

This Was a Crime

Since the State and the Defendant entered into a plea bargain, the facts of the crime are not generally known.

This was not a crime of passion. The Defendant's actions were deliberate and planned over an extended period of time. According to the Defendant's own statements to the undercover sheriff's deputy posing as a 'hit man', she considered my murder for approximately two years and actively planned my death for at least a week before meeting with the 'hit man', placing ads on the internet, exchanging email after email with various 'hit men' and cumulating in an hour spent with an undercover deputy.

The sheriff's department was first alerted to the Defendant's plans after the Defendant placed an ad on the internet looking for someone to kill both the Defendant and I. An individual from New Jersey alerted the department.

When the first deputies arrived at my home to inform me of the plot they notified me that the Defendant had been in contact with another possible 'hit man' from Oklahoma that might be on the way to Albuquerque.

In addition to the interval spent planning my murder, the Defendant refused opportunity after opportunity provided by the undercover 'hit man' to walk away. The undercover sheriff deputy spent a little over an hour with the Defendant discussing my murder. Time and time again he provided the Defendant the opportunity to walk away. At one point, he even directed her to leave him to get the money and write directions to the house and telling her to leave if she was not determined to see me murdered. The Defendant was away from the officer for over five minutes, and returned with the money

and directions. He spent another half hour providing her with the opportunity to back out. She declined.

It is essential to understand that I am not the only victim of this crime. That burden is shared by our children; Glen, Jessica, and Montie. Glen had just turned 15, Jessica was 10, and Montie was 7.

The children share this burden because the Defendant's plan for my murder would have resulted in the children discovering the murdered body of their father, most likely by our youngest child Montie. The defendant was well aware of Montie's habit of getting up early and going down stairs to awaken his parents.

Eight different times during the conversation, the deputy raised the issue of our children and the fact that he and the Defendant were planning my death with our children in the house. Even the Defendant raised it an additional time for a total of nine times and almost ten minutes dedicated to this horror out of the hour spent plotting the murder.

When I viewed the records of the events, what struck time and time again was the Defendant's resolution to see my death. I was also struck by her complete disregard for the interests of the children. Eight times the deputy brought up the children's participation in my murder, her response was completely devoid of emotions and concern. She blew off the deputy/hit man's specific concern about the impact on the children.

The children were direct victims of the Defendant's actions.

The Defendant as a Criminal

But they were not surprised, the children, better than any of us, understand their mother and the evil she is capable of.

In December of 2002, CYFD and the children's GAL, now the Honorable John Romero, removed the two youngest children from their mother's care. The oldest had been removed a few months before. Subsequent court action after court action, including a second psychological evaluation, resulted in the children not being under their mother's care for over two years. Since then they spent less than 100 hours with their mother.

The Defendant has made no effort to contact her children since her arrest. In subsequent court filings she states that she was unaware of any court order prohibiting contact. Although, as outlined by the Defendant during a recent DV hearing before Hearing Officer Cosgrove, The Defendant has maintained contact with friends and her current in-laws, who were granted a restraining order in the hearing last December.

Not that the Defendant would comply with any Court Order or any other action by a court. The Defendant enjoys a long history of ignoring orders by the court and officers of the court. Judge Angela Jewell's frustration with this complete disregard for the court is well documented in both the record and orders arising out of our domestic relations cases. Last December, the Defendant claimed chest pains and other symptoms in an attempt to avoid a hearing before Judge Jewell. The events stretch back over two years to the Defendant defying both the Court's written and oral orders concerning the children. There was even an incident where she obtained a routine initial DV order awarding her custody of the children the day after CYFD and the GAL took the children away from her.

Neither Judge Jewell nor Judge Romero would exhibit any surprise on learning that the ink on the Defendant's plea bargain before this court was hardly dry before the Defendant violated the agreement.

The plea bargain entered into by the Defendant and the State before this Court in September includes a provision prohibiting the Defendant from any contact with me, the victim. Beginning on November 6, 2004 and continuing on a daily basis until November 18, 2004 collect hang-up telephone calls were made to both to my home and to the office, as late as midnight. After a couple of weeks of effort on my part, EverCom Systems acknowledged the telephone calls were being made from the Women's Correctional Facility in Grants. The calls coincided with a motion filed by the Defendant in our divorce case making several outrageous and untruth statements.

This is the same time period that the Defendant's current in-laws, Billie and Mary Self, received numerous telephone calls from the same number at the Women's Correctional Facility. During the DV hearing on this matter, the Defendant did not deny that the telephone calls were made, but alleged they were made by another individual at the prison. The Hearing Officer concluded that the Defendant made the harassing telephone calls.

Abuse

Of course, there is the Defendant's rational for her actions. I have watched the half an hour the Defendant spent being questioned by the Sheriff's department. During this half an hour, the deputy tried again and again to get the Defendant to rationalize the decision to seek my death almost two years to the day after the Defendant filed for divorce.

The Defendant claims to be a victim of domestic violence. She told Hearing Officer Cosgrove the reason for the crime was “That concerns my ex-husband who beat the hell out of me for sixteen years and I got a little bit sick of it and just lost my head over it”.

