



TIM HARRIS
TULSA COUNTY
DISTRICT
ATTORNEY



JUSTICE

The hope of all
who suffer.
The dread of all
who wrong.

- John Greenleaf
Whittier



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In Pursuit of Justice

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Killer Asks For Death Penalty In Murder Of Two Tulsa Children, Judge Gives Him Life Without Parole

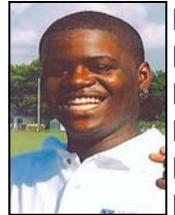
JOSHUA MULLER fired an assault rifle into a parked car, killing **LEAH HARRIS, 12**, and **DERRIKO ROSS, 16**, in July 2007. **SHERIDAN RAND, 12**, also was shot and critically injured and her sister, 16, narrowly escaped injury. Muller led police on a three-day manhunt before he was captured near Lawton. The assault was sparked because Muller believed the girls had taken his wife's wallet.

In September 2009, Muller pleaded guilty and asked for a death sentence. He wrote District Judge Clancy Smith, "I shot through with the intent to kill everyone...I sure wish they all died so my body count could have been higher. . . If I don't receive the death penalty you will force me to kill again... How many is it going to take?"

Muller told his public defenders not to present evidence at a December sentencing, but they argued for leniency, saying one psychologist called him a schizophrenic substance abuser and claiming his childhood was riddled with abuse and poverty.

First Assistant District Attorney Doug Drummond argued for the death penalty for "someone who goes out and murders two children... He himself, and I think this speaks volumes, believes he deserves the ultimate punishment. The case speaks for itself," Drummond said.

Calling the death penalty for Muller akin to a "state-ordered suicide," Judge Smith sentenced him to **LIFE WITHOUT PAROLE**.



**Leah Harris, 12
and Derriko Ross, 16
Shot to Death**

Muller told her, "From the beginning, I've wanted to get it over fast. I'm just going to kill somebody else, to let you know. I'll send you a letter when I do."

Since the murders, Muller has twice been charged and convicted of assaulting detention officers.

Jury Convicts Tulsan Who Shot Girlfriend, Stuffed Her In Barrel, Dumped Body Near Nowata

REBECA CASTALDI, 24, was engaged to marry **RANDALL WAGERS** when she went missing in April 2009. Her parents spent seven frantic days searching for her, but said Wagers seemed unconcerned she was missing.



**Rebecca Castaldi
Shot to Death**

He told them she left with a friend, gave them the keys to his house to search for clues to her disappearance, and even went to their home at their request to access cell phone records on the computer to aid in their search.

When they went to the home Rebecca and Wagers shared, Gayla and Mike Castaldi knew something was terribly wrong. The couch was missing,

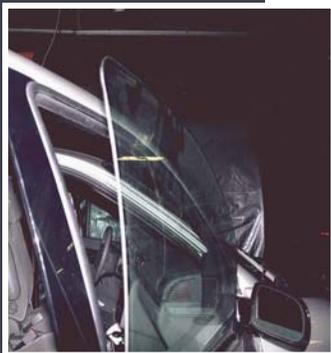
as well as a 55-gallon barrel that had been placed near the driveway as a trash can.

When Wagers finally confessed to Tulsa Police Detective Vic Regalado, her parents learned the truth: He had met with them after he had shot their daughter in the head, stuffed her in the barrel, dumped it, threw her cell phone on the highway, cut bloodstained fabric from the couch, put the couch in a dumpster, welded a box around the murder weapon and dumped it in a pond.

Wagers claimed he was drunk and had "blackout vision" when he shot her in the head. He admitted that he left her in the barrel in his house the next night while he went to a bar with friends.

At a March trial, a Tulsa County jury convicted Wagers of **FIRST-DEGREE MURDER** and sentenced him to **LIFE WITHOUT PAROLE**. First Assistant District Attorney Doug Drummond prosecuted the case.

Near End of Trial, Brixey Pleads Guilty In Abduction, Sexual Assault Of Child



Brixey ripped the window from its track before crawling in the van from the passenger side

"We will ask the judge for the maximum penalty on each count, so that Brixey spends the rest of his life in prison,"

Harris said.

