



**TIM HARRIS**

TULSA COUNTY  
DISTRICT ATTORNEY

"When justice  
is done,  
it brings joy  
to the righteous  
but terror to  
evildoers."

Proverbs 21:15

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# In Pursuit of Justice

VOLUME 1, ISSUE 3

NOVEMBER 2008

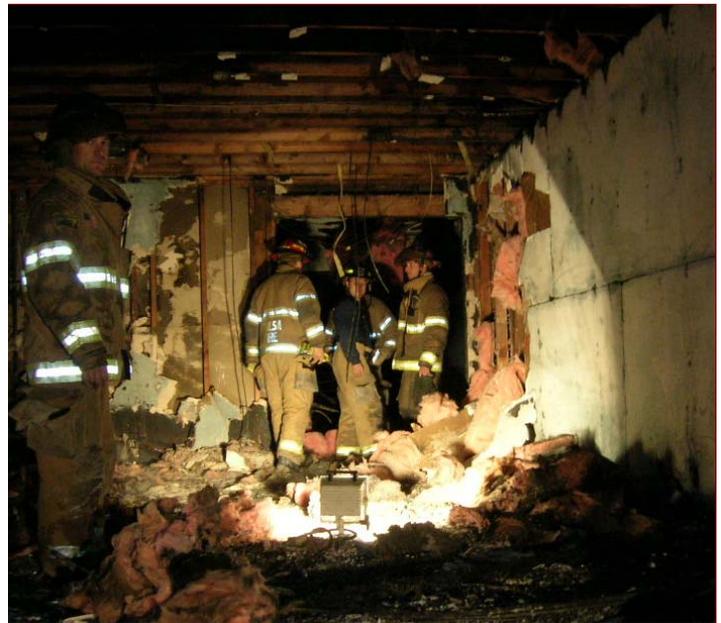
## 66 Violent Criminals Taken Off Tulsa Area Streets in Jury Trials So Far in 2008

**T**ulsa County juries sent 66 criminals to prison as of Oct. 31, 2008 for crimes including murder, rape, robbery, shooting with intent to kill, sexual assault of a child, maiming, assault and battery with a deadly weapon, child abuse and setting a house on fire with a family inside.

Tulsa County prosecutors convinced juries to send 18 murderers to prison. Six others pled guilty or no contest to murder rather than face a jury trial. Eight other defendants were convicted or pled guilty to manslaughter and were sent to prison.

With guilty pleas, a total of 1,571 offenders have been sent to prison from Tulsa County as of Sept. 30, 2008.

In 2008 trials, one murderer was



**A family of five lived in this home when Jonathon Watashe tossed a Molotov cocktail through the window in December 2007. The family escaped unharmed. Watashe will serve 30 years for First-Degree Arson.**

OFFENDERS SENT TO PRISON FROM TULSA COUNTY	
2006	1,843
2007	1,961
2008	1,571* * through 9-30-08

sentenced to **DEATH**, nine defendants received sentences of **LIFE WITHOUT PAROLE**, and ten were sentenced to **LIFE IN PRISON**. One defendant was acquitted of shooting a man to death and wounding another. The surviving victim identified the defendant as the shooter.

In June, **Jesus Franciso Hernandez** was convicted of murder in the stabbing death of **Aletheia Kikugawa, 32**, and her **15-week-old fetus**. He was sentenced to **LIFE IN PRISON WITHOUT PAROLE** and **30 YEARS IN PRISON**. Assistant DAs Michelle Keely and Christina Wolfram prosecuted.

**Jonathan Watashe** was convicted of arson in August 2008 and sentenced to **30 YEARS IN PRISON** for throwing a Molotov cocktail into a home that was occupied by **Tonya Redricks** and four family members, including children. The crime occurred Dec. 20, 2007. The family escaped unharmed, but was

forced to relocate. **Watashe** had three prior felony convictions. Assistant DA John Lackey prosecuted.

**Dale Ackerson** was found guilty in June of the murder of **Dacari Ackerson, 2 months**, and sentenced to **LIFE IN PRISON**. The child died of blunt trauma to the head, according to forensic pathologist Dr. Ronald Distefano. The doctor testified that he also observed signs of other injuries, including four fractured ribs. Prosecutors were Assistant DA Jake Cain and Rob Sher.

