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Supreme Court hears oral arguments in Martin Jones appeal

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Martin Jones

The state's highest court on Feb. 23 heard arguments in the long-running case of Martin Jones, a former Seaview man who is suspected of shooting a Washington State Trooper in 2010.

'Moving forward with the appeal process is the only avenue available, at this time, for justice to be realized, so we are hopeful for a favorable outcome.'

Susan Jones

Man convicted of shooting state trooper maintains he is innocent

By Natalie St. John

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OLYMPIA — The Washington Supreme Court on Feb. 23 heard oral arguments in the case of Martin Jones.

Jones in 2011 was convicted of first-degree attempted murder in Pacific County Superior Court for allegedly shooting Sheriff Scott Johnson, who was a Washington state trooper at the time.

Jones, who maintains his innocence, successfully appealed his conviction in the state appeals court by arguing that he

was deprived of his right to an open trial. The appeals court dismissed his conviction. However, prosecutors — and Johnson — still remain convinced that Jones committed the crime, which occurred in the aftermath of a 2010 traffic stop. The State Attorney General's Office asked the Supreme court to reconsider the case in late 2013.

Jones has been in a state prison in Walla Walla since 2011, when he was sentenced to serve about 50 years.

The state Supreme Court moves very slowly and only agrees to hear a very small number of cases, in which there are legal questions that justices believe were not adequately answered in the Court of Appeals. The Supreme Court delayed making a decision about whether to accept Jones' case until some cases with similar legal questions were resolved. Finally, in late 2015, the justices agreed to review Jones' case, and oral arguments were scheduled for Feb. 23.

In a Feb. 22 email, Jones' wife, Susan Jones, said her husband's friends and family members were happy that oral arguments were scheduled fairly quickly after the state's highest court took on the case. However, she said it was "a great disappointment" that the court will only consider one of the legal questions that Jones and his attorney, Tom Kummerow, raised in their appeal brief — the issue of whether or not a defendant has the right to be present during alternate juror selection.

Other legal issues raised by the defense team, including "the court's refusal to admit relevant evidence, were of much greater concern," Jones said in the email. "We would very much have liked the court to rule on these issues."

The Supreme Court hearing is a risky proposition for Jones, because if the justices rule in the state's favor, his conviction will be reinstated.

"Nonetheless, moving forward with the appeal process is the only avenue available, at this time, for justice to be realized, so we are hopeful for a favorable outcome," Jones said. She said several friends and family members planned to listen to the oral arguments in Olympia on Feb. 23, "to show their support and to demonstrate a determined effort to see this case through until true justice for Martin Jones is attained." She added that she wished to thank community members who have continued to support the family.

The oral arguments are not like a typical criminal trial in Superior Court, and there will not be a decision any time soon. According to a Washington Courts spokesperson, attorneys for both sides each get about 20 or 30 minutes to make their case, and the Supreme Court justices only consider very specific, pre-determined legal questions. Opposing lawyers also submit written legal briefs.

After the hearing, the justices can take anywhere from about three months to a year or more to decide how state law applies to the case and reach a conclusion.