Brixey abducted the children as they slept in a van outside this Tulsa tanning salon



After a week-long trial in March in which a 10-year-old girl testified and identified **BRANDON BRIXEY** as the man who abducted and sexually assaulted her when she was only 8, Brixey ended the trial by entering a so-called "blind plea."

Prosecutors had already called 26 witnesses and had three to go, when Brixey pleaded guilty without an agreement for punishment so that the judge would decide a sentence rather than the jury.

District Judge William Kellough will determine his punishment and sentence Brixey on April 19.

Brixey pleaded guilty to two counts of **FIRST-DEGREE RAPE, LEWD MOLESTATION, KIDNAPING, ROBBERY** and **ELUDING A POLICE OFFICER.**

"He could have pleaded guilty a week ago and saved this family the pain of testifying at trial," said a frustrated District Attorney Tim Harris. He said Brixey's plea was a last-minute ploy in an attempt to receive a lighter sentence. "This was one of the most violent child abductions in

Tulsa history and we will be asking the judge for the maximum penalty on each count, so that Brixey spends the rest of his life in prison," Harris said.

The child's mother testified she was sitting in her van outside a 24-hour tanning salon in June 2008, with her three small children asleep in the back of the van, while her teen-aged daughter and a friend were in the salon. The mother had the car running with the air conditioner on, when a man approached the passenger window, which was rolled down about an inch, and started "coming on" to her.

She said she told him to leave, and was starting to call police on her cell phone when he ripped the car window from its track, and started crawling in the passenger side window. She said she jumped out the driver's door with the phone in hand, but it was plugged into the cigarette lighter and was pulled back into the car and broke.

She ran a few feet to the door of the salon, told the attendant to lock the door and call police and then realized that the man was driving off in the van with her children.

The girl said she was awakened by her mother's screams as he drove away. She said Brixey told her he was her "Daddy," and when she told him, "you're not my dad," said he told her to call him "Uncle Billy."

The child said at one point during the assaults she asked her 3-year-old brother to run and get help.

United States Marshals were able to find the area the van was in by "pinging" a cell phone the mother had left in the van.

The police helicopter located the van and officers chased it through Tulsa at speeds up to 120 miles per hour. The girl said she was scared and hanging on to her baby brother's car seat during the chase. At one point, the car was stopped and Brixey jumped out and ran. Canine units tracked him and he was later arrested.

Officers rescued the girl and her brothers, ages 3 and 1. Brixey had sexually assaulted the girl twice, choked her, pulled her hair and she had bruises all over her body.

Harris praised the efforts of the Tulsa Police Department in locating the van and children quickly and securing evidence to convict Brixey and send him to prison.

Harris and Assistant District Attorney Jake Cain prosecuted the case.

Major Case Convictions January—March 2010

A Tulsa County Jury in January convicted **VINCENT BERRY** of **FIRST-DEGREE MURDER** and four counts of **ASSAULT AND BATTERY WITH A DEADLY WEAPON** in the September 2008 attack on five teen-aged boys whose car was sprayed with bullets fired from an SKS assault rifle. **DONIVAN CRUTCHER, 16**, was killed, his brother **ADRION CRUTCHER, 17**, was shot and paralyzed from the chest down, and **JEREMY WILLIAMS, 19**, lost an eye and was wounded in the shoulder. **JAHMAL BRYANT, 18**, was shot in the chest and **VICTOR BELL, 18**, was grazed on the arm.

The jury sentenced **BERRY** to three consecutive **LIFE** prison terms plus **60 YEARS**. According to testimony, the boys were targeted because they were riding in a car that co-defendant **RASHAD EASLEY** believed carried rival street gang members who he thought had shot him a week earlier. **EASLEY** was convicted of **FIRST-DEGREE MURDER** and **ASSAULT AND BATTERY WITH A DEADLY WEAPON** in an October trial and sentenced to five **LIFE**

prison terms. **ANTONIO WELLS**, a passenger in the car with Berry and Easley, testified for the prosecution in both trials. He pleaded guilty in March to a reduced charge of **ACCESSORY AFTER THE FACT** and was sentenced to a split term of **10 YEARS IN PRISON** and **10 YEARS PROBATION**. Assistant District Attorneys Lee Berlin and John Lackey prosecuted the case.