See **VIOLENT CRIME** Page 2

## 66 Violent Criminals Sent to Prison by Juries So Far in '08

**VIOLENT CRIME** continued from Page 1

**Joshua Julius Anderson** was convicted in October of murder in the February 2007 shooting deaths of **Rose Mary Hobbs, 69, and her son, Herbert Hobbs, 51**. Jurors handed Anderson **one LIFE WITHOUT PAROLE and one LIFE IN PRISON term** in the murders and a **25-YEAR TERM** for setting the home ablaze after the murders. Assistant DAs Bill Musseman and Julie Doss prosecuted.



**Bernard Favors, 21, was beaten to death in November 2006.**

**Danny Lieb** was convicted of murder in the November 2006 beating death of **Bernard Favors, 21**, in an October trial. Lieb was sentenced to **LIFE IN PRISON**. Assistant District Attorneys Michelle Keely and Joy Mohorovicic prosecuted.

**Ashton Flanagan** was convicted in August of sexually abusing a child and given **two terms of LIFE IN PRISON**. He was convicted of molesting the child between July 2004 and March 2005. The child was 5 years old when she disclosed the crimes. Flanagan also received a **10-YEAR TERM** on a pornography crime. Assistant DA Jason Rush prosecuted.

In October a jury sentenced **David Boschee** to a total of **65 YEARS IN PRISON** for two separate robberies and firearm charges. In April and May of 2008,

Boschee robbed a sandwich shop and a gas station with a loaded semi-automatic pistol. Assistant DA Erik Grayless and Courtney Smith prosecuted.



**Kris Simmons, 26, was beaten to death in July 2007.**

**Matthew Abrego** was found guilty in October of murder in the July 2007 beating death of **Kris Alexander Simmons, 26**. The jury sentenced **Abrego to LIFE IN PRISON**. Assistant District Attorneys Jake Cain and Lee Berlin prosecuted.

A jury found **Clynton Dejuan Butts** guilty of Possession of a Stolen Vehicle and Assault and Battery on a Police Officer in a November 2007 carjacking and attack on an officer. The jury sentenced Butts, who had three prior felony convictions, to a total of **58 Years in Prison** for possessing the stolen car and assaulting **Tulsa Police Officer Michael Burgess**. Truck owner **Mark Wallace** told police that he was pulled from his truck, beaten and the truck stolen. When a vehicle description was broadcast, police officers saw it and arrested Butts. After one day of trial in August, Butts, who was free on bond, did not return to court. The trial continued without him. Assistant DA John Lackey prosecuted.

A jury convicted **Darrell Allen Hess** of the May 2007 armed robbery of **Ronald Saizow** and sentenced him to **23 YEARS IN PRISON** in September. Assistant District Attorney James M. Hawkins was the prosecutor. In October, another jury convicted **Darrell Allen Hess** of the March 2007 armed robbery of drive-in manager **Michael King** and sentenced him to **33 YEARS IN PRISON**. Assistant DA Courtney Smith prosecuted.

**Kelvin Rico Dewayne Fields** and **Gary Leonard Barnes** were convicted of armed robbery and sentenced to **15 YEARS IN PRISON** for the January 2008 robbery of **David Willis, 24, and Josh Williams, 26** at a Tulsa apartment complex. The jury also found **Fields** guilty of possessing a gun while on probation and sentenced him to **3 YEARS IN PRISON** on that count. The prosecutor was Assistant DA April Seibert.

**Gregory Bushyhead** was convicted of Manslaughter and Leaving the Scene of an Accident in a deadly DUI crash in Tulsa that killed **Richard Lee Brown, 47** in March 2007. Jurors sentenced Bushyhead to a total of **23 YEARS IN PRISON**. Tests indicated Bushyhead's blood alcohol content was 0.24. A blood alcohol level of 0.08 constitutes driving under the influence. Prosecutors were Assistant DAs Lee Berlin and Steve Kunzweiler.



