



TIM HARRIS
TULSA COUNTY
DISTRICT
ATTORNEY



*"I think the first
duty of society
is justice."*

- Alexander
Hamilton



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In Pursuit of Justice

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Jury Agrees with District Attorney; Child Molester Should Die in Prison

It was early evening in August 2009, and Mom was washing her car in the driveway of a quiet Tulsa neighborhood. She thought her 23-month-old daughter was inside with her grandma and uncle, and they thought the girl was outside with Mom. The toddler wandered out of the driveway gate and stood by the curb near her home.

A neighbor noticed the little girl in a pink dress and saw a pickup truck pull up next to her. He watched the driver motion for her to come to him. He said the man, who he had seen in the neighborhood several times and identified as **MARCUS BERRY**, picked the child up, pulled her through the driver's window, and drove away.

A short time later, when the girl's relatives began searching the neighborhood for the child, he told them what he had seen and they called police.

Across town, Tulsa police officers Mark Wollmershauser, Jr. and Stephanie Blann, were patrolling in a sparsely populated area on west Apache Street. When they passed a field full of tall grass and brush, Wollmershauser thought he noticed the glint from a vehicle's mirror as he passed.

He asked Blann if she noticed anything and she said, "No." The officers decided to turn around anyway to investigate whether there might be a stolen vehicle abandoned in the field. The pickup truck they



Police found a missing toddler in this truck with sex offender **Marcus Berry, 57**, in a field in west Tulsa in August 2009.

found was not abandoned, but occupied by **MARCUS BERRY**, a **57-year-old repeat sex offender**.

When the officers approached, Wollmershauser said he noticed that Berry's pants were pulled down, and said his heart was beating so hard "it was about to jump out of his chest."

The officer asked Berry if anyone was with him and he replied "my daughter-in-law." When he didn't see an adult, the officer asked Berry where she was. Berry raised his arm and the officer saw the tiny girl in a pink dress sitting next to him. She was not wearing a diaper or panties.

At an April trial, a jury convicted **BERRY** of **KIDNAPPING** and **MOLESTING** the girl.

After the jury found him guilty, District Attorney Tim Harris and Assistant DA Jake Cain presented evidence that Berry previously had been convicted of **eight felonies** – including two convictions for **LEWD MOLESTATION**. Berry was sentenced in 1993 to **30 YEARS IN PRISON** for molesting a child and was released by the Department of Corrections in 2003.

In the April trial, the jury sentenced Berry to **LIFE IN PRISON WITHOUT PAROLE** for **LEWD MOLESTATION** and **LIFE IN PRISON** for **KIDNAPPING** the child.

The jury verdicts mean that a "child predator was taken off the streets of Tulsa County forever and will die in the penitentiary," said DA Harris.

“Kid Case” Prosecutor: Assistant DA Kristin Fulton

When Kristin Fulton started law school, she thought she wanted to work in labor and employment law. A summer internship with the Tulsa County District Attorney’s Office changed all that. An Assistant DA since May 2006, Fulton has become a specialist of sorts, prosecuting many felony cases involving abuse of children and vulnerable adults. They are some of the most difficult cases to prosecute. Often, children are reluctant to disclose physical or sexual abuse. They may be too young to communicate what happened to them, or they may feel ashamed, or afraid to name the perpetrator, particularly if it is a family member or adult in a position of trust. Vulnerable adults often have similar difficulties testifying.



Kristin Fulton
Assistant DA

Prosecuting such cases was not something Fulton sought. “At first, I felt nervous about taking on the great responsibility of these cases,” she said, “but after talking with more senior prosecutors, victim advocates and other experts in the area of child abuse and elder abuse; I realized the importance of representing these victims in court. I have made it my mission to prosecute these cases to the best of my ability.”

This is what a father who adopted one abused child said about Fulton and her prosecution of the abuser:

“...Our adopted daughter suffered horrendous abuse at the age of 2 months and nearly died from the injuries. After 10 days in Pediatric ICU, she was placed in our custody. She had suffered severe hemorrhaging of the brain and retina, seizures, broken ribs, numerous bruises and contusions, and was blind. After her mother was charged with abuse and neglect, the emotions and internal strife within the family were overwhelming. We felt a desperation that no one was acknowledging the terrible things that had happened to the child and that she had no one on her side. No one except Kristin Fulton.”

