



Testimony from Victoria Hurd, Sacramento, California

SB 256

TO: Chairman Lang, Vice Chair Plummer, Ranking Member Leland, and members of the House Criminal Justice Committee.



I am the daughter of Claudia Maupin and the stepdaughter of Chip Northup¹ and a member of the National Organization of Victims of Juvenile Murderers (NOVJM). My mother and stepfather were murdered in their home in 2013. A juvenile named Daniel Marsh² broke into their home and brutally murdered them, stabbing them both to death. Chip, 87, and my mother, 76, each suffered over 60 wounds. After murdering my mother and stepfather, Marsh disemboweled and dissected their bodies. He pulled fat out of my mother's leg and torso

¹ <http://www.teenkillers.org/index.php/memorials/california-victims-2/chip-northup-and-claudia-maupin/>

² <http://www.teenkillers.org/index.php/juvenile-lifers/offenders-cases-state/individual-offender-profiles/yolo-county/daniel-marsh/>

and examined it. He cut open Chip's forehead and examined it. He inserted a cell-phone into Claudia's body cavity and a drinking glass into Chips's body to "f*** with the people who had to investigate it." My sister found my parent's mutilated bodies the next day. That day Marsh also walked the streets of Davis, CA with a baseball bat looking for his next victim.

My parents were gruesomely tortured, murdered, and eviscerated on a cool spring night. Two months thereafter, we found out the man who did this was a 15 year-old Davis High School student, 6 weeks shy of his 16th birthday. It later came out during his trial that he had been fantasizing about killing classmates, his parents, the obese and the elderly since he was 11 years old. Although his parents were divorced, they loved him and had him in therapy with different Kaiser and school therapists upon first realizing that something was "wrong" with their son. After killing my parents, Marsh confessed to an FBI Special Agent that the torture / murders left him feeling "exhilarated" and that he "wanted to do it again". He went looking for another chance the very next night but was unable to find the appropriate victim to commit another perfect crime.

And, this teen did, in fact, commit the perfect crime. There was no evidence found at the scene of my mother and stepfather's murder, no DNA, no footprints tracked, absolutely nothing that would have led to an arrest. This teen researched, planned and thought out how to go about killing someone without getting caught. Were it not for his bragging to his friends about what he had done, he would have never been arrested. Were it not for the expertise of the high level FBI agent who knew how to stroke his ego just right leading to a full confession, we would have never found the "prizes" he left hidden in his mom's

garage. The bloodied clothes he had worn and the hunting knife he used to stab each of my parents over 60 times.

This kind of murderous rampage coming from a 15-year-old is absolutely impossible for me to wrap my mind around. It is impossible because my brain simply does not have the capacity to imagine something as inexcusable as the possibility of this 15-year-old, who is now 23, being out in our community again.

Due to the heinousness of his crime, Marsh was tried as an adult. In 2014, more than a year after Claudia's and Chip's murders, he was found guilty, and sentenced to two consecutive life terms. Marsh was sent to prison to serve out his sentence.

My family has been significantly impacted by changes in laws regarding juvenile criminals. California enacted SB 9 in 2012. Because of SB 9, my parents' murderer is eligible for parole in 2037, 24 years after the murders. In 2018, Marsh was given a second chance in court. It came as a result of Proposition 57, approved by California voters two years earlier. Prop 57 requires that juvenile criminals be given a fitness hearing before they can be tried as an adult. Marsh's trial occurred before Prop 57, so no such fitness hearing was required. But another court ruled that Prop 57 applied retroactively, so he was granted a fitness hearing to determine whether his adult convictions and sentence should be thrown out so he could be retried in juvenile court.

In October, 2018, Daniel Marsh returned to Yolo County for his scheduled Prop 57 juvenile fitness hearing. I and other members of the family saw him for the first time since the trial. After hearing testimony from both sides, including the shocking crime scene photos and

coroner's reports, the presiding judge upheld Marsh's original convictions and sentence. Marsh was returned to prison.

In 2018, California Governor Jerry Brown signed into law Senate Bill 1391, which prohibits juveniles under 16 from being tried in adult court. If upheld by the California Supreme Court, then it could mean freedom for the young man now serving two life sentences for torturing and murdering my parents, or at the very least retrying his case every two years to keep him imprisoned.

If Marsh succeeds in convincing a parole board to release him this man who tortured, eviscerated and murdered my parents would be released from prison after serving 24 years for a gruesome double homicide with special enhancements. How can this be ensuring justice or prioritizing public safety? I would like someone to explain this to me because my family, my community, my community of law enforcement, my local District Attorney's Office and I are terrified at the idea of this person living in our neighborhood.

In our case, the Davis Police Department went through months of investigation, spending countless hours and dollars on manpower to catch this predator. Then, the Yolo County District Attorney's office went through a year of prep, months of preliminary hearings and a 5-week trial to convict this man beyond a reasonable doubt before a jury of 12 people. Imagine the professional hours and the amount of taxpayer money that was put into giving this violent, brutal offender a fair trial. And it was fair. I was there, present every day for 5 weeks to make sure that this man was treated in an equitable, unbiased court system.

It has been 7 years since these violent murders. My family and I continue to live in fear of the day Marsh could be released. Our whole community fears for its safety should that day come. I have had years of intensive treatment for PTSD, which affects every area of my life. We grieve not only the loss of our beloved parents, but each of us must live with the gruesome reality of their deaths and the fact that their torturer and killer could be released simply because he was a juvenile.

We all continue to spend thousands of dollars on therapy, re-location, and travel to and from court dates. We have done everything we know to move forward from this horrible tragedy, but we relive it every time this case goes to court again. It's trauma that never ends.

My reason for testifying before you today is this; juvenile crime should not be treated with blanket legislation. Indeed, most juvenile criminals can be rehabilitated. This is a proven fact. However, and this is a big however, there are some who can NOT. This is also a fact. A one size fits all law that does not consider for a moment the victims of such violent crimes and what it has done to THEIR lives is wrong.

SB 256 would take discretion away from judges by mandating that juvenile murderers like Marsh be given parole eligibility after 25 years, regardless of the brutal nature of their crimes. It would force victims to relive the worst times of their lives over and over again. Having been through the criminal justice process, I know firsthand how traumatizing this would be for victims. The agony caused by a loved one's brutal murder is still intense after 25 years. Advocates of SB 256 talk about "cruel and unusual punishment." By forcing victims to relive the crimes, SB 256 would inflict cruel and unusual punishment on them.

I testify today for those victims whose lives, like mine, have been forever scarred by the acts of juvenile offenders. Please don't pass a blanket law that takes away the right of qualified people to decide if the crime is too heinous or the body count is too high. I implore you to keep individual juvenile case decisions in the hands of Ohio judges and District Attorneys.

Thank You.