003475	Miranda Ryann Miller	03/01/17	BREWER, EVAN C (3)	Felony Murder	2nd Intent Murder	Pled	c, h
2017CR003476	Stephen M. Bodine	03/01/17	BREWER, EVAN C (3)	Felony Murder	Felony Murder	JT	c, h
2018CR000283	DANIEL IVAN JUAREZ	08/10/17	JUAREZ, DANIEL (6)	Invol Manslaughter-DUI	Invol Manslaughter-DUI	Pled	h
2018CR000920	Dorl C. Gwyn	04/10/18	GWYN, JAZZ C. (1)	Felony Murder	2nd Reckless Murder	Pled	h
2018CR001208	Lucas A. Diel	05/04/18	BUNN, ANTHONY (3)	Felony Murder	2nd Intent Murder	Pled	h
2018CR001209	Elizabeth A. Woolheater	05/04/18	BUNN, ANTHONY (3)	Felony Murder	2nd Intent Murder	Pled	h
2018CR002423	Kyle Lloyd Kempton	08/30/18	KEMPTON, PATRICK (0)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	h
2018CR002424	Christy L Rollings	08/30/18	KEMPTON, PATRICK (0)	Involuntary Manslaughter	Involuntary Manslaughter	Pled	h
2018CR002599	ANDREW WAYNE FRANKLIN	09/08/18	FRANKLIN, BREXLEY GRACE (0)	Felony Murder			h
2018CR002896	Tito N Kyando	09/04/18	LATNEY, MIYAH (20); SALABAO, URIEL V (22)	Involuntary Manslaughter			f
2018CR002896	Tito N Kyando	09/04/18	LATNEY, MIYAH (20); SALABAO, URIEL V (22)	Involuntary Manslaughter			f
2018CR003053	James Neal Dalrymple	04/27/18	WOODSON, BRAEDEN E (10); WOODSON, STACY L - C2071 (38)	Invol Manslaughter-DUI			f, g
2018CR003053	James Neal Dalrymple	04/27/18	WOODSON, BRAEDEN E (10); WOODSON, STACY L - C2071 (38)	Invol Manslaughter-DUI			f, h
2019CR000990	Brandi Kai Marchant	04/11/19	JAVONOVICH, ZAIDEN (2)	Felony Murder			d, f, h

Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Charge	Dispo Type	Category
2019CR000991	PATRICK R JAVONOVICH	04/11/19	JAVONOVICH, ZAIDEN (2)	Felony Murder			d, f, h
2019CR001251	Mia Marie Collins	05/05/19	MCELROY, ROSEMARY (13); WOOD, MARIA (71)	Felony Murder			d, f, h
2019CR001251	Mia Marie Collins	05/05/19	MCELROY, ROSEMARY (13); WOOD, MARIA (71)	Felony Murder			d, f, h
2019CR002391	Kimberly D. Compass	05/31/19	JAYNEAHKLUAH, ZAYDEN L (3)	Felony Murder			h
2019CR002946	Stephanie Aviles	09/29/19	AVILES, JACOB A (3)	Felony Murder			h
2019CR002947	Bernardo Gonzalez Mejia	09/29/19	AVILES, JACOB A (3)	Felony Murder			h
2019CR003581	Efrain D Arroyo	11/27/19	HERNANDEZ, CHRISTIAN O (30)	Felony Murder			c
2020CR000150	Marlin D. Williams Jr.	01/10/20	WILLIAMS, MARRELL L (0)	Felony Murder			h
2020CR000152	Brietan Ron Rader	01/10/20	FLORES, MAELA J. (0)	Felony Murder			h



**OFFICE OF THE DISTRICT ATTORNEY  
EIGHTEENTH JUDICIAL DISTRICT**

**MARC BENNETT**  
*District Attorney*

**ANN SWEGLE**  
*Deputy District Attorney, Administration*

**RON PASCHAL**  
*Deputy District Attorney, Juvenile  
Division and Ethics Coordinator*

March 30, 2021

Mr. Peter Conley  
Assistant Public Defender  
Death Penalty Defense Unit  
700 SW Jackson, Suite 500  
Topeka, Kansas 66603

Re: KORA Request of April 2, 2020

Mr. Conley:

This letter and the flash drive sent with it constitute the final response to your open records request of April 2, 2020. All of the requests regarding charging materials, training materials and homicide cost and staffing data have been addressed.

In response to the April 2, 2020 communication, **Homicide Cost and Staffing Data, item #8**. *“Documentation of your office’s annual budget for each fiscal year between July 1, 1994 and the present.”* The District Attorney’s budget information for the years 2003 through 2021 is contained in the flash drive. Sedgwick County Finance may have copies of the District Attorney’s budget for years 1994 through 2002.

In response to the April 2, 2020 communication, **Homicide Cost and Staffing Data, items #9a and #9b**. *“All documents related to the cost of investigating, charging, and/or prosecuting capital homicide cases since July 1, 1994 (regardless of whether or not the case went to trial), including materials pertaining to:*

- a. Fees and/or payments to testifying and non-testifying experts*
- b. Fees and/or payments to non-expert testifying witnesses”*

And, in response to the April 2, 2020 communication, **Homicide Cost and Staffing Data, items #10a and #10b**. *“All documents related to the cost of investigating, charging, and/or prosecuting*

Sedgwick County Courthouse, 535 N. Main, Wichita, Kansas 67203  
Telephone: 316-660-3600; Toll Free: 1-800-432-6878; Fax: 316-660-3674

Juvenile Division – 1900 E. Morris, Wichita, Kansas 67211  
Telephone: 316-660-9700; Fax: 316-660-1860



*non-capital homicide cases since July 1, 1994 (regardless of whether or not the case went to trial), including materials pertaining to:*

- a. Fees and/or payments to testifying and non-testifying experts*
- b. Fees and/or payments to non-expert testifying witnesses*

Data pulled from Justware provided a list of 832 cases where one or more deaths occurred between the dates of July 1, 1994 through August 2, 2020, the date payment was received for this KORA request. After removing expunged cases and cases with outstanding warrants 813 cases remained for inclusion in this request. The list is included for reference on the flash drive. The list of 813 cases was sent to Sedgwick County ITSS to use to search for financial information connected to the 813 cases. Financial information contained within the SAP system does not provide the level of detail as requested in 9a, 9b, 10a, 10b and 10c, so all case related payments were extracted regardless of the nature of the service, commodity or type of witness. An Excel document, "Accounting Expenditures KORA Request 4 2 2020", was prepared based on the search criteria outlined below. Cases determined to be eligible for capital charges are highlighted in yellow for identification purposes.

A text search was conducted of SAP, the county's financial system dating back to 2002. Older data is not available. The following are examples of the search parameters that were used:

- \*01CR\*3040\*
- \*01CR\*3228\*
- \*02CR\*122\*
- \*02CR\*182\*

This type of wildcard search may bring back information not directly related to the list of cases or defendants originally submitted for the search. For example, \*03CR\*95\* might extract 2003CR0095 and 2003CR1195 when you only wanted 2003CR000095. Similarly, the search may not have found related expenditures if the data entry was not properly entered and/or did not include case/defendant identifying information.

The search may have located expenses encumbered in a Purchase Order, but not expended. Dates of the expenditures are not available.

In response to the April 2, 2020 communication, **Homicide Cost and Staffing Data, item #9d.** *"All documents related to the cost of investigating, charging, and/or prosecuting capital homicide cases since July 1, 1994 (regardless of whether or not the case went to trial), including materials pertaining to:*

- d. The names, caseloads, salaries, overtime, and any other payment/benefits of the attorneys, investigators, and support staff who worked on each case"*

And in response to the April 2, 2020 communication, **Homicide Cost and Staffing Data, item**

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**#10d.** *“All documents related to the cost of investigating, charging, and/or prosecuting non-capital homicide cases since July 1, 1994 (regardless of whether or not the case went to trial), including materials pertaining to:*

*d. The names, caseloads, salaries, overtime, and any other payment/benefits of the attorneys, investigators, and support staff who worked on each case”*

Using the list of 813 cases, a search was conducted in Justware to extract the names of cases coordinators and prosecutors assigned to the cases and their dates of assignment (or removal when available). A spreadsheet was created, titled “Prosecutors and Case Coordinators Involvement KORA 4 2 2020 Request.” Cases determined to be eligible for capital murder charges are highlighted in yellow. Note that the date 1/28/09 is used as the case worker assigned date for many of the early cases. That date simply reflects the date our case management system went live. We do not have data related to when someone was assigned to work cases that existed before Justware was operational.

An updated list of cases for capital murder charges, titled “Additional Potential Cases Provided to DPU on 2 26 2021” is on the flash drive. One case, John Pepper, 2019CR003855, was not included in the original documentation provided on 2/21/2021. The remaining were filed between the dates of February 21, 2020 and August 2, 2020 (the date the DA’s office received payment for the KORA request).

Sincerely,



Ann Swegle

Deputy District Attorney

316/660-3600 | [ann.swegle@sedgwick.gov](mailto:ann.swegle@sedgwick.gov)

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Case Number	Defendant Name	Offense Date	Deceased Victim(s) - (Age at Death)	Original Charge	Dispo Type	Category	b. First Degree Murder and Criminal Sodomy or Aggravated	d. At least 2 First Degree Murder	e. Capital Murder	f. Any homicide, murder, manslaughter and two or more victims
2019CR003855	John Pepper	7/15/2019	Rita Golden (17)	Capital Murder; Murder in the 1st Degree	Active	b, e	b		e	
2020CR000879	Kyle D. Young	1/2/2020	George Kirksey (27); Alicia Roman (22)	Capital Murder	Active	e, f			e	f
2020CR000961	Daniel Oswald Lopez	3/28/2020	Mickayla K. Sorrell (24); Natalia Lopez (8)	Capital Murder	Active	e, f			e	f
2020CR001181	Preston Reynolds	5/21/2020	Earnest Jefferson (21); Jahbreeel Rounds (19)	Murder in the 1st Degree (2)	Active	d, f		d		f
2020CR001182	Missy Barber	5/21/2020	Earnest Jefferson (21); Jahbreeel Rounds (19)	Murder in the 1st Degree (2)	Active	d, f		d		f



**OFFICE OF THE DISTRICT ATTORNEY  
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*District Attorney*

**ANN SWEGLE**  
*Deputy District Attorney, Administration*

**RON PASCHAL**  
*Deputy District Attorney, Juvenile  
Division and Ethics Coordinator*

December 14, 2021

Ms. Olivia Ensign  
Staff Attorney  
ACLU, Capital Punishment Project  
201 W. Main St., Suite 402  
Durham, North Carolina 27701

**Via email to:** [oensign@aclu.org](mailto:oensign@aclu.org)

Mr. Peter Conley  
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Death Penalty Defense Unit – Topeka  
700 SW Jackson St., Ste 500  
Topeka, KS 66603

**Via email to:** [pconley@sbids.org](mailto:pconley@sbids.org)

Ms. Ensign and Mr. Conley:

This letter accompanies a flashdrive that is being sent to Mr. Conley via U.S. mail that contains a copy of all data in our case files that is responsive to your request for information from cases we previously identified as being death eligible in the time frame set out in Mr. Conley's first open records request – offenses occurring on or after July 1, 1994 to December 3, 2019. We have also included data for offenses occurring after December 3, 2019 that we believe to be potential capital cases eligible for death. Specifically the data that was requested is : (1) written correspondence memorializing a final decision in the cases my office identified as death eligible, and (2) death notices in the cases my office identified as death eligible.

Please note that during the case file review it was determined that certain cases were previously incorrectly identified as potential capital cases with death eligibility. Those cases and the reason they are not death eligible are as follows:

Sedgwick County Courthouse, 535 N. Main, Wichita, Kansas 67203  
Telephone: 316-660-3600; Toll Free: 1-800-432-6878; Fax: 316-660-3674

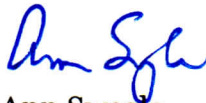
Juvenile Division – 1900 E. Morris, Wichita, Kansas 67211  
Telephone: 316-660-9700; Fax: 316-660-1860

1. 96CR317, Sakone Donesay – Δ was a juvenile at time of offense
2. 10CR1241, Joshua Duque – Δ was a juvenile at time of offense
3. 11CR2053, Apprentice Deshazer – Δ was not charged with murder
4. 15CR1234, Carlos De La Cadena-Edwards - Δ was a juvenile at time of offense

Please also note that not all cases contain documents responsive to your request. For example, some cases proceeded to jury trial so there is no written plea agreement. In one case the defendant died prior to arraignment.

