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April 21, 2016
Court of Appeals
Division I
State of Washington

No. 73946-8-I

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION ONE

STATE OF WASHINGTON,

Respondent,

v.

GREGORY NOVOA,

Appellant.

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR SKAGIT COUNTY

OPENING BRIEF OF APPELLANT

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A. ASSIGNMENTS OF ERROR

1. The deputy prosecutor committed misconduct in closing argument by misstating the law.

2. The deputy prosecutor committed misconduct by arguing that the jury did not need to agree Mr. Novoa violated the no-contact order as a predicate for the residential burglary, as he could have been in the apartment to commit “any number of other crimes.”

3. The deputy prosecutor committed misconduct in voir dire by commenting on excluded matters.

4. The trial court erred by failing to properly instruct the jury in response to an inquiry on a question of law.

B. ISSUES PERTAINING TO ASSIGNMENTS OF ERROR

1. The State’s duty to ensure a fair trial precludes a deputy prosecutor from employing improper argument during the trial. Where the deputy prosecutor flagrantly encouraged jurors to consider evidence stricken from the record, encouraged jurors to speculate on evidence outside the record, and misstated the law, did the prosecutor’s argument constitute misconduct requiring reversal?

2. A trial court may supply supplemental instructions to a deliberating jury, as long as the result is not misleading, confusing, or

prejudicial. On the whole, the court's instructions must make the relevant law manifestly apparent. Here, the deliberating jury expressed its confusion in a jury inquiry; the clarification the jury requested was legal and not factual. Should the trial court have assisted the jury by answering their question? Was the court's response, "refer to jury instructions as given," an abuse of discretion, to the degree that it improperly allowed the attorneys' arguments to substitute for the court's instructions on the applicable law?

C. STATEMENT OF THE CASE

Gregory Novoa and Juana Rodriguez de Reyes have been married for four years. 7/21/15 RP 3-5. For much of this time, they have been separated; they were not living together at the time of the reported incident. Id.

On January 16, 2015, Ms. Rodriguez stated she awoke early in the morning to hear Mr. Novoa yelling outside the window of her bedroom. Id. at 6. According to Ms. Rodriguez, Mr. Novoa was yelling and not acting "normal," which frightened her. Id. at 7. She rushed to her bedroom window, which was slightly open, and tried to close it, based on the manner in which Mr. Novoa was yelling. Id. at 7-8. Ms. Rodriguez stated that Mr. Novoa was "real close" to her window when she closed it.

Id. When Ms. Rodriguez closed the window, Mr. Novoa fell to the ground and began to run around the yard screaming, saying he was frightened. Id. at 9-10.¹

Mr. Novoa was frightened because neighbor Lorenzo Garcia's dogs were outside, aggressively barking and snapping at Mr. Novoa. Id. at 33. Mr. Garcia estimated the time was approximately 6:00 a.m., because the dogs woke him up. Id. at 20, 33. Mr. Novoa left the area near Ms. Rodriguez's window, once she said she did not want to speak with him, and Mr. Novoa was overcome by the neighbor's barking dogs. 7/21/15 RP 65-68.

Surrounded by the dogs, Mr. Novoa feared being mauled. Id. Mr. Novoa explained that he tried to seek safety and "high ground" on the roof of the neighbor's garden shed, then by jumping on top of several parked, inoperable cars parked in Mr. Garcia's backyard. 7/20/15 RP 20-23, 25-27; 7/21/15 RP 68. Mr. Novoa walked from car to car, to avoid the dogs. Id. 7/21/15 RP 23, 25-29. Mr. Novoa's actions resulted in some auto-body damage to these already-rusty cars. Id. at 25-29, 36.

¹ Ms. Rodriguez testified that Mr. Novoa "was grabbing onto" her window before he fell. 7/21/15 RP 9 (testifying with interpreter provided). Mr. Novoa testified that he had been inside the residence with his wife's permission. 7/21/15 RP 55.

When officers from the Mount Vernon Police Department arrived, they surrounded Mr. Novoa, who at that time was standing on the roof of the neighbor's garden shed. 7/20/15 RP 136. When Mr. Novoa did not comply with orders to come down, officers tasered him several times. Id. at 139-42. Due to Mr. Novoa's heavy clothing, the tasers had little effect, and Mr. Novoa hopped down from the shed to the hood of a car, and continued to walk from hood to hood. Id. at 95. Mr. Garcia, the dog owner, became worried that his dogs might attack one of the police officers. 7/21/15 RP 25. Officers finally restrained Mr. Novoa in a hold and took him to the ground. 7/20/15 RP 97.

