

Regional Public Defender for Capital Cases



2007-2013

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Section 1: Mission Statement

Regional Public Defender for Capital Cases Mission Statement

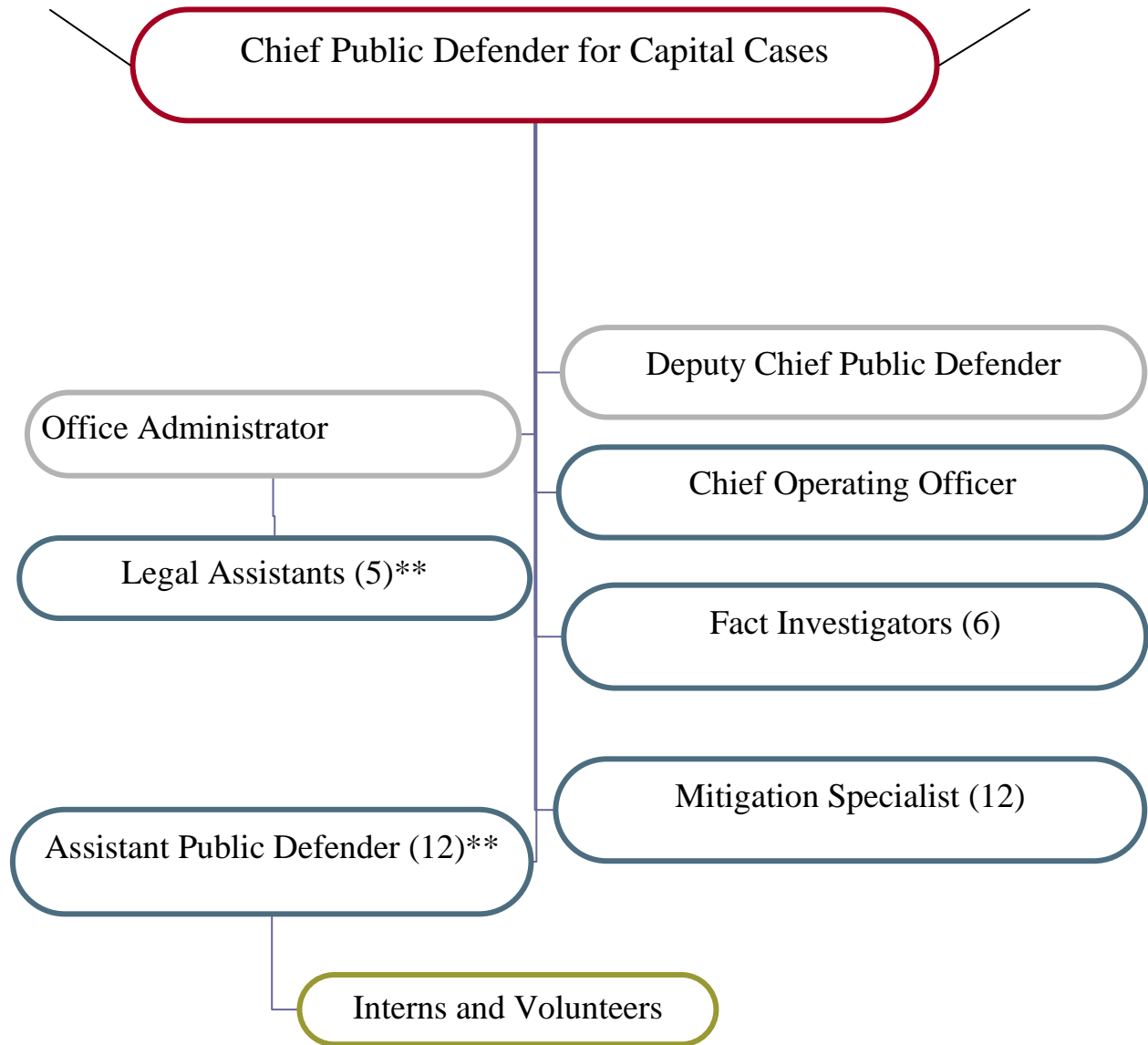
The Regional Public Defender's Office shall represent those indigents charged with commission of capital offenses in the participating counties by providing high quality, cost-effective legal services in an ethical, professional, and competent manner. We shall seek to secure the legal protection of our clients, and enhance the quality of life in our community. In accomplishing our mission, we shall treat all people with dignity, respect, honesty and fairness.

Section 2: Organizational Structure

Lubbock County
Commissioners' Court
(Policy)

Regional Public Defender's Office – October 2013

Oversight Advisory Board
(Direction)



**two additional positions open

2011-2012
Regional Public Defender for Capital Murder Cases
Oversight Board Members

7th Administrative Judicial Region

Hon. Dean Rucker , 318th District Court – ruckerd@co.midland.tx.us

William Bowden, Attorney, Midland – billbowden@cableone.net

Hon. Stephen Ellis, 35th District Court – 35thdistjudge@browncountytexas.org

Hon. Denn Whalen, 70th District Court – dwhalen@co.ector.tx.us

Hon. Ben Woodward, 119th District Judge – ben.woodward@co.tom-green.tx.us

9th Administrative Judicial Region

Hon. Kelly G. Moore, 121st District Judge – kmoore@terrycounty.org

Hon. David Gleason, Senior Judge - judgegleason@gmail.com

Hon. John Board, 181st District Judge - judgeboard@pottercscd.org

Hon. Brad Underwood, 364th District Judge – bunderwood@co.lubbock.tx.us

Hon. Pat Phelan, 286th District Judge - pphelan@hockleycounty.org

Chuck Lanehart, Attorney, Lubbock, Texas - chucklanehart@hotmail.com

Selden Hale, Attorney, Amarillo - sbhale310@aol.com

County Judges

Arthur Ware – 9th Region (Potter County) – arthurware@co.potter.tx.us

Susan Redford – 7th Region (Ector County) - redfosm@co.ector.tx.us

County Commissioners

Bill McCay – 9th Region (Lubbock County) – bmccay@co.lubbock.tx.us

Chuck Statler – 7th Region (Taylor County) – statlerc@taylorcountytexas.org

Others:

Andrea Marsh – Fair Defense Project - amarsh@texasfairdefenseproject.org

Kathryn Kase – Texas Defender Service – kmkase@texasdefender.org

Ex-Officio/Advisory Members:

Jim Bethke – Task Force on Indigent Defense – jim.bethke@courts.state.tx.us

Jackie Latham – Lubbock County Auditor – jlatham@co.lubbock.tx.us

Dean Stanzione – Lubbock County Courts Administrator– dstanzione@co.lubbock.tx.us

Section 3: RPDO History and Regional Overview

RPDO—A BRIEF HISTORY

A modest, yet ambitious and innovative idea was conceived in the collaborative efforts of District Judges, criminal defense attorneys, various county officials, and David Slayton, who at the time was the Director of Court Administration for Lubbock County. West Texas is vast, consisting of miles and miles of ranch and farmland. It is mostly rural with the major population centers being Abilene, Midland, Odessa, Lubbock, and Amarillo. Yet this large region was not untouched by crime, averaging approximately twenty-five capital murders per year over a ten-year survey period. The problems facing the counties unlucky enough to have an indigent capital murder defendant charged in its jurisdictions were twofold: where do we find qualified defense teams to handle the cases, and how do we pay for the defense? The solution, according to the collaborators, was the formation of a regional office staffed with full-time qualified personnel, with offices in several locations around the region, charged with defending indigent capital murder defendants. And, it would be funded by the counties which chose to participate in the program by paying “premiums” yearly based upon population and average yearly capital case filings as a percentage of the whole. It would operate in a manner similar to a risk pool operation. But would it work?

In 2007, the collaborators approached the Task Force for Indigent Defense (now the Texas Indigent Defense Commission) and asked for grant funding to implement the proposed West Texas Regional Public Defender for Capital Cases (WTRPDO). The Commission, eager to assist with the establishment of new programs aiding indigent defense, embraced the concept and agreed to proceed with funding the WTRPDO to handle cases in the 7th and 9th Administrative Judicial Regions. Lubbock County was, and remains, the fiscal agent for the grant.

On January 1, 2008, the WTRPDO officially opened its doors and began accepting appointments from any of the eighty-five counties in the region. Growth was incremental. During year one, offices were opened in Lubbock, Amarillo, and Midland. Attorneys, mitigation specialists, investigators, and legal assistants were hired. Continued training of staff was imperative. Protocols were adopted, designed to ensure that clients were receiving effective, efficient, and ethical representation. The WTRPDO was largely accepted and welcomed in West Texas by judges, prosecutors, and county officials.

During each of the years of our existence, office staff have been asked to make presentations to various groups explaining the mission of the office, as well as its costs and benefits to counties. Word spread, and soon we were fielding phone inquiries asking about a possible expansion which would enable a county outside of our existing region to participate. The TIDC heard those same questions, and with the assistance of Lubbock County, awarded additional grant funds to Lubbock County to roll out the expansion into heretofore uncovered regions. The funding formula remained consistent, as did the staffing formula.

On October 1, 2010, the WTRPDO became the Regional Public Defender for Capital Cases, and began accepting case appointments in the 4th, 5th, and 6th Administrative Judicial Regions. Satellite offices were opened in Kingsville and Uvalde, with incremental staffing

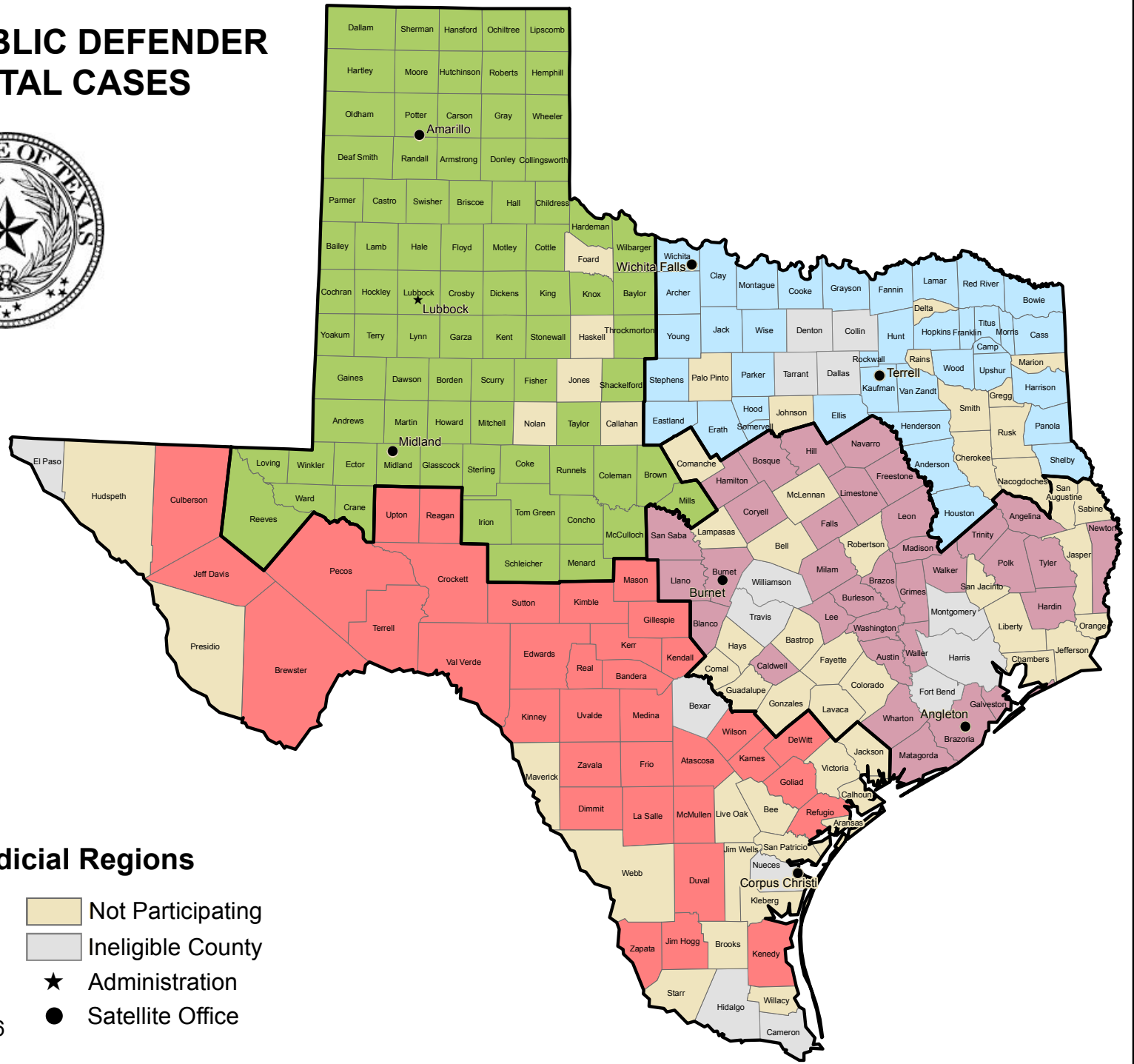
throughout the first year. In FY2011, it became clear that not all of the counties in this region thought participation in the program was in the best interest of their county, so the RPDO modified its staffing and closed the Uvalde office in order to maintain fiscal integrity. In 2013, we moved the Kingsville office to Corpus Christi.

