

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2007-156830-001 DT

11/27/2007

THE HONORABLE ANNA M. BACA

CLERK OF THE COURT
A. Gonzalez
Deputy

STATE OF ARIZONA

COUNTY ATTORNEY CRIMINAL -
CCC

v.

OZIE WASHINGTON (001)

JAMES P LEONARD
MICHELE M IAFRATE
MARY JANE GREGORY

JUDGE MROZ
VICTIM SERVICES DIV-CA-CCC

CONFERENCE – COURT ORDERS ENTERED

9:15 a.m. IN CHAMBERS. This is the time set for telephonic conference regarding scheduling issues in the evidentiary hearing concerning Defendants' Motions for Restoration of Privileged Visitation Schedule.

This matter is called in conjunction with CR2006-175092, State v. Dionicio Vargas; CR2007-155927-001 and CR2007-119475-001, State v. Robert Hernandez; CR2007-146854-001, State v. Juan Manual Godinez Morales; CR2006-162702-001, State v. Ronnie Guilford; CR2005-129847-001, State v. Irma Garcia; and CR2006-127391-001 and CR2007-164695-001, State v. Jose Martinez Cisneros.

The Maricopa County Sheriff's Office ("MCSO") is represented by counsel, Michele M. Iafrate. Defendants, whose presence is waived, are represented by Deputy Public Defender, James P. Leonard. Chief Barbara Broderick is present and represented by Asst. Atty. General, Mary Jane Gregory. Appearances are telephonic, except Mr. Leonard, who appears in person.

No record is made.

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APO is advised that the court is hearing representative testimony and evidence as to the types of privileged visitation at each jail facility and as to each agency and other issues raised, in lieu of presenting testimony and evidence as to each of the more than 30 motions and more than 40 APO affidavits received by the court. MCSO will have an opportunity to cross-examine all of the witnesses and to present its own evidence. The court will enter temporary orders based on the evidence presented and thereafter direct the interested parties and agencies to mediation.

IT IS ORDERED directing the APO to file a formal Motion incorporating by reference the affidavits filed by the APO and identifying the witnesses to be called by the APO. The motion should be emailed or faxed to opposing counsel immediately upon creation and may be filed with this division at 1:30 p.m.

9:40 a.m., Chief Broderick and counsel are excused.

Discussion continues re scheduling.

LET THE RECORD REFLECT the court provides counsel the following capital case numbers and defendants' names. MCSO states that they will begin attempting to reach agreements with the affected counsel regarding privileged visitation in these matters.

CR1996-004691A, State v. Antion Jones, before Judge Gary Donahoe
CR2005-114414-001DT, State v. Donald Delahanty, before Judge Joseph Heilman, and
CR2004-048263-001DT, State v. Matthew Cunningham, before Judge Sally Duncan

The court also alerts counsel to State v. Ronnie Guilford, CR2006-162702-001DT, an on-going trial before the Hon. Robert Gottsfield, of defendant's Motion to Dismiss, raising the issue of inability of counsel to consult with in-custody defendant during the on-going trial. The court further notifies counsel that it will add the Guilford trial to the capital trials (on-going) to allow after hours visits to defendants in jail.

IT IS ORDERED affirming continuing evidentiary hearing at 1:30 p.m. this date in this division and setting continuing proceedings in this matter on Wednesday November 28, 2007, at 1:30 p.m. and Thursday, November 29, 2007, from 9:00 a.m. until 11:00 a.m.

The court will give counsel an opportunity to review all of the motions the court has received following the afternoon proceedings this date.

10:09 a.m. Matter concludes.

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LATER.

The court enters emergency temporary orders regarding expanded privileged visitation hours in the matter of State v. Ronnie Guilford, CR2006-162702-001DT by separate minute entry.