DEMY TERRELL ROBERSON was convicted of **FIRST-DEGREE MURDER** in the October 2008 shooting death of **LAMONT EDWARDS, 25**. A January jury also found Roberson guilty of **ASSAULT AND BATTERY WITH A DEADLY WEAPON** for wounding **DEVIN EDWARDS, 22**, a brother of the slain man. The jury sentenced Roberson to **LIFE** in prison plus **5 YEARS**. The shooting occurred at the Comanche Park Apartments in Tulsa. Prosecutors were Assistant DAs John Lackey and April Seibert.

TERRY DARNELL was convicted by a March jury of two counts of **ROBBERY WITH FIREARM**, two counts of **FIRST-DEGREE BUR-**

GLARY, LARCENY OF AN AUTO and **POSSESSION OF FIREARM AFTER FORMER CONVICTION OF A FELONY**. On Dec. 12, 2008, **DARNELL** forced his way into the home of **DONALD PAYNE, 81**, and robbed him at gunpoint. The same day, he forced his way into the home of **GIL AND LEO ROBLEDO, 18 and 19**, while their parents were at work, robbed them at gunpoint and stole a car. The jury sentenced Darnell to **LIFE** plus **109 YEARS** in prison. Darnell had five prior felony convictions. Assistant DA Julie Doss prosecuted.

After a jury was selected in January, Brandon Johnson pleaded guilty to two counts of first-degree murder in the shooting of his mother, Tracy Johnson, 36, and her niece, Jessica Lewallen, 19.

District Judge Tom Gillert sentenced him to two consecutive **LIFE** prison terms after Johnson entered the plea without an agreement for punishment. Assistant DA Julie Doss prosecuted.

See More Results Page 6

Missouri Man Convicted of Shooting Two Men Near Sperry, Setting House on Fire to Conceal Murders

DAVID LUJAN, 45, and **MIKE REEDER, 46**, were long-time friends who loved to fish and hunt. In August 2008, Lujan traveled from Webb City, Mo. for a Labor Day weekend barbecue at Reeder's home near Sperry in Tulsa County. Lujan brought another friend's nephew, **TRAVIS DANLEY**, to the party with him.

Late that night, Danley called his uncle and complained "If Mike calls me a little bitch again, there's going to be a problem," the uncle testified at a February jury trial. The uncle said he told Danley to go to bed and talk to Lujan about it in the morning. "I told him if he talked to Dave about it, Dave would take care of it, that's just the kind of guy he was," the uncle testified.

The next morning, an oilfield service employee on his way to work noticed Reeder's house was on fire and called the fire department.

Inside the home, authorities found Reeder and Lujan, both dead from shotgun blasts to their heads. Danley and Reeder's truck, guns, and hunting clothes were missing.

A relative testified Danley came to her Missouri home with Reeder's truck. He told her he had shot and killed the two men. Danley testified that he was drunk and had "some kind of altercation" with Reeder, and "I was looking to get home. I don't remember if we fought or argued."

Danley said he doesn't remember anything about the shootings. His attorney argued in support of a "voluntary intoxication" defense, asserting that Danley was impaired by a combination of alcohol and drugs.

Assistant District Attorney Steve Kunzweiler told the jury that Danley had "assassinated" Reeder and Lujan and tried to cover it up by using gasoline to set the house on fire.

A District Court jury in February convicted **DANLEY** of two counts of **FIRST-DEGREE MURDER** and sentenced him to two sentences of **LIFE WITHOUT PAROLE**. He was also convicted of **ARSON** and two counts of **LARCENY**.

Assistant DAs Steve Kunzweiler and Ruth Addison prosecuted the case.



David Lujan, 45, and Mike Reeder, 46, Shot to Death and Burned

The Costs of Sending Women To Prison



Offenders attending programs in prison

Public Safety is always the most important factor the DA's office considers in determining whether alternative sentences are appropriate.

Most everyone agrees that when women go to prison, their children suffer. Recent efforts to find a "better solution" to incarcerating non-violent women offenders include a statewide summit, and a Women in Recovery Program which provides comprehensive treatment and support for 25 Tulsa County women otherwise headed to prison.

