

# CIRCUIT ATTORNEY'S COMMUNITY NEWSLETTER

To Pursue Justice For All Citizens  
Within The Highest Standards Of Ethics and Professionalism



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## 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
- Help Your Block Develop A Reputation As A Place Where Crime is Unacceptable

## MESSAGE FROM JENNIFER M. JOYCE

*Greetings again, friends,*

Here is the second installment of your Community Newsletter. Because the Newsletter was brand new, the last issue contained general information about our office. This issue takes a more focused approach.

Our goal is to illustrate the mechanisms of our state's criminal justice system. The following questions, and others, will be answered in this Winter issue of the Community Newsletter:



Circuit Attorney  
Jennifer M. Joyce

What goes into charging decisions? Why are some people charged with a crime, and others are not? Does the Circuit Attorney's Office handle all legal issues in the City of St. Louis? If not, which type of cases *does* it handle?

As always, you are the key to crime prevention. If you see something suspicious, call 911. Come forward as a witness. Serve on Jury Duty. Vote. Together we can build a stronger, safer St. Louis.

## CHARGING DECISIONS—THE WARRANT OFFICE

The central role of the Circuit Attorney's Office is to pursue justice for all citizens. Not every person arrested goes to trial. Often there isn't enough evidence to convict the suspect; sometimes the act is a breach of civil law, not a criminal one; most of the time, unfortunately, it's due to witnesses and victims failing to come forward to testify against the criminals. But who makes the initial call about whether we actually can or should charge a case?

The answer is the Circuit Attorney's Warrant Office (W.O.). The W.O. performs the first level of analysis into whether a crime can be

prosecuted by our team of attorneys. Police officers report to the Warrant Office—as state law dictates, no more than 24 hours after an arrest is booked—and the attorneys there talk to police and witnesses to decide if there is enough evidence to charge someone. In a given year, the Warrant Office evaluates an enormous number of cases. In 2006, they reviewed 14,812 cases overall; that's over 1,200 every month.

This huge volume, along with Missouri's unique 24-hour case evaluation window, requires the Warrant Office to be open 365 days a year, and that in turn calls for some smart scheduling.

When open, the W.O. is manned by a rotating team of attorneys: 1 senior, 2 mid-level, and 1 misdemeanor, each of whom is supported by a Victim Service representative, Sex Crimes specialist, and Domestic Violence advisor. The permanent fixtures in the W.O. are Chief Warrant Officer Ed Postawko, and the 3 clerks who assist him. This liveliness might seem like anarchy to an outside observer, but Postawko is quick to point out that our attorneys who staff the W.O. are truly dedicated and supportive. This teamwork ensures that even surrounded by such madness, the path to justice is clear.

## From the Courtroom Central Patrol

After years of ransacking stores in the Soulard and Lafayette Square neighborhoods, local menace **Don Chappell** was finally taken off the streets on Oct. 5th, when he pled guilty to no less than 19 crimes ranging from Burglary 1st and Stealing Over \$500 to Trespassing in the 1st Degree. Assistant Circuit Attorney (ACA) Charlie Billings handled the case, and Chappell was given 10 years under Missouri state statute 217.362, which is a substance abuse program for chronic non-violent offenders.

It's been a busy late '07 for Billings, who also recently appeared before the Supreme Court to argue about a case regarding the 6th Amendment. The outcome is likely to effect how future cases are handled.

