

BEFORE THE OHIO PAROLE BOARD
January 26, 2011

CUYAHOGA COUNTY PROSECUTOR'S MEMORANDUM IN OPPOSITION TO
PAROLE OF:

MARLON RICKS, INMATE NO. A230313

I. STATEMENT OF OPPOSITION

A. Statement of the Criminal Case

The Cuyahoga County Prosecutor opposes the release of Marlon Ricks at this time or any time in the future. Ricks pled guilty to one count each of Murder, Kidnapping, and Felonious Assault, and two counts of Aggravated Burglary; each count contained a three-year firearm specification. State of Ohio v. Ricks, Cuyahoga County Court of Common Pleas Case No. CR 253894. On November 26, 1990, Inmate Ricks was sentenced to serve a term of incarceration of 18 years to life for his crimes (15-life for Murder concurrent with 5-25 years for Agg. Burglary and Kidnapping and concurrent with 3-25 years for Felonious Assault). He has served approximately 20 years of his life sentence.

B. Statement of the Facts Surrounding Inmate Thomas' Conviction

Inmate Ricks went on a crime spree for several days wherein he committed several violent crimes against multiple individuals.

On May 19, 1990, Ricks kicked open the door to his child's mother's (Carla Winfrey) home. The home actually belonged to Carla's mother Patricia. On May 21, 1990, Carla was on her way home from school when Ricks approached her at the bus stop. Carla refused to follow Ricks to Public Square because she was afraid of him after the May 19th event. Ricks accused Carla of having an affair with one of his friends. Ricks pulled out a gun from his right pocket and pointed the gun at her. He then forced Carla to a wooded area, told her to sit down, slapped her, and threatened to punch her. Ricks held the gun against Carla's head, right between her eyes, and threatened to kill her. Ricks kept Carla in the cold for two hours and repeatedly threatened her life until she convinced him to calm down so that she could escape. See Exhibit A.

On the evening of May 22, 1990, Pamela Little arrived at her home in Euclid, Ohio only to be kidnapped by Inmate Ricks. At that time, Pamela was staying with murder victim Abdullah Caliph (aka Leroy). See Exhibit B. Ricks—who was dressed in Pamela's jeans and sweatshirt-- grabbed Pamela, put a gun to her head, and threatened to kill her. Ricks subsequently tied Pamela up and kept her in the living room. Pamela informed officers that Ricks fondled her breasts and vaginal area. Pamela observed blood on the floor and on Ricks' hands. She noticed that the furniture was moved to one side of the room and stated that it appeared as if Ricks tried to clean up or conceal the blood with newspapers and towels. See Exhibit E. After more than five hours of being held hostage, Pamela was able to get away from Ricks and called the Euclid Police Department.

Euclid police officers, assisted by SWAT, arrived at the apartment. Officers believed that Ricks had barricaded himself inside. SWAT entered and found

Ricks lying on the ground in close proximity to a firearm and wearing Caliph's watch. Officers observed a trail of blood that lead from the living room into a bedroom. Officers followed the trail to a bedroom closet where they observed Caliph's body wrapped in sheets and blankets and shoved in the back corner of the closet. Caliph was clothed in a red robe, pants, and socks and covered in dried blood from a gunshot to his head. Ricks ripped additional clothing and items down from the closet and threw them over Caliph in an attempt to conceal the body. See Exhibit C, D, E.

The investigation revealed that Caliph was Ricks' father. See Exhibit F. On May 21, 1990, Ricks went to Caliph's job (at the Cleveland R.T.A.) to find him. Caliph, who was a naturally helpful person, had been in a disagreement with Ricks two months before the murder. Caliph agreed to co-sign for a vehicle that Ricks failed to make payments on. Not only did Ricks bring a firearm and rope with him to Caliph's home, but he also took substantial steps to cover up his crime. Ricks called Cleveland R.T.A. to inform them that Caliph would not be reporting for work. He also attempted to clean the blood stains throughout the apartment. Ricks subsequently confessed to killing Caliph. See Exhibit G.

II. Argument in Support of Continued Incarceration

This board should look to the nature of the offense committed by Marlon Ricks. Ricks went on what can only be termed a crime spree wherein he assaulted his girlfriend, killed his father, and kidnapped his father's girlfriend. Ricks acted maliciously and deliberately and instilled terror into the lives of many people. He was only arrested after SWAT broke down the door where Ricks was found wearing Caliph's watch.

One of the most utterly disturbing facts of this case is the great lengths Ricks went to cover up his crime. Ricks stuffed Caliph's body in the back of a closet and covered it in blankets and clothing in an attempt to conceal the body. He attempted to clean up and/or conceal blood by throwing newspapers over it. Officers also recovered towels and other bloodstained items from the apartment. Ricks even called Cleveland R.T.A. to inform them that Caliph would not be in for work.

Ricks' actions show a total disregard for the value of human life. He threatened to kill Carla Winfrey and Pamela Little. He aimed guns at both of them, secreted them away from help, and terrorized them. He killed his own father because his father was upset that Ricks was failing to live up to his obligation to pay for his vehicle. Ricks' brutality must be punished and Ricks should spend his entire life in prison. Ricks' mother expressed concern to the investigating detectives that her son might harm someone. See Exhibit F.

Because of these circumstances and the callous and premeditated nature of the murder of Abdullah Caliph and because of the violent acts committed against Pamela Little and Carla Winfrey, there exists substantial reason to believe that Ricks' release into society would create undue risk to public safety, would not further the interest of justice, and would be inconsistent with the welfare and security of society.

This Board should not reduce Ricks' sentence. The Cuyahoga County Prosecutor's Office recommends that he serve the full time to which he was sentenced.

III. MATERIALS SUBMITTED IN SUPPORT OF OPPOSITION

1. May 28, 1990, statement of Carla Winfrey. **Exhibit A.**
2. May 23, 1990, statement of Pamela Little. **Exhibit B.**
3. May 23, 1990, Euclid Police Department report by responding patrolmen. **Exhibit C.**
4. May 23, 1990, Euclid Police Department report by Det. Kucinski. **Exhibit D.**
5. Police diagram of Caliph's apartment. **Exhibit E.**
6. May 25, 1990, Euclid Police Department summary of oral statement from Debra Harris (mother of Marlon Ricks). **Exhibit F.**
7. May 23, 1990, statement of Marlon Ricks. **Exhibit G.**

IV. ATTENDEES

1. Simone Glass, daughter of the Victim Abdullah Caliph
2. Phyllis Coleman, ex-wife of the Victim Abdullah Caliph
3. Katherine Mullin, Assistant Prosecuting Attorney
4. Daniel T. Van, Assistant Prosecuting Attorney

Respectfully submitted,

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