

# CIRCUIT ATTORNEY'S COMMUNITY NEWSLETTER

Our Mission: To Pursue Justice for All Citizens Within the  
Highest Standards of Ethical Behavior and Professionalism



## INSIDE THIS ISSUE:

<i>Message from the Circuit Attorney</i>	1
<i>Guns in St. Louis</i>	1
<i>Gun-related Deaths</i>	2
<i>From the Courtroom</i>	2
<i>The CAO Crime Files: Gerald Smith</i>	3
<i>Officer of the Quarter: PO Marc Wasem</i>	3
<i>From the Courtroom: Part Two</i>	3
<i>Child Support Update</i>	3
<i>Contact Information</i>	4

## Help Combat Crimes

- If You See or Hear Suspicious Activity, Call the Police — Trust Your Instinct!
- If You Witness a Crime, Call 911 Immediately and Remember Key Details
- Get to Know Your Neighbors
- Get to Know Your Neighborhood Police Officers
- Come to Court and the Warrant Office when You Witness or are the Victim of a Crime

## MESSAGE FROM JENNIFER M. JOYCE

What is “deadly force”? When are you allowed to use force to protect yourself or your home? If these are things you’ve wondered, you’re not alone.

Gun crimes are a regular part of the Circuit Attorney’s Office caseload. In the wake of recent news stories about self defense, we have received several questions about the use of force in self defense.

Here are a few things you should know:

- Guns are always considered deadly force under the law. Missouri law allows for self defense, defense of others, and defense of property, but there are strict laws governing what is lawful and acceptable.

- To use deadly force, you must be in imminent danger of death or serious injury from a forcible felony. Crimes that constitute a forcible felony include: murder, robbery, assault, burglary or forcible sexual offense.

- You can only use the amount of force necessary to protect yourself. You cannot use deadly force if someone slaps you. If someone points a gun at you, you may use deadly force to protect yourself.

While Missouri law allows people to defend themselves, it is important to understand the circumstances under which deadly force can be used.

The use of deadly force in an unjustified situation has serious legal consequences.

Only in situations where someone is facing immediate, serious danger can they react with deadly force.



Jennifer M. Joyce  
Circuit Attorney

## GUNS IN ST. LOUIS

Last year, eleven-year-old M.C. was shot in the neck while playing basketball with his friends. This wasn’t M.C.’s first encounter with gun violence. A few months prior, a man had held a gun to his head while demanding money.

You’ve probably heard other stories of senseless

gun violence in our City — violence that harms citizens from all walks of life and poses a threat to our community. Understandably, you’ve likely wondered what can be done about it.

One of the most important ways to eliminate gun violence is to prosecute those who are obtaining

and using guns illegally. While Missouri law allows citizens to apply for concealed carry permits (after passing a background check and being certified by a firearms instructor), some residents deliberately choose to ignore these requirements and bring

*continued on p. 2*

## From the Courtroom Central Patrol

In March 2008, convicted felon **Carlos Roberts** stabbed his common law wife, Vickie Tankins, multiple times just outside of Children's Hospital during a visit to her granddaughter. Tankins died as a result of her wounds. Thanks to the work of [ACA Mary Pat Benninger](#), [Investigator Fred Steeg](#) and [VSU Caseworker Danielle Berkley](#), Roberts was found guilty by jury of Murder 2<sup>nd</sup>, Armed Criminal Action and Unlawful Use of a Weapon. He was sentenced to Life plus 4 years MDC by Judge Frawley in Div. 22 on May 25, 2012.

## North Patrol

The diligence of [ACA Krista Boston](#), [Investigator Katrina Neal](#) and [VSU Caseworker Sheila Barnes](#) secured a prison cell for **George Turner**. In March 2010, the homeless man broke into the home of a woman who had previously given him assistance. When she refused to give him money, Turner beat her over the head, doused her in gasoline, and set her on fire. Thankfully, she survived – despite spending several weeks in critical care. Turner was found guilty by jury of Burglary 1<sup>st</sup>, Arson 1<sup>st</sup> and Armed Criminal Action. He was sentenced to 14 years MDC by Judge Dierker in Div. 18 on March 30, 2012.