A judicial committee recommends reduced penalties for drug crimes, presumptive probation, multiple sentences run at the same time, and expanded eligibility for alternative courts. **Public safety is always** the most important factor the District Attorney's Office considers in determining whether alternative sentences are appropriate. The DA's office supports alternatives to incarceration if public safety allows and places more offenders in alternative courts than any other county in the state.

While there are negative effects on children whose mothers are incarcerated, there are also negative effects on children who live in homes where mothers cook meth or are passed out while children go hungry and unsupervised. There are negative effects when women use drugs or alcohol while pregnant. And children often suffer emotional and/or physical abuse at the hands of addicted parents. Placing a woman in treatment doesn't always safeguard her children. Discussion of this issue must acknowledge that sometimes a mother's behavior puts her children more at risk than her incarceration.

Some women are in prison for non-violent crimes. **But if you think that non-violent offenders are sent to prison without first being given alternatives, you are wrong.** Unless a woman is convicted of a violent crime or drug dealing, or has a lengthy criminal history, it is almost certain she will be given repeated chances to

stay out of prison. There are compelling stories of women (and men) who successfully complete alternative sentences. There also are many in alternative courts who fail treatment repeatedly and their addictions make them a threat to themselves, their children and others.

Consider **Jeanne Henderson, 19**. This mother spent days on a meth binge while her children fended for themselves. In the end, she passed out with her 3-year-old next to her on the couch and her 8-month-old baby nearby in a walker. When the wheel of the baby's walker jammed in the floor furnace grate, his sister couldn't free him. Mom couldn't hear the children screaming and the baby burned to death five feet from her. This mother's drug use was a non-violent crime with a violent ending. In 2005, a Tulsa County jury convicted her of second-degree manslaughter and drug possession in the presence of a child and sentenced her to four years on each count.

And consider the children of **Tracy Palm, 27**, who pleaded guilty to charges of stolen property, forged checks and possession of drug paraphernalia in September 2005. She was given a 3-year deferred sentence, placed in drug court, and absconded within two weeks. When officials found her three months later, she was allowed to enter treatment and later released on a monitor. Two months later, she was arrested for Public Intoxication, and then sent to another treatment facility. Two weeks later, she failed to appear for drug court. In April 2006, the judge sent her to a third treatment facility. Upon completion, she entered an independent living home and they secured full-time employment for her. She was again arrested for Public Intoxication in March 2007. A plan was developed to move her back into intensive treatment. She refused to go and absconded. In June 2007, she was sent to another inpatient program. She was later released and ordered to use a sobriety. In February 2008, she tested positive for alcohol and opiates. In October 2008, police found her, 7 months pregnant and passed out near a road. A bystander was holding her 10-month-old who'd been crying in a nearby

stroller. Her blood alcohol was .30 – more than three times above the .08 the law considers intoxicated. After three years in drug court, 21 sanctions, and five treatment programs, she was sent to prison for four years. She served 10 months and was released by the Department of Corrections.

Lena Oss, 38, already had four felony convictions and was believed to be dealing methamphetamine from her home in 2008. Police found a 4-year-old and 5-month-old there in addition to her four older children. The septic tank was not functioning and trash, laundry and drugs were strewn throughout the house. Her oldest three had already been removed from the home four times due to substance abuse. One child tested positive for methamphetamine when she was born in 1996. When police arrested Oss and she learned she was going to jail and her children to a shelter, she said, "I'm sure gonna miss my dogs." She is serving a 7-year prison term.

Rosetta Ralls, 30, was sent to prison in 2008 for manufacturing methamphetamine and child endangerment. Her five children, ages 3 months, 2, 5, 7 and 8 years, were in the house where she cooked meth. This was her second felony conviction. She entered prison in October 2008 and was released in January 2010. She is serving the remainder of a suspended sentence.

Melissa Sweet, 28, was given a 2-year suspended sentence for grand larceny and sent to 7 treatment programs while on probation. She tested positive for cocaine 6 times, was kicked out of 2 inpatient facilities and tested positive for drugs while pregnant before her suspended sentence was revoked and she was sent to prison in April 2008 and released in January 2010.

Treatment for addiction often is a good solution. But it doesn't always save taxpayers money as proponents argue. A January 23 opinion piece in the Tulsa World claimed the cost of incarcerating women is "up to \$22,000 per offender annu-

See *When Treatment Fails* Page 5

Visiting Day at an Oklahoma prison for women



When Treatment Fails, What is the Best Solution?



