

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Villarreal, Reynaldo Sambrano

E.D. TX No. 9:91-CR4

Life sentence from jury

Name of AG Barr

Race & gender of def  H  M      Victim R  WM      Date of DP notice 4/23/1991

a cross-racial law enforcement officer victim. Two Hispanic men were sentenced to life imprisonment and 40 years, respectively, for the marijuana-related murder of a white law enforcement officer after a joint trial. The sentencing jury found no facts legally warranting the death penalty. 963 F.2d 725 (5th Cir.) (1992). A third Hispanic defendant, Jesus Zambrano, was also initially approved for capital prosecution but received a sentence of 30 years after he testified for the government against the Villarreal brothers.

Villarreal, Baldemar

E.D. TX No. 9:91-CR4

Life sentence from jury

Name of AG Barr

Race & gender of def  H  M      Victim R  WM      Date of DP notice 4/23/1991

a cross-racial law enforcement officer victim. Two Hispanic men in Texas were sentenced to life imprisonment and 40 years, respectively, for the marijuana-related murder of a white law enforcement officer after a joint trial. The sentencing jury found no aggravating factors. 963 F.2d 725 (5th Cir.), cert. denied, 113 S.Ct. 353 (1992). A third Hispanic defendant, Jesus Zambrano, was also initially approved for capital prosecution but received a sentence of 30 years after he testified for the government against the Villarreal brothers.

Zambrano, Jesus

E.D. TX CR No. 9:91-CR4

Guilty plea

Name of AG Barr

Race & gender of def  H  M      Victim R  WM      Date of DP notice 4/23/1991

a cross-racial law enforcement officer victim. Two Hispanic men in Texas were sentenced to life imprisonment and 40 years, respectively, for the marijuana-related murder of a white law enforcement officer after a joint trial. The sentencing jury found no aggravating factors. 963 F.2d 725 (5th Cir.), cert. denied, 113 S.Ct. 353 (1992). A third Hispanic defendant, Jesus Zambrano, was also initially approved for capital prosecution but received a sentence of 30 years after he testified for the government against the Villarreal brothers.

McCauley, Donzell M.

D. DC CR No. 94-121

Guilty plea

Name of AG Reno

Race & gender of def  B  M      Victim R  WM      Date of DP notice 3/24/1995

law enforcement officer victim - a young black man from the District of Columbia who struggled with and shot to death a police officer. Attorney General Reno required a capital prosecution for the cross-racial murder of a white law enforcement police officer despite the U.S. Attorney's initial decision that the death penalty not be sought. This authorization marked the first time in the post-Gregg era of capital punishment that the Attorney General required a capital prosecution in a federal criminal case despite the initial opposition of the United States Attorney. Subsequently, the defendant entered a plea of guilty and was sentenced to life imprisonment.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Battle, Anthony

N.D. GA No. 1:95 CR 528

Death row - 2255

Name of AG Reno

Race & gender of def  B  M      Victim R  BM      Date of DP notice 7/26/1996

law enforcement officer victim - a black inmate with a history of psychiatric problems who was sentenced to death for the hammer-murder of an African-American guard in the Atlanta federal penitentiary. Mr. Battle was serving a life sentence for the prior murder of his wife when the killing occurred. In 1997 a federal jury rejected Mr. Battle's insanity defense and returned a death sentence after three hours' deliberation. After the completion of all legal appeals, 173 F.3d 1343 (1999), 419 F.3d 1292 (2005), Battle joined the lethal injection litigation in the D.C. Circuit Court.

Montanez, Ian Rosario

D. PR CR No. 96-001 (PG)

Guilty plea

Name of AG Reno

Race & gender of def  H  M      Victim R  HM      Date of DP notice 1/21/1997

the first death penalty case to be authorized in a Puerto Rico federal court. The Attorney General required a capital prosecution against the alleged triggerman in a bank robbery during which a security guard was killed and several bystanders injured. Montanez pled guilty in April 1998 to a life sentence.