## South Patrol

Another illegally possessed gun is off the streets thanks to the efforts of [ACA Jeff Ernst](#) and [Investigator Lenny Deschler](#). While patrolling Dutchtown, police officers spied **Brandon Morgan** acting suspiciously. Morgan, who does not live in Dutchtown, is currently on probation to the County for Felony Receiving Stolen Property. Upon being searched, officers found Morgan was carrying a loaded, concealed .32 caliber revolver. Morgan has no permit to carry such a weapon concealed. On May 3, 2012, he was found guilty by jury of Unlawful Use of a Weapon. He will be sentenced by Judge Burke in Div. 24 on June 28, 2012.

## GUNS IN ST. LOUIS

illegal and dangerous weapons into our City.

Our office works with the police and courts to ensure that illegal guns and the people who use them are kept off the streets. Anyone found carrying or

possessing a gun illegally in St. Louis is charged with a felony. If a case involves a gun, our office will never recommend probation, no matter what the charge. The defendant will also face a high, tough bond from the judge.

continued from page 1

Gun violence takes too many lives on the streets of St. Louis. The Circuit Attorney's Office takes gun violence very seriously, and we work diligently to prosecute each case to the fullest extent of the law.

## CATCHING CRIMINALS WITH BALLISTIC EVIDENCE

If you've ever watched CSI, it may seem like it's an effortless process to match a bullet to the gun that fired it. All you have to do is fire up some high-tech equipment, run it through a database and solve the crime in thirty minutes – right? Wrong. In reality, it takes time and skilled police work from people like **St. Louis Metropolitan Police Officer Dave Menendez**. As an expert firearms examiner, Dave uses ballistic evidence to help solve crimes in our City.

One thing that makes Officer Menendez's job more challenging is the prevalence of "community guns." While the practice of sharing guns is not new (dating back

to 1920s gangsters), cell phones have made the practice easier for modern criminals. Information about where a gun is located or whether it's available can be instantly shared. Abandoned houses in particular are popular "storage sites." In the last few years, Menendez matched certain firearms to 30 different events, all involving unrelated incidents and suspects.

Even if a gun is not a designated as a "community gun," criminals often sell or discard a weapon that is later used by someone else. Multi-user gun use can make it more complicated to match a bullet or shell casing to a particular person.

Thanks to technology, it's becoming easier to connect the criminal with the crime. A nationwide database called NIBIN allows agencies from around the country to share ballistics information.

Scientific evidence is very important, but in most cases it is actually the witnesses that solve crimes. In cases where a gun has been used by multiple people, it takes a witness to help place the shooter at the scene of the crime. The Circuit Attorney's Office depends on the participation of victims and witnesses to put these criminals behind bars.

## FIREARMS-RELATED DEATHS IN THE CITY OF ST. LOUIS

	Accident	Homicide	Suicide	Undetermined	Total
2011	1	121	38	11	171
2012 (1 <sup>st</sup> quarter)	0	49	11	3	63
Total	1	170	49	14	234

*\*Numbers provided by the Office of the Medical Examiner, City of St. Louis.*

## THE CAO CRIME FILES

GERALD SMITH

On September 8, 1980, 20-year-old Gerald Smith and his girlfriend made several stops at Karen Roberts' house while cruising in his car. After several unsuccessful attempts at getting the girl to join them, Roberts relented. While she may have thought it was just a drive, Smith had more sinister plans. He had previously informed his girlfriend that he was going to hurt the young woman he claimed had given him a venereal disease.

Eventually, the trio arrived at Smith's house. His girlfriend, aware of Smith's violent scheme, tried but failed to con-

vince Roberts to leave with her. Instead, Roberts stayed and Smith began to walk her home.

En route, the two argued about whether Roberts had given Smith the "clap." Roberts picked up an 8 pound iron bar, threw it at Smith, and ran.

Giving chase, Smith picked up the bar and struck her repeatedly. The blows crushed the twenty-year-old's skull. Showing no remorse, Smith walked home and left her body on the sidewalk. He was later arrested and charged with Capital Murder.

In a March 1981 letter to the Globe Democrat, Smith

stated he had planned on killing Karen Roberts for months. Although Smith had carried a gun, he told readers it was too good to use on her. In conclusion, he said he had acquired a taste for killing and if he didn't receive the death penalty, he would kill everyone in the courtroom.

On June 4, 1981, Gerald Smith was found guilty by jury and later sentenced to death. He wrote numerous letters to the Missouri Supreme Court reiterating that he killed Roberts and that he wanted to be executed. His wish was fulfilled on January 18, 1990.