## North Patrol

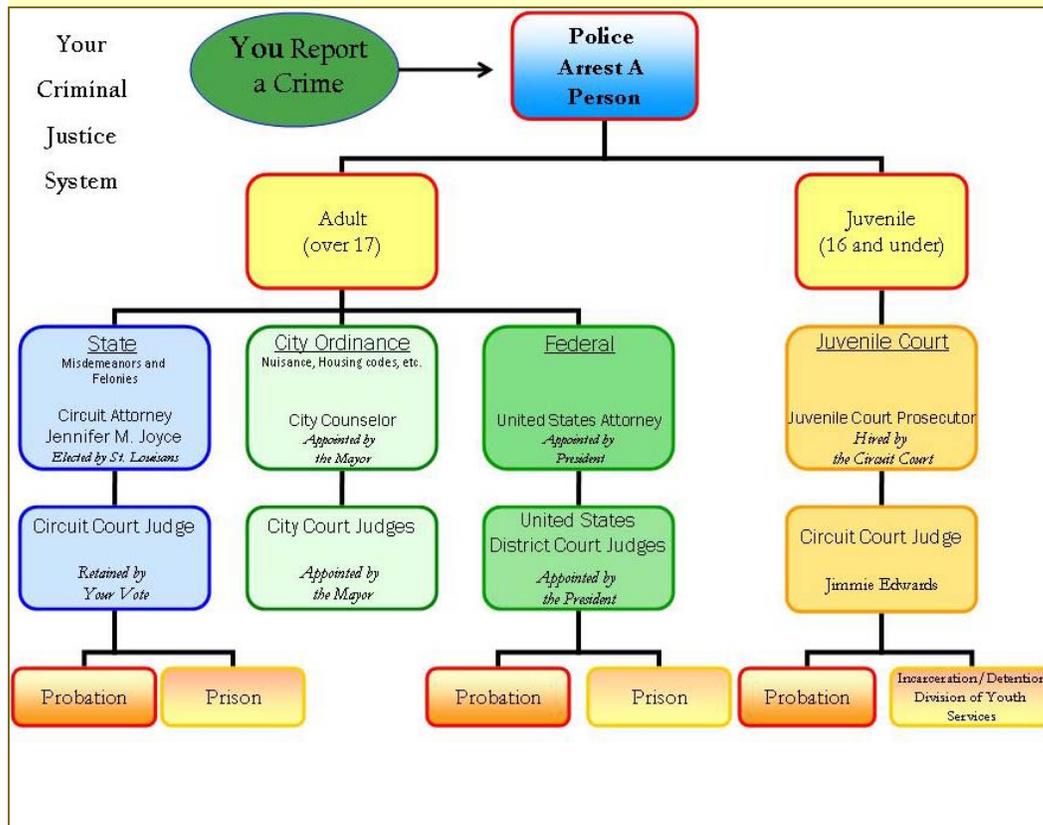
**Ricky Irving** pled Guilty as Charged to 9 counts of Statutory Sodomy in the 1st Degree on Nov. 11th. He already had one Statutory Sodomy 1st conviction. In this case, each of his victims was less than 12 years old; Irving is 45. The crimes occurred in the Academy and College Hill neighborhoods. He was given 30 years in prison, without possibility of parole. Assistant Circuit Attorney Mary Pat Benninger prosecuted the case.

## South Patrol

On Christmas Eve in 2006, **Arthur Morrison** committed a decidedly un-merry crime. On that night, a neighbor witnessed Morrison throw a corrosive substance onto the hood of his stepmother's car, causing the paint to dissolve and fall off. The costs of repairs were over \$3500. Morrison was found guilty of Property Damage in the 1st Degree by Judge Timothy Wilson, and given three years probation on Nov. 15th 2007. Assistant Circuit Attorney Natalie Ricketts handled the case.

# ANATOMY OF A PROSECUTION

THE SYSTEM BELONGS TO YOU



**Y**ou are an integral part of the criminal justice system. Not only do we require your assistance in reporting crime, aiding investigations, testifying in court and serving as jurors, but the simple truth is that our Office would not even exist if it weren't for you. Together, we bring lawbreakers to justice.

The diagram above summarizes the different stages a criminal faces after his or her arrest. Police officers first learn if the person is a juvenile. A juvenile goes to juvenile court run by the Circuit Court Judges—the Circuit Attorney has no role in the juvenile justice system. An adult proceeds to one of three different courts

based on the type of crime they commit: city violations to City Court, State crimes to Circuit Court, Federal crimes to Federal court. Each system has its own prosecutor who determines what, and if, charges should proceed to trial. Each court double-checks the prosecutor to make sure there is enough evidence to take the case to a jury. A prosecutor presents the charges and evidence to a jury. A jury finds the person guilty or not guilty. The judge determines what punishment, if any, a guilty person should receive. A prosecutor cannot appeal a jury's finding.

NO prosecutor can charge someone, or go to court, without evidence given to them by witnesses—either through what they say or

objects they possess. In determining what charges fit, prosecutors must look at what the victims and witnesses say. The prosecutor takes that information and analyzes it in light of the law. If the information from the victims and/or witnesses fit the legal definition of a crime then the prosecutors can charge someone. It is only after deciding whether the legal definition fits—if it does at all—that the prosecutors then decide if charging someone is the right or fair thing to do.

Even after that initial decision, we continually re-evaluate cases to make sure that we pursue only justice. Winning a case is less important than doing the right thing.



McGee's Mugshot

### CAREER CON-MAN PREYS ON ELDERLY, PUT AWAY FOR GOOD

Assistant Circuit Attorney Rebeca Navarro-McKelvey recently scored a major victory for local justice when lifelong imposter and thief **Thomas 'TC' McGee** was convicted of 6 felony charges, including Robbery 2<sup>nd</sup>, Kidnapping, Attempted Theft Over \$25,000, Stealing Over \$500, and 2 counts of False

Impersonation. The way McGee committed these crimes was just as insidious as the crimes themselves.