Health
Fair in an
Oklahoma
Prison

Continued from Page 4

ally,” compared to \$18,000 per offender for Women in Recovery. According to the Department of Corrections, the most expensive Oklahoma women’s prison costs \$43.67 per day or \$15,939 per year per offender. In Tulsa, the cost is \$37.57 per day, or \$13,640 per year.

There are costs for alternative courts where judges, prosecutors and public defenders oversee dockets and offenders are seen in court over and over (sometimes weekly) for as long as three or four years. There are costs for staff who arrange transportation, locate treatment beds and keep track of violations and sanctions. There are costs for treatment, ankle monitors, sobriety tests, and drug testing. And there are costs to victims when defendants commit new crimes – shoplifting, burglary, bogus checks, stolen cars and property, vehicles damaged in car crashes.

In 2008, 329 women were sent to prison from Tulsa County for terms ranging from less than a year to life in prison. Five women were sentenced to prison at trial, all others pleaded guilty. Forty-two women were sent to prison for violent crimes: murder, armed robbery, child abuse, and assault with a deadly weapon, and 287 women were sent to prison for non-violent crimes. Most charged with non-violent crimes failed alternative treatment before they were sent to prison, and dozens were charged with new crimes while on probation. More than half were sent to prison for 3 years or less – and rarely served more than one-third of a sentence.

Those sent to prison with one or more prior felony convictions, numbered 251; 95 had four or more prior felony convictions. Eleven women sent to prison had 10 or more prior felony convictions.

In 2008, 55 women with no prior felony convictions were sent to prison. However, 17 of the 55 were charged with manufacturing, distribution or trafficking drugs – indicating they were dealing drugs, not just using them.

Following are some drug cases where

women with no prior convictions were sent to prison from Tulsa County in 2008:

Courtney Sittel, 27: Charged with felony DUI in July 2007 when an officer saw the car she was driving go left of center five times in less than a mile. She admitted taking “a couple of Xanax” and had marijuana in her pocket. She already had six drug/alcohol-related misdemeanor convictions in three counties and had received two one-year suspended sentences, one four-month suspended sentence and fines. She also had been court-ordered to attend treatment four days a week. She pleaded guilty to the new charge in February 2008 and was given a 3-year suspended sentence and placed on an electronic monitor. While on probation, she had two positives for alcohol and 27 ignored alcohol alerts from 2-25-08 to 6-8-08. Her suspended sentence was revoked July 16, 2008 and she was sentenced to 3 years in prison and ordered to attend a treatment program. She was released from prison one year later in September 2009.

Carrie Sanders, 29: Sentenced to 2 years deferred for drug possession. On probation when an ambulance was called because she was high on crack cocaine and went into premature labor. She was combative with EMSA attendants while taken to the hospital, where she delivered the child and then left against medical advice. Her sentence was accelerated and she was sent to prison in June 2008. She was released Nov. 30, 2009.

Lisa Ohearn, 47: Arrested in August 2007 and charged with felony DUI after she ran a red light and T-boned a car in which a man, his wife and child were riding. Police said she admitted to taking hydrocodone and clonazepam. She had a prior misdemeanor conviction for DUI in Tulsa County in 2003 for which she was given a one-year suspended sentence. She also had arrests for DUI in Pryor, Broken Arrow, and Locust Grove and a 2002 DUI charge in Wagoner County that was dismissed. Ohearn pleaded guilty to the new charge in September 2007, was given a 2-year suspended sentence and placed on a Community Sentence in Tulsa County. She was to attend 2 support meetings per week and seek employment. On Jan. 8, 2008, she reported to her case manager “very intoxicated” and tested positive for Oxycontin, morphine and benzodiazepines. She reported Intoxicated in April 2008 and was again

positive for drugs. In June 2008, she reported intoxicated, was placed in custody for a month and ordered to report to a treatment facility when released. She reported to the facility intoxicated, was taken to the hospital for a drug overdose and placed in detox for five days. She was admitted back into treatment, but discharged five days later for taking morphine from a resident. The case manager reported she had attended only one support meeting and “has failed every opportunity for treatment.” Her suspended sentence was revoked and she was sent to prison for 2 years on August 20, 2008. She was released in May 2009 by DOC.