Mr. Novoa was charged with one count of residential burglary, one count of violating a no-contact order (both with a domestic violence designation), and two counts of malicious mischief in the second degree for the damage to the cars in the yard. CP 75-76.

During jury deliberations, the jury sent out one question: whether all violation of no-contact order cases "include a residential burglary charge if violator enters their dwelling." CP 58. The jury note continued, "Is that why count 1 residential burglary [sic] is included in this." Id. Rather than clarify the jury's confusion about the law, the

court merely instructed the jury to apply the instructions previously given. Id.

Mr. Novoa was found guilty of residential burglary, a violation of the no-contact order, and one count of malicious mischief. CP 77-83.²

D. ARGUMENT

1. MR. NOVOA'S RIGHT TO A FAIR TRIAL WAS VIOLATED BY PROSECUTORIAL MISCONDUCT.

a. Mr. Novoa has the right to due process.

The due process clause of the Fourteenth Amendment protects the right of every criminal defendant to a fair trial before an impartial jury. U.S. Const. amends. V, XIV; Const. art. 1 §§ 3, 21, 22. The right to a fair trial includes the presumption of innocence. Estelle v. Williams, 425 U.S. 501, 503, 96 S.Ct. 1691, 48 L.Ed.2d 126 (1976); State v. Crediford, 130 Wn.2d 747, 759, 927 P.2d P.2d 1129 (1996). The Fourteenth Amendment also “protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged.” In re Winship, 397 U.S. 358, 364, 90 S.Ct. 1068, 25 L.Ed.2d 368 (1970).

The requirement that the government prove a criminal charge beyond a reasonable doubt – along with the right to a jury trial – has

consistently played an important role in protecting the integrity of the American criminal justice system. Blakely v. Washington, 542 U.S. 296, 301-02, 124 S.Ct. 2531, 159 L.Ed.2d 403 (2000); Apprendi v. New Jersey, 530 U.S. 466, 476-77, 120 S.Ct. 2348, 147 L.Ed.2d 435 (2000).

b. Prosecutors have special duties which limit their advocacy.

A prosecutor's improper argument may deny a defendant his right to a fair trial, as guaranteed by the Sixth Amendment and by article I, section 22 of the Washington Constitution. State v. Monday, 171 Wn.2d 667, 676-77, 297 P.3d 551 (2011). A prosecutor, as a quasi-judicial officer, has a duty to act impartially and to seek a verdict free from prejudice and based upon reason. State v. Echevarria, 71 Wn. App. 595, 598, 860 P.2d 420 (1993) (citing State v. Kroll, 87 Wn.2d 829, 835, 558 P.2d 173 (1976)). In State v. Huson, the Supreme Court noted the importance of impartiality on the part of the prosecution:

[The prosecutor] represents the state, and in the interest of justice must act impartially. His trial behavior must be worthy of the office, for his misconduct may deprive the defendant of a fair trial. Only a fair trial is a constitutional trial ...

73 Wn.2d 660, 663, 440 P.2d 192 (1968), cert. denied, 393 U.S. 1096 (1969) (citation omitted); see also State v. Reed, 102 Wn.2d 140, 147, 684 P.2d 699 (1984).

² The jury also found a family relationship, by special verdict. CP 77,

To determine whether prosecutorial comments constitute misconduct, the reviewing court must decide first whether such comments were improper, and if so, whether a “substantial likelihood” exists that the comments affected the jury.” Reed, 102 Wn.2d at 145. The burden is on the defendant to show that the prosecutor’s comments rose to the level of misconduct requiring a new trial. State v. Sith, 71 Wn. App. 14, 19, 856 P.2d 415 (1993).

- c. The prosecutor engaged in misconduct -- misstating the law, lowering the burden of proof, and urging the jury to consider excluded evidence -- thus denying Mr. Novoa his right to a fair trial.