The data accompanying this letter should complete our response to your KORA requests communicated in correspondence dated January 11, 2021 and February 1, 2021 except for your request for a search of staff email. As you will recall, the original search that was done returned approximately 38,000 hits. You have on several occasions indicated that you will try to whittled down the list. I believe our most recent correspondence on this issue was in August, 2021. Specifically on August 27, 2021 you indicated to me your office would be working on a new list based on certain restrictions inherent in an automated search of the computer system. As I have not received a new list, we will take no further action until such time as you may decide to submit a new one. If you decide to do so, please contact Aaron Breitenbach. Aaron's email address is [aaron.breitenbach@sedgwick.gov](mailto:aaron.breitenbach@sedgwick.gov).

Sincerely,



Ann Swegle

Deputy District Attorney  
316/660-3600 | [ann.swegle@sedgwick.gov](mailto:ann.swegle@sedgwick.gov)

Sedgwick County Courthouse, 535 N. Main, Wichita, Kansas 67203  
Telephone: 316-660-3600; Toll Free: 1-800-432-6878; Fax: 316-660-3674

Juvenile Division – 1900 E. Morris, Wichita, Kansas 67211  
Telephone: 316-660-9700; Fax: 316-660-1860

# APPENDIX C

## **Appendix C1. K.S.A. 21-5401**

### **21-5401. Capital murder**

(a) Capital murder is the:

(1) Intentional and premeditated killing of any person in the commission of kidnapping, as defined in K.S.A. 21-5408(a), and amendments thereto, or aggravated kidnapping, as defined in K.S.A. 21-5408(b), and amendments thereto, when the kidnapping or aggravated kidnapping was committed with the intent to hold such person for ransom;

(2) intentional and premeditated killing of any person pursuant to a contract or agreement to kill such person or being a party to the contract or agreement pursuant to which such person is killed;

(3) intentional and premeditated killing of any person by an inmate or prisoner confined in a state correctional institution, community correctional institution or jail or while in the custody of an officer or employee of a state correctional institution, community correctional institution or jail;

(4) intentional and premeditated killing of the victim of one of the following crimes in the commission of, or subsequent to, such crime: Rape, as defined in K.S.A. 21-5503, and amendments thereto, criminal sodomy, as defined in K.S.A. 21-5504(a)(3) or (4), and amendments thereto, or aggravated criminal sodomy, as defined in K.S.A. 21-5504(b), and amendments thereto, or any attempt thereof, as defined in K.S.A. 21-5301, and amendments thereto;

(5) intentional and premeditated killing of a law enforcement officer;

(6) intentional and premeditated killing of more than one person as a part of the same act or transaction or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct; or

(7) intentional and premeditated killing of a child under the age of 14 in the commission of kidnapping, as defined in K.S.A. 21-5408(a), and amendments thereto, or aggravated kidnapping, as defined in K.S.A. 21-5408(b), and amendments thereto, when the kidnapping or aggravated kidnapping was committed with intent to commit a sex offense upon or with the child or with intent that the child commit or submit to a sex offense.

(b) For purposes of this section, “sex offense” means: Rape, as defined in K.S.A. 21-5503, and amendments thereto; aggravated indecent liberties with a child, as defined in K.S.A. 21-5506(b), and amendments thereto; aggravated criminal sodomy, as defined in K.S.A. 21-5504(b), and amendments thereto; selling sexual relations, as defined in K.S.A. 21-6419, and amendments thereto; promoting the sale of sexual relations, as defined in K.S.A. 21-6420, and amendments thereto; commercial sexual exploitation of a child, as defined in K.S.A. 21-6422, and amendments thereto; sexual exploitation of a child, as defined in K.S.A. 21-5510, and amendments thereto; internet trading in child pornography, as defined in K.S.A. 21-5514(a), and amendments thereto; aggravated internet trading in child pornography, as defined in K.S.A. 21-5514(b), and amendments thereto; or aggravated human trafficking, as defined in K.S.A. 21-5426(b), and

amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another.

(c) Capital murder or attempt to commit capital murder is an off-grid person felony.

(d) The provisions of K.S.A. 21-5301(c), and amendments thereto, shall not apply to a violation of attempting to commit the crime of capital murder pursuant to this section.



## **Appendix C2. K.S.A. 21-5402**

### **21-5402. Murder in the first degree**

(a) Murder in the first degree is the killing of a human being committed:

(1) Intentionally, and with premeditation; or

(2) in the commission of, attempt to commit, or flight from any inherently dangerous felony.

(b) Murder in the first degree is an off-grid person felony.

(c) As used in this section, an “inherently dangerous felony” means:

(1) Any of the following felonies, whether such felony is so distinct from the homicide alleged to be a violation of subsection (a)(2) as not to be an ingredient of the homicide alleged to be a violation of subsection (a)(2):

(A) Kidnapping, as defined in K.S.A. 21-5408(a), and amendments thereto;

(B) aggravated kidnapping, as defined in K.S.A. 21-5408(b), and amendments thereto;

(C) robbery, as defined in K.S.A. 21-5420(a), and amendments thereto;

(D) aggravated robbery, as defined in K.S.A. 21-5420(b), and amendments thereto;

(E) rape, as defined in K.S.A. 21-5503, and amendments thereto;

(F) aggravated criminal sodomy, as defined in K.S.A. 21-5504(b), and amendments thereto;

(G) abuse of a child, as defined in K.S.A. 21-5602, and amendments thereto;

(H) felony theft of property, as defined in K.S.A. 21-5801(a)(1) or (a)(3), and amendments thereto;

(I) burglary, as defined in K.S.A. 21-5807(a), and amendments thereto;

(J) aggravated burglary, as defined in K.S.A. 21-5807(b), and amendments thereto;

(K) arson, as defined in K.S.A. 21-5812(a), and amendments thereto;

(L) aggravated arson, as defined in K.S.A. 21-5812(b), and amendments thereto;

(M) treason, as defined in K.S.A. 21-5901, and amendments thereto;

(N) any felony offense as provided in K.S.A. 21-5703, 21-5705 or 21-5706, and amendments thereto;

(O) any felony offense as provided in K.S.A. 21-6308(a) or (b), and amendments thereto;

(P) endangering the food supply, as defined in K.S.A. 21-6317(a), and amendments thereto;

(Q) aggravated endangering the food supply, as defined in K.S.A. 21-6317(b), and amendments thereto;

(R) fleeing or attempting to elude a police officer, as defined in K.S.A. 8-1568(b), and amendments thereto;

(S) aggravated endangering a child, as defined in K.S.A. 21-5601(b)(1), and amendments thereto;

(T) abandonment of a child, as defined in K.S.A. 21-5605(a), and amendments thereto;

(U) aggravated abandonment of a child, as defined in K.S.A. 21-5605(b), and amendments thereto; or

(V) mistreatment of a dependent adult or mistreatment of an elder person, as defined in K.S.A. 21-5417, and amendments thereto; and

(2) any of the following felonies, only when such felony is so distinct from the homicide alleged to be a violation of subsection (a)(2) as to not be an ingredient of the homicide alleged to be a violation of subsection (a)(2):

(A) Murder in the first degree, as defined in subsection (a)(1);

(B) murder in the second degree, as defined in K.S.A. 21-5403(a)(1), and amendments thereto;

(C) voluntary manslaughter, as defined in K.S.A. 21-5404(a)(1), and amendments thereto;

(D) aggravated assault, as defined in K.S.A. 21-5412(b), and amendments thereto;

(E) aggravated assault of a law enforcement officer, as defined in K.S.A. 21-5412(d), and amendments thereto;

(F) aggravated battery, as defined in K.S.A. 21-5413(b)(1), and amendments thereto; or

(G) aggravated battery against a law enforcement officer, as defined in K.S.A. 21-5413(d), and amendments thereto.

(d) Murder in the first degree as defined in subsection (a)(2) is an alternative method of proving murder in the first degree and is not a separate crime from murder in the first degree as defined in

subsection (a)(1). The provisions of K.S.A. 21-5109, and amendments thereto, are not applicable to murder in the first degree as defined in subsection (a)(2). Murder in the first degree as defined in subsection (a)(2) is not a lesser included offense of murder in the first degree as defined in subsection (a)(1), and is not a lesser included offense of capital murder as defined in K.S.A. 21-5401, and amendments thereto. As set forth in subsection (b) of K.S.A. 21-5109, and amendments thereto, there are no lesser included offenses of murder in the first degree under subsection (a)(2).

(e) The amendments to this section by chapter 96 of the 2013 Session Laws of Kansas establish a procedural rule for the conduct of criminal prosecutions and shall be construed and applied retroactively to all cases currently pending.

**Appendix C3. K.S.A. 21-5403**

**21-5403. Murder in the second degree**

(a) Murder in the second degree is the killing of a human being committed:

(1) Intentionally; or

(2) unintentionally but recklessly under circumstances manifesting extreme indifference to the value of human life.

(b) Murder in the second degree as defined in:

(1) Subsection (a)(1) is a severity level 1, person felony; and

(2) subsection (a)(2) is a severity level 2, person felony.

## **Appendix C4. K.S.A. 21-6624**

### **21-6624. Aggravating circumstances**

Aggravating circumstances shall be limited to the following:

- (a) The defendant was previously convicted of a felony in which the defendant inflicted great bodily harm, disfigurement, dismemberment or death on another.
- (b) The defendant knowingly or purposely killed or created a great risk of death to more than one person.
- (c) The defendant committed the crime for the defendant's self or another for the purpose of receiving money or any other thing of monetary value.
- (d) The defendant authorized or employed another person to commit the crime.
- (e) The defendant committed the crime in order to avoid or prevent a lawful arrest or prosecution.
- (f) The defendant committed the crime in an especially heinous, atrocious or cruel manner. A finding that the victim was aware of such victim's fate or had conscious pain and suffering as a result of the physical trauma that resulted in the victim's death is not necessary to find that the manner in which the defendant killed the victim was especially heinous, atrocious or cruel. Conduct which is heinous, atrocious or cruel may include, but is not limited to:
  - (1) Prior stalking of or criminal threats to the victim;
  - (2) preparation or planning, indicating an intention that the killing was meant to be especially heinous, atrocious or cruel;
  - (3) infliction of mental anguish or physical abuse before the victim's death;
  - (4) torture of the victim;
  - (5) continuous acts of violence begun before or continuing after the killing;
  - (6) desecration of the victim's body in a manner indicating a particular depravity of mind, either during or following the killing; or
  - (7) any other conduct the trier of fact expressly finds is especially heinous.
- (g) The defendant committed the crime while serving a sentence of imprisonment on conviction of a felony.
- (h) The victim was killed while engaging in, or because of the victim's performance or prospective performance of, the victim's duties as a witness in a criminal proceeding.

## Appendix C5. K.S.A. 21-6815

### **21-6815. Imposition of presumptive sentence; jury requirements; departure sentencing; substantial and compelling reasons for departure; mitigating and aggravating factors**

(a) Except as provided in subsection (b), the sentencing judge shall impose the presumptive sentence provided by the sentencing guidelines unless the judge finds substantial and compelling reasons to impose a departure sentence. If the sentencing judge departs from the presumptive sentence, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure.

(b) Subject to the provisions of K.S.A. 21-6817(b), and amendments thereto, any fact that would increase the penalty for a crime beyond the statutory maximum, other than a prior conviction, shall be submitted to a jury and proved beyond a reasonable doubt.

(c)(1) Subject to the provisions of subsections (c)(3) and (e), the following nonexclusive list of mitigating factors may be considered in determining whether substantial and compelling reasons for a departure exist:

(A) The victim was an aggressor or participant in the criminal conduct associated with the crime of conviction, except that this factor shall not apply to a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, or electronic solicitation as defined in K.S.A. 21-5509, and amendments thereto, when: (i) The victim is less than 14 years of age and the offender is 18 or more years of age; or (ii) the offender hires any person by giving, or offering to or agreeing to give, anything of value to the person to engage in an unlawful sex act.

(B) The offender played a minor or passive role in the crime or participated under circumstances of duress or compulsion. This factor may be considered when it is not sufficient as a complete defense.

(C) The offender, because of physical or mental impairment, lacked substantial capacity for judgment when the offense was committed. The voluntary use of intoxicants, drugs or alcohol does not fall within the purview of this factor.

(D) The defendant, or the defendant's children, suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(E) The degree of harm or loss attributed to the current crime of conviction was significantly less than typical for such an offense.

(F) The offender committed such crime as a result of an injury, including major depressive disorder, polytrauma, post-traumatic stress disorder or traumatic brain injury, connected to service in a combat zone, as defined in section 112 of the federal internal revenue code of 1986, in the armed forces of the United States of America. As used in this subsection, “major depressive disorder,” “polytrauma,” “post-traumatic stress disorder” and “traumatic brain

injury” shall mean the same as such terms are defined in K.S.A. 21-6630, and amendments thereto.

(2) Subject to the provisions of subsection (c)(3), the following nonexclusive list of aggravating factors may be considered in determining whether substantial and compelling reasons for departure exist:

(A) The victim was particularly vulnerable due to age, infirmity, or reduced physical or mental capacity which was known or should have been known to the offender.