“Our baby’s cause could not have been placed in more able, professional and capable hands. The fact that she is alive today is amazing in and of itself. What is even more amazing and nothing short of a miracle is that she has experienced an almost full and complete recovery. She is now nearly 2 years old, and a very beautiful, normal and energetic child.

Kristin is our Champion, our Knight In Shining Armor and our Judicial savior. We cannot find the words to adequately express our most sincere thanks and overwhelming appreciation for the outstanding work and public service that Kristin and the DA’s office provided on our behalf. Most importantly, what you’ve done for our daughter. We will forever be in your debt.”

Fulton considers it a great honor to work with and represent children. “I am amazed at the resilience of children and their capacity to see the good in the world around them, even after they have suffered horribly. They inspire me to work hard to seek justice for these most precious survivors,” she said.

A few recent cases prosecuted by Fulton:

KELSEY DODSON was convicted by a jury in March and sentenced in April to **20 YEARS IN PRISON** for **CHILD NEGLECT**. Dodson was accused of shaking her two-month-old baby girl and striking her head against a flat surface in July 2008, causing massive head trauma. The mother waited at least 15 hours before seeking medical assistance for the child, even though she knew the child was severely injured, testimony indicated. The baby had visible bruising to

the head and broken and bleeding blood vessels in her eye. The jury **ACQUITTED** the mother of a count of **CHILD ABUSE**, but found her **GUILTY** on the **NEGLECT** charge. The child has been adopted and is recovering from the injuries.

KENNETH THOMSON was convicted by a jury of **CARETAKER ABUSE** of his 96-year-old mother, **CATHERINE THOMSON**, in their Tulsa apartment. He was sentenced to **6 YEARS IN PRISON**. Thomson called police in February 2009 and told them he would kill his mother if they did not remove her from his apartment. During the trial, a physician testified that Mrs. Thomson suffered from Alzheimer’s disease and had bruises in various stages of healing. Police detectives photographed the woman the night the defendant called police. She had bruises, including a black eye, on nearly every part of her body. Mrs. Thomson died in July 2009. The death was not linked to the abuse allegations.

MARICO LEON TURNER pleaded **NO CONTEST** to two counts of **LEWD MOLESTATION** and was sentenced to **25 YEARS IN PRISON** and a mandatory **3-YEAR POST-IMPRISONMENT PROBATION**. He is required to serve 85% of the sentence before he is eligible for release. In July 2008, Turner was left to babysit three sisters, ages 10, 8 and 2 years, and molested them. When the children’s parents returned to the apartment where the victims were left with the defendant, they found the front door locked and could hear Turner running downstairs from the girls’ upstairs bedroom. Police officers and the children’s mother observed Turner with his pants unzipped.

SEAN TAFF pleaded guilty to **SEXUAL ABUSE OF A MINOR CHILD AND INDECENT PROPOSAL TO A CHILD** after Fulton presented all the state’s evidence in an October jury trial. Taff admitted to sexually abusing a **5-YEAR-OLD GIRL**. District Judge Thomas Thornbrugh sentenced him to **LIFE IN PRISON** on the sexual abuse count and **40 YEARS** on the Indecent Proposal Count, and ordered the terms to run consecutively.

Major Case Convictions April—May 2010

In April:

RONALD DINKINS was convicted by a jury of three counts of **POSSESSION OF A CONTROLLED DRUG WITH INTENT TO DISTRIBUTE AND POSSESSION OF A FIREARM AFTER FORMER CONVICTION OF A FELONY**. The jury sentenced Dinkins to a total of **82 YEARS** in Prison. He had four prior felony convictions. Assistant DA John Salmon prosecuted.

Jurors convicted **WILLIAM PATRICK RAY** of two residential **ARMED ROBBERIES** that occurred less than a month after another jury acquitted him in a different robbery case. He faces sentences totaling **50 YEARS IN PRISON**; a **20-YEAR** term on each of two counts of **ROBBERY WITH A FIREARM** and **10 YEARS** for **FIRST-DEGREE BURGLARY**. He was also sentenced to **1 YEAR** for obstructing an officer. Assistant DA Julie Doss said that Ray robbed three men and hit one of them in the head with a gun at a home in the 2400 block of East Marshall Street on June 17, 2009. That same morning, Ray burglarized and robbed a woman at her home in the 1300 block of North Lewis Place, Doss said. The burglary and robbery offenses require that Ray serve 85% of his sentence before release.