On October 1, 2011, the RPDO opened in the 2nd and 3rd Administrative Judicial Regions. Offices were opened in Angleton and Burnet. Again, staffing was done incrementally. That particular region has been particularly active and staff are very busy. An enormous advantage the RPDO enjoys over the private appointment sector is the ability to assign additional staff to a case to assist in investigation, preparation, and trial.

On October 1, 2012, the RPDO opened the 1st and 8th Administrative Judicial Regions, with offices in Wichita Falls and Terrell. While the influx of cases in this region has not been large, the RPDO is handling arguably one of the most highly publicized cases in the last decade, that being the killing of a district attorney, his wife, and one of his assistants.

This brief “historical summary” delivers, I hope, a picture of the birth and early developmental years of a program conjured by some innovative and outside the box thinking stakeholders. They saw the problems, confronted them, and put into motion a plan to overcome them. The best practices of the RPDO are, today, a model for other capital defense litigators to emulate (my opinion, of course).

REGIONAL PUBLIC DEFENDER FOR CAPITAL CASES



Administrative Judicial Regions

- | | | | |
|---|---------------------|---|-------------------|
|  | Regions 1 and 8 |  | Not Participating |
|  | Regions 2 and 3 |  | Ineligible County |
|  | Regions 7 and 9 |  | Administration |
|  | Regions 4, 5, and 6 |  | Satellite Office |

Section 4: Budget

LUBBOCK COUNTY
 DEPARTMENT REQUESTED BUDGET
 AS OF: SEPTEMBER 30TH, 2009

113-REGIONAL PUBLIC DEFENDER
 REVENUES

		(----- 2008-2009 -----)			(----- 2009-2010 -----)				
2005-2006	2006-2007	2007-2008	ORIGINAL	CURRENT	Y-T-D	DEPARTMENT	AUDITOR		
ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET	ACTUAL	REQUESTED	SUGGESTED		
<u>INTERGOVERNMENTAL</u>									
4201	GRANT REVENUE	0	0	567,329	978,046	978,046	963,533	_____	_____
4260	INTER LOCAL	<u>0</u>	<u>0</u>	<u>0</u>	<u>383,856</u>	<u>383,856</u>	<u>381,258</u>	=====	=====
TOTAL INTERGOVERNMENTAL		0	0	567,329	1,361,902	1,361,902	1,344,791		
<u>INTEREST</u>									
4700	INTEREST INCOME	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,109</u>	=====	=====
TOTAL INTEREST		0	0	0	0	0	3,109		
TOTAL REVENUES		0	0	567,329	1,361,902	1,361,902	1,347,900	=====	=====
<u>TRANSFERS IN</u>									
8113-8011	XFER FROM GENERAL FUND	<u>0</u>	<u>0</u>	<u>0</u>	<u>72,330</u>	<u>72,330</u>	<u>72,330</u>	=====	=====
TOTAL TRANSFERS IN		0	0	0	72,330	72,330	72,330		
TOTAL REVENUES & TRANSFERS IN		0	0	567,329	1,434,232	1,434,232	1,420,230	=====	=====