**Richard Brown, 47, was killed in a deadly DUI crash in March 2007.**

**Armon Jonell Williams** was convicted in October of attempting to rob a Tulsa bank on Jan. 3, 2008. Tellers spotted three men approaching the bank with masks on and locked doors. Police recovered a latex glove the would-be robbers discarded and secured a palm print of Williams on the glove. Williams also admitted the attempted robbery to a girlfriend. A jury sentenced him to **20 YEARS IN PRISON**. Assistant DA Scott Gengras prosecuted.

# Jury Orders Six Life Terms for Man Who Shot and Paralyzed Hostage; Then Shot Police Officer in Broken Arrow Home Turned “War Zone.”

**T**eresa Thompson , 47, testified from a wheelchair in a Tulsa District courtroom as she described for jurors how ex-boyfriend **Kelly Leon Waymire** broke into her Broken Arrow home a year earlier on Oct 1, 2007, shot her and threatened to “kill everybody in the house.”

She said her legs went out from under her and she was paralyzed as soon as Waymire shot her. She testified that she told him she couldn’t move her legs, but still he angrily ordered her to stand up so he could use her as a human shield.

Crime scene investigators estimated Waymire fired 26 bullets in the house over four hours before surrendering when a Broken Arrow Police Special Operations Team rushed into the bedroom where he was holding Thompson hostage. Police earlier rescued Thompson’s 15-year-old daughter through an upstairs window. She had been hiding in a closet.



**Teresa Thompson was kidnapped, shot and permanently paralyzed by her ex-boyfriend.**



**Broken Arrow Police Officer Zach Schatz’s trauma vest stopped the bullet that could have killed him.**

During the rescue, Waymire shot Broken Arrow Police Officer Zach Schatz in the chest. Schatz, protected by a trauma vest, survived the gunshot with a deep bruise. Three other Broken Arrow officers—Greg Fell, Chad Burden and Mike Shaw, were shot at by Waymire, as was Thompson’s friend, George Edwards, who escaped through a bathroom window. Thompson’s Boxer dog, Roxie, also was shot and killed by Waymire.

**Window through which witnesses said Waymire shot at police.**



“For four hours, that house was a war zone. Kelly Leon Waymire was on a mission,” said Assistant District Attorney Doug Drummond.

At the close of the September trial, jurors convicted **Waymire** of nine felony counts and sentenced him to the maximum punishment: **Six terms of LIFE IN PRISON, plus 45 YEARS.** He was convicted of **five counts of Shooting With Intent to Kill, one count of Kidnapping, one count of First-Degree Burglary, one count of Cruelty to Animals, and one count of Violation of a Protective Order.**

Broken Arrow Police Major Carol Newell said she was grateful to see justice done on behalf of all the victims. “We always work

for crime victims and our officers clearly did that day,” she said. “And when four of the victims are ‘cops,’ it’s a dose of reality.”

“Prosecutors Doug Drummond and Stephanie Milburn showed such professionalism and passion in working with law enforcement to bring justice in this case,” Newell said.



**Broken Arrow Special Operations Team members rescued Thompson from her home.**

# When Children Are Witnesses

**T**estifying in court can be an intimidating experience for adults. Just imagine the stress and anxiety it causes a child who must testify in criminal court, especially in cases of physical or sexual abuse.

The District Attorneys Office attempts to reduce a child's stress and anxiety by taking the child witness to Court School before they must appear at a hearing. Court School is designed to reduce a child's fears about testifying and increase their understanding of their role in the legal process. This helps improve their credibility and competence as a witness. Court School is a collaborative effort of the Child Abuse Network, The DA's Office and the Tulsa County Bar Association.

Child witnesses participate in two sessions of the activity-based program to learn how the court process works and to become familiar with the courtroom setting and personnel. The first session is held at the Children's Justice Center where children learn about court and also learn stress reduction skills they can use in the courtroom.



Court School allows children to practice sitting in a witness chair and talking in the microphone before the actual court hearing.

Court School also educates parents and caregivers about legal proceedings, including why children are required to testify. The adults also learn ways to support the child in the situation.