Cathy Schaffer, 38: Arrested in August 2007 for selling crack cocaine near Bell Elementary School in Tulsa. She was already on a suspended sentence for a misdemeanor charge of obtaining merchandise by bogus check. She had a second prior misdemeanor conviction for shoplifting and possession of drug paraphernalia. Schaffer pleaded guilty in October 2007 to a reduced felony charge of drug possession and given a 3-year deferred sentence under Community Sentencing. In April 2008, she was again arrested for a new drug charge. On August 20, 2008, her deferred sentence was accelerated and she was sentenced to 3 years in prison. She was released in October 2009.

The DA’s office supports Women in Recovery, Drug Court, Community Sentencing and other programs that include treatment for addiction and other root causes of crime. The reality is, though, that not everyone succeeds in these programs and there must be meaningful consequences for continued non-compliance with court orders and/or continuing criminal behavior. And sometimes, that results in incarceration.



Women Offenders in an Oklahoma Prison

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More Major Case Convictions January—March 2010

More Results continued from Page 3

After two days of trial in January, **TERREAL ANDERSON** also entered a “blind plea” of guilty to **10** counts of **LEWD MOLESTATION**, and three counts of **RAPING A CHILD** and was sentenced to a total of **50 YEARS** in Prison. His victims were boys and girls ranging in age from 4 years to 14 years. Assistant DAs Courtney Cain and Jack Thorp prosecuted. District Judge Tom Gillert assessed the term after Anderson entered the plea without an agreement for punishment.

NATASHA SANDERS pleaded guilty in March to **ACCESSORY TO MURDER** in the August 2008 beating and stabbing death of **KEVIN A. JONES, 42**. She was sentenced to **23 YEARS** in Prison. A co-defendant, **TERRANCE KYLE MOORE**, was convicted by a jury earlier and sentenced to **LIFE** in Prison. Assistant DA Jack Thorp prosecuted.

ROGER ZORILLA was convicted by a jury in February of **SECOND-DEGREE MURDER** in the April 2009 shooting death of **BRANDON ZANE ELLISON, 27**. Ellison, who had been staying at Zorilla’s home, was shot in the neck and found in the street. Ellison died two weeks later in a hospital. Zorilla was charged with First-Degree Murder in the death, but the jury convicted him of the lesser offense and sentenced him to **17 YEARS** in prison. Assistant DA April Seibert prosecuted.

A February jury convicted **JAMES DWAYNE MELTON** of **ASSAULT AND BATTERY WITH A DEADLY WEAPON** in the September 2008 stabbing death of **CHARLES REEVES, 68**. **MELTON** was sentenced to

17 YEARS in prison. A neighbor found Reeves laying in the street, around midnight. He had been stabbed 10 times and was later pronounced dead at a hospital. Testimony indicated that Melton and **KUNA-GI LOWE** had been at Reeves’ home and that Melton stabbed Reeves in the shoulder. Both men were charged with First-Degree Murder in the death. The jury **ACQUITTED LOWE**. Assistant DAs Scott Gengras and Kristin Fulton prosecuted.

DARIUS PAYNE and **SHEILA ROYAL** were convicted of **TRAFFICKING IN DRUGS** by a January jury and sentenced to **LIFE WITHOUT PAROLE**. Assistant DA Stephanie Milburn prosecuted.

GARLAND BIBBS was convicted by a February jury of **ASSAULT & BATTERY WITH A DEADLY WEAPON** for shooting **BRANDON ALEXANDER** in September 2008. He was sentenced to **15 YEARS** in prison on the assault charge, **5 YEARS** for **POINTING A WEAPON** and **7 YEARS** for **POSSESSION OF A FIREARM AFTER CONVICTION OF A FELONY**. Assistant DAs Meredith Stanton and Courtney Cain prosecuted.

JIMMY LLOYD RUSSELL was convicted by a jury in February of two counts of **ASSAULT AND BATTERY WITH A DANGEROUS WEAPON** and sentenced to **25 YEARS** in Prison on each count. Russell chased and shot at a car carrying **ROBERT SAMPSON, AMBER DEETER, AND ROBERT ORR** in August 2009. Russell had nine prior felony convictions for **BURGLARY, KNOWINGLY CONCEALING STOLEN PROPERTY AND GRAND LARCENY**. Assistant DA Erik Grayless prosecuted.