Allen, Billie Jerome

E.D. MO No. 4:97 CR 0141 ERW (TCM)

Death row - 2255

Name of AG Reno

Race & gender of def  B  M      Victim R  WM      Date of DP notice 8/1/1997

two black defendants charged with the cross-racial gun murder of a white bank guard during a robbery. Attorney General Reno authorized the government to seek the death penalty on August 1, 1997. After separate trials, death sentences were returned on March 10, 1998 for Allen and April 3, 1998 for Holder. An appeal was rejected by a divided panel of the Eighth Circuit. 247 F.3d 741 (2001). The Supreme Court remanded in light of *Ring v. Arizona*, 536 U.S. 953. An en banc Eighth Circuit reversed the three-judge panel's grant of penalty phase relief. 357 F.3d 745, 406 F.3d 940 (2005). A 28 U.S.C. §2255 motion was denied. An appeal is pending.

Holder, Norris G.

E.D. MO CR No. 4:97 0141 ERW (TCM)

Death row - 2255

Name of AG Reno

Race & gender of def  B  M      Victim R  WM      Date of DP notice 8/1/1997

a cross-racial gun murder by two black defendants charged with the fatal shooting of a white bank guard during a robbery. Attorney General Reno authorized the government to seek the death penalty on August 1, 1997. After separate trials, death sentences were returned on March 10, 1998 for Allen and April 3, 1998 for Holder. An appeal was denied. 247 F.3d 741 (2001). A 2255 motion for post-conviction relief was denied, 2008 WL 2909648, 2009 WL 5030785, and an appeal is pending.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Green, Roy

C.D. CA CR No. 98-337-CBM

Incompetent after authorization

Name of AG Reno

Race & gender of def  B  M      Victim R  WM      Date of DP notice 12/10/1998

a cross-racial "law enforcement officer victim" - a BOP inmate prison murder of a guard at Lompoc FCI in California. Green, 40, an African-American, was indicted for the stabbing death of a 29-year-old white correctional officer in 1997. He is also charged with using the knife to assault four other officers who were wounded in the attack. Green was serving a 20-year sentence for drug possession in a Missouri case when he was sentenced to serve additional time for assaulting two officers at a Wisconsin prison. Green has convictions dating back to the 1970's for attempted murder, robbery, burglary and assaulting a police officer with a deadly weapon. He was found incompetent twice.

Rudolph, Eric Robert

N.D. AL No. 00-CR-422

Guilty plea at trial

Name of AG Ashcroft

Race & gender of def  W  M      Victim R  WM      Date of DP notice 12/11/2003

law enforcement officer victim - two bombing murders including causing the death of a law enforcement officer in a 1998 Southside bombing of a Birmingham abortion clinic resulting in the death of an off-duty white police officer and severe injury to a white clinic nurse. Rudolph, who is white, was described by Attorney General Ashcroft as "America's most notorious fugitive." Rudolph was convicted of three bombings in Atlanta: the 1996 Olympic park bombing that killed a black woman and two other bombings in 1997. He was captured after a 5 year manhunt. Attorney General Gonzales approved a plea agreement specifying a life sentence.

Barrett, Kenneth Eugene

E.D. OK CR No. 04-100-M-S

Death row - 2255

Name of AG Gonzales

Race & gender of def  W  M      Victim R  WM      Date of DP notice 2/15/2005

law enforcement officer victim. Barrett lived in a small, rural, self-built cabin without electricity and running water. A "no-knock" warrant was issued based on allegations that he was a drug manufacturer/dealer, a gun owner and had previously made statements about killing law enforcement officers. During a late night raid, Barrett grabbed a gun and started shooting at an unmarked Ford Bronco approaching the cabin. The police shot back and Barrett was wounded. A state law enforcement officer was killed. There are numerous drug-related charges in the complaint. Barrett was tried twice in state court - the first trial resulting in a hung jury and the second resulting in manslaughter and assault with intent to kill convictions. All involved are white. His conviction and death sentence were affirmed on direct appeal. 496 F.3d 1079 (10th Cir. 2007). A 28 U.S.C. §2255 motion was denied. An appeal is pending.

Bolden, Robert, Sr.

