



## Summer 2020 EJA Fellow:



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**Law School:** Loyola Law School

**Organization:** California Appellate Project - SF

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### Week of June 15th

As some of y'all might know, I was selected to be an Equal Justice America Fellow and this summer I am interning at the California Appellate Project – San Francisco (CAP-SF) on the Habeas team. I normally do not talk about my professional or academic life on social media, but given the heightened racial injustices against people of color, I think it's important to highlight the work @equaljusticeamerica and CAP do on behalf of vulnerable communities. CAP-SF is a non-profit public interest law firm that provides assistance to private attorneys appointed by the California Supreme Court to represent clients on death row.

Justice Ruth Bader Ginsburg once said, "People who are well represented at trial do not get the death penalty." This quote stands out because it accurately describes the clients on death row awaiting legal assistance with their direct appeals or habeas proceedings. California has the largest death row population in the United States, with the number being over 700. Since 1976, there have only been 13 executions in California. I mention these stats to bring awareness to the racial disparities of the criminal justice system. Race, class, and place all factor into capital punishment. The race of the victim and the defendant plays a huge role in whether the death penalty is an option. Which county the crime occurred in is also a big factor. Did you know most death penalty cases in California are mostly from 5 counties (Los Angeles, San Bernardino, Kern, Riverside, and Orange)? People do not end up on death row because of the crime they committed but because of their race, the type of assistance they can afford at trial and the county where the crime occurred.

Anyway, I look forward to sharing more information about my summer internship at CAP-SF and the work EJA does to support the legal community in the fight for civil rights and social equity on behalf of low-income clients.

For more death penalty info, visit: <https://deathpenaltyinfo.org/>

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### Week of July 6th

These past few weeks at CAP have been really interesting. While I've been getting to know more about my individual case, there has been a COVID outbreak at San Quentin Prison. Although San



Quentin is not a maximum-security prison, it is where most condemned prisoners are housed at. This COVID outbreak has been extremely frustrating and painful to witness from afar because it was entirely preventable. Towards the end of May, CDCR transferred men from another prison (Chino) and failed to test them prior to the transfer. Since this negligent transfer, 1 out of 3 men in San Quentin have tested positive for COVID. There have been 9 deaths related to COVID, including several men on death row. While it's not an execution by lethal injection, it very much feels like a state-sanctioned death. It has been a challenge focusing on habeas issues while knowing that everyone at San Quentin, including my client, is at risk to contracting the virus. I hope the Governor begins to act now by releasing people from custody in order to reduce the overcrowded population and protect the lives of those who remain incarcerated.

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### **Week of July 27th**

This summer has been an amazing experience and I feel very grateful to have had this opportunity. I spent weeks getting to know the facts of a capital case, including: facts of the trial, facts of the crime, and pretrial events. I browsed through filed motions, 987.9 requests, indictments, jury instructions, invoices and court orders. I spent days reading medical records, interviews, jail records, mental health reports and military records. It was interesting to chronologize these events in order to see what was done at time of trial, what was known at the time, what was in fact presented at trial and what should have been done. Breaking down facts of the case allowed me to issue spot and identify possible claims for the client's habeas petition. I am hopeful that my work this summer will be of benefit to appointed habeas counsel and for "my" client.

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### **Week of August 10th**

My summer at CAP has been a great experience where I've had the opportunity to learn about post-conviction work and the legal avenues people have to prove their innocence or overturn their conviction. This summer has also highlighted the importance of education and given a new meaning to "school-to-prison pipeline." While I have always known the importance of education, I did not have the opportunity to witness the consequences of a bad education or unaddressed learning disabilities. Prior to law school, I worked as a legal assistant advocating for appropriate special education services for foster youth. This summer, I got a glimpse of the future for children from unstable homes whose school preferred to promote them rather than address the problems and provide the proper support. Many clients on death row have an intellectual disability or learning disability that went undiagnosed until they began to prepare for trial. I often wondered: If the school had helped this person succeed, would this person's life had had a different trajectory? Perhaps not, but that possibility of alternative outcome will continue to inspire me to dismantle the school-to-prison pipeline and be an effective advocate.