FY14 Adopted Budget

For Fiscal: 2012-2013 Period Ending: 09/30/2013

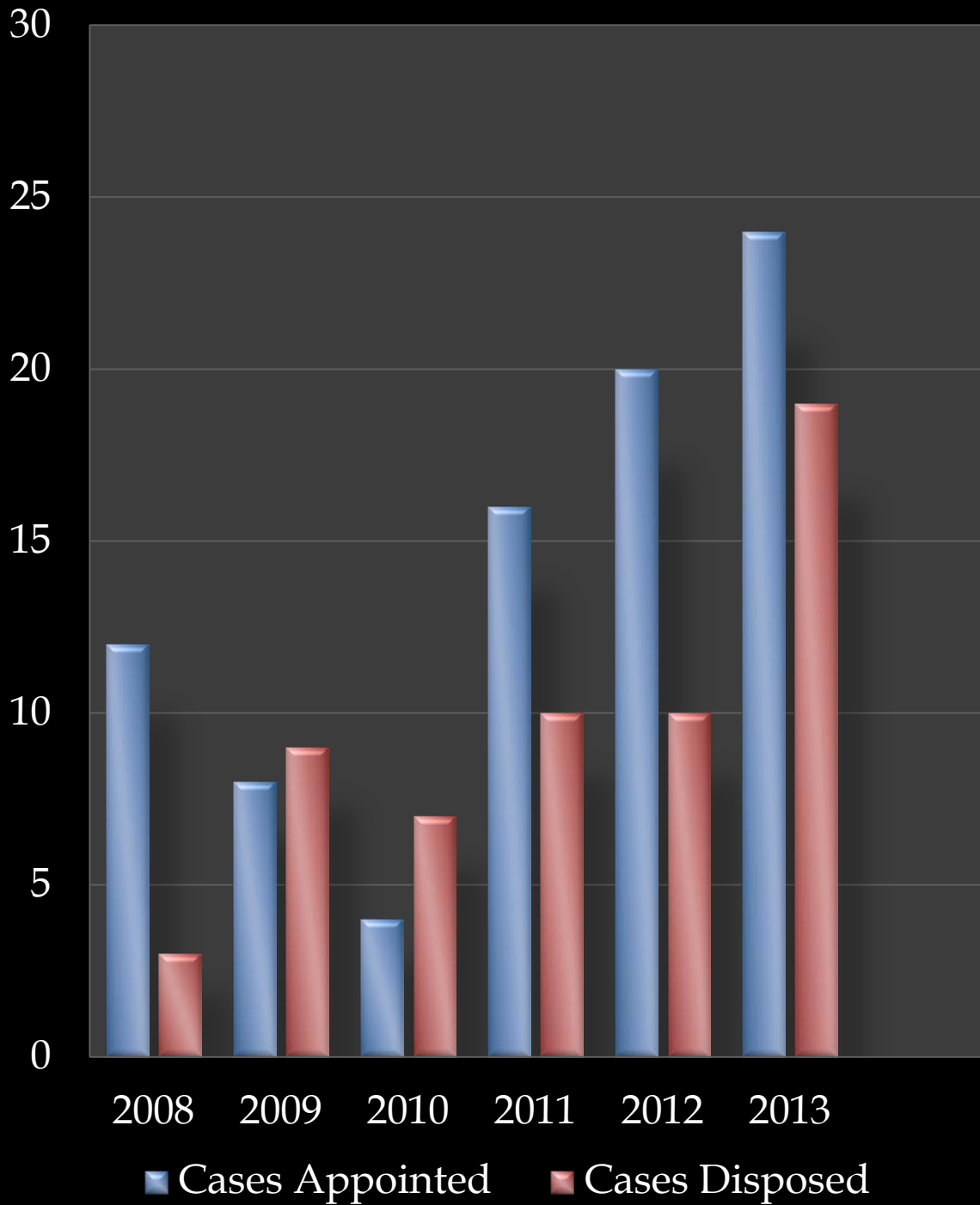
							Defined Budgets		
		2010-2011	2010-2011	2011-2012	2011-2012	2012-2013	2012-2013	2013-2014	2013-2014
		Adjusted Budget	Actual	Adjusted Budget	Actual	Original Budget	YTD Activity	Dept Requested	Auditor Suggest
Fund: 113 - REGIONAL PUBLIC DEFENDER									
Revenue									
Category: 42 - INTERGOVERNMENTAL									
<u>113-4201000</u>	GRANT REVENUE	2,157,311.00	1,944,844.14	3,793,736.00	2,495,396.97	5,109,739.00	1,989,438.45	4,700,364.00	4,700,364.00
<u>113-4260000</u>	INTER LOCAL	541,095.00	490,050.00	1,155,719.00	993,406.00	1,313,663.00	1,339,192.00	1,332,890.00	1,332,890.00
Category 42 - INTERGOVERNMENTAL Total:		2,698,406.00	2,434,894.14	4,949,455.00	3,488,802.97	6,423,402.00	3,328,630.45	6,033,254.00	6,033,254.00
Category: 47 - INTEREST									
<u>113-4700000</u>	INTEREST INCOME	0.00	10,795.11	13,300.00	13,384.40	0.00	7,665.37		
Category 47 - INTEREST Total:		0.00	10,795.11	13,300.00	13,384.40	0.00	7,665.37	0.00	0.00
Category: 80 - TRANSFERS									
<u>113-8113011</u>	XFER FROM GENERAL FUND	91,051.00	91,051.00	144,659.00	144,659.00	144,659.00	144,659.00	144,659.00	144,659.00
Category 80 - TRANSFERS Total:		91,051.00	91,051.00	144,659.00	144,659.00	144,659.00	144,659.00	144,659.00	144,659.00
Revenue Total:		2,789,457.00	2,536,740.25	5,107,414.00	3,646,846.37	6,568,061.00	3,480,954.82	6,177,913.00	6,177,913.00

REFUND STORY

The 7th and 9th Administrative Judicial Regions are comprised of 85 counties, each with a population of less than 300,000 people. Lubbock County selected these 85 counties (hereinafter referred to as the West Texas Region) and gave each the option to participate in the West Texas Regional Public Defender for Capital Cases program. One of the goals of the program was to accumulate a cash surplus of 50% of the yearly operating costs. The office was able to accomplish that goal in FY2011 due in large part to additional funding from the TIDC (formerly the Task Force for Indigent Defense) and the adoption and use of efficient practices by the office. Shortly after the close of FY2011, Lubbock County issued refund checks to each of the participating counties. These refund checks totaled \$408,316, leaving slightly more than 50% of the FY2012 operating budget as surplus.