A second Court School session is held at the Courthouse. Children visit the DA's Victim-Witness Center, meet prosecutors and victim advocates and visit a courtroom. A victim advocate often helps a child select a stuffed animal as a "court buddy" from the DA's Victim-Witness center.

For the past 10 years, Special Judge Robert Perugino has volunteered to work with child witnesses in Court School. Judge Perugino talks with the children, allows them to sit in the witness chair, talk in the microphone, pound his gavel, and even try on his "judge costume" (judicial robe) if they are brave enough. He assures the children that they will be safe in the courtroom. Court School is an after-hours commitment for the busy judge one night each month.

"Why do I do it?" Judge Perugino pondered the question. "The simple answer is for the kids! I have been on the bench for 18 years. Most of my judicial assignments involve kids directly or indirectly," he said. "I am aware of the 'fear factor' that kids and their families have to face over being involved in Court proceedings they do not understand.

"Add to that the trauma that they face as victims," the judge said. "I let the kids experience the Courtroom and do that in a somewhat light-hearted fashion. I believe the process empowers the kids and their families" so they will not be so afraid.

The goal of Court School is to teach children about their rights and responsibilities in court so that they are able to communicate evidence without being traumatized by the process.



Special Judge Robert Perugino allows children to visit his courtroom and pound his giant gavel as part of Court School in an effort to calm their anxiety about testifying.

## *It Shouldn't Hurt to Be a Child*

It is the responsibility of each citizen to report suspected abuse or neglect of children under the age of 18 to the Department of Human Services.

Your report, which may be confidential, could save a child's life.

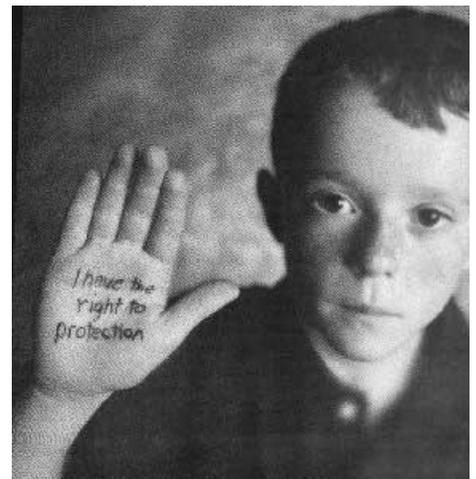
### **IF YOU SUSPECT CHILD ABUSE CALL:**

**TULSA HOTLINE (918) 584-1222**

**OKLAHOMA HOTLINE (800) 522-3511**

**NATIONAL HOTLINE (800) 4A-CHILD**

**(800) 422-4453**



## CASES FILED JANUARY-SEPT. 2008 TO PROTECT CHILDREN AND COMMUNITY

<b>FELONY CRIMES AGAINST CHILDREN</b>	<b>111</b>
<b>DEPRIVED (NEGLECT OR ABUSE)</b>	<b>252</b>
<b>CHILD IN NEED OF TREATMENT</b>	<b>103</b>
<b>DELINQUENT</b>	<b>1,306</b>

# Greatest Threat to Seniors: Fraud and Con Games

**A**s we grow older, our chances of being victims of crime actually decrease dramatically. But a lifetime of experience coupled with physical problems associated with aging often make older citizens fearful. Seniors may be on the lookout for physical attack and burglary, but often they are not as alert to frauds and con games. In reality, these are the greatest crime threat to seniors' well-being and trust.

## WATCH OUT FOR CON ARTISTS

It's not always easy to spot con artists. They're smart, extremely persuasive and aggressive. They invade your home through the phone, computer, and mail, advertise in magazines, and come to your door.

Most people think they're too smart to fall for a scam. But con artists use promises of miracle cures, financial security and luxury prizes to rob all kinds of people every year.

## THE FIRST RULE TO REMEMBER:

- ◆ If it sounds too good to be true, it probably is.
- ◆ Never give your credit card, phone card, Social Security, or bank account number to anyone over the phone. It's illegal for telemarketers to ask for these numbers to verify a prize or gift.