E.D. MO No. 4:02-CR 0557 CEF (AGF)

Death row - 2255

Name of AG Ashcroft

Race & gender of def  B  M      Victim R  WM      Date of DP notice 10/7/2003

a cross-racial 2002 bank robbery gun murder. 18 U.S.C. §§924(c), 1111 and 2113. The victim was a white security guard, the son of a police officer, who encountered three robbers in the parking lot of the Bank of America. The defendants are African-American. Only Bolden faced the death penalty. Bolden's conviction and death sentence were affirmed on appeal. 545 F.3d 609 (8th Cir. 2008). A 28 USC §2255 motion is pending.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Villegas, Hernando Medina

D. PR No. 3:02-CR-117

Life sentence from jury

Name of AG Ashcroft

Race & gender of def  H  M      Victim R  HM      Date of DP notice 7/31/2003

the Hobbs Act robbery of a local credit union, while an armored bank truck was making a deposit. A gunfight ensued and an armed guard was killed with a second head shot by Villegas after he was down. Lorenzo Catalan and Hernando Medina participated in the robbery, while Quester Sterling was the lookout. The 924(j) murder weapon was allegedly obtained in a carjacking. There are additional non-capital charges for a prior robbery of the same credit union by the same group. Only Villegas and Roman faced the death penalty. All involved are Hispanic.

Roman, Lorenzo Catalan

D. PR No. 3:02-CR-117

Life sentence from jury

Name of AG Ashcroft

Race & gender of def  H  M      Victim R  HM      Date of DP notice 7/31/2003

the Hobbs Act robbery of a local credit union, while an armored bank truck was making a deposit. A gunfight ensued and an armed guard was killed with a second head shot by Villegas after he was down. Lorenzo Catalan and Hernando Medina participated in the robbery, while Quester Sterling was the lookout. The 924(j) murder weapon was allegedly obtained in a carjacking. There are additional non-capital charges for a prior robbery of the same credit union by the same group. Only Villegas and Roman faced the death penalty. All involved are Hispanic.

Cacace, Joel

E.D. NY No. 1:08-CR-00240-NG and E.D. NY CR No. 03-

Authorization Withdrawn and Pre-statute retroactive prosecution

Name of AG Holder and Ashcroft

Race & gender of def  W  M      Victim R  WM      Date of DP notice 2/10/2011

#2: eight mob RICO gun murders by members of the Colombo family - one in 1991, three (including a double murder) in 1992, one in 1994, one in 1995, one in 1997 and one in 1998. Calabro is charged in all eight, Gioeli in five, Saracino in four, Competiello in two and Cacace in one, the murder of a police officer, allegedly killed because he married the ex-wife of a mafia member. All involved are white, except for one Hispanic victim.

and #1: two mob murders by the Columbo mafia family.

Ayala-Lopez, Carlos L.

D. PR No. 03-CR-55

Life sentence from jury

Name of AG Ashcroft

Race & gender of def  H  M      Victim R  HM      Date of DP notice 12/17/2003

robbery of a gun and murder of a Veteran's Administration Hospital guard. Attorney General Ashcroft rejected a plea agreement calling for a sentence of 35 years to life and required a capital prosecution. Ayala-Lopez was a leader of a gang that sold drugs. A juvenile co-defendant was the triggerman.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Johnson, John

E.D. LA No. 2:04-CR-00017-HGB-SS

Authorization withdrawn

Name of AG Ashcroft

Race & gender of def  B  M      Victim R  WM      Date of DP notice 2/1/2005

a cross-racial bank robbery gun murder of an off-duty police officer security guard by convicted felons. Jones, Johnson and Smith entered the Iberia Bank and Smith disarmed the security guard. Another guard, hidden from view, opened fire, wounding Smith and Johnson, who was unable to flee the bank. Johnson returned fire, killing one guard and wounding another. Jones fled the bank but all three defendants were arrested within moments. The defendants are black and were over 50 years old. They each have criminal records including bank robbery. The deceased guard is white , the wounded guard is black. While pending retrial, the government withdrew authorization.