WILLIAM KODI NICHOLS AND FRANCISCO TORRES each entered “blind pleas” to **FELONY MURDER SECOND DEGREE** in the November 2008 beating death of **ROLAND BUCK, 89**. A family member discovered Buck’s body on the floor of his Tulsa

home. His hands and ankles were bound and his pockets turned inside out. He had fractured ribs and trauma to his head and chest. The defendants stole cash, a car and other property. District Judge Clancy Smith sentenced both **NICHOLS AND TORRES TO LIFE IN PRISON**. By law, they are required to serve 38 years and three months before they are eligible for release from prison. Assistant DA April Seibert prosecuted.

A Tulsa County jury convicted **GARRICK DON THOMPSON** of breaking into an apartment in south Tulsa in August 2009, robbing two men and shooting one of them. The jury sentenced Thompson to a total of **35 YEARS IN PRISON – 15 YEARS** for **ASSAULT AND BATTERY WITH A DEADLY WEAPON** and **10 YEARS** each for **ARMED ROBBERY** and **FIRST-DEGREE BURGLARY**. District Judge William Kellough ordered the sentences to run consecutively. Because of the nature of the crimes, he is required to serve 85% of the term before he is eligible for release. Thompson, affiliated with the Neighborhood Crips street gang, pled guilty in 2003 to **ROBBERY WITH FIREARMS** in Tulsa County and was sentenced to a split term of **7 YEARS IN PRISON** and **3 YEARS SUSPENDED**. The Department of Corrections released Thompson in February 2009. Six months later, he was again arrested for armed robbery and shooting. His 3-year suspended term was revoked in September 2009. Assistant DA Kristin Fulton prosecuted.



Sheila Layton was killed by drugged driver in June 2008.

Tulsa County jurors found **THOMAS SCOTT POTTORFF** guilty of **FIRST-DEGREE MANSLAUGHTER** in the June 2008 head-on collision that killed **SHEILA ANN LAYTON, 46**. He was sentenced to **18 YEARS IN PRISON** and is required to serve 85% of the sentence before he is eligible for release. Assistant DAs Steve Kunzweiler and Gary Davis asserted that Pottorff was impaired or intoxicated by three types of prescription drugs when the vehicle he was driving crashed into the vehicle driven by Layton.

See More Results Page 5

Man Pleads Guilty in Rape, Abduction of 5-Year-old BA Girl, Molestation of Another Child from Age of 7 to 11

It was September 2007 when a 5-year-old Broken Arrow girl was snatched from her front yard, driven to an alley, sexually assaulted and left wandering naked on a rural road miles from her home. The case haunted Broken Arrow police, especially Detective Pat O’Brien who continued to follow leads after the case went cold.

Then in April, the break came. Douglas Harold Polk, Jr. was arrested, accused of sexually assaulting an 11-year-old relative in 2006, and molesting her again in 2010. The girl had been removed from Polk’s home in 2007, and that is when the Broken Arrow girl was abducted and raped.

Under questioning from O’Brien, Polk admitted assaulting both girls. He was charged with First-Degree Rape, Kidnaping, Lewd Molestation and four counts of Sexual Abuse of a Minor Child. Less than a month later, he entered a “blind plea” of guilty to the charges without a plea agreement from prosecutors. District Judge Tom Gillert will sentence him.

District Attorney Tim Harris commended Broken Arrow Police officers for their relentless search for justice in the cases. “We will present victim impact evidence at the sentencing hearing,” Harris said.

“This man must remain in the penitentiary for the rest of his life for the safety of children,” he said.

Assistant DA Jake Cain said he is relieved that the children won’t have to testify in court, but said that Polk should not be given leniency because he entered a plea. “He only admitted his crimes after he was caught,” Cain said.

Polk has a previous felony conviction for assault and battery with a dangerous weapon that resulted in a three-year suspended sentence when he pleaded guilty in 2006.