A prosecutor’s statements to the jury upon the law must be confined to the law set forth in the instructions. State v. Davenport, 100 Wn.2d 757, 760, 675 P.2d 1213 (1984). Any statement of law not contained in the instructions is improper, even if it is correct. Id. Such misconduct is a “serious irregularity having the grave potential to mislead the jury.” Id. at 764. Reversal is required whenever there is a substantial likelihood that the misconduct affected the jury’s verdict. Id. at 762.

i. “Any other number of crimes against her.”

The trial court instructed the jury regarding the elements of residential burglary, including the following: “(2) That the entering or remaining was with intent to commit a crime against a person or property therein” CP 15 (Court’s Instruction 6). This instruction was agreed upon by the parties. 7/21/15 RP 76.

In closing argument, the deputy prosecutor argued that the State had satisfied this element by showing that Mr. Novoa had violated the no-contact order. 7/22/15 RP 97-98. However, the State’s argument did not conclude there. The prosecutor told the jurors they need not find Mr. Novoa had the intent to commit any particular crime, and encouraged them to speculate:

And if you are not satisfied in finding that he was there with the intent to see her and, therefore, commit the crime of violation of the no contact order, he could have been there to commit any other number of crimes against her. Do you ever call 911 on someone who is coming over to have coffee? No.

7/22/15 RP 98.

It was misconduct for the prosecutor to urge the jury to convict if Mr. Novoa intended to commit any crime that “he could have been there to commit,” but that the State did not prove. Id. Although jurors need not unanimously agree on the specific crime intended by the accused, the

law does require proof that the person intended an actual crime against persons or property within the residence – not simply “any number of crimes” beyond sharing a cup of coffee. 7/22/15 RP 98. The State’s argument improperly suggested that conviction could be predicated upon a vague notion that Mr. Novoa intended criminal or insidious activity against his former wife generally, and that jurors did not have to find he intended any specific crime.³ The argument also improperly encouraged the jury to speculate on matters not in evidence.

As the jury’s note establishes, jurors struggled with the very issue that was the subject of the prosecutor’s improper comments in closing argument. CP 58 (jurors ask if all violations of no-contact order cases “include” a residential burglary charge, and if this is the reason the burglary is charged); see also infra, section 2. Because the prosecutor’s argument deviated from the court’s instructions, misstating the law, the argument constituted misconduct. Davenport, 100 Wn.2d at 762.

- ii. “The requirement of malicious mischief is that he knowingly caused damage.”

In addition, the deputy prosecutor misstated the law regarding malicious mischief. 7/22/15 RP 115. On rebuttal, the prosecutor argued

³ This would be contrary to State v. Devitt, for example. 152 Wn. App. 907, 912, 218 P.3d 647 (2009) (the intended crime must be a crime against persons or property, not against the public at large).

the following: “The requirement of malicious mischief is that he knowingly caused damage. I believe we have satisfied that burden beyond a reasonable doubt.” Id. at 115-16.

This argument, however, is a misstatement of the law, lowering the burden of proof. An accurate statement of the law as to the crime of malicious mischief is as follows:

Malicious mischief in the second degree.

(1) A person is guilty of malicious mischief in the second degree if he or she knowingly and maliciously:

(a) Causes physical damage to the property of another in an amount exceeding seven hundred fifty dollars.

RCW 9A.48.080 (emphasis added).

The crime of malicious mischief requires the State prove that the accused acted with a complex mens rea – that he or she acted, not only with knowledge, but with malice. Id. The court had instructed the jury, “Malice and maliciously mean an evil intent, wish, or design to vex, annoy, or injure another person.” CP 29 (Court’s Instruction 20) (emphasis added).

The prosecutor’s error was particularly harmful, considering the allegations of malicious mischief here. Mr. Novoa was accused of causing damage to the hoods of several old cars which were parked on

the lawn of his wife's apartment complex. Although the State argued that Mr. Novoa had jumped on these cars, the evidence at trial suggested that Mr. Novoa was simply balancing on the rooftops of the cars in fear, attempting to protect himself from Mr. Garcia's dogs. 7/21/15 RP 65-68. Even Mr. Garcia was concerned that his dogs were so agitated that they would injure someone, including the arresting officers. *Id.* at 25.