Section 5: Case Statistics

Case Statistics



Colt	Opened	Defendant Name	County	Closed	Disposition	Total Hours	1st Chair	2nd Chair	Mitigation	Investigation	Support
1	1/1/2008	Tanguma, Jose	Hale	2/14/2008	LWOP	53.5	12	5	15	8.5	13
2	1/1/2008	Martinez, Jr., Albert	Lubbock	12/11/2008	Life	863.6	152.15	172.5	190.25	257.85	90.85
3	3/17/2008	Jones, Devon Royal	Randall	11/12/2008	LWOP - Plea	635.9	102.3	72.3	278	74.8	108.5
4	4/2/2008	Perez, Daniel Felipe	Deaf Smith	4/1/2009	Waiver	363.75	14.5	84.5	188.6	52.5	23.65
5	4/2/2008	Mackey, Ricky	Lubbock	5/21/2008	7 years	24.5	10.25	1	13		0.25
6	4/2/2008	Lemer, Nathan	Lubbock	9/11/2008	Murder - 50 years	163.8	1.5	31.75	42	71.25	17.3
7	4/16/2008	Brewer, Brent Ray	Randall	8/14/2009	Death	2545.6	750	517	793.35	427.3	57.95
8	4/15/2008	Cole, Ted Calvin	Tom Green	6/29/2010	LWOP - Plea	2220.05	574.75	481.9	994.85	145.25	23.3
9	7/22/2008	Molina, Emmanuel	Potter	4/15/2010	Waiver	1010	35.3	188.25	588.35	171.35	26.75
10	7/28/2008	Thurby, Jr., Gillie Thomas	Crane	9/10/2009	NGRI	430.2	142.3	27.5	230.5	14.5	15.4
11	8/6/2008	Conner, Samuel Brent	Taylor	3/17/2009	LWOP - Plea	867.7	102.45	128.35	383	102.15	151.75
12	9/11/2008	Elms, Derek David	Ector	6/10/2010	LWOP - Plea	1055.95	218.55	8	654.75	122.25	52.4
13	9/26/2008	Stephens, Randall Lee	Reeves	11/3/2010	LWOP - Plea	1468.35	147.85	299.3	836.65	146.5	38.05
14	11/4/2008	Sifuentes, Corina	Midland	2/12/2009	Waiver	46.2	11.75	3.75	23		7.7
15	12/16/2008	Santos, Amado	Hall	3/23/2009	Life	131.65	25.4		91.75	12.5	2
16	2/3/2009	Duran, Rogelio	Swisher	10/1/2010	Waiver	970.5	118.4	26.05	564.2	261.35	0.5
17	3/25/2009	Guerra, Purdue Clark	Tom Green	5/5/2009	Waiver						
18	4/21/2009	Banks, Wilbert Romon	Randall	10/26/2011	LWOP - Plea	5771.6	619.85	1538.85	2616.55	562.4	433.95
19	6/12/2009	Rios, Lonny Anthony	Randall	2/11/2010	Injury to a child -30 yrs	344.7	3	25.7	259.15	54.85	2
20	7/17/2009	Garza, Santiago	Taylor	3/10/2010	2 Consecutive LWOP	764.45	114.45	236.45	264.8	151.75	
21	9/4/2009	Hatfield, Ashley	Taylor	11/3/2009	Waiver	105.5	27	4.5	70.5	3.5	
22	11/16/2009	Cisneros, Ray	Potter	4/26/2010	Life	253.1	55.75	36	115.25	46.1	
23	5/21/2010	Kendrick, Dustin	Lubbock	1/10/2012	LWOP - Plea	1594.75	291.15	223.2	723.65	137.25	219.5
24	5/26/2010	Coles, Clifford Wade	Lubbock	1/12/2011	Waiver	551.8	79.8	39.25	415.75	17	
25	7/20/2010	Gracia, Rosalinda	Moore	1/26/2011	Injury to a child 20 yrs	326.8	102.8	63.5	98.25	49.25	13
26	10/6/2010	Garza, George	Kleberg	3/24/2011	Waiver	532.25	239.55	33.8	140.1	117.8	1
27	10/28/2010	Alaniz, Leroy Flores	Ector	11/28/2010	Waiver	27.75	18.75	1	8		
28	12/16/2010	Bailey, John Dana	Ector	2/14/2011	Waiver	63.75	35.25	2	26.5		
29	12/21/2010	Flores, Melissa Bueno	Duval	4/16/2011	Waiver	206.5	65.3	6.65	121.1	13.45	
30	1/25/2011	Wilcots, Charity	Lubbock	6/23/2011	50 years	411	41	86.5	19	96.5	168
31	2/25/2011	Salinas, Humberto	Lubbock	4/5/2012	LWOP - Plea	1100.6	221.85	178.75	641.65	41.35	17
32	3/4/2011	DeLaGarza, Jeromy	Atascosa	8/3/2011	Waiver	416.7	168.2	13.1	107.5	125.65	2.25
33	3/31/2011	Ramey, Franklin Edward	Taylor	5/31/2011	Waiver	126.25	65.5		60.75		
34	5/19/2011	Legare, Tandra Lee	Val Verde	4/3/2012	Murder - 60 years	3032.15	519.3	687.9	1309.75	508.7	6.5
35	6/1/2011	Taylor, Johnny	Lubbock	11/8/2011	Waiver	588.55	77.5	138.3	250.5	122.25	
36	11/22/2011	Dooley, Gerald	Randall	12/9/2011	Waiver	28	11	7.25	9.25	0.5	
37	1/12/2012	Pennington, Jakob Dalton	Kerr	1/26/2012	Waiver	11.2	1		5.5	4.7	
38	10/20/2011	Cox, Tommy	Kerr	6/21/2012	Murder - 40 years	1350.6	366.55	119.6	442.55	421.9	
39	5/31/2012	Sesler, Trey	Waller	8/2/2012	LWOP - Plea	202.1	66		86.1	50	