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TULSA POLICE: RESIDENTS RESPOND



Survey finds fear in city Most say they don't feel as safe as they once did

BY MIKE BARNARD AND MICHAEL MARRAS
 Tulsa police should focus on gang violence and violent crime in general, according to a survey released Monday. The survey, conducted in early October, asked for opinions on the city's safety and law enforcement and on how safe people feel in various areas of the city.

In general, residents have a positive view of the Tulsa Police Department, the survey reported. About 60 percent of respondents said they were satisfied, and 70 percent said they are well-educated. However, the majority of respondents — 60 percent — did not feel safe in their neighborhoods. One factor of concern was the dropping of a Tulsa and Oklahoma State Police officer in the Tulsa Police Department's 11th District. Tulsa Police was broken down into 11 districts to improve police response to crime, and the department feels like a target of gang violence.

"I used to feel safe, but I'm not sure I do anymore. I'm a prime target," said DOWD BUTLER, 61, of Owasso, on his white car Tulsa

State Cuts Tulsa County DA Budget \$1.1 Million from FY09- FY11

Without question, Public Safety is the most pressing concern of citizens and should be the #1 priority for state government.

An April 6 article in the Tulsa World explained recent polls in the Tulsa area show that gang violence and violent crime top the list of residents' concerns. Sixty-five percent said they feel less safe than they did five years ago.

Voters in Tulsa County told pollsters they are most concerned about the safety of their neighborhoods, schools and community as a whole.

How Do Cuts Impact Public Safety?

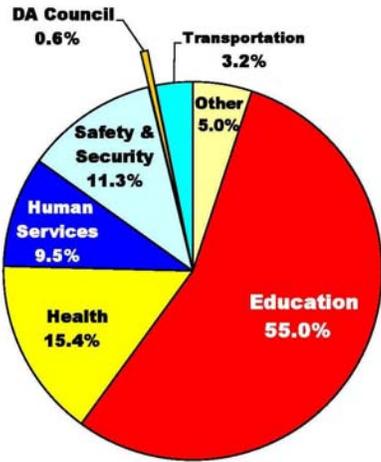
With 95% of the DA's budget spent on salaries and benefits, options to cut are few:

1. Prosecute Less Criminals
2. Eliminate Jobs
3. Furlough Employees

What does this mean for citizens' safety?

- **Taxes expended for police, OSBI, OBN, OHP and other law enforcement agencies won't keep neighborhoods and communities safe if lawbreakers are arrested, but not prosecuted by the DA because of lack of funding.**
- Public Safety and Law and Order should be a priority. What good is it to educate our children if we can't keep them safe in schools, neighborhoods and homes?
- Often there is a fine line between non-violent and violent crimes. Failure to prosecute even non-violent crimes can have a serious effect on public safety.

Note: The DA Council receives state funds for prosecution and distributes the money to 27 District Attorneys across the state.



FY 10 State Appropriations

Unintended Consequences

Because state appropriations fund only 47 percent of the District Attorney's budget, attempts to survive state cuts by prosecuting fewer non-violent crimes will further impact the DA budget by reducing prosecution assessments and DA probation supervision fees that are helping us keep our heads above water now.



Deadly DUI Crash in Tulsa

The opening lines of the hit TV show, Law and Order, explain it best.

“In the Criminal Justice System the people are represented by two separate, yet equally important groups: The police who investigate the crimes and the District Attorneys who prosecute the offenders.”



Reducing The Number Of DAs Will Have Serious Effects On Public Safety

By law, dangerous, violent criminals who are arrested and jailed by law enforcement, will be set free if charges are not filed against them by the DA within a few days of arrest. In Tulsa County, prosecutors review between 50 to 100 police reports EVERY DAY and determine whether to file charges to keep jailed offenders **IN CUSTODY** or issue arrest warrants to get dangerous criminals off the streets. Furloughing prosecutors will effect this process as will eliminating jobs.



Domestic Violence Victim Shot and Paralyzed in her BA Home



Meth Trash: Union Bus Stop

Often, There’s A Fine Line Between Violent and Non-Violent Crimes

- A DUI, left unprosecuted, may become the fatality crash that kills an innocent family.
- A misdemeanor Domestic Violence prosecution, left unchecked, may escalate into the murder of a mother and children, or innocent co-workers in the office.
- A methamphetamine cook left unprosecuted, could take your life if his lab explodes next door to your home or motel room.
- A Failure to Register as a Sex Offender prosecution may prevent the kidnap, rape and/or murder of a small child.
- A juvenile or drug possession prosecution may prevent a young gang member from becoming the next mall shooter.