(B) The defendant's conduct during the commission of the current offense manifested excessive brutality to the victim in a manner not normally present in that offense.

(C) The offense was motivated entirely or in part by the race, color, religion, ethnicity, national origin or sexual orientation of the victim or the offense was motivated by the defendant's belief or perception, entirely or in part, of the race, color, religion, ethnicity, national origin or sexual orientation of the victim whether or not the defendant's belief or perception was correct.

(D) The offense involved a fiduciary relationship which existed between the defendant and the victim.

(E) The defendant, 18 or more years of age, employed, hired, used, persuaded, induced, enticed or coerced any individual under 16 years of age to:

(i) Commit any person felony;

(ii) assist in avoiding detection or apprehension for commission of any person felony; or

(iii) attempt, conspire or solicit, as defined in K.S.A. 21-5301, 21-5302 and 21-5303, and amendments thereto, to commit any person felony.

That the defendant did not know the age of the individual under 16 years of age shall not be a consideration.

(F) The defendant's current crime of conviction is a crime of extreme sexual violence and the defendant is a predatory sex offender. As used in this subsection:

(i) “Crime of extreme sexual violence” is a felony limited to the following:

(a) A crime involving a nonconsensual act of sexual intercourse or sodomy with any person;

(b) a crime involving an act of sexual intercourse, sodomy or lewd fondling and touching with any child who is 14 or more years of age but less than 16 years of age and with whom a relationship has been established or promoted for the primary purpose of victimization;

(c) a crime involving an act of sexual intercourse, sodomy or lewd fondling and touching with any child who is less than 14 years of age;

(d) aggravated human trafficking, as defined in K.S.A. 21-5426(b), and amendments thereto, if the victim is less than 14 years of age; or

(e) commercial sexual exploitation of a child, as defined in K.S.A. 21-6422, and amendments thereto, if the victim is less than 14 years of age.

(ii) “Predatory sex offender” is an offender who has been convicted of a crime of extreme sexual violence as the current crime of conviction and who:

(a) Has one or more prior convictions of any crimes of extreme sexual violence. Any prior conviction used to establish the defendant as a predatory sex offender pursuant to this subsection shall also be counted in determining the criminal history category; or

(b) suffers from a mental condition or personality disorder which makes the offender likely to engage in additional acts constituting crimes of extreme sexual violence.

(iii) “Mental condition or personality disorder” means an emotional, mental or physical illness, disease, abnormality, disorder, pathology or condition which motivates the person, affects the predisposition or desires of the person, or interferes with the capacity of the person to control impulses to commit crimes of extreme sexual violence.

(G) The defendant was incarcerated during the commission of the offense.

(H) The crime involved two or more participants in the criminal conduct, and the defendant played a major role in the crime as the organizer, leader, recruiter, manager or supervisor.

In determining whether aggravating factors exist as provided in this section, the court shall review the victim impact statement.

(3) If a factual aspect of a crime is a statutory element of the crime or is used to subclassify the crime on the crime severity scale, that aspect of the current crime of conviction may be used as an aggravating or mitigating factor only if the criminal conduct constituting that aspect of the current crime of conviction is significantly different from the usual criminal conduct captured by the aspect of the crime.

(d) In determining aggravating or mitigating circumstances, the court shall consider:

(1) Any evidence received during the proceeding;

(2) the presentence report;

(3) written briefs and oral arguments of either the state or counsel for the defendant; and



(4) any other evidence relevant to such aggravating or mitigating circumstances that the court finds trustworthy and reliable.

(e) Upon motion of the prosecutor stating that the defendant has provided substantial assistance in the investigation or prosecution of another person who is alleged to have committed an offense, the court may consider such mitigation in determining whether substantial and compelling reasons for a departure exist. In considering this mitigating factor, the court may consider the following:

(1) The court's evaluation of the significance and usefulness of the defendant's assistance, taking into consideration the prosecutor's evaluation of the assistance rendered;

(2) the truthfulness, completeness and reliability of any information or testimony provided by the defendant;

(3) the nature and extent of the defendant's assistance;

(4) any injury suffered, or any danger or risk of injury to the defendant or the defendant's family resulting from such assistance; and

(5) the timeliness of the defendant's assistance.

# APPENDIX D

**Appendix D. Case Lists by Name, Suspect Race and Victim Race<sup>1</sup>**

**Table D1. Sedgwick County Death Sentenced Individuals by Name, Race, and Race of Victim**

<b>Last Name</b>	<b>First Name</b>	<b>Defendant Race</b>	<b>Race of Victim(s)</b>
Belt	Douglas	White	White
Elms	Stanley	White	White
Carr	Jonathan	Black	White
Carr Jr.	Reginald	Black	White
Marsh	Michael	White	White
Scott	Gavin	White	White

**Table D2. Sedgwick County Death Noticed Individuals by Name, Race and Race of Victim**

<b>Last Name</b>	<b>First Name</b>	<b>Defendant Race</b>	<b>Race of Victim(s)</b>
Alvarado-Meraz	Luis	Latinx	Latinx
Belt	Douglas	White	White
Bluml	Anthony	White	White
Burnett	Theodore	Black	White
Carr	Jonathan	Black	White
Carr Jr.	Reginald	Black	White
Ellington	Andrew	White	White
Elms	Stanley	White	White
Lopez	Daniel	Latinx	White/Latinx
Marsh	Michael	White	White
McNeal	Cornell	Black	Black
Nguyen	Vinh	Asian	Asian
Noyce	David	White	White
Oliver	Cornelius	Black	Black
Robinson	Elgin	Black	White
Schaberg	Kisha	Latinx	White
Scott	Gavin	White	White
Young	Kyle	Black	Black/Latinx

**Table D3. Cases Death-Noticed During Marc Bennett’s Tenure by Name, Race, and Race of Victim**

<b>Last Name</b>	<b>First Name</b>	<b>Defendant Race</b>	<b>Race of Victim(s)</b>
Alvarado-Meraz	Luis	Latinx	Latinx
Bluml	Anthony	White	White
Ellington	Andrew	White	White
Lopez	Daniel	Latinx	Latinx/White
McNeal	Cornell	Black	Black
Nguyen	Vinh	Asian	Asian

<sup>1</sup> Data analysis considered cases with one or more victims as White if there was at least one White victim.

Schaberg	Kisha	Latinx	White
Young	Kyle	Black	Black/Latinx

**Table D4. Death Eligible as Defined by District Attorney by Name, Race, and Race of Victim**

<b>Last Name</b>	<b>First Name</b>	<b>Defendant Race</b>	<b>Race of Victim(s)</b>
Alford	Achaz	Black	White
Alvarado-Meraz	Luis	Latinx	Latinx
Bailon-Carmen	Pedro	Latinx	Latinx
Barber	Missy	Black	Black
Basurto-Flores	Edelberto	Latinx	Latinx
Bell, II	Earl	Black	Black
Belt	Douglas	White	White
Bluml	Anthony	White	White
Burnett	Theodore	Black	White
Carr	Jonathan	Black	White
Carr Jr.	Reginald	Black	White
Douglas	Romane	Black	Latinx
Edwards	Steven	Black	Latinx
Ellington	Andrew	White	White
Elms	Stanley	White	White
Garcia	Arturo	Latinx	White/Latinx
Gillespie	Eddie	Black	White
Gray	Marvin	Black	Black
Holton	Samuel	White	White/Black
Hopper	Adrian	Black	Black
Jamison	Chester	Black	Black
Jones	Austin	White	Latinx
Lopez	Daniel	Latinx	White/Latinx
Marsh	Michael	White	White
Marshall	Marquis	Black	White/Black
McCaslin	Billy	White	Latinx
McNeal	Cornell	Black	Black
Mitchell, Jr.	Victor	White	White
Nesbitt	Kasey	Black	White
Nguyen	Vinh	Asian	Asian
Noyce	David	White	White
Oliver	Cornelius	Black	Black
Penn	Samuel	Black	White
Pepper	John	White	Black
Ray	Adam	White	Latinx
Reynolds	Preston	Black	Black
Roach	Manuel	Black	Black

Robinson	Elgin	Black	White
Schaberg	Kisha	Latinx	White
Scott	Gavin	White	White
Smith	Braden	White	White
Wakefield	Jason	White	White
Woods	Clint	Native American	Black
Young	Kyle	Black	Black/Latinx

**Table D5. Death Eligible as defined by Independent Attorney by Name, Race, and Race of Victim**

<b>Last Name</b>	<b>First Name</b>	<b>Defendant Race</b>	<b>Race of Victim(s)</b>
Alford	Achaz	Black	White
Alvarado-Meraz	Luis	Latinx	Latinx
Bailon-Carmen	Pedro	Latinx	Latinx
Barber	Missy	Black	Black
Barnes	Gordon	White	White
Basurto-Flores	Edelberto	Latinx	Latinx
Bell, II	Earl	Black	Black
Belt	Douglas	White	White
Bluml	Anthony	White	White
Bryant	Ishmael	Black	Black
Burnett	Theodore	Black	White
Carr	Jonathan	Black	White
Carr Jr.	Reginald	Black	White
Carter	Quincy	Black	Black
Carter	Johnathan	Black	Black
Carter	Brent	Black	Black
Chavez-Aguilar	Carlos	Latinx	Latinx
Chavez-Guilar	Rene	Latinx	Latinx
Douglas	Romane	Black	Latinx
Edwards	Steven	Black	Latinx
Ellington	Andrew	White	White
Elms	Stanley	White	White
Gant	Christopher	Black	Black
Garcia	Arturo	Latinx	White/Latinx
Garcia	Ray	Latinx	White
Gillespie	Eddie	Black	White
Gray	Marvin	Black	Black
Holton	Samuel	White	White/Black
Hopper	Adrian	Black	Black
Jamison	Chester	Black	Black
Jones	Austin	White	Latinx
Lopez	Daniel	Latinx	White/Latinx

Marsh	Michael	White	White
Marshall	Marquis	Black	White/Black
McCaslin	Billy	White	Latinx
McNeal	Cornell	Black	Black
Miles	Jeremy	Black	Black
Mitchell, Jr.	Victor	White	White
Nguyen	Vinh	Asian	Asian
Noyce	David	White	White
Oliver	Cornelius	Black	Black
Penn	Samuel	Black	White
Pepper	John	White	Black
Ransom	Kendrall	Black	Black
Ransom	Karlan	Black	Black
Ray	Adam	White	Latinx
Reynolds	Preston	Black	Black
Roach	Manuel	Black	Black
Robinson	Elgin	Black	White
Schaberg	Kisha	Latinx	White
Scott	Gavin	White	White
Smith	Braden	White	White
Thomas	Benjamin	Black	White
Wakefield	Jason	White	White
Wilson	Kristy	White	White
Wimbley	Jamion	Black	Black
Woods	Clint	Native American	Black
Young	Kyle	Black	Black/Latinx

**Table D6. Charged as Capital Murder**

<b>Last Name</b>	<b>First Name</b>	<b>Defendant Race</b>	<b>Race of Victim(s)</b>
Alvarado-Meraz	Luis	Latinx	Latinx
Bell, II	Earl	Black	Black
Belt	Douglas	White	White
Bluml	Anthony	White	White
Burnett	Theodore	Black	White
CARR	Jonathan	Black	White
Carr Jr.	Reginald	Black	White
Edwards	Steven	Black	Latinx
Ellington	Andrew	White	White
Elms	Stanley	White	White
Lopez	Daniel	Latinx	White/Latinx

Marsh	Michael	White	White
Marshall	Marquis	Black	White/Black
McNeal	Cornell	Black	Black
Nguyen	Vinh	Asian	Asian
Noyce	David	White	White
Oliver	Cornelius	Black	Black
Pepper	John	White	Black
Robinson	Elgin	Black	White
Schaberg	Kisha	Latinx	White
Scott	Gavin	White	White
Smith	Braden	White	White
Young	Kyle	Black	Black/Latinx

# APPENDIX E



# Sedgwick County Death Eligibility Survey

1. Case Number (Begins with CR)

---

2. Defendant's Last Name

---

3. Defendant's First Name

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4. Was the Defendant charged with any of these forms of intentional murder: intentional capital murder, intentional first degree murder, or intentional second degree murder?

*Mark only one oval.*

Yes

No, but there is evidence the defendant could have been charged with intentional murder.

No, and the defendant could have not been charged with intentional murder (end survey).

5. If the Defendant was NOT charged with capital murder, is there evidence that would suggest they could have been charged with capital murder under Section 21-5401?