Smith, Joseph

E.D. LA No. 2:04-CR-00017-HGB-SS

Dismissal after notice by Judge

Name of AG Ashcroft

Race & gender of def  B  M      Victim R  WM      Date of DP notice 2/1/2005

bank robbery cross-racial gun murder of an off-duty police officer security guard. Jones, Johnson and Smith entered the Iberia Bank and Smith disarmed the security guard. Another guard, hidden from view, opened fire, wounding Smith and Johnson, who was unable to flee the bank. Johnson returned fire, killing one guard and wounding another. Jones fled the bank but all three defendants were arrested within moments. The defendants are black and were over 50 years old. They each have criminal records, including bank robbery. The deceased guard is white , the wounded guard is black. Smith was found to be intellectually disabled. 2011 WL 2532437.

Wilk, Kenneth

S.D. FL No. 04-CR-60216

Life sentence from jury

Name of AG Gonzales

Race & gender of def  W  M      Victim R  HM      Date of DP notice 2/19/2005

law enforcement officer victim - the gun murder of a law enforcement officer,Todd Fatta, and the attempted murder of Sgt. Angelo Cedeno, deputy sheriffs who were trying to serve a federal warrant. Wilk was being investigated for child pornography. Wilk, a homosexual, apparently has AIDS and allegedly dementia. The government refused an offer to plead guilty in return for a life sentence, a resolution said to have been acceptable to the victim's family. Wilk is white and the deceased officer is Hispanic. Wilk's once allegedly listed "hunting cops" as a hobby on an internet profile. Trial proceedings were stayed in 2005 pending a speedy trial interlocutory appeal which was denied. It was claimed the "death notice" was filed too late.

Wilson, Ronell

E.D. NY No. 1:04-CR-01016-NGG

Death row - Appeal

Name of AG Gonzales

Race & gender of def  B  M      Victim R  BM      Date of DP notice 8/2/2005

the execution style RICO murders of two undercover NYPD detectives during a gun sting operation. The case was charged as a racketeering conspiracy. The Staten Island District Attorney asked the United States Attorney to charge Wilson after the New York State Court of Appeals ruled in June 2004, that the state's death-penalty law was unconstitutional. All involved are African-American. The death sentence was reversed on appeal. 610 F.3d 168 (2d Cir. 2009). The trial court subsequently ruled that Wilson is not intellectually disabled. He was resentenced to death, but a panel of the Second Circuit Court of Appeals remanded the case to the district court for consideration of the Supreme Court's decision in *Hall v. Florida* on the intellectual disability determination.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Lawrence, Daryl

S.D. OH No. 2:05-CR-00011-GLF-1

Death row - 2255

Name of AG Gonzales

Race & gender of def  B  M      Victim R  WM      Date of DP notice 9/26/2005

a cross-racial law enforcement officer victim - a January 2004 gun murder of a law enforcement officer during a bank robbery. Lawrence committed other bank robberies in August and September of 2004. The Columbus, Ohio police officer and bank security guard victim is white and the defendant is black. A new trial motion was granted in October 2006, but the Sixth Circuit reversed. 555F.3d 254 (2009). An appeal was denied. 735 F.3d 385. 28 USC 2255 proceedings are pending.

O'Reilly, Timothy

E.D. MI No. 05-80025

Life sentence from jury

Name of AG Gonzales

Race & gender of def  W  M      Victim R  BM      Date of DP notice 11/1/2006

the 2001 gun, bank robbery murder of a Total Armed Services (TAS) armored truck which was delivering cash to the Dearborn Federal Credit Union (DFCU) in Dearborn, Michigan. There were six potential capital defendants. Three hooded subjects, armed with shotguns, opened fire, fatally wounding a black TAS guard/messenger, the father of five. The subjects grabbed bags containing \$204,000 in currency and a .38 caliber revolver owned by TAS (carried by the victim). O'Reilly, Duncan and Watson were allegedly directly responsible for the shooting and killing of the TAS messenger. They faced the death penalty. O'Reilly, Duncan and Broom also committed a 2003 robbery, where another guard was seriously wounded and \$170,000 was stolen. Six robbers participated in the DFCU robbery/murder. They were provided the vehicle by Archie Broom, who worked at a U-Haul facility. Cromer, Duncan, Broom and O'Reilly were members of the Blue Stone Motorcycle Club (BSMC), a defunct black motorcycle club. A conversation was recorded between O'Reilly and a confidential informant, wherein O'Reilly said that he and Watson were the subjects who shot the TAS guard and Johnson was the get-away driver. Duncan was armed and participated in the robberies. Broom helped get the weapons and supplied the U-Haul used at the DFCU robbery/murder. Broom obtained a cooperation agreement. Duncan is serving a 12-20 year sentence for an attempted robbery where an accomplice was killed. O'Reilly is white, the other defendants are black. O'Reilly was previously charged with murder but was acquitted. O'Reilly and Duncan were alleged to be the most culpable.