More Major Case Convictions April—May 2010

More Results continued from Page 3

TAWAUN SCOTT was convicted by an April jury of five counts of **ROBBERY WITH FIRE-ARM**. On Nov. 10, 2008, **SCOTT** robbed a Subway restaurant and forced **KENDRA CHAPMAN** to give him money. On Nov. 29, 2008, he robbed a Taco Mayo restaurant and forced employee **HEATHER SCOTT** to give him money. Two days later, he robbed the same Subway again and forced the same worker to give him money. Less than 45 minutes later, **SCOTT** went into the taco restaurant he robbed two days earlier and forced **AMBER SHERRELL** to empty the register and safe. On Dec. 2, 2008, **SCOTT** robbed a different Taco Mayo, forced four occupants to the ground and demanded that **MICHAEL CROCKETT** give him money from the cash register. The jury sentenced Scott to **25 YEARS in PRISON**. Assistant DAs Lee Berlin and Paul Gouge prosecuted.

MARCO CARROLL and **ROY WILLIAMS** were convicted by a jury of **FELONY SECOND-DEGREE MURDER** and **DRIVE-BY SHOOTING** in the July 2008 shooting death of **BRIAN MINTER** and shooting of **MICHAEL CRAVEN**. Minter was shot and killed in his truck at 4121 N. Frankfort Avenue in Tulsa, around the corner from his house. After shooting **MINTER**, **CARROLL** and **WILLIAMS** shot up Minter’s house, hitting **CRAVEN** and shooting at others outside the house, including Minter’s son, **BRONSHAY MINTER**. **CARROLL** admitted to wielding an assault rifle and **WILLIAMS** was the driver of the car. **CARROLL** was sentenced to **20 YEARS IN PRISON** for **SECOND-DEGREE MURDER** and **5 YEARS** and **6 YEARS** on two counts of **DRIVE-BY SHOOTING**. **WILLIAMS** was sentenced to **12 YEARS IN**

PRISON for **SECOND-DEGREE MURDER** and **3 YEARS** on each of two counts of **DRIVE-BY SHOOTING**. The charges require that the men serve 85% of their sentence before they are eligible for release. Assistant DAs Tony Evans and Stephanie Milburn prosecuted.

JOHN ROY ULRICH was convicted of **FIRST-DEGREE MANSLAUGHTER** in the August 2008 traffic crash that killed **MELISSA LOLLIS, 46**. Ulrich was accused of driving "while impaired by intoxicants" including methadone and alprazolam (Xanax). The jury sentenced him to **4 YEARS IN PRISON**. Assistant DA John Lackey prosecuted.

See **Other Results** Page 6

More Major Case Convictions April—May 2010

More Results continued from Page 5

JACOB MATTHEW GIBBONS pled guilty and was sentenced to a total of **25 YEARS IN PRISON** for driving into a crowd of people outside a Tulsa bar in August 2008. The assault injured two people and resulted in the amputation of victim **MARK TARRANT'S** leg. Gibbons entered a "blind plea," without any agreement concerning his punishment. District Judge William Kellough sentenced Gibbons to **TWO** consecutive **10-YEAR PRISON TERMS** for **ASSAULT AND BATTERY WITH A DANGEROUS WEAPON – AUTOMOBILE** and a consecutive **5-YEAR PRISON TERM** for felony **DUI - alcohol**. He was given concurrent terms for **OBSTRUCTING AN OFFICER** and a third count of **ASSAULT AND BATTERY WITH A DANGEROUS WEAPON**. Witnesses said Gibbons was bothering customers in the bar and was asked to leave and escorted outside. Gibbons got into a car and drove toward those who had escorted him out. His car crashed

into a vehicle and went onto the sidewalk, striking Tarrant, who was pinned between the car and the building. While free on bond in the assault case, Gibbons was arrested in Broken Arrow in 2009 and charged again with **DUI - alcohol**. He received a concurrent 5-year sentence for that DUI. Assistant DA Jack Thorp prosecuted.