40	11/29/2011	Winfield, Leroy	Hardin	8/24/2012	Murder - 50 years	1144.55	386.55	77.45	471.8	208.75	
41	8/31/2011	Burwell, James	Ector	11/8/2012	Waiver - LWOP	1658.9	191.25	565.85	744.75	156.75	0.3
42	8/31/2011	Ledbetter, Merideth	Lubbock	10/9/2012	LWOP - Plea	960.1	66.9	153.25	620.4	85.05	34.5
43	9/17/2012	Crawford, Rodney	Ward	10/4/2012	Deceased	58.65	10.25	4.4	44		
44	10/26/2012	Watson, Marcus	Brazos	1/3/2013	Waiver	36	8		28		
45	1/9/2012	Robertson, Stanley W	Brazos	2/27/2013	LWOP - Plea	1145	694.15			289.2	
46	2/4/2013	Miller, Rodney Allan	Karnes	2/28/2013	re-indicted as murder	68.2	21.75	18.75	19.5	8.2	
47	9/17/2012	Ryder, Troy	Edwards	4/5/2013	Murder - 75 years	772.8	109.5	189.05	312.9	161.35	
48	7/3/2012	Lee, Edward Clinton	Burleson	4/29/2013	LWOP - Plea	551.3	151.25		277.7	84.85	37.5
49	8/7/2012	Barnes, Terrance DeMound	Angelina	5/1/2013	LWOP - Plea	1023.4	267.7	174.4	386.55	194.75	
50	5/17/2013	Currie, Gregory Mark	Burnet	5/20/2013	Deceased	2.75	2.25		0.5		
51	4/18/2013	Ortega, Phillip Wade	Brazos	5/24/2013	Withdraw	19	9.5		9.5		
52	3/26/2012	Wischnewsky, Kyle Wayne	Brazos	5/24/2013	LWOP - Plea	728.1	121.75		468.95	126.9	10.5
53	6/15/2012	Cardon, Daniel A	Bailey	5/31/2013	LWOP - Plea	1130.8	342.15	244.55	327.1	214.05	2.95
54	11/4/2010	Robinson, Christian Blair	Jackson	6/12/2013	Withdrew - conflict of interest	4797.25	552.05	1222	2173.5	836.7	13
55	8/6/2012	Guerra, Jay Daniel	Atascosa	7/10/2013	Plea 45 years- murder	852.6	61.5	195.5	258.05	337.55	
56	10/18/2012	Trejo, Hector NMN	Parker	7/16/2013	LWOP - Plea	2349.25	617.8	94.9	936.45	698.6	1.5
57	1/25/2013	Camfield, Nicholas David	Parker	7/22/2013	LWOP - Plea	736.05	132.5	212.5	281.8	109.25	
58	5/19/2011	Martinez, JR, Ralph	Ector	8/14/2013	LWOP - Plea	4080.85	1121.3	1180.6	1177.95	597	4
59	8/31/2012	Shepard, David Neal	Lubbock	9/16/2013	LWOP - Plea	226.3	51.85	55.25	72.95	46.25	

Section 6: Awards

National Association of Counties

*2009
Achievement Award
Winner*



This Award is Presented to

Lubbock County, TX

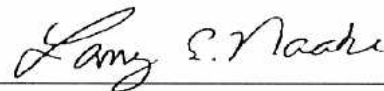
for
its program

*West Texas Regional Public
Defender for Capital Cases*

in recognition of an effective and innovative program
which contributes to and enhances county government
in the United States.

A handwritten signature in cursive script, appearing to read "Don Stapley".

Don Stapley, President

A handwritten signature in cursive script, appearing to read "Larry Naake".

Larry Naake, Executive Director

National Association of Counties

*2009
Achievement Award
Winner*



The 2009 Achievement Award Program

bestows its

Best of Category Award

to

Lubbock County, TX

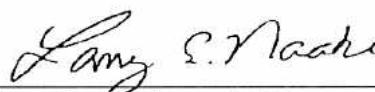
for its

*West Texas Regional Public Defender for Capital
Cases Program*



Don Stapley, President

July 2009



Larry Naake, Executive Director



Filipino American Legal Defense &
Education Fund, Inc.

2013 FALDEF DSE "Service" Award

Presented to

Texas Regional Public Defenders Office for Capital Crimes

for your organization's dedication to public service and your overall
accomplishments that reflect the high tradition of selflessness
which is at the core of FALDEF's mission.

Given this 26th day of October, 2013
Double Tree by Hilton
Newark, New Jersey


JTS Mallonga, Esq.
President

Section 7: RPDO Staff and Training

RPDO Staff

Stephanie Bell joined the Terrell office as a Mitigation Specialist in 2013 upon her graduation from Marymount University, with her MA in Forensic Psychology.

Krista Billig joined the Midland office as a Mitigation Specialist in 2013. She graduated from DeSales University in 2011, where she received her BS in Psychology, and received her MA in Forensic Psychology from Marymount University in 2013.

Will Boyles joined the Midland office as an Assistant Public Defender in 2012. Will attended the University of Texas at Permian Basin, receiving his undergraduate degree in 2000 and Texas Tech University where he received his JD degree in 2003.

Malerie Brady joined the Wichita Falls Office as a Legal Assistant in 2013. Malerie attended University of Texas at Tyler and completed its paralegal program.

Mary Conn joined the Angleton office as an Assistant Public Defender in 2012. Mary received her BS in Biology and Medical Technology from the University of Texas at Tyler, and a JD degree from The University of Houston School of Law.

Robert Cowie joined the Lubbock office as a Mitigation Specialist in 2008. He was subsequently moved to the position of Chief Mitigation Specialist, supervising all Mitigation Specialists of the RPDO. Rob received his BA in Zoology from the University of Wyoming, his MS in Biology from Southwest Texas State University and his JD from Texas Tech University School of Law.

Isabel De La Rosa joined the Wichita Falls office as an Investigator in 2013. She attended New Mexico State University, where she received her BA degree in Sociology.

Berenice De Leon joined the Angleton office as a Legal Assistant in 2012. She received her Associates Degree from Brazosport College.

Melissa Franklin joined the Wichita Falls Office as an Assistant Public Defender in 2012. Melissa attended Northern Kentucky University where she received her BS in Elementary Education. She also attended Eastern Kentucky University where she received her BS in Psychology and earned her JD degree from The University of Tennessee College of Law.

Smiley Garcia joined the office as its first Chief Operating Officer in 2013. Smiley graduated from the University of Houston where he received his BA in Economics in 1998, and received a Master of Public Administration (MPA) from Texas Tech University in 2013.

Robert Graves joined the Wichita Falls office as a Mitigation Specialist in 2012. Robert received his MFA in Creative Writing from Wichita State University and graduated from Bowling Green University with his PhD in English Rhetoric and Writing.

Sherri Griffith joined the Burnet office as a Legal Assistant in 2013.

Roland Hernandez joined the Corpus Christi office as a Mitigation Specialist in 2013. He received his BA degree in Criminal Justice from Texas A&M Corpus Christi.