*This article was contributed by CAO staff member Katie Barbeau.*

## From the Courtroom

### Central Patrol

The efforts of [ACA Jason Steinmeyer](#) and [Investigator John Moss](#) recently secured prison time for a robber. In December 2011, **Darrell Hardin** hit and robbed an out-of-uniform nun outside of her Central West End home. While using her cards to buy gas, an employee noted his suspicious behavior and recorded his license, which eventually led to Hardin's arrest. He plead guilty to Robbery 2<sup>nd</sup>, Stealing of a Credit Device, and Fraudulent Use of a Credit Device. Several Central West End residents presented neighborhood impact statements to the court. Hardin was sentenced to 6 years MDC by Judge Wilson in Div. 23 on April 25, 2012.

### North Patrol

A convicted drug dealer is off the streets thanks to the work of [ACA Jerry McDonald](#) and [Investigator Mike Dueker](#). In 2010, **Orlando Taylor** was charged with Possession of Heroin while on probation for Distribution of a Controlled Substance in the County and Possession of a Controlled Substance conviction in the City. Police officers executed a search warrant at Taylor's residence and found 26 capsules of heroin in his jacket. After being found guilty by jury, Taylor was sentenced to 7 years MDC by Judge Dierker in Division 18 on May 11, 2012.

### South Patrol

With ten felony convictions under his belt, **Jimmie Pampkin** updated his rap sheet in 2010 when he forced his way into a Bevo Mill home. As the victim's stepson watched, Pampkin shot the resident, stole about \$400, and drove off in the man's car. The work of [ACA John Mantovani](#), [Investigator Michael Graves](#), and [VSU Caseworker Sheila Barnes](#) ensured Pampkin was found guilty by jury of Robbery 1<sup>st</sup>, two counts Armed Criminal Action, and Assault 1<sup>st</sup>. He was sentenced to 40 years MDC on May 25, 2012 by Judge Frawley in Div. 22.

## POLICE OFFICER OF THE QUARTER

PO Marc Wasem

The Circuit Attorney's Office is pleased to announce that **PO Marc Wasem** has been selected as the Spring 2012 Officer of the Quarter.

In a city with over 300,000 people, tracking down witnesses and victims is not always an easy task. Unfortunately, they are often hesitant to get involved, which can jeopardize a case and prevent criminals from being held accountable. Locating victims and witnesses is made particularly difficult when

they move, face personal crises, or struggle with addiction. When someone seems harder to find than a needle in a haystack, PO Wasem of the Violent Offenders Unit is the CAO's "go-to guy."

[ACA Ryann Carmody](#) comments, "Whenever I have trouble finding someone, I call Marc. He always answers and always produces." Carmody recalls one witness who had to be located four different times. In a letter from jail, the witness wrote that she admired Wasem's "con-

stant ability" to find her. [ACA Tanja Engelhardt](#) also sings Wasem's praises for his recent tenacity in "ferreting out" a defendant and "literally not stopping until the guy was in custody."

PO Marc Wasem consistently goes above and beyond whatever task prosecutors lay before him. The Circuit Attorney's Office is lucky to work with this determined officer who daily ensures justice is served for the citizens of St. Louis.

## CHILD SUPPORT UPDATE

So far in 2012, the Child Support Unit has seized \$40,272.71 in drug money. That's money taken out of the hands of drug dealers and given to needy families.

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 Mel Carnahan Courthouse  
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## OFFICE INFORMATION AND IMPORTANT PHONE NUMBERS

*The Circuit Attorney is the prosecutor for State-level criminal cases in the City of St. Louis. The Circuit Attorney's Office stands against those who break the law by holding them accountable for their actions. The Circuit Attorney is elected by the citizens of the City of St. Louis. The current Circuit Attorney, Jennifer M. Joyce, works with a staff of lawyers, investigators, and other professionals to protect the public by pursuing justice for all.*



Mel Carnahan Courthouse

*The Office is one of the largest law firms in the St. Louis region. It has more than 60 attorneys, 30 investigators, 11 victim professionals, and 20 support professionals. The Office handles approximately 4000 felonies and 8000 misdemeanors per year, and has a remarkable 98 percent over all conviction rate.*

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Victim Services -----	(314) 622-4373
Child Abuse Hotline -----	1-800-392-3738
Circuit Clerk -----	(314) 622-3728
Orders of Protection/Adult Abuse Hotline -----	(314) 622-4434
City Hall -----	(314) 622-4000
Sexual Abuse Response Team (SART) -----	(314) 531-7273
Neighborhood Stabilization Office -----	(314) 657-1392
Fraud Assistance Line -----	(314) 612-1412