- ◆ Beware of 900 numbers. If you call one to claim a "prize", you pay for the call.
- ◆ Take your time and shop around. Don't let an aggressive con artist pressure you into making a decision. Demand information in writing by mail. Ask family and friends what they think about certain offers.
- ◆ You have the right, the ability and the power to say no! If the caller makes you wary, end the conversation. Cons know the longer they keep you on the phone, the higher their chance of success. They prey on the trusting, polite nature of people or on their excitement over getting a supposed prize or bargain.
- ◆ Don't let anyone rush you into signing anything—an insurance policy, a sales agreement, a contract. Read it carefully and have someone you trust check it over.

## BE A WISE CONSUMER

- ◆ Beware of cheap home repair work. Never pay with cash. Never accept offers from drive-up workers who "just happen" to be in the neighborhood.
- ◆ Look closely at offers that come in the mail. Con artists often use official-looking forms to lure victims. If you receive items that you didn't order, you are under no obligation to pay for them or return them.



Con artists often prey on the trusting nature of senior citizens.

## IF SOMEONE RIPS YOU OFF

- ◆ Report con games to the police. Don't be embarrassed. Some very, very astute people have been taken in by these pros!
- ◆ Call the **National Fraud Information Center** at 800-876-7060 or visit their Web site at [www.fraud.org](http://www.fraud.org) for current fraud alerts.

- National Crime Prevention Council

# Jury Trial Results

## Continued from Page 2

A jury sentenced **John Lee Wiley** to **20 YEARS IN PRISON** for possessing a home-made knife in jail. The knife was fashioned out of metal rods belonging to a back brace Wiley was given. Prosecutor was Assistant DA Erik Grayless.

Rosalio Nunez Morin was convicted in July of sexually abusing a child and sentenced to **10 YEARS IN PRISON**. Pedro Campos Morin pleaded guilty to sexually abusing the same 11-year-old girl and also was sentenced to **10 YEARS IN PRISON**. Assistant DA Rachael Dewberry prosecuted.

An October jury convicted **Christine Shaunna Shocklee** of child abuse and sen-

tenced her to **8 YEARS IN PRISON** in an assault on a 10-year-old girl in September 2007. Assistant DA Jack Thorp prosecuted.

A jury found **John Henry Govan Jr.** guilty in August of two counts of sexually abusing two girls and sentenced him to a total of **6 YEARS IN PRISON**; three years on each count. Govan was accused of abusing the girls from July 2001 to December 2006. Prosecutor was Assistant DA Courtney Smith.

**Paul Lowell Fulton** was convicted of the June 2005 rape of a 25-year-old woman. He was sentenced to **5 YEARS IN PRISON**. He must serve 85% of the sentence before he can be considered for release and must register as a sex offender. Assistant DA Michelle Keely was the prosecutor.

**Charles Chaney Bell** was convicted in the November 2007 armed robbery of **Avil Saeed** and sentenced to **5 YEARS IN PRISON** by a jury in September. Assistant DA Michelle Keely prosecuted.

**Caleb Landis** was convicted of the December 2007 armed robbery of **Nancy Barnett** and sentenced to **5 YEARS IN PRISON** at a jury trial in September. Assistant DA Jason Rush prosecuted.

**Thomas Lee Burgess** was convicted in October and sentenced to **3 YEARS IN PRISON** for failing to register as a sex offender. Assistant DA Kristin Fulton was the prosecutor.

## Meet the Prosecutors:



**T**ara Britt is an Assistant District Attorney in Tulsa County since 1998. She currently serves as Director of the Juvenile Division for the District Attorney's office.

"I always wanted to be a prosecutor," Britt said, "because that is where one person can actually make a difference in the world. After working as a child welfare prosecutor for six years, I am of the firm belief that making a difference in the world is not enough unless the difference you make is in a child's life."

Britt has worked as a prosecutor on adult felony and misdemeanor criminal cases, and juvenile deprived and delinquent cases. Her duties include jury and non-jury trials, motion hearings, review and charging decisions, arguments in the Court of Criminal Appeals and Civil Appeals, research and brief writing, arraignments, witness preparation, bond recommendations, preliminary hearings, investigation and coordination of multi-jurisdictional agencies for lateral prosecutions. Britt has tried in excess of 30 jury trials with 26 wins, one hung jury and 3 losses.