Anna Jimenez, former District Attorney for Nueces County, joined the Corpus Christi office as an Assistant Public Defender in 2011. Anna attended Texas A&M Corpus Christi, receiving a BA in English and received her JD from Texas Southern University School of Law.

Ricardo Jimenez joined the Corpus Christi office in 2011 as a mitigation specialist. Ricardo attended Texas A&M Corpus Christi, receiving his BA in Political Science.

Ray Keith joined the Lubbock Office as an Assistant Public Defender in 2008. Ray attended Henderson State University receiving a BA in Political Science and History, and received his JD from University of Arkansas School of Law.

Kama Lawrence joined the Burnet office as a Mitigation Specialist in 2011. She attended the University of Texas receiving her BBA in Finance, and attended Texas Tech University School of Law, participating in Tech's first Capital Murder Clinic.

Keri Mallon joined the Corpus Christi office as an Assistant Public Defender in 2011. Keri attended Oklahoma State University receiving a BA in Speech Communication and English and received her JD from the University of Oklahoma School of Law.

Albert Miraval joined the Lubbock office in 2009 as an Investigator and was named Chief Investigator over all of the RPDO offices. Albert received his Bachelor's degree majoring in Sports Science and a Minor in Spanish from Texas Tech University.

Crystal Morales Joined the Lubbock office as a legal assistant in 2013.

Elaine Nauert joined the office at its inception in 2007 as the Administrative Assistant for the offices.

Kirk Noaker joined the Burnet office as an Investigator in 2012. Kirk received an Associate's Degree from Baltimore City Community College.

Leticia Noel joined the Corpus Christi as a Legal Assistant in 2011. She attended Texas A&I University School of Business Administration.

Rudy O'Brien joined the Corpus Christi office as an Investigator in 2011. Rudy received his Associates Degree from Santa Monica College and subsequently attended California State University-Los Angeles, receiving a BA in Criminal Justice.

Anthony (Tony) Odiorne, joined the Amarillo office as an Assistant Public Defender in the 2008, and is now working in the Burnet Office. Tony received his JD from the Southern Methodist University School of Law, and serves on governing boards of Texas Criminal Defense Lawyer's Association and the Texas Indigent Defense Commission.

Jordan Parnell is a Licensed Master Social Worker who joined the Lubbock office as a Mitigation Specialist in 2012. Jordan received his MSL from Lubbock Christian University and his MSSW from the University of Texas.

Maxwell Peck joined the Amarillo office as an Assistant Public Defender in 2009. Maxwell attended Boston University receiving his BS in Electrical Engineering, and received his JD from Texas Tech University School of Law.

Dennis Reeves joined the Lubbock office as an Assistant Public Defender in 2008. Dennis received his BA in English and JD from Texas Tech University.

Patricia Rist joined the Terrell office as a Mitigation Specialist in 2013. Patricia received her BA in Psychology from Rice University, and her MA in Forensic Psychology from Marymount University.

Marina Rodriguez joined the Angleton office as a Mitigation Specialist in 2013. Marina received an Associate's Degree in Accounting from Seward County Community College, and a BS in Social Work from West Texas A&M University.

Matthew Seymour joined the Terrell office as an Assistant Public Defender in 2013. Matthew received his BA from the University of North Texas in Journalism and a JD from the Southern Methodist University School of Law.

Seth Starkey joined the Wichita Falls office as a Mitigation Specialist in 2013. Seth received his BA in English from James Madison University.

Jack Stoffregen is the Chief Public Defender for the Regional Public Defender for Capital Cases, having been appointed to this position in November 2007. He has opened offices in Lubbock, Midland, Amarillo, Corpus Christi, Burnet, Angleton, Terrell, and Wichita Falls. He received his BA and JD degrees from Texas Tech University in 1972 and 1974, respectively. He serves as a committee member on the State Bar of Texas Legal Services to the Poor in Criminal Matters committee. He is a member of the Texas Criminal Defense Lawyers Association. He is also an Adjunct Professor at the Texas Tech University School of Law working with Professor Metzger and his Capital Trial Clinic. He is a Fellow with the Texas Bar Foundation and a member of the State Bar College.

Joseph Ward joined the Burnet office as a Mitigation Specialist in 2012, and attended the University of Oklahoma.

Rodnic Ward joined the Terrell office as an Investigator in 2013, after nineteen years in the United States Navy.

Miles Weiss joined the Angleton office as an Investigator in 2013. Miles received his BA from York College, City University of New York, and a JD from the University of Bridgeport School of Law.

Nicole Williams joined the Angleton office as a Mitigation Specialist in 2013. Nicole received her BA in Psychology from Spelman College and MA in Social Work with a certificate in Forensic Social Work from Georgia State University.

Philip Wischkaemper joined the office as the Deputy Chief Public Defender in 2010. He received his BA and JD degrees from Texas Tech University. Before joining RPDO, Philip was the Capital Assistance Attorney for the Texas Criminal Defense Lawyer's Association for ten years. He is currently a board Member of the Caprock Regional Public Defender Office.

Jay Wooten joined the Angleton office as an Assistant Public Defender in 2012. Jay received his BA in Political Science and JD from the University of Houston.

John Wright joined Burnet office as an Assistant Public Defender in 2013, and now works in the Terrell office. John received BA in Economics and JD from University of Texas at Austin.

Continuing Education

Our staff are some of the best trained capital litigators in the country. The following is just a partial list of trainings attended by staff as a student or faculty members.

Capital Defense College - Texas

Capital Voir Dire - Texas

Capital Punishment and Punishment Retrials - Texas

Capital Punishment Conference - Virginia

The Development and Integration of Mitigation in Capital Cases - Georgia

Capital Trial and Habeas - Texas

Trial Skills Technology - Texas

Creative Pleadings - Texas

Leading Your Client to LWOPP - Texas

Capital Case Litigators Initiative - Georgia

Forensics - Texas

Capital Case Defense -California

Leadership Conference - Maryland

Death Penalty Investigation - Kentucky

Trial Lawyer's College - Wyoming

Leadership Development Workshop - Ohio

Cooperation With Other Interested Entities

In an effort to better serve our clients, RPDO is constantly reaching out to other organizations for assistance in raising our level of practice. Some of the following entities exist solely to assist capital litigators while some find that their expertise is a good fit for the work that we do.