CHRISTA MOORE was convicted by a jury in April for setting up a **ROBBERY WITH A FIREARM** and was sentenced to **5 YEARS IN PRISON**. Moore met **CRUZ MIRELES** in a bar and convinced him to go to a motel with her. While en route, Moore gave driving instructions to an unknown person on the phone. A man arrived shortly thereafter and robbed Mireles. Moore claimed that she did not know that **MICHAEL A. PIPKINS** was going to rob Mireles. Assistant DA Erik Grayless prosecuted. **PIPKINS** pleaded **GUILTY** to **ROBBERY WITH FIREARMS IN** October 2009 and was sentenced to **12 YEARS IN PRISON**.

SHEMIRAH BENSON pled guilty to **SECOND-DEGREE MANSLAUGHTER** in the death of her **7-MONTH-OLD BOY** and was sentenced in May to **3 YEARS IN PRISON** and **1 YEAR PROBATION**. Prosecutors alleged that her baby, Dan Benson, suffocated because of sleeping with his mother on a couch at their home on Nov. 5. The infant's father called 911 after finding the mother asleep and the baby "on the sofa, between the defendant and the back cushion of the sofa," a police affidavit stated. The baby was pronounced dead at a hospital. This was Benson's second child to die under similar circumstances; her 3-month-old baby died in 2006 while Benson was sleeping with that child on a sofa. No charges were filed in connection with that death. The case was prosecuted by Assistant DA Jake Cain.

See *Convictions* Page 7

No Contest Plea Entered By Man Who Drove Car Into Crowd in Brookside Parking Lot, Killing Two, Injuring Five Others

In May, **ANDREW ALLEN MATHIS** pleaded **NO CONTEST** to two counts of **FIRST-DEGREE MURDER** and five counts of **ASSAULT AND BATTERY BY MEANS LIKELY TO PRODUCE DEATH** in the November 2008 crash behind a Brookside bar that killed **DENNIS COX, 38**, of Kimberling City, Mo. and **CARLOS LOPEZ, 30**, of Midland, Texas. Five others were injured. With a jury trial to begin in June, Mathis entered a "blind plea" without an agreement regarding punishment. District Judge Kurt Glassco will sentence him at a July 21 hearing. By law, the two options based on his plea to First-Degree Murder are **LIFE OR LIFE WITHOUT PAROLE**. Each of the assault and battery counts allows the possibility of a **LIFE** term.

Assistant DA Steve Kunzweiler objected to the judge allowing Mathis to plead no contest rather than guilty, and said family members of the two men killed by Mathis want him "to serve the rest of his life in the penitentiary. Period." Judge Glassco accepted the pleas of no contest and found Mathis guilty of all seven counts.

IN PURSUIT OF JUSTICE



Dennis Cox, 38, and Carlos Lopez, 30 were killed in November 2008 when Andrew Mathis drove a car into a crowd of people in a parking lot in Brookside.

Evidence showed that Mathis was involved in a fight with others and Cox saw the fight and came to aid. Lopez saw Cox was knocked down and did not get up, and went to render aid. Neither man knew Mathis or each other. They were both visiting Tulsa, one for a wedding, and one for a business trip, when they were killed.

Kunzweiler said evidence shows that Mathis accelerated and intentionally drove a Chevrolet Camaro into a group of people in a parking lot behind the former Delta Cafe at 33rd Place and Peoria Avenue. Assistant DA Doug Drummond also prosecuted the case with Kunzweiler.