She also served as faculty/instructor on prosecution, trial advocacy and ethics for the National District Attorneys Association and the Oklahoma District Attorneys Council.

Before becoming a prosecutor, Britt worked as a private attorney in Tulsa and taught English, creative writing and drama to English-as-a-second-language middle-school students in Laredo, Texas.

# On This Court: Hoops & Hope

**B**asketball was the hook. Hope was the message. The District Attorney's Office, Oral Roberts University basketball team and youth agencies collaborated in July to teach Tulsa kids to bring their best game – in basketball and life.

About 60 children, ages 10-16, attended the clinic at Monroe Middle School, 2010 E. 48th St. North. ORU Assistant Basketball Coach Chris Crutchfield and players Marcus Lewis, Kelvin Sango and Yugo Kamarachi Onyirioha taught shooting, dribbling and game techniques.

The players also talked about their experiences growing up – one in the neighborhood where the clinic was held, one in a gang-plagued neighborhood in southern California, and one in the African nation of Nigeria. The players said they sometimes still find it hard to believe how far they have come, playing NCAA ball and on track to graduate college.

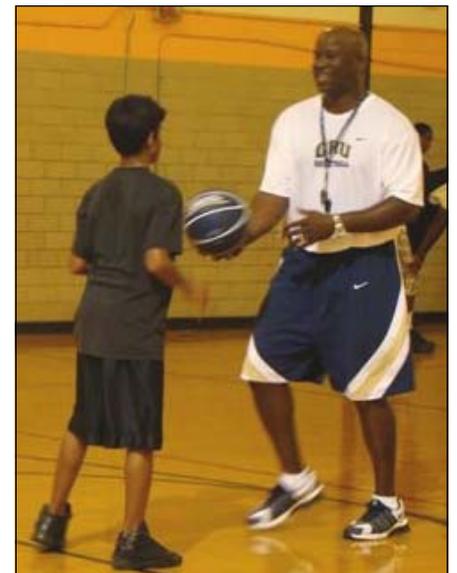
"Where you grow up doesn't define who you can be," said Lewis, who grew up in Pasadena. "You can make it in society when you're struggling. It just takes a little hard work."



**DA Tim Harris offers advice about life and staying out of trouble at a basketball clinic for at-risk students.**  
Photo: SHERRY BROWN/Tulsa World



**ORU players Marcus Lewis (from left), Kelvin Sango and Yugo Kamarachi Onyirioha tell students that staying out of gangs was key to their success.**  
Photo: SHERRY BROWN/ Tulsa World



**ORU Coach Chris Crutchfield teaches basketball skills to Tulsa youth.**  
Photo: Youth Services of Tulsa

Sango, who grew up in Tulsa, said he nearly got into trouble, but eventually made a conscience decision not to go that direction.

DA Harris talked about the consequences of gun and gang violence and the importance of staying in school, and focusing on goals. "At least a dozen kids came up to me and said, 'I have dreams,'" Harris said.

See HOOPS on Page 7

# *Trees of Honor and Remembrance*

## **For Victims and Survivors of Violent Crime**

The holidays bring joy to many. But for those who have lost a loved one or survived the trauma of violent crime, this time can be especially difficult. As prosecutors, we are committed to providing victims respect, compassion, and assistance to recover. In this spirit, we invite you to join us as we dedicate Trees of Honor and Remembrance for Victims and Survivors of Violent Crime.

**December 1, 2008**

**7:00 P.M.**

**Performing Arts Center for Education**

**Tulsa Community College**

**10300 E. 81<sup>st</sup> Street**

**Tulsa, Oklahoma**

The trees will remain on display through the holidays. You may place an ornament to honor any violent crime victim.

If you placed an ornament last year, it will be available at the ceremony. You may bring an ornament or, mail it and we will place it on the tree for you. Ornaments can be anything that has meaning to you but should be the appropriate size to hang on a tree. After the holidays, the ornaments will be stored. Mail ornaments to arrive by **Nov. 24, 2008**.