Texas Criminal Defense Lawyers Association (TCDLA): In 2001, TCDLA received funding from the Texas Court of Criminal Appeals to create a position known as “Capital Assistance Attorney.” The position provides “Training and Resources” to all capital litigators in Texas but with the position being housed in the same city as the main office of RPDO, there is easy access to the training and resources available from this entity.

Texas Defender Service (TDS): Texas Defender Service was formed in the mid 1990’s to provide direct representation to death sentenced inmates in Texas at the habeas stages of litigation. In 2000, TDS initiated its Trial Project to assist trial level defenders as well. TCDLA’s Capital Assistance Attorney and TDS have formed a strong relationship over the years and both serve as valuable resources for RPDO.

Texas Tech University: Faculty from the Business School, English Department and Mass Communications Department have worked with us to develop cohesive teams, compelling stories and visual presentations.

Northumbria University School of Law, Newcastle, England: Through Professor Deveral Capps, we have received assistance from graduates of Northumbria as interns in our Lubbock Office. They usually stay a minimum of six weeks and assist with research, records review and other tasks suited to their skills.

Birmingham University School of Law, Birmingham England: For several years, Birmingham University, through its American Jurisprudence program, furnished second year law students to serve as interns in the Lubbock, Wichita Falls and Burnet offices. Although not graduates, these interns provide assistance in records organization and review and other valuable contributions.

Section 8: Highlights and Quotes

Highlights and Quotes

“This study finds that the Texas Regional Public Defender for Capital Cases (RPDO) increases access, improves quality, and reduces costs of death penalty representation in small to mid-sized counties. The program makes attorney and non-attorney capital team members readily available in the most remote regions of the state. In addition, specific strategies are employed by the office to raise the quality of counsel. By starting to work as early in the case as possible, developing a strong relationship of trust with each client, and constructing a convincing argument for mitigation of death, public defenders create the conditions most likely to result in a plea agreement. Cases ending in a plea are less costly to counties, both in terms of the initial disposition and subsequent appeals. Pleas also save the life of the defendant.

These findings show the public defender model is a successful means to deliver affordable, high-quality, specialized capital defense expertise in non-metro areas of the state. The model is worthy of consideration by eligible Texas counties as well as by other states contemplating replication.” (Carmichael, Dottie, 2013)

“Unique nationally, Texas’s Regional Public Defender for Capital Cases is a groundbreaking model. Evaluation results show the approach has successfully elevated the quality of legal representation in death-penalty cases while also helping to contain costs of defense in small- to mid-sized counties.

Taken together, these findings show the Texas public defender for capital cases is successfully achieving its objective of improving the quality of counsel and containing costs of defense for counties with populations below 300,000.” (Carmichael, Dottie, 2013, p. 76)

“Finally, one of the most significant advancements aimed at improving the fairness of capital proceedings was brought about by the establishment of two offices to provide capital representation throughout the state. In 2007, the Regional Public Defender for Capital Cases (RPDO) was established to represent indigent capital defendants at trial in an increasing number of Texas’s 254 counties. In 2009, the Office of Capital Writs (OCW), was created to represent indigent death-sentenced inmates during state habeas proceedings. Prior to the creation of these two offices, the State of Texas relied almost exclusively on locally-appointed counsel to represent indigent capital defendants and death-sentenced inmates. Although the most populous counties continue to rely primarily upon an appointment system in capital trials, the creation of these two offices—staffed by attorneys with demonstrated knowledge and expertise in death penalty cases—is a significant step forward in the improvement of the quality of representation available to Texas’s indigent defendants and inmates in death penalty cases.” (American Bar Association, 2013)

Quotes From Staff

I appreciate you sending the letter. I have to say that it feels good to hear from a previous client. I know that I work hard for all of our clients but when I started I would have never guessed that I would have some of these feelings. It makes me feel good to hear that he is doing well and is thankful. This made my day. – *Mitigation Specialist*

It's not unusual for a judge – when a case is concluded – to either email or to call and just say, 'Your guys did a really good job and you've got a lot to be proud of.' I've never heard any dissatisfaction from a trial judge that we've appeared before." - *Jack Stoffregen, Chief Public Defender*

"I look at my job sometimes... as quality control. We talk a lot about being efficient, being ethical, and being effective. We want to make sure we stay on point with those three goals." - *Jack Stoffregen, Chief Public Defender*

"There's still a culture in the rural counties to deny money for mitigation specialists... So that the public defender does not have to ask the judge is a great benefit." - *RPDO Oversight Board Member*

"I think you have to resist the temptation to go too fast... That's not going to work in these cases because ultimately there's more at stake. You are charged with a lot more duty in a death case than you are in any other case." - *Capital Public Defender*

"One of the first things you'll do... is find out if [clients] have any immediate needs that can be met. Are you too cold in your jail cell? Is there someone you need to contact? And we'll try to address some of those very immediate needs insofar as we can." - *RPDO Mitigation Specialist*

"I think that's the advantage of this office. We don't have to run back to the office and type up a divorce decree and handle six misdemeanors. You know, that's the kind of constraints people in private practice are under." - *Capital Public Defender*

"In all our cases there is obviously a deceased person, but a lot of times understanding the 'why' or the 'how' may help shift the case just enough where we get a [plea] offer or it's beneficial to our defense." - *RPDO Investigator*

"Once you come to know somebody it's much easier to be in a position where you can... grant those people mercy. And that's how we can most often save their lives." - *RPDO Mitigation Specialist*

Section 9: Informative Links

Informative Links

PPRI Report:

http://www.txcourts.gov/tidc/pdf/130607_FINAL.CapitalDefenderReport.pdf

Murder Insurance Article:

www.txcourts.gov/tidc/pdf/MurderInsuranceSprow

Making a Case:

http://www.county.org/magazine/CountyMagazinePDFs/CountyMag_NovDec2011.pdf

Regional Public Defender Website:

<http://rpdo.org/>