*Mark only one oval.*

Yes

No (end survey)

6. If yes, on what basis could they have been charged? (check all that apply)

- 1) Intentional and premeditated killing of any person in the commission of **kidnapping**, as defined in K.S.A. 21-5408(a), and amendments thereto, or **aggravated kidnapping**, as defined in K.S.A. 21-5408(b), and amendments thereto, when the kidnapping or aggravated kidnapping was committed with the intent to hold such person for **ransom**;
- 2) intentional and premeditated killing of any person pursuant to a **contract or agreement to kill** such person or being a party to the contract or agreement pursuant to which such person is killed;
- 3) intentional and premeditated killing of any person **by an inmate or prisoner confined** in a state correctional institution, community correctional institution or jail or while in the custody of an officer or employee of a state correctional institution, community correctional institution or jail;
- 4) intentional and premeditated killing of the victim of one of the following crimes in the commission of, or subsequent to, such crime: **Rape**, as defined in K.S.A. 21-5503, and amendments thereto, **criminal sodomy**, as defined in K.S.A. 21-5504(a)(3) or (4), and amendments thereto, or **aggravated criminal sodomy**, as defined in K.S.A. 21-5504(b), and amendments thereto, or any attempt thereof, as defined in K.S.A. 21-5301, and amendments thereto;
- 5) intentional and premeditated **killing of a law enforcement officer**;
- 6) intentional and premeditated **killing of more than one person as a part of the same act or transaction** or in two or more acts or transactions connected together or constituting parts of a **common scheme** or course of conduct; or
- 7) intentional and premeditated killing of a **child under the age of 14 in the commission of kidnapping**, as defined in K.S.A. 21-5408(a), and amendments thereto, or **aggravated kidnapping**, as defined in K.S.A. 21-5408(b), and amendments thereto, when the kidnapping or aggravated kidnapping was committed with **intent to commit a sex offense upon or with the child** or with **intent that the child commit or submit to a sex offense**.

*Check all that apply.*

- Kidnapping or aggravated kidnapping with intent to hold for ransom
- contract or agreement to kill
- by an inmate or prisoner
- in the commission of or subsequent to rape, criminal sodomy, aggravated criminal sodomy
- law enforcement officer
- killing more than one person as part of the same act or transaction or common scheme
- child under the age of 14 in the commission of kidnapping with sex offense intent

7. Is the Defendant under the age of 18?

*Mark only one oval.*

- No
- Yes (If yes, terminate the survey at this point). The case is not death eligible.

8. If the case was filed as capital murder, or could have been filed as capital murder, is there evidence suggesting the presence of an aggravating factor?

*Mark only one oval.*

- No, the case is not death eligible.
- Yes, the case could have been death noticed.

9. If yes, there is evidence suggesting the presence of aggravating factors, check all that apply

- (a) The defendant was previously convicted of a felony in which the defendant inflicted great bodily harm, disfigurement, dismemberment or death on another.
- (b) The defendant knowingly or purposely killed or created a great risk of death to more than one person.
- (c) The defendant committed the crime for the defendant's self or another for the purpose of receiving money or any other thing of monetary value.
- (d) The defendant authorized or employed another person to commit the crime.
- (e) The defendant committed the crime in order to avoid or prevent a lawful arrest or prosecution.
- (f) The defendant committed the crime in an especially heinous, atrocious or cruel manner.
- (g) The defendant committed the crime while serving a sentence of imprisonment on conviction of a felony.
- (h) The victim was killed while engaging in, or because of the victim's performance or prospective performance of, the victim's duties as a witness in a criminal proceeding.

*Check all that apply.*

- prior great bodily harm prior conviction
- knowing/purposeful death or risk of death to more than 1 person
- purpose of receiving money or monetary value
- authorized or hired another person to commit the crime
- avoid or prevent lawful arrest or prosecution
- HAC
- while serving felony conviction
- victim was witness

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Google Forms

# APPENDIX F

## CURRICULUM VITAE OF JEFFREY FAGAN

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### PROFESSIONAL EXPERIENCE:

2011 – present: Isidor and Seville Sulzbacher Professor of Law, Columbia Law School  
2021 – present: Faculty Associate, Columbia Data Science Institute  
2018 (Fall): Florence Rogatz Visiting Professor of Law, Yale Law School  
2013 (Spring): Florence Rogatz Visiting Professor of Law, Yale Law School  
2001-2011: Professor, Columbia Law School  
2010-11: Fellow, Straus Institute for the Advanced Study of Law and Justice, New York University School of Law  
2010-present: Senior Research Scholar, Yale Law School  
2009-10: Florence Rogatz Visiting Professor of Law, Yale Law School  
2004-2015: Director, Center for Crime, Community and Law, Columbia Law School  
2001-2006: Director, Doctor of Juridical Science in Law (JSD) Program, Columbia Law School  
2008 – present: Faculty Fellow, Columbia Population Research Center  
1999-present: Faculty Fellow, Institute for Social and Economic Research and Policy, Columbia University  
1998-2001: Visiting Professor, Columbia Law School  
1996-present: Professor, Department of Epidemiology, Mailman School of Public Health, Columbia University  
1995-2002: Founding Director, Center for Violence Research and Prevention, Mailman School of Public Health, Columbia University  
1989-1996: Associate Professor to Professor, School of Criminal Justice, Rutgers-The State University of New Jersey  
1988-1989: Associate Professor, Doctoral Program in Criminal Justice, City University of New York Graduate Center; Associate Director for Research, Criminal Justice Center, John Jay College of Criminal Justice, City University of New York  
1986-1988: Senior Research Fellow, New York City Criminal Justice Agency.  
1977-1986: Director, Center for Law and Social Policy, URSA Institute, San Francisco.  
1975-1976: Research Director, Northern California Service League, San Francisco, California.  
1974-1975: Associate Research Analyst, Office of Criminal Justice Planning, Oakland, California.  
1970-1974: Director, College of Urban Studies, State University of New York at Buffalo.  
1969-1971: Teaching Assistant and Research Associate, Department of Psychology, State University of New York at Buffalo

### EDUCATION:

PhD, 1975, Policy Science, Department of Civil Engineering, State University of New York at Buffalo. Dissertation: “A Predictive Model of Success in Criminal Justice Employment Programs.”  
MS, 1971, Human Factors Engineering, Department of Industrial Engineering, State University of New York at Buffalo.  
BE, 1968, Industrial Engineering, New York University.

## AWARDS AND HONORS:

Advisory Board, Presidential Scholars in Society and Neuroscience, Columbia University, 2021-present

Power of One Racial Justice Award, Center for Race, Crime and Justice, John Jay College, May 2016

Lillie and Nathan Ackerman Lecture in Equality and Justice, Baruch College, November 2013

Fellow, American Society of Criminology, elected April 2002

Fellow, Davenport College, Yale University

Darrow K. Soll Memorial Criminal Law and Justice Lecture, *Indignities of Order Maintenance*, Rogers College of Law, University of Arizona, March 2013.

Lecturer, Hoffinger Colloquium, *Profiling and Consent: The Trouble with Police Consent Decrees*, New York University School of Law, April 2011

National Associate, National Research Council and Institute of Medicine, 2011 – present

Member, Committee on Law & Justice, National Research Council, 2002-2008

Senior Justice Fellow, Open Society Institute, 2005-6

Health Policy Scholar, Robert Wood Johnson Foundation, 2002-2004

Book Award, “Best Book on Adolescence and Social Policy” for *Changing Borders of Juvenile Justice* (with F. Zimring), Society for Research on Adolescence, 2002

Public Interest Achievement Award, Public Interest Law Foundation of Columbia University, Spring 2001

Bruce Smith Senior Award, Academy for Criminal Justice Sciences, March 2000.

Lecturer, Fortunoff Colloquium, *Social Contagion of Violence*. New York University School of Law, April 1999

Fellow, Earl Warren Legal Institute, School of Law, University of California-Berkeley, 1999-present

University Faculty Merit Award, Rutgers University, 1990-94

Lecturer in Colloquium on Race, Ethnicity and Poverty Workshop, Center for the Study of Urban Inequality, University of Chicago, June 1992

University Research Council Grantee, Rutgers University, 1989-90

Lecturer, Fortunoff Colloquium, *Preventive Detention and the Validity of Judicial Predictions of Dangerousness*. New York University School of Law, October, 1988

Delegate, Criminal Justice and Criminology Delegation to the People's Republic of China, Eisenhower Foundation, 1985

NDEA Title IV Fellowship, Department of Industrial Engineering, State University of New York at Buffalo, June 1968-June 1971

## PUBLICATIONS:

### Books:

Tyler, T., A. Braga, J. Fagan, et al. (eds.), *Legitimacy, Criminal Justice, and the State in Comparative Perspective*. New York: Russell Sage Foundation Press (2008).

J. Fagan and F.E. Zimring (eds). *The Changing Borders of Juvenile Justice: Waiver of Adolescents to the Criminal Court*. Chicago: University of Chicago Press (2000). (Received Society for Research on Adolescence Award for “Best Book on Adolescence and Social Policy,” 2002).

D. Baskin, I. Sommers, and J. Fagan, *Workin’ Hard for the Money: The Social and Economic Lives of Women Drug Dealers*. Huntington NY: Nova Science Press (2000).

## Journal Articles and Chapters (by Topic):

### 1. Policing

- Fagan, J., "No Runs, Few Hits and Many Errors: A Story in Five Parts about Racial Bias in Stop and Frisk Policing in New York." 68 *UCLA L. REV.* [X] (2022)
- Fagan, Jeffrey and Alexis Danielle Campbell, "Race and Reasonableness in Police Shootings," 100 *Boston University Law Review* 951 (2020), <https://ssrn.com/abstract=3596274>
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- Harris, Angela, Elliott Ash, & Jeffrey Fagan, "Fiscal Pressures and Discriminatory Policing: Evidence from Traffic Stops in Missouri," *Journal of Race, Ethnicity and Politics* doi:10.1017/rep.2020.10 (2020).
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- Amanda Geller and Jeffrey Fagan, "Police Contact and the Legal Socialization of Urban Teens." 5 *The Russell Sage Foundation Journal of the Social Sciences* 26–491 (2019).
- Fagan, Jeffrey. "Segregation and Law Enforcement," in *The Dream Revisited: Contemporary Policy Debates About Housing, Segregation and Opportunity in the Twenty-First Century* (Ingrid Gould Ellen and Justin Stiel, eds.) 153, Columbia University Press (2019)
- Legewie, Joscha, and Jeffrey Fagan, "Aggressive Policing and the Educational Performance of Minority Youth." 84 *American Sociological Review* 220–247 (2019), SocArXiv. <https://doi:10.31235/osf.io/rdchf>
- Grunwald, Ben and Jeffrey Fagan, "The End of Intuition-Based High-Crime Areas." 107 *California Law Review* 102 (2019), <https://ssrn.com/abstract=3379361>.
- Fagan, Jeffrey, and Amanda B. Geller, "Race, Police and the Production of Capital Homicides," 23 *Berkeley Journal of Criminal Law* 102 (2018).
- Fagan, Jeffrey and Daniel Richman. "Understanding Recent Spikes and Longer Trends in American Murders," 117 *Columbia Law Review* 1235 (2017)
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- Fagan, Jeffrey, Anthony Braga, Rod Brunson, and April Pattavina. "Stops and Stares: Race and Proactive Policing," 43 *Fordham Urban Law Journal* 621 (2016) and [online](#)
- MacDonald, J., J. Fagan, and A.B. Geller. "The Effects of Local Crime Surges on Crime and Arrests in New York City," *PLoS ONE* 11(6): e0157223. [doi:10.1371/journal.pone.0157223](https://doi.org/10.1371/journal.pone.0157223)
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- Fagan, J., and M. Forst. "Risks, Fixers and Zeal: Treatment Innovation and Implementation For Violent Juvenile Offenders." *The Prison Journal* 76 (16): 5-21 (1996).
- Fagan, J.A. "Separating the Men from the Boys: The Comparative Impacts of Juvenile and Criminal Court Sanctions on Recidivism of Adolescent Felony Offenders." Pp. 238-260 in *Sourcebook on Serious, Chronic and Violent Juvenile Offenders*, edited by James Howell, Barry D. Krisberg, J. David Hawkins, & John Wilson. Thousand Oaks CA: Sage Publications (1995)
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### **PAPERS PRESENTED (SELECTED)**

"Race and Reasonableness in Police Killings," Presented at the Quantlaw Conference, Rogers School of Law, University of Arizona, February 2020.

"Are Police Officers Bayesians" Presented at the Annual Conference on Empirical Legal Studies, Claremont McKenna College, November 2019

"Aggressive policing and the educational performance of minority youth," (with Joscha Legewie), Presented at the Quantlaw Conference, Rogers College of Law, University of Arizona, March 2018.

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"Indignities of Order Maintenance," Annual Meeting of the American Association of Law Schools, San Francisco, January 6, 2017

"Risky Predictions," Presented at the Symposium on Race and Policing, University of California at Irvine School of Law, October 7, 2016

"Terry's Original Sin," Presented at the Faculty of Law, University of New South Wales, March 7, 2016.