See *Convictions* Page 7

Convictions and Pleas

Convictions continued from Page 6

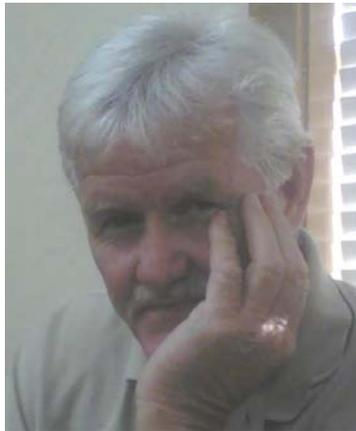
Tulsa County District Judge Tom Gillert sentenced **MELISSA LIVINGSTON**, to a **10-YEAR SUSPENDED SENTENCE** in the September 2009 stabbing death of **ROBERT E. MATTHEWS, 44**. Livingston pleaded guilty in March to **FIRST-DEGREE MAN-SLAUGHTER** in a plea agreement. Prosecutors recommended a **10-YEAR** term, with Gillert to decide whether Livingston was sentenced to prison, probation, or a combination of the two. A sentencing report states that the victim's sister and mother wanted Livingston to "get help for her mental health issues," but "do not feel that she should go to prison." Police dispatched to Livingston's apartment found her kneeling over Matthews' body. Livingston told an officer: "I'm sorry. I'm sorry. I was tired of him beating on me." She said she and Matthews argued before she got a steak knife and stabbed him in the chest, police reported. Assistant DA Courtney Cain said there were prior episodes of abusive behavior by Matthews. Cain said she wanted Livingston to serve some prison time as part of a split sentence. As a probation condition, the judge ordered Livingston to get a mental health assessment and to comply with its recommendations.

In MAY:

Tulsa County jurors found **DAVID MICHAEL JENKINS** guilty of **FIRST-DEGREE MURDER** in the December 2008 death of **ERNIE M. BANKS, 28**, and sentenced him to **LIFE IN PRISON**. Prosecutors maintained that Jenkins stabbed Banks 16 times with a knife near a convenience store at 41st Street and Peoria Avenue. Assistant DAs Courtney Cain and Meredith Stanton prosecuted.

DANIEL TERRELL DAVIS entered a **NO CONTEST** "blind plea" in the murder of two Tulsa teenagers and the wounding of another man in August 2008. He shot and killed **MARTIN MARION, 17**, and **DEREK RUSSELL, 19**, and shot **JUSTIN M. TIDWELL**. Davis pleaded guilty without an agreement for punishment. District Judge Kurt Glassco will sentence him June 29. Davis also pleaded guilty to removal of the bodies. In a separate case, he pleaded no contest to the March 2007 **ROBBERY** and **SHOOTING** of **RONALD PETER HAUSER, JR., 57**. He also will be sentenced for those offenses June 29. Assistant DAs April Seibert and Mike Fisher prosecuted.

ROSCOE DABNEY IV pleaded **NO CONTEST** to being an **ACCESSORY AFTER THE FACT** in the February 2009 fatal shooting of **DEMETRIUS ARLEDGE, 36**, outside a liquor store in north Tulsa. Dabney had been



Stephen Stewart, 62, was run over and killed in July 2009.

charged with murdering Arledge. Police recovered a .45 caliber pistol used in the killing from Dabney. Assistant DA Michelle Keely prosecuted.

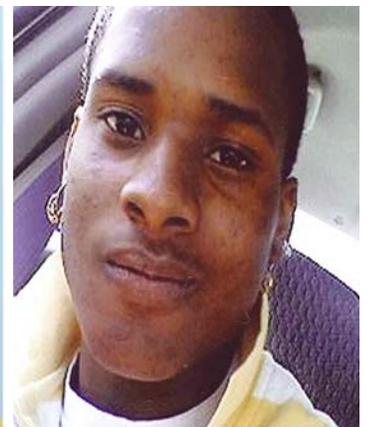
After a jury was selected for his trial, **WILLIAM GARY PARRIS** pled **NO CONTEST** to **SECOND-DEGREE FELONY MURDER** for running over **STEPHEN STEWART, 62**, in July 2009. Stewart had attempted to stop Parris from stealing the truck Stewart drove for a building supply company. In Parris' haste to leave the scene, he drove the truck into Stewart, who was crushed between that vehicle and Stewart's personal truck, police reported. Parris then drove away and attempted to steal other vehicles in the same west Tulsa neighborhood, police said. Parris also pled **NO CONTEST** to **FOUR COUNTS OF BURGLARY** of an **AUTOMOBILE** committed July 12 after Stewart was fatally injured. He also pled **NO CONTEST** to a charge that he used a flashlight to **ASSAULT** a man who confronted him in connection with one of those auto burglaries. Police said Parris had methamphetamine with him when he was arrested. He also pled **NO CONTEST** to a felony **DRUG-POSSESSION** count. Parris entered a "blind plea" and has no agreement for punishment. District Judge William Kellough will sentence him June 21.