McGee used a fake badge to convince older adults that he was investigating counterfeit money. McGee would then forcefully drive the victims to their banks in the City, making them withdrawal as much as \$20,000 in one eight hour day of torture. By taking advantage of the elderly, McGee preyed on those who are often most trusting of the police, and who lose the most when their savings are

ripped away. McGee was caught when one man he attempted to con suspected him of foul play and called the *real* police.

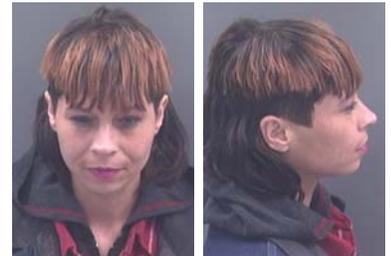
The real detectives were waiting for him the next day in a sting operation. There was enough evidence to get McGee, who had over 30 arrests at this point, off the streets for good. Judge David Mason gave him 42 years in prison—McGee was 67 at the time of trial. The elderly man who reported him to the authorities died before the trial could begin.

### Upcoming Court Dates

#### Central Patrol

**Johnnie Gates** is charged with 1 count of Assault 1st, 1 count Armed Criminal Action, and 1 count Stealing of a Motor Vehicle.\* Gates shot the victim because he thought he stole his rims. After shooting him, Gates reached into his victim's pocket, took his keys and left with his truck, in the Downtown neighborhood. Sentencing is set for Jan. 4th in Division 20. Assistant Circuit Attorney Melissa Gilliam is handling the case.

#### North Patrol



**Jennifer Klamm** plead Guilty as charged on Oct. 1st to 1 count Burglary 2nd and Stealing Over \$500 for crimes in the Wells/Goodfellow Neighborhood. She was given 3 years in prison. Assistant Circuit Attorney Jessa Schauman is handling the case.

#### South Patrol

**Lester Carter** is charged with 3 counts Burglary 2nd, 3 counts Stealing Under \$500, and 1 count Resisting Arrest.\* Carter broke into multiple schools in Benton Park and Benton Park West, and took TVs, computer monitors, and other items used to educate children. He is set for trial on Jan. 22nd in Division 9. Assistant Circuit Attorney Beth Orwick is handling the case.

**\*Ethics Obligation**

These charges are merely accusations, and the defendant is presumed innocent until and unless proven guilty.

### CHILD SUPPORT UNIT WINS NEAR SWEEP OF MISSOURI CHILD SUPPORT ENFORCEMENT AWARDS

Three special employees of the CAO were recognized this year for their outstanding work in Child Support Enforcement.

First up, **Rodney Newman** earned the Mentor Award. Since joining the CAO Child Support Unit in 2003, he has been a Regional Director for the MCSEA, and instrumen-

tal in assisting the Child Support Staff stay up-to-date on statewide issues regarding the collection of monies due, training conferences, and Town Hall meetings.

**Eric Parker** brings several years of civil law experience to our office, and won the Advocate of the Year

prize, a distinguished honor which should fit nicely on his mantel next to the Justice Award he won in 2006.

Rounding out the cast is **Mike Spencer**, a proud North St. Louis native who took home Rookie of the Year distinction. Congratulations are truly in order for all three gentlemen!

### POLICE OFFICER OF THE QUARTER: OFFICER MARIA LARA

The CAO's Police Officer of the Quarter is **Maria Lara**. Lara was recognized by multiple members of the Office's staff, who say she is a diligent, thorough, and altogether invaluable link between the CAO and the St. Louis Metropolitan Police Department.

Lara has been with the Department since 2005, and in that time, has distinguished

herself as one of the most independently-motivated and dedicated Officers on the force.

Assistant Circuit Attorney Jillian Anderson spoke of a case in which she and Lara worked together, saying, "she clearly cared a great deal that justice was done," a sentiment echoed by all of the CAO attorneys who had worked with Officer Lara.



Anderson concluded, "I would love to see her in one of the detective bureaus [in the future]...she is a natural for investigatory work."

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**Jennifer M. Joyce,**  
Circuit Attorney

## 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 overall conviction rate.*

Fire, Police & Ambulance	911
Victim Services	(314) 622-4373
Child Abuse Hotline	1-800-392-3738
Circuit Clerk	(314) 641-8622
Orders of Protection/Adult Abuse Hotline	(314) 622-4434
City Hall	(314) 622-4000
Sexual Abuse Response Team (SART)	(314) 531-7273
Neighborhood Stability Office	(314) 622-4668