"The Effects of Local Crime Surges on Crime and Arrests in New York City" (J. MacDonald, J. Fagan, and A.B. Geller). Presented at the Tenth Conference on Empirical Legal Studies, Washington University, St. Louis MO, October 2015

"Policing and the Neighborhood Ecology of Legitimacy: Individual and Contextual Effects" (J. Fagan, T.R. Tyler, A.B. Geller). Presented at the International Conference on Police-Citizen Relations, CNRS-Science Po and Max Planck Institute, Paris France, April 2015.

"Ferguson, New York." Presented at the Symposium on Criminalization and Criminal Justice, University of Miami Law Review, Miami FL, February 2015

"No Runs, Few Hits and Many Errors: Street Stops, Bias and Proactive Policing" (with G.

- Conyers and I. Ayres), Presented at the Ninth Conference on Empirical Legal Studies, University of California at Berkeley, November 2014
- “Aggressive Policing and the Health of Young Urban Men” (A. Geller, J. Fagan and T. Tyler), Presented at the Annual Meeting of the Population Association of America, New Orleans, LA, March 2010
- “Race and Selective Enforcement in Public Housing,” (J. Fagan, G. Davies and A. Carlis), Presented at the Seventh Annual Conference on Empirical Legal Studies, Northwestern Law School, November 2011; Annual Meeting of the Association for Public Policy and Management, Washington DC, November 2009; Annual Meeting of the American Society of Criminology, Philadelphia PA, November 2009; Law and Economics Workshop, University of Virginia, March 2010;
- “Social Context and Proportionality in Capital Punishment in Georgia” (with R. Paternoster), Presented at the Annual Meeting of the American Society of Criminology, San Francisco, November 2010
- “Profiling and Consent: Stops and Searches in New Jersey after *Soto*” (with A. Geller), Presented at the Sixth Annual Conference on Empirical Legal Studies, New Haven CT, November 2010
- “Doubling Down on Pot: Marijuana, Race and the New Disorder in New York City Street Policing” (with A. Geller), Presented at the Fifth Conference on Empirical Legal Studies, Los Angeles CA, November 2009
- “Crime, Conflict and the Racialization of Criminal Law,” Presented at the Annual Meeting of the European Society of Criminology, Ljubljana, Slovenia, September 2009
- “Street Stops and Broken Windows Revisited: The Demography and Logic of Proactive Policing in a Safe and Changing City,” (with A. Geller, G. Davies and V. West). Presented at the Annual Meeting of the Association for Public Policy and Management, Los Angeles, November 2008. Also presented at the Annual Meeting of the American Society of Criminology, St. Louis, November 2008.
- “Desistance and Legitimacy: Effect Heterogeneity in a Field Experiment on High Risk Groups,” (with A. Papachristos, D. Wallace, and T. Meares), presented at the Annual Meeting of the American Society of Criminology, St. Louis, November, 2008.
- “Legitimacy, Compliance and Cooperation: Procedural Justice and Citizen Ties to the Law” (with T. Tyler). Presented at the Second Conference on Empirical Legal Studies, Cornell Law School, October 2008.
- “Measuring A Fair Cross-Section of Jury Composition: A Case Study of the Southern District of New York,” (with A. Gelman, D.E. Epstein, and J. Ellias). Presented at the Annual Meeting of the Midwest Political Science Association, Chicago, April 4, 2008
- “Race, Legality and Quality of Life Enforcement in New York City, 2006,” John Jay College of Criminal Justice, New York, February 28, 2008
- “Be Careful What You Wish For: The Comparative Impacts of Juvenile and Criminal Court Sanctions on Adolescent Felony Offenders,” Presented at Annual Conference on Empirical Legal Studies, New York, November 19, 2007
- “The Common Thread: Crime, Law and Urban Violence in Paris and the U.S.,” Presented at the Conference on “Poverty, Inequality, and Race: Forty Years after the Kerner Commission Report and Twenty Years after the Scarman Commission Report,” University of Paris IX (Sorbonne), July 2007
- “Race, Political Economy, and the Supply of Capital-Eligible Cases,” Presented at the Annual Meeting of the American Society of Criminology, Atlanta GA, November 2007.
- “The Political Economy of the Crime Decline in New York City,” Presented at the Annual Meeting of the American Society of Criminology, Atlanta GA, November 2007. Also presented at the Annual Meeting of the American Association for the Advancement of Science, San Francisco, February 2007 (with G. Davies). Also presented at the Symposium on the Crime Decline, University of Pennsylvania, Department of Criminology, March 31, 2006.

- “Crime and Neighborhood Change.” Presented at the National Research Council, Committee on Law and Justice, Washington DC, April 2007.
- “Immigration and Crime,” Presented at the Annual Meeting of the American Society of Criminology, Los Angeles, November 2006 (w. Garth Davies).
- “Rational Choice and Developmental Contributions to Legal Socialization,” Presented at the Conference on Empirical Studies in Law, Austin, Texas, October 2006; also presented at the Annual Meeting of the American Society of Criminology, Toronto, November 2005 (with A. Piquero) [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=914189](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=914189).
- “The Diffusion of Homicides from Illegal Gun Markets: A Test of Social Contagion Theories of Violence,” Presented at the Annual Meeting of the American Society of Criminology, Toronto, Ontario, November 14, 2005 (with G. Davies).
- “Attention Felons: Evaluating Project Safe Neighborhoods in Chicago” (November 2005). U Chicago Law & Economics, Olin Working Paper No. 269 <http://ssrn.com/abstract=860685>, presented at the Annual Meeting of the American Society of Criminology, Toronto, November 2005 (with A. Papachristos and T.L. Meares)
- “Legitimacy And Cooperation: Why Do People Help The Police Fight Crime In Their Communities?” Presented at the Annual Meeting of the American Society of Criminology, Toronto, November 2005 (with T. Tyler), [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=887737](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=887737)
- “Science, Ideology and the Death Penalty: The Illusion of Deterrence.” The Walter Reckless Lecture, delivered at the Moritz School of Law and the Criminal Justice Research Center, The Ohio State University, Columbus, OH, April 2005.
- “Crime Currents and the Co-Production of Security in New York City.” Presented at the *Colloquium on the Urban Age*, London School of Economics, February 2005.
- “The Effects of Drug Enforcement on the Rise and Fall of Violence in New York City, 1985-2000,” Presented at the *Workshop on Behavioral and Economic Research* National Institute on Drug Abuse, Bethesda MD, October 2004 (with G. Davies).
- “Police, Order Maintenance and Legitimacy,” Presented at the Conference on *Dilemmas of Contemporary Criminal Justice: Policing in Central and Eastern Europe*, University of Maribor, Ljubljana, Slovenia, September 2004 (with Tom R. Tyler)
- “The Bustle of Horses on a Ship: Drug Control in Public Housing,” Presented at Workshop on Crime in Public Housing, National Consortium on Violence Research, John F. Kennedy School of Government, Harvard University, April 2004.
- “Neighborhood Patterns of Violence among Latinos,” Presented at Workshop on *Beyond Racial Dichotomies of Violence: Immigrants, Race and Ethnicity*, UCLA Center for Population Studies, Los Angeles, November 2003 (with G. Davies).
- “Neighborhood Effects on Violence Against Women: A Panel Study,” Presented at the Annual Meeting of the American Society of Criminology, Denver, November 2003 (with G. Davies).
- “Reciprocal Effects of Crime and Incarceration in New York City Neighborhoods,” Presented at the Russell Sage Foundation, New York, December 2002 (with V. West and J. Holland).
- “The Effects of Drug Enforcement on the Rise and Fall of Homicides in New York City, 1985-1996,” Presented at the Annual Meeting of the American Society of Criminology, Chicago, November 2002 (with G. Davies).
- “Age-Specific Sanctions for Juvenile Offenders: Crime Control and the Exclusion of Adolescent from the Juvenile Court,” Presented at the Symposium for the 10<sup>th</sup> Anniversary of the Netherlands Institute for the Study of Crime and Law Enforcement, Leiden, The Netherlands, September 2002.
- “New Measures for Assessing Perceptions of Legitimacy and Deterrence among Juvenile Offenders,” Presented at the Annual Meeting of the American Society of Criminology, Chicago, November 2002 (with A. Piquero).
- “Community, Courts, and Legitimacy,” Fordham University Law School Symposium on Problem-Solving Courts, New York, February 2002 (with V. Malkin).
- “Specific Deterrent Effects of Jurisdictional Transfer of Adolescent Felony Offenders,” American

- Society of Criminology, Atlanta, November 2001 (with A. Kupchik).
- “Assessing the Theoretical and Empirical Status of ‘Broken Windows’ Policing,” Faculty of Law, University of Cambridge, Cambridge UK, October 2001.
- “Social Contagion of Youth Violence,” Grand Rounds Lecture, Johns Hopkins University School of Medicine, Baltimore MD, March 2001.
- “Street Stops and Broken Windows: Terry, Race and Disorder in New York City,” Presented at the Annual Meeting of the American Society of Criminology, San Francisco, CA, November 2000.
- “Social and Legal Consequences of Judicial Waiver of Adolescents: Human Rights Implications,” Presented at the Annual Meeting of the American Association for the Advancement of Science, Washington DC, February 2000.
- “Crime in Poor Places: Examining the Neighborhood Context of New York City’s Public Housing Projects,” Presented at the Research Institute on Neighborhood Effects on Low-Income Families, Joint Center for Poverty Research, The University of Chicago, September 1999 (with Tamara Dumanovsky and J. Philip Thompson).
- “Social Contagion of Violence,” Presented at the Fortunoff Colloquium, New York University School of Law, April 1999. Previous versions presented at the Winter Roundtable, Teachers College, Columbia University, February 1998, and the International Roundtable on Urban Security, Foundation Jean Jares, Paris, April 1998.
- “This is Gonna’ Hurt Me More than It’ll Hurt You: Consequences of the Criminalization of Youth Crime.” Presented at the Workshop on the Juvenile Justice System, National Research Council Panel on Juvenile Crime, Washington DC, January 1999.
- “Use, Misuse and Nonuse of Social Science in Law: Case Studies from Criminal Law.” Presented at the Annual Meeting of the American Association of Law Schools, New Orleans, January 1999.
- “Consequences of Waiver: Recidivism and Adolescent Development.” Presented at the Symposium on The Juvenile Justice Counter-Reformation: Children and Adolescents as Adult Criminals, Quinnipiac College School of Law, Hamden CT, September 17-18, 1998.
- “Drugs and Youth Violence: The Tripartite Framework Revisited.” Presented at the Annual Meeting of the American Society of Criminology, San Diego, November 1997.
- “The Criminalization of Delinquency and the Politics of Juvenile Justice.” Presented at the Annual Meeting of the National Conference of State Legislatures, Philadelphia PA, August 1997.
- “Crack in Context: Myths And Realities From America’s Latest Drug Epidemic.” Presented at the NIJ/NIDA Conference on *The Crack Decade: Research Perspectives and Lessons Learned*. Baltimore MD: June 1997.
- “Alcohol and Violent Events.” Presented at the Annual Meeting of the American Society of Criminology, Chicago, November 1996 (with D.L. Wilkinson).
- “Crime and Public Housing: Conceptual and Research Issues.” Presented at the Joint Conference on Research in Public Housing, National Institute of Justice and Department of Housing and Urban Development, Washington DC, July 1997.
- “The Functions of Adolescent Violence.” Presented at the Bi-National Forum on Youth Violence, The French American Foundation, United Nations, New York, October 1996.
- “Mirror Images of Violence: The Historical Socialization of Willie Bosket.” Author-Meets-Critic Panel on *All God’s Children*, by Fox Butterfield. Presented at the Annual Meeting of the American Society of Criminology, Boston, November 1995.
- “Crime and Work.” Presented at the Annual Meeting of the American Society of Criminology, Boston, November 1995.
- “Drugs and Violence: Lessons from Three Epidemics.” Presented at a joint session of the Annual Meetings of the American Sociological Association and the Society for the Study of Social Problems, Washington DC, August 1995.
- “Social and Legal Control of Spouse Assault: Ironies in the Effectiveness of Punishment for Wife

