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DEPARTMENT OF JUSTICE



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October 30, 2023

The Honorable Jorge E. Navarrete
Court Administrator and Clerk
Supreme Court of the State of California
350 McAllister Street
San Francisco, CA 94102

RE: *People v. Glen T. Helzer*
Contra Costa County Superior Court No. 3-196018-6
Supreme Court of the State of California, Case No. S132256
Supplemental Authorities Letter

Dear Mr. Navarrete:

The People respectfully invite the Court's attention to the following authorities, published after the submission of respondent's brief.

Claim II

People v. Thompson (2016) 1 Cal.5th 1043, 1065 [“The critical issue is whether a life-leaning prospective juror—that is, one generally (but not invariably) favoring life in prison instead of the death penalty as an appropriate punishment—can set aside his or her personal views about capital punishment and follow the law as the trial judge instructs”]

People v. Amezcua & Flores (2019) 6 Cal.5th 886, 903-907 [concluding where prospective juror gave conflicting, equivocal responses, and where final reply to voir dire question about returning a death verdict in front of defendant's family was “I don't think I could do it,” juror's final reply “constituted substantial evidence on which the trial court could base its excusal”]

People v. Ramirez (2022) 13 Cal.5th 997, 1085 [concluding where prospective juror was equivocal in some voir dire responses on death penalty, believed she could follow the law, but thrice stated she could not impose a sentence of death, and where parties engaged in extensive voir dire of juror, trial court's ruling excusing prospective juror was supported by the record]

Claim III

People v. Winbush (2017) 2 Cal.5th 402, 431 [concluding where attorneys had given prospective juror a preview of how and why the murder was committed, trial court reasonably concluded that voir dire describing particular evidence likely to be offered in aggravation would come too close to requiring juror to prejudge penalty and, in any event, aggravating evidence was “not nearly as shocking” as murder]

Claim IV

People v. Steskal (2021) 11 Cal.5th 332, 363-365 [holding prosecutor’s use of a mannequin, dressed in victim’s bloody and soiled uniform with rods showing bullet trajectories, during pathologist’s testimony and closing argument (but was otherwise kept from the jury’s view) was not abuse of discretion]

People v. Parker (2022) 13 Cal.5th 1, 41-42 [concluding trial court’s admission of “gory, gruesome, and inflammatory” autopsy photographs was not error because images were relevant to show nature of the victim’s injuries (including the removal of her fingertips)]

Claim VII

People v. Peoples (2016) 62 Cal.4th 718, 770 [holding no error in trial court’s refusal to give defense proposed instructions stating “You may spare the defendant’s life for any reason you deem appropriate and satisfactory” and “You need not find any mitigating circumstances in order to return a sentence of life imprisonment without possibility of parole. . . .” because both are cumulative to standard jury instructions (CALJIC Nos. 8.85 and 8.88) that were given]

Respectfully submitted,

/s/ Sarah J. Farhat

SARAH J. FARHAT
Deputy Attorney General
State Bar No. 228179

For ROB BONTA
Attorney General

SJF:sf

DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY U.S. MAIL

Case Name: **People v. Glen T. Helzer**
No.: **S132256**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collecting and processing electronic and physical correspondence. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On October 30, 2023, I electronically served the attached **Supplemental Authorities Letter** by transmitting a true copy via this Court's TrueFiling system. Because one or more of the participants in this case have not registered with the Court's TrueFiling system or are unable to receive electronic correspondence, on October 30, 2023, I placed a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

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California Appellate Project (SF)
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The Honorable Diana Becton
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Contra Costa County District Attorney's
Office
appellate.pleadings@contra costada.org

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on October 30, 2023, at San Francisco, California.

B. Wong
Declarant

/s/ B. Wong
Signature

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. HELZER (GLEN TAYLOR)**

Case Number: **S132256**

Lower Court Case Number:

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2. My email address used to e-serve: **Sarah.Farhat@doj.ca.gov**
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

10/30/2023

Date

/s/Beverly Wong

Signature

Farhat, Sarah (228179)

Last Name, First Name (PNum)

California Dept of Justice, Office of the Attorney General

Law Firm