



California Public Defenders Association

For Immediate Release: Thursday, May 11, 2016

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The California Public Defenders Association proudly announces its award recipients for 2016. The awards will be presented at the luncheon at the 2016 CPDA Annual Convention, on May 14, 2016, at the Hyatt Regency Mission Bay in San Diego, California.

Defender of The Year—Kelley Paul Kulick

Kelley Kulick, a Deputy Public Defender in Santa Clara County, has drawn international attention for conclusively demonstrating that an innocent person's DNA can be transferred by a third person, resulting in his DNA being found on the dead body of a murder victim although he never had any contact with the murder victim and had never been to the scene where the victim was murdered. The DNA of her client, Lukis Anderson, was found under the fingernail of Silicon Valley millionaire Ravi Kumra after he had been strangled and murdered in his home in the wealthy enclave of Monte Sereno. But Ms. Kulick and her team were able to document that Mr. Anderson was being treated at the Santa Clara Valley Medical Center at the time of the murder, after having been transported there by paramedics who were called by police because he had passed out drunk at another location. It turned out that the same paramedic who moved Mr. Anderson later provided emergency assistance to Mr. Kumra when they responded to the murder scene and attempted to resuscitate him. The paramedic had unwittingly transferred Mr. Anderson's DNA onto Mr. Kumra. Ms. Kulick's work led the District Attorney and their Crime Laboratory to recognize that Mr. Anderson's DNA had been transferred and he was innocent, leading to the complete dismissal of the special circumstance murder charges against Mr. Anderson that potentially subjected him to the death penalty. More recently, she was able to demonstrate the innocence of another client who was charged with a murder he did not commit, Khalil Owens, once again leading the District Attorney to dismiss all charges against her client. She has become a leading expert on forensic evaluations of DNA evidence, as recognized not only by attorneys on both sides of the aisle but also by forensic scientists.

Gideon Award (print media)—R. Scott Moxley

Over the last few years, tenacious litigation by Orange County Deputy Public Defender Scott Sanders has uncovered an unprecedented scandal involving the use of jailhouse informants by the Orange County Sheriff's Department and Orange County District Attorney, including the decades-long effort to conceal their informant program and their continued failures to disclose the extent of the program to judges and lawyers in Orange County. But it has only been because of the media coverage of these developments that the public has been educated to the truth about this seamier side of law enforcement. Scott Moxley of the *OC Weekly* has been the leader in communicating these shocking revelations to the public, courageously and forthrightly reporting these events as they have unfolded, and which have since garnered international media attention.

Gideon Award (film)—*Last Day of Freedom*, Nomi Talisman, Dee Hibbert-Jones, and Bill Babbitt

Manny Babbitt was a decorated Vietnam War Veteran who suffered the enduring effects of Post-Traumatic Stress Disorder before much was known about this debilitating psychological injury and mental health condition. Tragically, he killed an elderly woman in her home while suffering flashbacks related to his PTSD. The crime went unsolved until his brother, Bill Babbitt, deduced that Manny was responsible, and cooperated with the police out of concern for the victim's family and because he needed to get Manny help. The police promised to see that Manny would receive the help that he needed. But then the politics of the death penalty got in the way and Manny became another African-American man who was executed for killing a Caucasian woman after his jury never heard the full story of his condition. *Last Day of Freedom* is a loving and courageous documentary that has shown the world the tremendous injustice of capital punishment, including its arbitrariness and discriminatory use against the poor and people of color. The film is narrated by Bill Babbitt, produced and directed by Dee Hibbert-Jones and Nomi Talisman, and received an Academy Award nomination for best short documentary,

Program of The Year Award—Alameda County Public Defender's Office Immigration Unit

As recognized by the California Legislature, United States Supreme Court, and California Supreme Court, the immigration consequences of criminal proceedings can have disastrous consequences for lawful immigrants who are faced with criminal charges, even if they are merely misdemeanor or so-called minor offenses that do not include any jail term. These cases can cause an immigrant who lawfully immigrated to the United States, is employed, and the parent of American-born children, to be deported and permanently separated from her family. Our Legislature and highest courts have recognized the importance of providing these lawful immigrants with competent representation in order to be able to defend against unwarranted immigration consequences. The Immigration Unit of the Alameda County Public Defender's

Office not only provides exemplary representation to its immigrant clients, but has taken it to a level that is new for a California public defender agency by assisting its lawful immigrant clients in the immigration courts, not merely the criminal courts.

Special Recognition Award—Jack Weedin

Jack Weedin recently retired as a Deputy Public Defender in Los Angeles County for over 35 years. He faithfully served the California Public Defenders Association on its Board of Directors for over 30 years, including as its President, and the entire State of California as a member of the California Sex Offender Management Board. He not only produced two of the leading publications on defending death penalty cases, the California Death Penalty Defense Manual and the annual Capital Case Defense Seminar Syllabus, for over 15 years, but brought those resources into the digital age, making them tremendously more useful for thousands of defense lawyers across the country. And even though he is now retired, he continues to volunteer his time to produce these invaluable materials.

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