- Beating.” Presented at the Conference on Research and Evaluation, National Institute of Justice, Washington DC, July 1995.
- “Cocaine and Federal Sentencing Policy.” Testimony before the Subcommittee on Crime, Committee on the Judiciary, U.S. House of Representatives, Washington DC, June 29, 1995.
- “Gangs, Youth, Drugs, and Violence.” Presented to the Drugs-Violence Task Force of the U.S. Sentencing Commission, Washington DC, May 1995.
- “Community Risk Factors in Workplace Violence.” Presented at the Symposium on Violence in the Workplace, New York Academy of Medicine, New York, March 1995.
- “Situational Contexts of Gun Use among Young Males.” Presented at the Annual Meeting of the American Association for the Advancement of Science, Atlanta, February 1995, and at the Annual Meeting of the American Society of Criminology, Miami, November 1994.
- “The Social Control of Violence among Intimates: Neighborhood Influences on the Deterrent Effects of Arrest for Spouse Assault” (with J. Garner & C. Maxwell). Presented at the Annual Meeting of the American Society of Criminology, Miami, November 1994.
- “Crime, Drugs and Neighborhood Change: the Effects of Deindustrialization on Social Control in Inner Cities.” Presented at the Annual Meeting of the American Association for the Advancement of Science, San Francisco, February 1994.
- “The Social Context of Deterrence.” Plenary paper presented at the Annual Meeting of the American Society of Criminology, Phoenix, October 1993.
- “Doubling Up: Careers in Legal and Illegal Work.” Presented at the Annual Meeting of the American Society of Criminology, Phoenix, October 1993.
- “Promises and Lies: The False Criminology of “Islands in the Street.” Presented at the Annual Meeting of the American Sociological Association, Miami, August 1993.
- “Deindustrialization and the Emergence of Youth Gangs in American Cities.” Colloquium at the Institute of Politics, University of Pittsburgh, April 1993.
- “Women and Drugs Revisited: Female Participation in the Crack Economy.” Colloquium at the Research Institute on the Addictions, State of New York, March 1993.
- “Neighborhood Effects on Gangs and Ganging: Ethnicity, Political Economy and Urban Change.” Presented at the Annual Meeting of the American Society of Criminology, New Orleans, November 1992.
- “Enterprise and Ethnicity: Cultural and Economic Influence on Social Networks of Chinese Youth Gangs” (with K. Chin). Presented at the Annual Meeting of the American Society of Criminology, New Orleans, November 1992.
- “The Specific Deterrent Effects of Criminal Sanctions for Drug and Non-Drug Offenders.” Presented at the Annual Meeting of the Law & Society Association, Philadelphia, May 1992.
- “The Changing Contexts of Drug-Violence Relationships for Adolescents and Adults.” Presented at the Annual Meeting of the American Academy for the Advancement of Science, Washington DC, February 1991.
- “Youth Gangs as Social Networks.” Presented at the Annual Meeting of the American Society of Criminology, Baltimore MD, November 1990.
- “Context and Contingency in Drug-Related Violence.” Presented at the Annual Meeting of the American Psychological Association, Boston MA, August 1990.
- “The Dragon Breathes Fire: Chinese Organized Crime in New York City” (R. Kelly, K. Chin, and J. Fagan). Presented to the Political Sociology Faculty of the University of Florence, Firenze, Italy, May 1990.
- “The Political Economy of Drug Use and Drug Dealing among Urban Gangs (J. Fagan and A. Hamid). Presented at the Annual Meeting of the American Society of Criminology, Reno NV, November 1989.
- “The Comparative Impacts of Juvenile and Criminal Court Sanctions for Adolescent Felony Offenders” (J. Fagan and M. Schiff). Presented at the Annual Meeting of the American Society of Criminology, Reno NV, November 1989.
- “Symbolic and Substantive Effects of Waiver Legislation in New Jersey” (M. Schiff and J.

- Fagan). Presented at the Annual Meeting of the Law and Society Association, Vail CO, June, 1988.
- “The Predictive Validity of Judicial Determinations of Dangerousness: Preventive Detention of Juvenile Offenders in the Schall v. Martin Case” (J. Fagan and M. Guggenheim). Presented at the Annual Meeting of the American Society of Criminology, Montreal, Quebec, November, 1987; and, at the Fortunoff Colloquium Series, New York University School of Law, November, 1988.
- “The Comparative Effects of Legal and Social Sanctions in the Recurrence of Wife Abuse” (J. Fagan and S. Wexler). Presented at the Third National Conference on Family Violence Research, University of New Hampshire, Durham, NH, July, 1987
- “The Stability of Delinquency Correlates in Eight High Crime Neighborhoods” (J. Deslonde and J. Fagan). Presented at the 1986 Annual Conference of Blacks in Criminal Justice, Washington DC, March 1986
- “Complex Behaviors and Simple Measures: Understanding Violence in Families” (J. Fagan and S. Wexler). Presented at the Annual Meeting of the American Society of Criminology, San Diego, November, 1985
- “Social Ecology of Violent Delinquency” (J. Fagan, P. Kelly and M. Jang). Presented at Annual Meeting of the Academy of Criminal Justice Sciences, Chicago, IL, March, 1984.
- “Delinquent Careers of Chronically Violent Juvenile Offenders” (E. Hartstone, J. Fagan and M. Jang). Presented at Pacific Sociological Association, San Jose, CA, April 1983.
- “*Parens Patriae* and Juvenile Parole.” Presented at the National Conference on Criminal Justice Evaluation, Washington, DC, November 1978.
- “Indigenous Justice: The San Francisco Community Board Program” (J. Fagan). Presented at the Annual Meeting of the American Society of Criminology, November 1977, Atlanta, Georgia.
- “An Assessment of the Impact of Treatment and Other Factors on Successful Completion of a Pretrial Intervention Program” (J. Fagan). Presented at the National Conference on Criminal Justice Evaluation, February 1977.

#### EXPERT TESTIMONY:

- Joel Stallworth, et. al., v. Nike Retail Services, Inc. et. al., 2:20-cv-05985-VAP* (GJSx), U.S. District Court, Central District of California
- Jermont Cox and Kevin Marinelli v. Commonwealth of Pennsylvania*, 102/103 RM 2018, Supreme Court of Pennsylvania (Consultant)
- People v. Miguel Contreras-Perez*, Pueblo County (Colo.) Dist Ct. No. 18CR1538.
- U.S. v. Murray Lawrence*, U.S. District Court, Eastern District of New York, 16-CR-243, Judge Jack B. Weinstein (2017)
- U.S. v. Antonio Williams and John Hummons, 12-CR-887, Chief Judge Ruben Castillo, U.S. District Court, Northern Division of Illinois* (2018)
- In re: Ferguson Police Department*, Special Litigation Section, Civil Rights Division, U.S. Department of Justice, DJ 207-42-6 (Consultant) (2015)
- Floyd, et al. v. City of New York, et al.*, U.S. District Court, Southern District of New York, 08 Civ. 1034 (SAS) 959 F. Supp. 2d 540 (S.D.N.Y. 2013)
- Davis et al. v. City of New York*, U.S. District Court, Southern District of New York, 10 Civ. 0699 (SAS) (2015)
- Ligon et al. v. City of New York*, U.S. District Court, Southern District of New York, 12 Civ. 2274 (SAS) (2032)
- State v. Raheem Moore*, Circuit Court # 08CF05160, State of Wisconsin, Criminal Division, Milwaukee County
- Connecticut v Arnold Bell*, Docket # CR02-0005839, District Court of Connecticut, New Haven
- Jessica Gonzales v. United States*, Petition No. 1490-05, Inter Am. C.H.R., Report No. 52/07,

OEA/Ser.L./V/II.128, doc. 19 (2007)  
*U.S. v. Joseph Brown and Jose Lavandier*, U.S. District Court for the District of Vermont, Docket No. 2:06-CR-82-2  
*United States v. Khalid Barnes*, U.S. District Court, Southern District of New York, 04 Cr. 186 (SCR)  
*Loggins v. State*, 771 So. 2d 1070 (Ala. Crim. App. 1999)  
*Truman-Smith v. Bryco Firearms et al.* (02-30239 (JBW)), and *Johnson v. Bryco Firearms et al.* (03-2582 (JBW)), Eastern District of New York  
*U.S. v. Alan Quinones*, S3 00 Cr. 761 (JSR), Southern District of New York  
*National Association for the Advancement of Colored People (NAACP) and National Spinal Cord Injury Association (NSCIA) v. American Arms Corporation, Accu-sport Corporation, et. al.*, Eastern District of New York, 99 CV 3999 (JBW), 99 CV7037 (JBW)  
*U.S. v. Durrell Caldwell*, J-2045-00; J-2250-00, Family Division, Juvenile Branch, Superior Court of the District of Columbia  
*Nixon v. Commonwealth of Pennsylvania, Department of Public Welfare*, 839 A.2d 277 (Pa. 2003)  
*National Congress of Puerto Rican Rights v. City of New York*, 99 Civ. 1695 (SAS) (HBP)  
*State of Wisconsin v. Rodolfo Flores*, 99-CF-2866, Circuit Branch 28 (Hon. Thomas R. Cooper)  
*State of Wisconsin v. Rolando Zavala*, 97-CF-547, Circuit Branch 3 (Hon. Bruce E. Shroeder)  
*Hamilton v. Accu-Tek et al.*, 935 F. Supp. 1307 (E.D.N.Y. 1996)  
*U.S. v. Yohann Renwick Nelson*, 920 F.Supp. 825 (M.D. Tenn., 1996)

#### **OTHER PRESENTATIONS:**

“The New Policing,” U.S. Commission on Civil Rights, New York State Advisory Group, New York, March 2017  
“Guns, Social Contagion, and Youth Violence.” Presented at the Annual Conference of the Cuyahoga County Mental Health Institute, Case Western Reserve University, Cleveland, May 1998.  
“The Future of the Criminal Law on Domestic Violence.” Presented to the Governor’s Criminal Justice Conference, Albany, New York, October 1996.  
“Women, Law and Violence: Legal and Social Control of Domestic Violence.” Presented at the 29th Semi-Annual Research Conference of the Institute for Law and Psychiatry, School of Law, University of Virginia, Charlottesville VA, November 1995.  
“Punishment versus Treatment of Juvenile Offenders: Therapeutic Integrity and the Politics of Punishment,” Delaware Council on Criminal Justice, Wilmington DE, October 1995.  
Keynote Speaker, “The Criminalization of Domestic Violence: Promises and Limitations,” National Conference on Criminal Justice Evaluation, National Institute of Justice, Washington DC, July 1995.  
“Limits and Promises of New Jersey's Prevention of Domestic Abuse Act,” Institute of Continuing Legal Education, Bar Association of the State of New Jersey, New Brunswick, July 1993.  
“Technical Review on Alcohol and Violence,” National Institute on Alcoholism and Alcohol Abuse, Rockville MD: May 1992.  
Plenary Speaker, “Race and Class Conflicts in Juvenile Justice,” Annual Meeting of the Juvenile Justice Advisory Groups, Washington DC, April 1991  
Plenary Speaker, “Punishing Spouse Assault: Implications, Limitations and Ironies of Recent Experiments on Arrest Policies,” Annual Meeting of the Society for the Study of Social Problems, Washington DC, August 1990.  
“Drug Use, Drug Selling and Violence in the Inner City,” Joint Center for Political Studies, Washington DC: November 1989.  
“Technical Review on Drugs and Violence,” National Institute on Drug Abuse, Rockville MD:



September, 1989.  
Carnegie Council on Adolescent Development, "Workshop on Adolescent Violence."  
Washington DC: May 1989.  
"National Symposium on Families in Courts." National Judicial College, National Center for  
State Courts, and the American Bar Association (joint conveners). Reno NV, May 1989.  
Plenary Panelist, "Delinquency Research in the 1990's." Annual Meeting of the Western Society  
of Criminology, Anaheim CA, February 1989.  
Keynote Speaker, Philadelphia Coalition for Children and Youth, Juvenile Justice Conference,  
June, 1988  
Ohio Governor's Task Force on Juvenile Violence, Statewide Conference on Gangs, May, 1988  
OJJDP State Advisory Groups, Regional Workshops, 1982, 1987  
Michigan Commission on Juvenile Justice, Symposium on Contemporary Programs in  
Rehabilitation of Serious Juvenile Offenders, 1986  
Interagency Panel on Research and Development on Children and Adolescents, National  
Institute of Education, 1985, 1987  
Symposium on Addressing the Mental Health Needs of the Juvenile Justice Population, National  
Institute of Mental Health, 1985  
OJJDP/ADAMHA Joint Task Force on Serious Juvenile Offenders with Drug and Alcohol  
Abuse and Mental Health Problems, National Institute on Drug Abuse, 1984  
National Conference on Family Violence as a Crime Problem, National Institute of Justice, 1984  
Governor's Task Force on Juvenile Sex Offenders, California Youth Authority, Sacramento, CA,  
1984  
Los Angeles County Medical Association, Los Angeles, California: Family Violence and Public  
Policy, 1983  
Minority Research Workshop, National Institute of Law Enforcement and Criminal Justice,  
LEAA, Department of Justice, 1979