Mr. Novoa testified he "tried to get on top [of the cars] so the dogs wouldn't attack me." 7/21/15 RP 68. The State's witnesses testified that Mr. Novoa hopped between the cars as he was chased by dogs and taser-wielding officers. 7/20/15 RP 94-96, 136-40; 7/21/15 RP 20-25. None of this testimony supported a finding of "evil intent" or a wish to "vex, annoy or injure another person," rather than incidental dents to old cars in the backyard. CP 29; RCW 9A.48.080. For this reason, the prosecutor's argument, informing the jury that they need only find Mr. Novoa had knowledge of the damage, improperly lowered the State's burden. 7/21/15 RP 115-16 ("The requirement of malicious mischief is that he knowingly caused damage").

iii. "What is the impact of someone's behavior when they are under the influence of an illegal drug?"

Mr. Novoa moved in limine to exclude allegations that he was using methamphetamines on or before the date of the incident. 7/20/15

RP 77-80. He argued any discussion of drugs was overly prejudicial, irrelevant, and without sufficient foundation. Id. The court agreed, excluding any reference to drug use, finding it irrelevant. Id. at 81-82.

The deputy prosecutor, however, emphasized this excluded topic during voir dire, asking several questions regarding the effect of illegal drugs on behavior. Id. at 63-65. Although Mr. Novoa timely objected to the topic, his objection was overruled. Id. at 63.

The prosecutor first asked, “What is the impact of [sic] someone’s behavior when they are under the influence of an illegal drug?” Id. at 63-64.⁴ After the prosecutor clarified that she meant drugs other than marijuana, she elicited responses from jurors regarding impaired judgment and state of mind. Id. at 64. The prosecutor then asked whether the jurors associate illegal drugs and “those type of things with sexual misbehavior.” Id. She continued, asking two additional questions concerning drugs and behavior, asking whether jurors would have a problem serving on a case “even if drugs are involved.” Id. at 65.

Such inquiry in voir dire indicates an intentional and flagrant disregard for the trial court’s ruling excluding the drug evidence, which

⁴ Judging from the context provided by the next few questions, the question seems to have involved the impact “on” behavior, rather than “of” behavior; this seems to be a transcription error. 7/20/15 RP 63.

had been discussed in chambers, and which was then ruled excluded.

7/20/15 RP 77-78.

d. Reversal is required.

A prosecutor commits misconduct when he or she “allude[s] to any matter that the lawyer does not reasonably believe is relevant or that will not be supported by admissible evidence.” RPC 3.4(e); State v. Dhaliwal, 150 Wn.2d 559, 577, 79 P.3d 432 (2003). Because the prosecutor’s misconduct was flagrant, these first two errors may be raised for the first time on review. State v. Walker, 164 Wn. App. 724, 730, 265 P.3d 191 (2011); State v. Emery, 174 Wn.2d 741, 760-61, 278 P.3d 653 (2012) (citing State v. Stenson, 132 Wn.2d 668, 726-27, 940 P.2d 1239 (1997)) (error not deemed waived where prosecutorial misconduct is so flagrant and ill intentioned that it could not have been neutralized by a curative instruction); see also State v. Fleming, 83 Wn. App. 209, 213, 921 P.2d 1076, rev. denied, 131 Wn.2d 1018 (1997); RAP 2.5(a).

The cumulative effect of these various instances of prosecutorial misconduct violated Mr. Novoa’s right to a fair trial. State v. Reeder, 46 Wn.2d 888, 893-94, 285 P.2d 884 (1955); State v. Torres, 16 Wn. App. 254, 262-63, 554 P.2d 1069 (1976); Davenport, 100 Wn.2d 760-62.

There is a substantial likelihood the cumulative effect of the prosecutor’s

misconduct in the closing argument affected the jury's verdict. We know this, due to the prejudice caused by the remark in voir dire; the lack of evidence supporting the mens rea for the mischief count; and because the jury's question regarding the burglary related directly to the misconduct in closing argument.

Accordingly, this Court should reverse. Reed, 102 Wn.2d at 146-47; Fleming, 83 Wn. App. at 214.

2. THE TRIAL COURT ERRED IN FAILING TO GIVE AN APPROPRIATE SUPPLEMENTAL INSTRUCTION TO THE DELIBERATING JURY.

Approximately one hour after leaving the courtroom to deliberate, the jury sent out a question. CP 58. The jury asked the following:

Do all violation of no contact orders include a residential burglary charge if violator enters their dwelling. Is that why count 1 residential burglary [sic] is included in this.

CP 58.