In January, a jury convicted **RUSSELL LACEY** and **TOMMY JOE FORD** of **ROBBERY WITH FIREARMS** in a June 2008 robbery and sentenced both men to **10 YEARS** in Prison. Assistant DA Michelle Keely prosecuted.

MARCUS J. SHELTON was convicted by a jury in February of **ROBBERY WITH FIREARMS** in the March 2009 robbery of the Family Dollar Store. After the robbery, Shelton led police on a chase before ditching the car and running. Shelton was sentenced to **11 YEARS** in prison. Co-defendant **GERMAINE BROADWAY** pleaded guilty and was sentenced to **12 YEARS** in Prison. **TION REV-ELS** and **DAVID DILLON** pleaded guilty and were sentenced to a split term of **7 YEARS** in prison, **4 YEARS** suspended in exchange for testimony against Shelton. Assistant DA Erik Grayless prosecuted.

JOSHUA A. BOGUE pleaded guilty during a February trial on charges of **FIRST-DEGREE ROBBERY** of three Broken Arrow Walgreens Pharmacies in which Oxycontin was stolen. The robberies occurred in December 2008 and January and April of 2009. He was sentenced to **15 YEARS** in Prison. Assistant DA John Lackey prosecuted.

DJUAN R. JACKSON was convicted of **ATTEMPTED BURGLARY** by a jury in January and sentenced to **25 YEARS** in Prison. He is a registered sex offender and has two prior convictions for **SEXUAL ASSAULT** and two pending cases for **LEWD MOLESTATION**. Assistant DA John Lackey prosecuted.

JARRED HYNES was convicted by a jury in January of **UNAUTHORIZED USE OF A MOTOR VEHICLE** and sentenced to **15 YEARS** in prison. He had prior convictions for Shooting With Intent to Kill and Inciting a Riot. Assistant DA John Bennett prosecuted.

DEMARIO BRYANT was sentenced to **12 YEARS** in Prison for **DRUG POSSESSION** in February. Bryant pleaded no contest to one drug possession charge, reduced from Trafficking, and a jury convicted him on a second count of drug possession. He had prior convictions for DUI and Drug Possession. Assistant DA Ruth Addison prosecuted.

JUSTIN FLANAGAN AND SHELIA PORTER were convicted by a jury in February for hitting a 15-year-old boy in the head with a brick. Flanagan was convicted of **ASSAULT AND BATTERY WITH A DANGEROUS WEAPON** and sentenced to **1 YEAR** in jail and a \$1,000 fine. Porter was convicted of a misdemeanor **ASSAULT** and sentenced to **90 DAYS** in jail and a \$500 fine. Assistant DA Ruth Addison prosecuted.

School Principal Convicted of Instigating Fight

Former Tulsa Houston Elementary School Principal **VICKI SMITH** was convicted of **CONTRIBUTING TO THE DELINQUENCY OF A MINOR**, a misdemeanor, and fined \$1,000 by a Tulsa County jury in March. Smith was accused of instigating a fight between a fourth and fifth grade student at the school.

A cafeteria worker said she heard Smith tell a student swinging a sock filled with rocks “I told you to come to fight, I didn’t tell you to bring a weapon.” The witness testified Smith allowed the fight to continue in the hallway of the school several minutes with-

out intervening, but said Smith stepped in to stop the fight after two Health Department workers, who were visiting the school to give a presentation, came around the corner and noticed the fight. The social workers testified to their outrage that a principal would encourage and allow fighting in the school and said they later reported the incident to their supervisor.

One of the students involved in the fight had earlier expressed concerns to the visiting social workers about bullying at the school, they said. Assistant DAs Rachael Dewberry and Jason Perez prosecuted.

DA Brings Justice For 45 Homicide Victims in 2009

The Tulsa County District Attorney's Office worked with county law enforcement officers to take violent and career criminals off the streets in 2009. Prosecutors convinced juries to send 77 criminals to prison for crimes including murder, rape, robbery, manufacturing methamphetamine and sexual abuse of a child.