#### TECHNICAL REPORTS (SELECTED):

*Final Report: An Analysis of Race and Ethnicity Patterns in Boston Police Department Field  
Interrogation, Observation, and Frisk or Search Reports* (J. Fagan, A. Braga, R.K. Brunson, and  
A. Pattavina). Submitted to the Boston Police Department, June 2015, at  
<https://www.issuelab.org/resources/25203/25203.pdf>  
*Project Safe Neighborhoods in Chicago: Three Year Evaluation and Analysis of Neighborhood Level  
Crime Indicators, Final Technical Report* (J. Fagan, A. Papachristos, T.L. Meares), Grant #  
2004-GP-CX-0578, Bureau of Justice Assistance, U.S. Department of Justice (2006).  
*Social and Ecological Risks of Domestic and Non-Domestic Violence against Women in New York City*  
(J. Fagan, J. Medina-Ariza, and S.A. Wilt). Final Report, Grant 1999-WT-VW-0005,  
National Institute of Justice, U.S. Department of Justice (2003).  
*The Comparative Impacts of Juvenile and Criminal Court Sanctions on Recidivism among Adolescent  
Felony Offenders* (J. Fagan, A. Kupchik, and A. Liberman). Final Report, Grant 97-JN-FX-01,  
Office of Juvenile Justice and Delinquency Prevention (2003).  
*Drug Control in Public Housing: The Impact of New York City's Drug Elimination Program on Drugs  
and Crime* (J. Fagan, J. Holland, T. Dumanovsky, and G. Davies). Final Report, Grant No.  
034898, Substance Abuse Policy Research Program, Robert Wood Johnson Foundation  
(2003).  
*The Effects of Drug Enforcement on the Rise and Fall of Homicides in New York City, 1985-95* (J.  
Fagan). Final Report, Grant No. 031675, Substance Abuse Policy Research Program,  
Robert Wood Johnson Foundation (2002).  
*Getting to Death: Fairness and Efficiency in the Processing and Conclusion of Death Penalty Cases after  
Furman* (J. Fagan, J. Liebman, A. Gelman, V. West, A. Kiss, and G. Davies). Final Technical

- Report, Grant 2000-IJ-CX-0035, National Institute of Justice (2002).
- Analysis of NYPD AStop and Frisk Practices* (J. Fagan, T. Dumanovsky, and A. Gelman). Office of the Attorney General, New York State, 1999 (contributed chapters and data analyses).
- Situational Contexts of Gun Use by Young Males in Inner Cities* (J. Fagan and D.L. Wilkinson). Final Technical Report, Grant SBR 9515327, National Science Foundation; Grant 96-IJ-CX-0021, National Institute of Justice; Grant R49/CCR211614, Centers for Disease Control and Prevention (NIH), 1999.
- The Specific Deterrent Effects of Arrest on Domestic Violence* (C. Maxwell, J. Garner and J. Fagan). Final Technical Report, Grant 93-IJ-CX-0021, National Institute of Justice, 1999.
- The Epidemiology and Social Ecology of Violence In Public Housing* (J. Fagan, T. Dumanovsky, J.P. Thompson, G. Winkel, and S. Saegert). National Consortium on Violence Research, National Science Foundation, 1998.
- Reducing Injuries to Women in Domestic Assaults* (J. Fagan, J. Garner, and C. Maxwell). Final Technical Report, Grant R49/CCR210534, Centers for Disease Control, National Institutes of Health, 1997.
- The Effectiveness of Restraining Orders for Domestic Violence* (J. Fagan, C. Maxwell, L. Macaluso, & C. Nahabedian). Final Technical Report, Administrative Office of the Courts, State of New Jersey, 1995.
- Gangs and Social Order in Chinatown: Extortion, Ethnicity and Enterprise* (K. Chin, J. Fagan, R. Kelly). Final Report, Grant 89-IJ-CX-0021 (S1), National Institute of Justice, U.S. Department of Justice, 1994.
- The Comparative Impacts of Juvenile and Criminal Court Sanctions for Adolescent Felony Offenders: Certainty, Severity and Effectiveness of Legal Intervention* (J. Fagan). Final Report, Grant 87-IJ-CX-4044, National Institute of Justice, U.S. Department of Justice, 1991.
- Final Report of the Violent Juvenile Offender Research and Development Program*, Grant 85-MU-AX-C001, U.S. Office of Juvenile Justice and Delinquency Prevention:
- *Volume I: Innovation and Experimentation in Juvenile Corrections: Implementing a Community Reintegration Model for Violent Juvenile Offenders* (J. Fagan and E. Hartstone), 1986.
  - *Volume II: Separating the Men from the Boys: The Transfer of Violent Delinquents to Criminal Court* (J. Fagan and M. Forst), 1987.
  - *Volume III: Rehabilitation and Reintegration of Violent Juvenile Offenders: Experimental Results* (J. Fagan, M. Forst and T. Scott Vivona), 1988.
- Drug and Alcohol Use, Violent Delinquency, and Social Bonding: Implications for Policy and Intervention* (J. Fagan, J.G. Weis, J. Watters, M. Jang, and Y. Cheng), Grant 85-IJ-CX-0056, National Institute of Justice, 1987.
- Minority Offenders and the Administration of Juvenile Justice in Colorado* (E. Slaughter, E. Hartstone, and J. Fagan). Denver: Colorado Division of Criminal Justice, 1986.
- Final Report: The Impact of Intensive Probation Supervision on Violent Juvenile Offenders in the Transition Phase Adolescence to Adulthood* (J. Fagan and C. Reinerman), Grant 82-IJ-CX-K008, National Institute of Justice, 1986.
- Final Report: National Family Violence Evaluation* (J. Fagan, E. Friedman, and S. Wexler), Grant 80-JN-AX-0004, Office of Juvenile Justice and Delinquency Prevention, 1984. (Also, three interim reports: History and Development, Process Analysis, Client and Program Characteristics.)
- A Resident Mobilization Strategy for Prevention of Violent Juvenile Crime* (J. Deslonde, J. Fagan, P. Kelly, and D. Broussard). San Francisco: The URSA Institute, 1983.
- Background Paper for the Violent Juvenile Offender Research and Development Program* (J. Fagan, S. Jones, E. Hartstone, & C. Rudman), Washington, DC: Office of Juvenile Justice and Delinquency Prevention, April 1981.

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## EDITORIAL:

Senior Editor, *Criminology and Public Policy*, 2001 - 2008  
Advisory Board, *Family and Child Law Abstracts*, Legal Scholarship Network, 1999-present  
Editorial Advisory Board, *Journal of Criminal Law and Criminology*, 1996-2010  
Editorial Board, *Criminology*, 1997-2001  
Editorial Board, *Journal of Quantitative Criminology*, 2001-2008  
Editorial Board, *Crime and Justice: A Review of Research*, 1998-present  
Editorial Board, *Journal of Research in Crime and Delinquency*, 1997-present  
Editor, *Journal of Research in Crime and Delinquency*, 1990 - 1995  
Editor, *Contemporary Drug Problems*, Special Issues on Crack (Winter 1989, Spring 1990)  
Co-Editor, *Oxford Readers in Crime and Justice* (w. Michael Tonry), Oxford University Press, 1994-95

## ADVISORY BOARDS AND COMMITTEES:

Faculty Affiliate, Data Science Institute, Columbia University (2020-present)  
Advisory Board, 8<sup>th</sup> Amendment Project (2015-present)  
Research Advisory Board, The Innocence Project (2009 – present)  
Committee on Law and Justice, National Academy of Sciences (2000-2006) (Vice Chair, 2004-6)  
Member, Committee to Review Research on Police Policy and Practices, National Research Council, National Research Council (2001-2003)  
Working Group on Law, Legitimacy and the Production of Justice, Russell Sage Foundation (2000-present)  
Working Group on Incarceration, Russell Sage Foundation (2000-2006)  
Academic Advisory Council, National Campaign Against Youth Violence (The White House) (1999-2001)  
Fellow, Aspen Roundtable on Race and Community Revitalization (1999 - 2001)  
Fellow, Earl Warren Legal Institute, University of California School of Law (1998 - present)  
Research Network on Adolescent Development and Juvenile Justice, MacArthur Foundation (1996-2006)  
National Consortium on Violence Research, Carnegie Mellon University (NSF) (1996-present)  
Committee on the Assessment of Family Violence Interventions, National Research Council, National Academy of Sciences (1994-1998)  
Advisory Board, Evaluation of the Comprehensive Gang Intervention Program, University of Chicago (1997-present)  
Committee on Opportunities in Drug Abuse Research, Institute of Medicine, National Academy of Sciences (Special Consultant) (1995 - 1996).  
Initial Review Group, Violence and Traumatic Stress Research Branch, National Institute of Mental Health, National Institute of Health (1994-1998)  
Chair, Working Group on the Ecology of Crime in Inner Cities, Committee for Research on the Urban Underclass, Social Science Research Council (1989-1994)  
Advisory Board, Evaluation of the Jobs Corps, U.S. Department of Labor (1993-present)  
Advisory Board, National Service Action Corps, Robert F. Kennedy Memorial (1993-1997)  
Advisory Board, Evaluation of Family Violence Prevention and Services Act, The Urban Institute (1993-1994)  
Scientific Core Group, Program on Human Development and Criminal Behavior, MacArthur Foundation (1991-1992)  
Injury Control Panel on Violence Prevention, Centers for Disease Control and Prevention, U.S. Department of Health and Human Services (1990-1991)  
Princeton Working Group on Alternatives to Drug Prohibition, Woodrow Wilson School of

Public and International Affairs, Princeton University (1990-1994)  
Racial Disparities in Juvenile Justice, Pennsylvania Juvenile Court Judges Commission (1991-92)  
Racial Disparities in Juvenile Justice, Missouri Department of Law and Public Safety (1990-91)  
Conditions of Confinement of Juveniles, National Institute for Juvenile Justice and Delinquency Prevention (1990-1992)  
Research Program on “Linking Lifetimes -- Intergenerational Mentoring for Youths at Risk and Young Offenders,” Temple University (1989-91)  
Research Program on Juvenile Court Sanctions for Family Violence, National Council of Juvenile and Family Court Judges, Bureau of Justice Assistance, U.S. Department of Justice (1987-1988)  
School Crime Research and Development Program, Office of Juvenile Justice and Delinquency Prevention, National Institute for Juvenile Justice and Delinquency Prevention (1986-1988)  
Research and Development Project on Sexually Exploited Children, Tufts University, New England Medical Center Hospital, Boston, MA (1980-83)  
Administration of Justice Program, National Urban League, New York, NY (1982-1987)

#### **PROFESSIONAL ASSOCIATIONS:**

Society for Empirical Legal Studies  
American Society of Criminology  
American Sociological Association  
Law and Society Association  
American Association for the Advancement of Science  
American Public Health Association

#### **RESEARCH GRANTS:**

Principal Investigator, Racial Inequality in Police Violence: Injuries and Fatalities from Police Use of Force, Russell Sage Foundation Grant#: 2008-2769, July 2021 - June 2023  
Principal Investigator, *Citizens, Police and the Legitimacy of Law in New York*, Grant # 20033258, Open Society Foundations, October 2011-September 2013  
Principal Investigator, *Proactive Policing and Mental Health: Individual and Community Effects*, Grant # 69669, Public Health Law Research Program, Robert Wood Johnson Foundation, 2011-13  
Co-Investigator, *Street Stops and Police Legitimacy*, Grant 2010-IJ-CX-0025 from the National Institute of Justice, U.S. Department of Justice, subcontract from New York University, 2011 - 2012  
Principal Investigator, “Evaluation of Project Safe Neighborhoods in Chicago,” May 2004 – September 2010, Grant # 2004-GP-CX-0578, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice.  
Principal Investigator, “Capital Sentencing of Adolescent Murder Defendants,” March – December 2004, Grant #20012433 from the Open Society Institute. Additional support from the Wallace Global Fund.  
Principal Investigator, “Legitimacy, Accountability, and Social Order: Majority and Minority Community Perspectives on the Law and Legal Authorities,” September 2002 - August 2003, Russell Sage Foundation.  
Principal Investigator, “Social Contagion of Violence,” Investigator Awards in Health Policy Program, Robert Wood Johnson Foundation, September 2002 – June 2004  
Principal Investigator, “Getting to Death: Fairness and Efficiency in the Processing and