- I will attend and bring an ornament.
- I will mail an ornament tree.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Honoree Name: \_\_\_\_\_

Honoree Birth Date: \_\_\_\_\_

Honoree Date of Death: \_\_\_\_\_

Date of Victimization: \_\_\_\_\_



Return by mail, fax or email  
by **Nov. 24, 2008**:

**Gayla Stewart**  
Victim/Witness Coordinator  
U.S. Attorney's Office  
110 W. 7<sup>th</sup>, Suite 300  
Tulsa, OK 74119  
FAX: 918-560-7938  
[Gayla.Stewart@usdoj.gov](mailto:Gayla.Stewart@usdoj.gov)

Questions? Please Call:  
918-382-2726  
or 1-888-735-4540

**HOOPS** continued from Page 6

Samon McCoy, 13, said he learned: "Don't take the wrong route. Stay in school and learn to be successful in life."

"I want to play professional basketball. If I can't do that, I want to be a lawyer I'm good at reading, writing and talking with people — I could be good at that," the boy said.

"I learned how to have teamwork to get the job done — to play basketball in a better way." But the coolest part was getting to play with the ORU college guys. They've been places I want to go."

<b>TULSA COUNTY CASES FILED JANUARY-SEPTEMBER 2008</b>	
<b>FELONY CRIMES</b>	<b>4,839</b>
<b>MISDEMEANOR CRIMES</b>	<b>5,164</b>
<b>TRAFFIC</b>	<b>16,917</b>



**TIM HARRIS**  
**Tulsa County**  
**500 S. Denver Ave.**  
**Tulsa, OK 74103**

To Receive Email Alerts  
From the DA's Office  
Send Your Email Address  
Name & Street Address  
City & Phone Number to  
[DistrictAttorney@tulsacounty.org](mailto:DistrictAttorney@tulsacounty.org)

## Tulsa County District Attorney

# In Pursuit of Justice

**T**rial success rate in the District Attorney's office so far in 2008 is 85%, above the national average. Our prosecutors have convinced juries that 66 criminals were guilty beyond a reasonable doubt of crimes, many so heinous that juries found the offenders should not be allowed to return to our streets for many, many years – if ever again.



**Tim Harris**

As of September 30, this office sent a total of 1,571 offenders to prison from Tulsa County; most of them pleaded guilty.

We file about 6,500 felony cases per year, and with that enormous volume, time and resources make it impossible to hold a trial in every case. An estimated 95% of criminal cases across this nation are settled by a guilty plea after negotiation, according to the

**IN PURSUIT OF JUSTICE**

National District Attorneys Association.

But that doesn't mean we are playing "Let's Make a Deal." We confer with victims before an agreement is reached, if at all possible, and work hard to ensure that justice is served when the evidence and facts allow it. Many times a plea saves victims the emotional toll and uncertain outcome of a trial.

The community benefits from plea agreements because a guilty plea conserves resources and results in a quick disposition of a case. A guilty plea also means the defendant acknowledges guilt and assumes responsibility for his or her conduct.

The burden of proof in all criminal cases is entirely on the DA's office to prove each element of the statutory violation against the defendant beyond a reasonable doubt. The strength of the prosecution, therefore, rests not on whether the defendant actually committed the crime charged but rather on the evidence to prove that the defendant did.

Factors that our prosecutors consider before negotiating a plea, include:

- ◆ The nature and degree of the offense(s);
  - ◆ Any possible mitigating circumstances;
  - ◆ Criminal history of defendant;
  - ◆ Mental state of the defendant;
  - ◆ Sufficiency of admissible evidence to support a verdict;
  - ◆ Any provisions for restitution;
- Prosecutors also considers witnesses:
- ◆ Availability and willingness to testify;
  - ◆ Any physical or mental impairment;
  - ◆ Certainty of identification;
  - ◆ Credibility;
  - ◆ Relationship with defendant;
  - ◆ Possible improper motive;
  - ◆ Age of the witness;
  - ◆ Undue hardship caused by testifying.
- Prosecutors also consider victims:
- ◆ Existence and extent of physical injury and emotional trauma suffered;
  - ◆ Economic loss suffered by the victim.

In every prosecution, justice and public safety are our primary considerations.