Duncan, Norman

E.D. MI No. 05-80025

Authorization withdrawn

Name of AG Gonzales

Race & gender of def  B  M      Victim R  BM      Date of DP notice 11/1/2006

the 12/14/2001 gun, bank robbery murder of a Total Armed Services (TAS) armored truck which was delivering cash to the Dearborn Federal Credit Union (DFCU) in Dearborn, Michigan. There were six potential capital defendants. Three hooded subjects, armed with shotguns, opened fire, fatally wounding a black TAS guard/messenger, the father of five. The subjects grabbed bags containing \$204,000 in currency and a .38 caliber revolver owned by TAS (carried by the victim). O'Reilly, Duncan and Watson were allegedly directly responsible for the shooting and killing of the TAS messenger. They will face the death penalty. O'Reilly, Duncan and Broom also committed a June 19, 2003 robbery, where another guard was seriously wounded and \$170,000 was stolen. Six robbers participated in the DFCU robbery/murder. They were provided the vehicle by Archie Broom, who worked at a U-Haul facility. Cromer, Duncan, Broom and O'Reilly were members of the Blue Stone Motorcycle Club (BSMC), a defunct black motorcycle club. A conversation was recorded between O'Reilly and a confidential informant, wherein O'Reilly said that he and Watson were the subjects who shot the TAS guard and Johnson was the get-away driver. Duncan was armed and participated in the robberies. Broom helped get the weapons and supplied the U-Haul used at the DFCU robbery/murder. Broom obtained a cooperation agreement. Duncan is serving a 12-20 year sentence for an attempted robbery where an accomplice was killed. O'Reilly is white, the other defendants are black. O'Reilly and Duncan are alleged to be the most culpable.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Watson, Kevin

E.D. MI No. 05-80025

Authorization withdrawn

Name of AG Gonzales

Race & gender of def  B  M      Victim R  BM      Date of DP notice 11/1/2006

the 12/14/2001 gun, bank robbery murder of a Total Armed Services (TAS) armored truck which was delivering cash to the Dearborn Federal Credit Union (DFCU) in Dearborn, Michigan. There were six potential capital defendants. Three hooded subjects, armed with shotguns, opened fire, fatally wounding a black TAS guard/messenger, the father of five. The subjects grabbed bags containing \$204,000 in currency and a .38 caliber revolver owned by TAS (carried by the victim). O'Reilly, Duncan and Watson were allegedly directly responsible for the shooting and killing of the TAS messenger. They will face the death penalty. O'Reilly, Duncan and Broom also committed a June 19, 2003 robbery, where another guard was seriously wounded and \$170,000 was stolen. Six robbers participated in the DFCU robbery/murder. They were provided the vehicle by Archie Broom, who worked at a U-Haul facility. Cromer, Duncan, Broom and O'Reilly were members of the Blue Stone Motorcycle Club (BSMC), a defunct black motorcycle club. A conversation was recorded between O'Reilly and a confidential informant, wherein O'Reilly said that he and Watson were the subjects who shot the TAS guard and Johnson was the get-away driver. Duncan was armed and participated in the robberies. Broom helped get the weapons and supplied the U-Haul used at the DFCU robbery/murder. Broom obtained a cooperation agreement. Duncan is serving a 12-20 year sentence for an attempted robbery where an accomplice was killed. O'Reilly is white, the other defendants are black. O'Reilly and Duncan are alleged to be the most culpable.