- Conclusion of Death Penalty Cases after Furman,” Grant #2000-IJ-CX-0035, September 2000 - August 2001, National Institute of Justice, U.S. Department of Justice.
- Co-Principal Investigator, “Columbia Center for the Study and Prevention of Youth Violence,” Grant R49-CCR218598, October 1, 2000 - September 30, 2005, Centers for Disease Control, U.S. Department of Health and Human Services.
- Principal Investigator, “Neighborhood Effects on Legal Socialization of Adolescents,” John D. and Catherine T. MacArthur Foundation, October 1, 2000 - September, 30, 2002.
- Principal Investigator, “Violence Prevention through Legal Socialization,” 1 R01-HD-40084-01, October 1, 2000 - September 30, 2003, National Institute of Child and Human Development, U.S. Department of Health and Human Services.
- Principal Investigator, “The Effects of Incarceration on Crime and Work In New York City: Individual And Neighborhood Impacts,” Russell Sage Foundation, Grant 85-00-11, September 2000 - August 2002.
- Principal Investigator, “Community Courts and Community Ecology: A Study of The Red Hook Community Justice Center,” Grant 2000-MU-AX-0006, June 1, 2000 - December 31, 2002, National Institute of Justice, U.S. Department of Justice.
- Principal Investigator, “Age, Crime and Sanction: The Effect of Juvenile Versus Adult Court Jurisdiction on Age-specific Crime Rates of Adolescent Offenders,” Grant JR-VX-0002, June 1999 - August 2000, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.
- Principal Investigator, “Social and Ecological Risks of Domestic and Non-domestic Violence Against Women in New York City,” Grant WT-VX-0005, April 1999 - December 2000, National Institute of Justice, U.S. Department of Justice.
- Principal Investigator, “Drug Control in Public Housing: An Evaluation of the Drug Elimination Program of the New York City Public Housing Authority,” September 1998 - August 2001, Robert Wood Johnson Foundation.
- Principal Investigator, “The Criminalization of Delinquency: Comparative Impacts of Juvenile and Criminal Court Sanctions on Adolescent Felony Offenders,” March 1997 - September 2000, Office of Juvenile Justice and Delinquency Prevention, Annie E. Casey Foundation, Open Society Institute.
- Co-Principal Investigator, “Post-Traumatic Stress Among Police,” October 1997 - April 2000, National Institute of Mental Health, 1 R01 MH56350-01, National Institute of Health (subcontract from University of California at San Francisco).
- Principal Investigator, “The Rise and Fall of Drug-Related Homicides in New York City: 1985-95,” July 1997 - June 2000, Robert Wood Johnson Foundation.
- Principal Investigator, “Lethal and Non-Lethal Violence: Individual, Social and Neighborhood Risk Factors,” October 1996 - September 1999, Centers for Disease Control and Prevention, National Institute of Health, R49/CCR212753-01; National Institute of Justice, 97-IJ-CX-0013.
- Principal Investigator, “The Situational Context of Gun Use by Young Males,” October 1995 - January 1998, National Science Foundation, SBR-9515327; National Institute of Justice, 96-IJ-CX-0021; Centers for Disease Control and Prevention (NIH) R49/CCR211614.
- Principal Investigator, “The Situational Context of Gun Use by Young Males in Inner Cities,” February 1995 - August 1996, The Harry Frank Guggenheim Foundation.
- Principal Investigator, “Reducing Injuries to Women from Spouse Assault,” September 1994 - February 1996, Centers for Disease Control and Prevention, National Institute of Health, R49/CCR210534-01.
- Co-Principal Investigator, “Crime Commission Rates of Incarcerated Prisoners: Estimates from the Second Generation of Inmate Surveys,” June 1994 - February 1995, National Institute of Justice, 94-IJ-CX-0017.
- Principal Investigator, “Impacts of Arrest on the Social Control of Violence Among Intimates,” October 1993 - June 1994, National Institute of Justice, 93-IJ-CX-0021.

- Principal Investigator, "The Role of Legal and Social Controls in Controlling Violence among Intimates," July 1993 - December 1994, The Harry Frank Guggenheim Foundation.
- Co-Principal Investigator, "Measuring the Use of Force by Police," September 1993 - August 1994, National Institute of Justice, 92-IJ-CX-K028.
- Co-Principal Investigator, "Female Participation in Drug Selling," September 1992 - August 1994, National Science Foundation, SES-92-07761. Also supported by the Rockefeller Foundation.
- Principal Investigator, "Civil and Criminal Sanctions for Domestic Violence," June 1992 - September 1994 Administrative Office of the Courts, State of New Jersey.
- Co-Principal Investigator, "Careers in Crack, Drug Use and Distribution, and Non-Drug Crime," February 1991 - January 1993, National Institute on Drug Abuse, National Institute of Health, 1R01-DA-06615-01.
- Principal Investigator, "Patterns of Organized Crime Activities among Asian Businesses in the New York Metropolitan Area," October 1989 - March 1991, National Institute of Justice, 89-IJ-CX-0021.
- Principal Investigator, "Desistance from Family Violence," July 1990 - January 1992, The Harry Frank Guggenheim Foundation.
- Principal Investigator, "Pipeline Study for a Field Experiment on Drug Testing in Community Corrections," June-December, 1990, National Institute of Justice, 90-IJ-R-026
- Principal Investigator, "Changing Patterns of Drug Abuse and Criminality among Crack Users," December 1987 - September 1989, National Institute of Justice, 87-IJ-CX-0064-S1.
- Principal Investigator, "The Comparative Impacts of Criminal and Juvenile Sanctions for Adolescent Felony Offenders," October 1987 - September 1989, National Institute of Justice, 87-IJ-CX-4044.
- Principal Investigator, "Drug Abuse and Delinquency among Dropouts and Gang Members: A Secondary Analysis," October 1987 - December 1988, National Institute for Juvenile Justice and Delinquency Prevention, 87-JN-CX-0012.
- Principal Investigator, "Drug and Alcohol Use, Violent Delinquency, and Social Bonding," October 1985 - December 1986, National Institute of Justice, 85-IJ-CX-0056.
- Principal Investigator, "Violent Juvenile Offender Research and Development Program," November 1980 - June 1987, National Institute for Juvenile Justice and Delinquency Prevention, 80-JN-AX-0012, 85-MU-CX-0001.
- Principal Investigator, Preventive Detention and the Prediction of Dangerousness Among Juveniles: Pretrial Crime and Criminal Careers in the *Schall v. Martin* Cohort, New York City Criminal Justice Agency.
- Principal Investigator, "AIDS Community Education Effectiveness Study," January 1986 - June 1987, California Department of Health, Grant D0056-86.
- Principal Investigator, "Longitudinal Evaluation of Intensive Probation Supervision for Violent Offenders," October 1982 - June 1985, National Institute of Justice, 82-IJ-CX-K008.
- Principal Investigator, National Evaluation of the LEAA Family Violence Program," October 1978 -January 1984, National Institute for Juvenile Justice and Delinquency Prevention, 80-JN-AX-0003.

## PEER REVIEW:

### Scholarly Journals

Stanford Law Review  
NYU Law Review  
Yale Law Journal  
Proceedings of the National Academy of Science  
Social Problems

Columbia Law Review  
J. Crim Law & Criminology  
Social Science Quarterly  
Law and Society Review  
American Journal of Sociology

Journal of Contemporary Ethnography  
Journal of Drug Issues  
Crime and Justice: An Annual Review of Research  
Journal of Criminal Justice  
Alcohol Health and Research World  
Criminal Justice Ethics  
Criminology  
Journal of Urban Affairs

American Sociological Review  
Sociological Methods and Research  
Journal of Quantitative Criminology  
Justice Quarterly  
Violence and Victims  
Contemporary Drug Problems  
Criminology and Public Policy

#### **University Presses**

Rutgers University Press  
State University of New York Press  
Temple University Press  
University of Chicago Press

Cambridge University Press  
Oxford University Press  
Princeton University Press  
New York University Press

#### **Other Presses**

MacMillan Publishing  
St. Martins Press

Greenwood Publications  
Sage Publications

#### **Research Grant Reviews**

National Institute on Mental Health, Violence and Traumatic Stress Branch  
Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, USPHS  
Law and Social Science Program, National Science Foundation  
Sociology Program, National Science Foundation  
National Institute on Drug Abuse, Prevention Branch  
National Institute on Drug Abuse, Epidemiology Branch  
National Institute of Justice  
Office of Juvenile Justice and Delinquency Prevention  
The Carnegie Corporation of New York  
The W.T. Grant Foundation

#### **COURSES TAUGHT:**

Seminar on Neuroscience and Criminal Law  
Seminar on Mass Incarceration  
Empirical Legal Studies Laboratory  
Seminar on the Social and Legal Regulation of Firearms  
Seminar on Policing  
Criminal Law  
Capital Punishment  
Empirical Analysis of Law  
Juvenile Justice  
Seminar on Crime and Justice in New York  
Pro-Seminar on Race, Crime and Law  
Pro-Seminar on Community Justice and Problem-Solving Courts  
Seminar on Regulation in the Criminal Law

Law and Social Science  
Seminar on Criminology  
Foundations of Scholarship  
Seminar on Violent Behavior  
Seminar on Drugs, Law and Policy  
Seminar on Communities and Crime  
Research Methods in Criminal Justice and Criminology  
Advanced Research Methods  
Qualitative Research Methods  
Criminal Justice Policy Analysis  
Administration of Juvenile Corrections  
Research Methods  
Seminar on Deterrence and Crime Control Theory

## **CONSULTATIONS:**

Robina Institute, University of Minnesota School of Law, 2012  
Boston Police Department, 2012-present  
New Jersey Commission on Law Enforcement Standards and Practices, 2006-7  
London School of Economics, Urban Age Colloquium, 2005  
Inter-American Development Bank, Urban Security and Community Development, 2002-3  
Trans.Cité (Paris, France), Security in Public Transportation, 2002  
Institute for Scientific Analysis, Domestic Violence and Pregnancy Project, 1995-96  
Department of Psychology, University of Wisconsin (Professor Terrie Moffitt), 1995-1999  
National Funding Collaborative for Violence Prevention (Consortium of foundations), 1995  
National Council on Crime and Delinquency, 1989-94  
Victim Services Agency, City of New York, 1994-2000  
National Conference of State Legislatures, 1994-2001  
U.S. Department of Labor, 1994  
City of Pittsburgh, Office of the Mayor, 1994  
Center for the Study and Prevention of Violence, Colorado University, 1993 - 2000  
Washington (State) Department of Health and Rehabilitative Services, 1993  
National Council of Juvenile and Family Court Judges, 1993  
Center for Research on Crime and Delinquency, Ohio State University, 1992, 1993  
New York City Criminal Justice Agency, 1992, 1993  
Violence Prevention Network, Carnegie Corporation, 1992-3  
Research Triangle Institute, 1993  
National Institute of Corrections, 1992, 1993  
Colorado Division of Criminal Justice, 1991  
Juvenile Delinquency Commission, State of New Jersey, 1991  
University of South Florida, Dept. of Criminology, 1991-92  
Florida Mental Health Institute, 1991  
Rand Corporation, 1991-92  
Juvenile Corrections Leadership Forum, 1990  
Texas Youth Commission, 1990  
California State Advisory Group on Juvenile Justice, 1989  
New York State Division of Criminal Justice Services, Family Court Study, 1989  
Juvenile Law Center, Philadelphia, 1988  
American Correctional Association, 1988  
Institute for Court Management, National Center for State Courts, 1987-present  
Correctional Association of New York, 1987  
Eisenhower Foundation, Washington DC, 1987-1990  
New York City Department of Juvenile Justice, 1987-1990  
Juvenile Justice and Delinquency Prevention Council, Colorado Division of Criminal Justice,  
1983-87  
Office of Criminal Justice Services, State of Ohio, 1983  
Utah Youth Corrections Division, Salt Lake City, Utah, 1982  
Office of Criminal Justice, State of Michigan, 1982,1986  
National Center for the Prevention and Control of Rape, NIMH, 1980

## **SERVICE:**

### **Columbia University**

University Senate, Mailman School of Public Health, 2003-2007



Director, JSD Program, Columbia Law School, 2001-2010  
Curriculum Committee, Columbia Law School, 2003-4

**Professional**

Chair, Sutherland Award Committee, American Society of Criminology, 2006-7  
Chair, National Policy Committee, American Society of Criminology, 2002-2003  
Delegate from the American Society of Criminology to the American Association for the  
Advancement of Science, 1995-1999  
Executive Counselor, American Society of Criminology, 1994-97  
Chair, Nominations Committee, American Society of Criminology, 1995-96.  
Counsel, Crime, Law and Deviance Section, American Sociological Association, 1993-94  
Nominations Committee, American Society of Criminology, 1993-94, 2016-7  
Site Selection Committee, American Society of Criminology, 1992  
Program Committee, American Society of Criminology, 1988, 1990, 2000  
Awards Committee, Western Society of Criminology, 1988

**Public**

Domestic Violence Working Group, New Jersey Administrative Office of the Courts, 1991-  
1998  
Prevention Task Force, New Jersey Governor's Commission on Drug and Alcohol Abuse, 1990  
State Judicial Conference, State of New Jersey, Administrative Office of the Courts, 1990  
Task Force on Youth Gangs, State of New York, Division for Youth, 1989-90