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Appellate Court Rules Victim's Mom Must be Allowed into Courtroom

(Woodland, CA) The Presiding Justice of the Court of Appeal of the State of California in the Third Appellate District, Arthur G. Scotland has ruled that a Yolo County Superior Court judge must allow a murder victim's mother into his courtroom or explain to the appellate court his reasons for keeping her out.

In the case of *People v. Romero*, the defendant was charged with two murders and is facing the death penalty. He shot and killed a man in a gang related case in 2001 and then in a murder for hire transaction, he shot and slit the throat of Charles Smythe in Yolo County, California one month later. During the trial, the judge granted defendant's motion to keep Mr. Smythe's mother out of the courtroom claiming that she might call her as a witness during the trial. The People argued that under the California Constitution, the victim's mother had a right to be present to watch the trial. Proposition 9, titled *Marsy's Law*, amended the California Constitution and gives all victims the right to be present at all court proceedings. California voters passed Proposition 9 by a landslide in November, 2008.

Sacramento attorney Bilenda Harris-Ritter, who is a Crime Victims United Advisory Board member, filed the successful appeal on behalf of the victim's mother. While the appeals court was reviewing Harris-Ritter's appeal, a Yolo County jury convicted Romero of first degree murder with special circumstances.

Yolo County District Attorney Jeff Reisig applauded the victory. Reisig was recently honored by Crime Victims' United as a "Hero for Victims" for his work in supporting *Marsy's Law*. Reisig stated, "This is an enormous victory for victims. Victims throughout the state should now have what seems like a basic right and freedom to watch the trials of their loved ones who were injured or killed by violent criminals."

The penalty phase of the trial is set to begin on May 26, 2009. At that time, the jury will decide whether Romero receives the death penalty or spends the rest of his life in prison. Mr. Smythe's mother will be in the courtroom watching.

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