The office filed 6,072 felony cases and 6,546 misdemeanors. In juvenile court, prosecutors filed 1,638 juvenile delinquent cases and 325 deprived (neglect) petitions. A total of 1,971 offenders were sent to prison from Tulsa County in 2009.

Prosecutors secured jury trial convictions and plea agreements in 2009 to put 36 killers behind bars and secure justice for 45 homicide victims and their loved ones. Victims in 2009 cases are pictured on this page. Victims for whom we do not have photographs include:

- Angela Bassett, 29
- Eric Bell, 21
- Javier Carranza, 21
- Bryan Christianson, 39
- Jeanna Coffman, 33
- John Dohn, 36
- Jeremiah Francis, 28
- Omar Antonio Garcia, 23
- Joe Thomas Gomez, 22
- Angela Hargrove, 36
- Clifford Harley, 47
- Tyler Mathis, 19
- Antonio Munoz, 25
- Antonio Nears, 29
- Tyri Rodgers, 21
- Juan Jose Rodriguez, 19



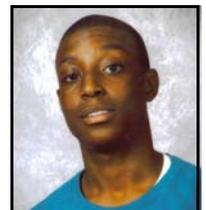
Skyler Roininen



Ronald Coatney, Deanna Rosser-Coatney



Kyong Cha Sellers



Donivan Crutcher



Sydney Dailey



Joshua Jordan



Michael Dubin



Cody Holmes



Kevin A. Jones



Cori Baker



Kelly McCarthy



Polly Foote



Shannon Lacey



Casey Jones



Richard Crowels



Tim Lannom



J.J. Hall



Victoria Knight



Charisma Arredondo



Jesse Hurt



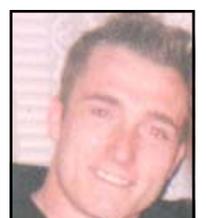
Keishia Williamson



Anthony Johnson



Viola Tolbert



Cody Spears



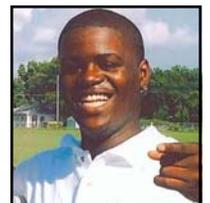
Brooke Whitaker



Kya Whitaker



Leah Harris



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Tulsa County District Attorney

How Do We Achieve Public Safety?

How is the peace and tranquility of our community maintained? What do we as a society of citizens in Tulsa do to achieve public safety? The answer: Adhere to the "Rule of Law". The rule of law is the process of allowing our system of justice to operate within the rules and procedures set down by our statutes and case law precedent. Due Process of Law is the day-to-day operation which encompasses the framework under which individuals are charged with crimes and the evidence is presented against them, thereby allowing victims to obtain justice. The constitutions of the United States and the state of Oklahoma provide citizens with rights that the government must recognize and obey.

Since I am a lawyer and have the responsibility as a minister of justice in exercising the duties and responsibilities of the Tulsa County District Attorney in regards to

State crimes committed within Tulsa County, I believe in our criminal justice system. I don't mean to imply that I believe our system is perfect but it does provide an orderly framework within which to operate while seeking to reveal the truth and obtain justice for victims and the community.

Law and order - the phrase implies that law provides order when followed. If an individual decides that they no longer need to follow the law and they will decide what the rules are, or decide there are no rules, chaos is sure to follow. The people of Tulsa are the eyes and ears for law enforcement. When good citizens refuse to take responsibility for their part in a safe neighborhood, school, city or county by not telling what they know about crimes, the bad guys win and evil is emboldened. Yes, it takes some courage to get involved and, yes, there are risks in standing by the truth. But if we don't, then who do we expect to help us when we are the victims? It is easy to walk away and say "it's none of my business" until you need some-



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one else's help to obtain justice. If your friend or family member is victimized, how do they obtain due process of law and justice, which includes punishment, retribution, consequences and accountability? It will only occur when those who know what happened are willing

to come forward and stand by the truth. Taking the law into your own hands to exact whatever penalty you deem is owed will only lead to violence and further potential retaliation. The "no snitch" mantra which now seems to pervade some factions of our community will only send a message to evildoers that they can do whatever they please without consequences. Eventually, this reaction to crime and criminals will lead to bondage by fear and anarchy.

The answer lies within our own hearts as to the kind of community we want to live in. What we teach our children about why we have the "Rule of Law" will determine our future and that of generations which follow.