Cheever, Scott

D. KS CR No. 05-10050-01-06-MLB

Authorization withdrawn at trial

Name of AG Gonzales

Race & gender of def  W  M      Victim R  WM      Date of DP notice 7/8/2005

law enforcement officer victim - A drug manufacturing facility was raided resulting in a shooting and killing of a deputy sheriff while he was attempting to serve a search warrant. It is alleged that Cheever tried to kill three other officers when he was holed up after the initial shooting. Cheever struggled with addiction to methamphetamine since he graduated from high school. The indictment alleges a gun murder in the course of drug trafficking and the murder of a witness, in violation of 18 U.S.C. §§924 and 1512. The government dismissed the federal case as the jury was being selected. All involved are white. Cheever was sentenced to death in state court.

Covarrubius, Javier

C.D. CA No. 05 CR 578

Guilty plea at trial

Name of AG Gonzales

Race & gender of def  H  M      Victim R  HF      Date of DP notice 6/28/2006

law enforcement officer victim - three RICO murders by the "Vineland Boys" (VBS) drug gang formed in the 1980's by a San Fernando Valley football team. One of its founding members was murdered in 1999. The VBS pays taxes to the Mexican Mafia. Covarrubius, Ledesma and Sandoval are charged in one 2003 murder and Robledo and David Garcia are charged in two 2003 murders. The government alleges the murder of a police officer and a 16 year old girl who was a witness against a gang member. Four attempted murders were charged. Attorney General Gonzales required a capital trial. Robledo, Covarrubuis and Ledesma entered guilty pleas on the 4th day of jury selection. All involved are Hispanic.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Ledesma, Jose

C.D. CA No. 05 CR 578

Guilty plea at trial

Name of AG Gonzales

Race & gender of def  H  M      Victim R  HF      Date of DP notice 6/28/2006

law enforcement officer victim - three RICO murders by the "Vineland Boys" (VBS) drug gang formed in the 1980's by a San Fernando Valley football team. One of it's founding members was murdered in 1999. The VBS pays taxes to the Mexican Mafia. Covarrubius, Ledesma and Sandoval are charged in one 2003 murder and Robledo and David Garcia are charged in two 2003 murders. The government alleges the murder of a police officer and a 16 year old girl who was a witness against a gang member. Four attempted murders were charged. Attorney General Gonzales required a capital trial. Robledo, Covarrubuis and Ledesma entered guilty pleas on the 4th day of jury selection. All involved are Hispanic.

Robledo, Raul

C.D. CA No. 05 CR 578

Guilty plea

Name of AG Gonzales

Race & gender of def  H  M      Victim R  HF      Date of DP notice 6/28/2006

law enforcement officer victim - three RICO murders by the "Vineland Boys" (VBS) drug gang formed in the 1980's by a San Fernando Valley football team. One of it's founding members was murdered in 1999. The VBS pays taxes to the Mexican Mafia. Covarrubius, Ledesma and Sandoval are charged in one 2003 murder and Robledo and David Garcia are charged in two 2003 murders. The government alleges the murder of a police officer and a 16 year old girl who was a witness against a gang member. Four attempted murders were charged. Attorney General Gonzale required a capital trial. Robledo, Covarrubuis and Ledesma entered guilty pleas on the 4th day of jury selection. All involved are Hispanic.

Casey, Lashaun

D. PR No. 3:05-CR-0277-JAG

Life sentence from jury

Name of AG Gonzales

Race & gender of def  B  M      Victim R  HM      Date of DP notice 7/17/2007

murder of an Hispanic law enforcement officer. Casey, who is black, was born in America and sent to live in Puerto Rico, was accused of the carjacking murder of an Hispanic undercover cop who disappeared during a drug transaction. The victim's body was found by the side of the road. The officer's cellphone phone, marked bills from the drug buy with blood on them and a gun were discovered at the defendant's grandfather's home. The defendant was caught driving the police officer's car.