Rather than respond to the jury's inquiry or clarify the jury's question regarding the requirement of a predicate to convict of residential burglary, the court issued a generic instruction that the jury should "refer to jury instructions as given." Id.⁵

⁵ Mr. Novoa assented to the court's re-instruction. 7/22/15 RP 119.

- a. The trial court must clearly and accurately instruct the jury.

The purpose of jury instructions is to “furnish guidance to the jury in their deliberations, and to aid them in arriving at a proper verdict.”

State v. Allen, 89 Wn.2d 651, 654, 574 P.2d 1182 (1978). Jury instructions must be “manifestly clear” because an ambiguous instruction that permits an erroneous interpretation of the law is improper. State v. LeFaber, 128 Wn.2d 896, 902, 913 P.2d 369 (1996) (abrogated by State v. O’Hara, 167 Wn.2d 91, 217 P.3d 756 (2009)). Jurors should not have to speculate about what the law is. State v. Byrd, 72 Wn. App. 774, 780, 868 P.2d 158 (1994), aff’d, 125 Wn.2d 707 (1995).

The trial court may give further jury instructions after deliberations have begun, if the meaning of an original instruction is unclear and potentially misleading under the facts of a given case. State v. Ransom, 56 Wn. App. 712, 714, 785 P.2d 469 (1990); State v. Young, 48 Wn. App. 406, 415-17, 739 P.2d 1170 (1987). The adequacy of a challenged jury instruction is reviewed de novo. State v. Clausing, 147 Wn.2d 620, 626-27, 56 P.3d 550 (2002).

b. The trial court failed to accurately respond to the jury's request for clarification.

Here, the jury's note indicated confusion with the court's original instructions. The jurors did not understand that they needed to separately and unanimously agree upon the elements of residential burglary, which included finding that Mr. Novoa "intended to commit a crime against a person or property" inside the residence. The jury's confusion was likely due to the misconduct in the prosecutor's closing argument, whereby the State argued the jury need not find Mr. Novoa intended to commit the crime of violating the no-contact order, but "he could have been there to commit any other number of crimes against [Ms. Rodriguez]." 7/22/15 RP 98; see supra, Section 1(c)(i).

The court should have responded to the jury's question in order to clarify its misconception and to ameliorate the misconduct of the prosecutor. The generic instruction given by the court failed to illuminate the conflict between the specificity of the court's instructions – the to-convict requires the jury find the accused intended to commit a crime against a person or property within the residence – and the vagueness of the prosecutor's improper argument, arguing Mr. Novoa could have intended to commit "any other number of crimes." Compare CP 15 with 7/22/15 RP 98.

It is the duty of the court, not counsel, to define terms used in an instruction when necessary. State v. Stacy, 181 Wn. App. 553, 572, 326 P.3d 136 (2014). Here, however, the court’s response allowed the prosecutor’s argument to substitute for the court’s own duty to instruct the jury on the applicable law. This is contrary to the precept that the only law upon which a jury may rely is the law provided by the court in its instructions, not attorneys’ argument. CP 8-9 (Court’s Instruction 1).

“[A] conviction should not rest on ambiguous and equivocal instructions to the jury on a basic issue.” United States v. Bagby, 451 F.2d 920, 927 (9th Cir.1971) (citing Bollenbach v. United States, 326 U.S. 607, 613, 66 S.Ct. 402 90 L.Ed. 350 (1946)). Here, a “basic issue” was whether Mr. Novoa intended to commit a crime against a person or property within the residence. The prosecutor’s misconduct in closing argument related to the element of intent. 7/22/15 RP 98 (“any other number of crimes”). The court’s inadequate response to the inquiry that allowed the jury to substitute argument for the law on a contested issue requires reversal. See State v. Lewis, 6 Wn. App. 38, 40, 491 P.2d 1062 (1972) (prejudicial error in inconsistent instructions requires reversal).

Furthermore, this Court has held that a trial court errs when its supplemental instructions fail to accurately and clearly address a

deliberating jury's inquiry. Young, 48 Wn. App. at 417. In Young, the jury asked the court to define a legal term. Id. at 414-17 (jurors asked definition of the term "party"). The court declined, responding that the jury must refer to the original instructions. Id. at 414. This Court reversed, noting that "implicit in the request is the fact the jury was confused," and that the court's refusal to answer the jury's question allowed them to "speculate" as to the answer. Id. at 417. Here, the jurors could no more divine from their original instructions the answer to their question than could the jurors in Young, since their inquiry was legal, not factual.