The allegations of abuse by me have been investigated time and time again over the years since 1993. In 1993, the District Attorney’s office dismissed DV charges against me after concluding the police had arrested the wrong person.

Over the last three years, our family has endured three investigations by CYFD, two psychological evaluations, supervised visitation, and the daily activity of a Guardian Ad Litem. The conclusion of all these efforts: the Defendant lost custody of the children and initially was restricted to two hours of supervised visitation. She later lost all visitation privileges with the children.

During the half hour of questioning, the deputy tried again and again to obtain specific allegations of my abuse from the Defendant. This was the entire focus of the questioning.

The Defendants allegations included no incidents latter then one year before her arrest. Again, not even an allegation of abuse for an entire year before the Defendant sought my death. One specific allegation was the 1993 incident, which, as stated earlier, the DA concluded that the wrong person had been arrested. The only other specific incident the Defendant raised was a “break-in” by myself into the community home in January of 2003. The Defendant neglected to mention to the deputy that I was in the presence of Judge Jewell’s Special Master at the time and we were attempting to comply

with orders of the Court. Although the defendant did mention that Judge Jewell and Hearing Officer Shepard cleared me of any wrong doing.

Otherwise, the Defendants allegations involved me constantly cruising by her house. Of course, I had time for this while trying to raise the children by myself and run a business.

I believe the allegation of abuse as a defense or a mitigating factor are ultimately addressed by an incident that occurred during the Defendant's incarceration. The Defendant claimed to have been sexually assaulted by a corrections officer. When the officer interviewing her about the allegation mentioned the existence of video cameras "Patricia's eyes became very big and she refused to answer any more questions. Patricia also refused to provide a written statement." Needless to say, the office was cleared.

Motivation

Then, if I am not the abuser the Defendant attempts to portray me as, what was the Defendants' motivation for the crime? What could provide the drive to post the ads, interview numerous candidate 'hit men' by email, and spend over an hour with the 'hit man' as he tried again and again to talk her out of my murder.

While I do not fit the profile of a typical victim of Domestic Violence and still have a lot of problems with that label, the Defendant fits the profile of an abuser pretty easily. The Defendant's action that brought her here before the court was just one of many instances of abuse over the last nineteen years. Abuse against the children and myself, abuse both physical and mental. Abuse documented time and time again during the divorce process by the psychological evaluations of the defendant, the conclusions of CYFD, the actions and conclusions of the GAL, and the orders of Judge Jewell.

Not having physical access to the children and myself over the last two years, the Defendant has employed to system to continue her abuse of us. She filed DV after DV until prohibit by the court from filing any future ones without a lawyer. She filed police report after police report accusing not only me, but the children of crimes. I had the amazing experience on Sunday of returning from church and discovering that our oldest son, Glen, just turned 14, had dealt with one of his mother's police reports all on his own. The office apologized and commented on what a sharp young man Glen was.

Then there was the incident of physical and emotional abuse that led to the Defendant losing custody and most visitation with the children. Our youngest son received some bruising while with his mother, to this day I have not asked him how. The Defendant then, as documented by CYFD, threatened the children with abandonment if they did not tell CYFD that I had hit Montie. I was downstairs with the GAL when the Defendant brought the children to the CYFD interview and the State removed the children from the Defendant. The first thing the Children expressed to me, with CYFD and the GAL present, was the concern that the Defendant would kill one of the pets in retribution, an act that the Court had previously determined that the Defendant had done. Of course, one of the pets did die that night.

The murder attempt was not the climax, acts of abuse continue. I have already outlined the telephone calls in defiance of the plea bargain agreement, there have been frivolous filings, and an appeal of the divorce findings – not over the children, but over money.

Conclusion

I am keenly aware of the burden this Court confronts on a daily basis. The burden of taking responsibility for the safety of the community and for the justice of our society. Today, this Court takes the lives of my family into your honor's hands – my life, the life of our children, and the life of the Defendant.

I have outlined the deliberate nature of the crime, the fact that the discussed discovery of my murdered body by the children makes them victims of this crime, the determination of the Defendant to obtain my death despite the efforts of the undercover "hit man" to dissuade the Defendant.

I have outlined the Defendant's complete disregard for the legal systems and the authority of the courts. This includes violation of the plea bargain agreement entered into by this court by making harassing hang-up calls to our home and the office.

I pray that I have answered the untruthful and ridiculous defense raised by the Defendant that paints me as an Abuser.

I have provided the Court with the briefest of details, outlining the Defendant's abuse of the family over the years and, unlike the fantasies concerning me, well documented by the court system.

So, where are we left? We are left with a Defendant that has no remorse for the actions that brought her today, no intention of following any directives laid down by this court, and is, in fact, an abuser herself, addicted to abusing me and my family even after years of separation.

All parties that know the Defendant, myself, our children, my family and her family believe that, on release, my life and the life of the children is threatened by the

Defendant. We do not believe that this cycle of abuse will end, our only hope is to delay and pray for a miracle in the Defendant's life.

I ask your honor to restore the original plea bargain, changed without my knowledge, and prohibit the Defendant from any contact with me or my family for the length of the sentence your propose to include probation.

I ask your honor to give us that time, to provide time for the children to grow up in peace, to secure our safety by providing the maximum time for the Defendant.

Thank you