Williams, Michael Dennis

C.D. CA No. 05-CR-920

Authorization withdrawn

Name of AG Mukasey

Race & gender of def  B  M      Victim R  HM      Date of DP notice 5/29/2008

Hobbs Act bank robbery and murder. Robbers armed with high-powered assault rifles ambushed an armored car behind a South Los Angeles bank, killing a guard, a 61 year old father of ten children. The robbers fired more than 50 shots. There were eight men and women who are suspects in this bank robbery murder (including two accomplices in a van and two women watching the bank for the robbers). The robbery/murder was highly coordinated, involving at least three vehicles and surveillance and may involve street gang members. Attorney General Mukasey required a capital prosecution despite a local recommendation that the death penalty not be sought. Attorney General Holder withdrew the request for the death penalty on the first day of trial.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Johnson, Antoine Lamont

C.D. CA No. 05-CR-920

Authorization withdrawn

Name of AG Mukasey

Race & gender of def  B  M      Victim R  HM      Date of DP notice 5/29/2008

Hobbs Act bank robbery and gun murder. Robbers armed with high-powered assault rifles ambushed an armored car behind a South Los Angeles bank, killing a guard, a 61 year old father of ten children. The robbers fired more than 50 shots. There are eight men and women who are suspects in this bank robbery murder (including two accomplices in a van and two women watching the bank for the robbers). The robbery/murder was highly coordinated, involving at least three vehicles and surveillance and may involve street gang members. Attorney General Mukasey required a capital prosecution despite a local recommendation that the death penalty not be sought. Attorney General Holder withdrew the request for the death penalty on the first day of trial.

Davis, Earl

D. MD No. 8:07-CR-00199-RWT

Dismissal after notice by Judge

Name of AG Mukasey

Race & gender of def  B  M      Victim R  WM      Date of DP notice 4/8/2008

the cross-racial gun murder of a security guard driving an armored vehicle during a delivery to a bank. The robbery is on videotape. DNA from a baseball cap at the scene matches Davis. Other murders (four) are alleged. Davis was found to be intellectually disabled after a pre-trial evidentiary hearing. 611 F.Supp.2d 472 (2009). The accused is black. The victim is white.

Leon Guerrero, James

E.D. CA No. 08 CR 00259

Guilty plea

Name of AG Holder

Race & gender of def  H  M      Victim R  HM      Date of DP notice 4/7/2009

law enforcement officer victim - the stabbing death of a BOP Hispanic prison guard at Atwater by two inmates. The killing is on videotape. Co-defendant Sablan is suspected of being involved in a prior correctional officer murder. The victim was a 22 year old military veteran who served two tours in Iraq. He was chased down and tackled by Sablan and stabbed by Guerrero with an eight inch ice pick type weapon. Leon Guerrero is from Guam. Sablan is from Saipan. This was Attorney General Holder's first decision to "authorize" a case.

Sablan, Joseph Cabrerar

E.D. CA No. 08 CR 00259, change to C.D. CA No. 2:14-

Pending trial

Name of AG Holder

Race & gender of def  H  M      Victim R  HM      Date of DP notice 4/7/2009

law enforcement officer victim - the stabbing death of a BOP Hispanic prison guard at Atwater by two inmates. The killing is on videotape. Co-defendant Sablan is suspected of being involved in a prior correctional officer murder. The victim was a 22 year old military veteran who served two tours in Iraq. He was chased down and tackled by Sablan and stabbed by Guerrero with an eight inch ice pick type weapon. Leon Guerrero is from Guam. Sablan is from Saipan. This was Attorney General Holder's first decision to "authorize" a case.

## Authorized Federal Capital Prosecutions Which Involved Law Enforcement Victims - 7/7/2015

Lopez, Enrique

N.D. TX No. 3:09-CR-320-M

Guilty plea

Name of AG Holder

Race & gender of def  H  M      Victim R  HM      Date of DP notice 7/28/2010

Lopez was involved in five bank robberies, one of which resulted in the shooting/murder of a Brinks driver outside a bank. The robberies, including the shooting, are on videotape. Lopez is charged as the shooter. The co-defendant, Sandoval, is Lopez's brother in law. Both defendants and the victim are Hispanic.

Ciancia, Paul Anthony

C.D. CA No. 2:13-CR-00902-PSG

Pending trial

Name of AG Holder

Race & gender of def  W  M      Victim R  HM      Date of DP notice 12/29/2014

a 2013 shooting rampage and gun murder of a law enforcement officer at Los Angeles International Airport. A Transportation Security Administration officer was intentionally murdered, the first TSA agent to be killed. Three others were wounded. Ciancia was shot and seriously wounded. He is white. The slain officer was Hispanic.