The trial court "has the responsibility to eliminate confusion when a jury asks for clarification of a particular issue." United States v. Southwell, 432 F.3d 1050, 1053 (9th Cir. 2005). In Southwell, the Ninth Circuit discussed why referring jurors back to the original instructions is inadequate, when jurors express confusion:

[T]he instructions did not provide a clear answer-or any answer-to the question the jury asked; thus referring the jury back to the instructions did nothing to clear up the ambiguity. Failure to provide the jury with a clarifying instruction when it has identified a legitimate ambiguity in the original instructions is an abuse of discretion.

Southwell, 432 F.3d at 1053.

The error in this case was particularly serious, because it concerned an essential element of residential burglary – whether the accused intended to commit a crime while inside the residence. Without that element, the accusation is simply a violation of a no-contact order and a trespass. RCW 26.50.110(1)(a); RCW 9A.52.070. The jury’s inquiry, asking whether all violation of no-contact order cases “include a residential burglary charge if violator enters their dwelling,” thus went to an essential element of the burglary charge. CP 58. Failing to properly instruct the jury on this element compromised Mr. Novoa’s right to due process.

Due to the prosecutorial misconduct in closing argument, the jury was understandably confused as to the “intent” element of the residential burglary count. When the jury inquired about this, the court could have easily dispelled the jury’s confusion. The jury question indicates the panel was confused by the court’s original instructions, as well as by the prosecutor’s improper comments; simply telling the panel to return to the original instructions was inadequate. See Young, 48 Wn. App. at 417 (implicit in a jury question is the indication that the original instructions caused confusion and were insufficient).

c. This Court should reverse the residential burglary conviction.

An instructional error requires reversal unless the appellate court is convinced beyond a reasonable doubt that any reasonable jury would have reached the same result, absent the error. State v. Guloy, 104 Wn.2d 412, 425, 705 P.2d 1182 (2001). Constitutional error is presumed to be prejudicial and the State bears the burden of proving the error is harmless. State v. Stephens, 93 Wn.2d 186, 190–91, 607 P.2d 304 (1980).

Here, with a proper instruction, a reasonable jury would not have reached the same result. Therefore, the error cannot be considered harmless. Guloy, 104 Wn.2d at 425; Young, 48 Wn. App. at 418. A proper supplemental instruction could have prevented this outcome; instead, the court’s generic instruction was “misleading, confusing, [and] prejudicial.” United States v. Tines, 70 F.3d 891, 896 (6th Cir. 1995). This Court should reverse.

E. CONCLUSION

For the above reasons, Mr. Novoa's convictions should be reversed and the matter remanded for a new trial.

Respectfully submitted this 21st day of April, 2016.

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**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE**

STATE OF WASHINGTON,)	
)	
Respondent,)	
)	NO. 73946-8-I
v.)	
)	
GREGORY NOVOA,)	
)	
Appellant.)	

DECLARATION OF DOCUMENT FILING AND SERVICE

I, MARIA ARRANZA RILEY, STATE THAT ON THE 21ST DAY OF APRIL, 2016, I CAUSED THE ORIGINAL **OPENING BRIEF OF APPELLANT** TO BE FILED IN THE **COURT OF APPEALS – DIVISION ONE** AND A TRUE COPY OF THE SAME TO BE SERVED ON THE FOLLOWING IN THE MANNER INDICATED BELOW:

- | | | | |
|-----|--|-------------------|-------------------------------------|
| [X] | ERIK PEDERSEN, DPA
SKAGIT COUNTY PROSECUTOR'S OFFICE
COURTHOUSE ANNEX
605 S THIRD ST.
MOUNT VERNON, WA 98273 | (X)
()
() | U.S. MAIL
HAND DELIVERY
_____ |
| [X] | GREGORY NOVOA
369122
WASHINGTON CORRECTIONS CENTER
PO BOX 900
SHELTON, WA 98584 | (X)
()
() | U.S. MAIL
HAND DELIVERY
_____ |

SIGNED IN SEATTLE, WASHINGTON THIS 21ST DAY OF APRIL, 2016.

X _____


Washington Appellate Project
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