



COUNTY OF YOLO
OFFICE OF THE DISTRICT ATTORNEY
JEFF W. REISIG, DISTRICT ATTORNEY

FOR IMMEDIATE RELEASE

Date: October 24, 2018 **Contact:** Jonathan Raven, Chief Deputy District Attorney
Jonathan.raven@yolocounty.org
Bilingual Spanish Representative Available
At: (530) 666-8356

**Marsh Case Transferred to Adult Court and
Life Sentence Reinstated**

Judge Samuel McAdam ruled today but Marsh case still in a state of flux due to new law

(Woodland, CA) October 24, 2018 – On October 24, 2018, 21-year-old Daniel Marsh’s 2013 double murder case was transferred to adult court by Yolo County Superior Court Juvenile Judge Samuel McAdam.

In September 2014, a Yolo County jury found Daniel William Marsh guilty of two counts of first degree murder committed on April 14, 2013 (finding that he personally used a deadly weapon in each instance) and sustained allegations of three special circumstances. The jury also found Marsh was sane at the time of the offenses. Marsh was sentenced to 52-years-to-life by the trial judge. Due to Marsh’s age at the time of the crimes he would be eligible for parole at the age of 41. The case was directly filed by the District Attorney in adult court which at that time was required by state law.

Proposition 57 which was passed by the voters in November, 2016 put the jury’s conviction and judge’s sentence into question. Proposition 57 requires judges to decide whether juveniles may be prosecuted as adults. Prior to that, prosecutors could file cases against juveniles in certain violent cases directly into adult court, as Yolo County prosecutors did in the Marsh case.

Marsh appealed his conviction and sentence as a result of Proposition 57. Third District Court of Appeal “conditionally reversed” his double-murder conviction and ordered the case returned to Yolo County for the juvenile court to conduct the “Transfer Hearing.” In the “Transfer Hearing” a juvenile court judge would determine whether Marsh should be tried in juvenile or adult court. If the judge were to determine that Marsh should be tried in juvenile court, he could only be detained until he reaches the age of 25. If the judge found Marsh more suitable for adult court, the original conviction and sentence would be reinstated. In the Marsh Appellate Court ruling, the Court commented that “it could be argued that it is not even remotely probable that the juvenile court would find the present defendant suitable for juvenile court....”

Evidence in the three week “Transfer Hearing” concluded last Friday after numerous witnesses testified including a Forensic Psychologist Dr. Matthew Logan who told Judge McAdam that in over 200 individuals with psychopathic tendencies he has evaluated, he has only seen one score as high as Marsh on the Psychopathy Test. Reading his ruling in court, Judge McAdam stated, “By his own admission his main objective was to remain undetected and to become a serial killer. This was a highly sophisticated, extraordinary and rare crime even for the most hardened and seasoned adult criminal.”

He continued by stating that Marsh's "placing the blame on the mother and father really misses the point. No one is to blame for the crimes except Daniel Marsh." McAdam concluded that Marsh "has not made any meaningful progress on addressing the triggers of childhood and incident trauma that pose a risk to society."

Deputy District Attorney Amanda Zambor, who prosecuted the case stated, "Judge McAdam absolutely made the right ruling. There is no doubt that if Marsh were to be released he would kill again, only this time he likely wouldn't get caught. The victim's family and the Davis Community can rest a little easier tonight knowing that he will not be released back into their community to victimize others."

Even though Marsh's life sentence was reinstated, his case remains in a state of flux as a result of Senate Bill 1391 which recently signed into law by California Governor Jerry Brown. SB 1391 eliminated any 14 or 15 year old minors to be tried in adult court. SB 1391 goes into effect on January 1, 2019 and may overturn the Marsh sentence and ruling by Judge McAdam and will require that Marsh be released at the age of 25. Proponents of SB 1391 have argued that the California Department of Corrections and Rehabilitation can keep Marsh in prison longer based on a provision that has never been applied. Recently, Santa Clara District Attorney Jeff Rosen filed an appeal to the Sixth Appellate District arguing that SB 1391 violates the California Constitution because it is inconsistent with Proposition 57 and does not further the intent of Proposition 57 as it was approved by the voters. This appeal will take many months to reach its conclusion.

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