Assistant DA Jack Thorp said he will

present victim impact information at the sentencing hearing. Parris had **NINE PRIOR FELONY CONVICTIONS** between 1991 and 2001 — two for **BURGLARY**, two for **POSSESSING A STOLEN VEHICLE**, three for **LARCENY OF A VEHICLE**, and one each for escape and for a **DRIVING UNDER THE INFLUENCE OFFENSE INVOLVING GREAT BODILY INJURY**.

MARTIN JUNIOR BUTLER was convicted of **SECOND-DEGREE FELONY MURDER** by a jury for the December 2008 death of his wife, **WANDA FAYE BUTLER, 69**. The jury sentenced Butler to **15 YEARS IN PRISON**. Mrs. Butler was injured in what her husband said was a fall on concrete while bringing groceries into the house. Prosecutors alleged the husband failed to provide adequate care or medical treatment and left her in a recliner for about a week, soiled by her own feces and urine. She was hospitalized after her brother spoke with her on the telephone, became concerned and traveled from Arkansas to check on her. A medical examiner said she died in the hospital of multiple organ failure and sepsis — an infection of the blood caused by a large bedsore and blunt trauma. Assistant DAs Steve Kunzweiler and Tammy Westcott prosecuted.

SHIRON DAVIS was convicted by a jury of **POSSESSION OF MARIJUANA WITH INTENT TO DISTRIBUTE**. In October 2009, Davis arrived at an apartment to sell drugs at the same time Tulsa Police Officers were serving a search warrant on the occupants of the apartment. He was promptly apprehended and marijuana was found in his pocket. The jury sentenced the previously convicted Davis to **8 YEARS IN PRISON**. Assistant DA Erik Grayless prosecuted.



Derek Russell, 19, and Martin Marion, 17, were shot to death and dumped in an east Tulsa field in August 2008.



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Tulsa County District Attorney Tim Harris

About Your District Attorney

Tim Harris was unopposed for re-election in 2010 and will serve a fourth term as District Attorney. Harris has worked as a prosecutor in Tulsa County for 24 years. He began working as an intern in the DA's office in 1983. He was elected as District Attorney in 1998. He is also a Special Assistant United States Attorney, Northern District of Oklahoma.

Harris says his work as District Attorney is "a calling and not a job. It allows me to use my legal education and talents on behalf of people who are suffering and to give back to my community by securing public safety and justice for families so that they may live, raise their families, worship, play and work in a peaceful place."

Responsible for the prosecution of approximately 6,500 felony and 6,800 misdemeanor criminal cases every year, Harris' personal trial record includes nine death penalties in

140 wins and 9 losses. Fifty attorneys and about 50 support staff work under Harris' direction.

Oral Roberts University brought this Wisconsin native to Tulsa in 1980 and the O.W. Coburn School of Law. Tim was named 2009 ORU Alumnus of the Year for Public Service.

Harris said he knew nothing about ORU until his mother handed him a brochure she picked up while passing through Tulsa. Harris said it was typical "Mom's wishful thinking" but he flipped through the brochure and was intrigued by the university's whole-man educational concept.

ORU was quite different from his undergraduate alma mater, the University of Wisconsin-Madison. After a little research and prayer, he found himself headed to Tulsa and ORU. He arrived on campus with hair down the middle of his back and a three-year growth of beard. And because his car radiator had blown up on him in Joplin, his clothes were a mess. "I probably looked like the Wild Man of Borneo," he laughed.



Tim Harris

A student stopped him on campus and explained the dress code. "He sent me down Lewis Avenue where I got a haircut, my first barbershop shave, and new clothes," Harris said.

After he started law school, Harris' father became seriously ill.

He contemplated dropping out and went to visit his ailing father. "My father told me, 'I'm not afraid of dying. What would kill me is if you don't get back down to law school and succeed in a dream I vicariously live through you.'"

Harris returned to Tulsa and shortly thereafter, his brother, a Catholic priest, gave their father his last rites.

Harris said his father's encouragement led him to think less about financial rewards and worldly attachments and to serve as a public advocate. No regrets, he said. "I'm excited every day in this calling. The responsibility is great and the personal satisfaction is even greater. Doing the right thing for the right reason will always support truth and justice."