



Riverside County District Attorney

# NEWS RELEASE

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## **DA DECIDES LIFE WITHOUT THE POSSIBILITY OF PAROLE FOR MAN WHO MURDERED 10-YEAR-OLD ANTHONY MARTINEZ IN 1997**

RIVERSIDE – Today, March 15, 2011, the Riverside County District Attorney’s Office accepted a guilty plea from convicted murderer Joseph Edward Duncan III in exchange for his agreement to be sentenced to life in prison without the possibility of parole for the 1997 murder of 10-year-old Anthony Martinez.

Duncan entered a guilty plea to first-degree murder and admitted all special allegations this morning at the Larson Justice Center in Indio before Judge David Downing. Sentencing has been set for 9:30 a.m., April 5, 2011, in Dept. 1B. Duncan also agreed to waive all his appellate rights.

Duncan had faced the death penalty in Riverside County after being extradited here in 2009 from Idaho where he was convicted by a federal jury of the murder of a 9-year-old boy and sentenced to death.

In February 2011, Duncan’s defense attorneys offered a plea agreement to the DA’s Office and that offer was carefully considered by Riverside County District Attorney Paul Zellerbach.

“Joseph Duncan definitely deserves to be executed for the heinous and vicious murders that he has committed,” Zellerbach said. “If he had not already been sentenced to death in federal court for the crimes that he committed in Idaho, I would not have even considered such a disposition in Anthony’s case.

“This was one of the most difficult decisions I have had to make in my 22-year prosecutorial career in this office,” Zellerbach said.

Zellerbach spoke with members of Anthony’s family including the boy’s mother, Diana Gonzalez, before reaching his decision to accept the plea agreement. The family requested that the DA’s Office accept the plea agreement.

“The family’s desire was a significant factor in my agreeing to this disposition,” Zellerbach said.

Zellerbach also spoke to the federal prosecutor in Idaho and is confident that Duncan will be executed via the federal criminal justice system long before he would have been in California.

The following is a timeline of the cases involving Joseph Duncan:

On April 4, 1997, 10-year-old Anthony Martinez is kidnapped from near his Beaumont home. His body was found on April 19, 1997, partially buried in some rocks in the Indio Hills area.

In July 2005, Joseph Duncan is arrested in Cour d’ Alene, Idaho for a kidnapping and murder in that state. Duncan admits to the kidnap and murder of Anthony Martinez and forensic evidence confirms he is the killer.

During the investigation in Idaho, Duncan admits to the 1996 murders of two girls, ages 9 and 12, in Seattle, Washington.

**\*MORE\***

On Jan. 18, 2007, the Riverside County District Attorney's Office files a criminal complaint against Duncan for the torture murder of Anthony Martinez.

In August 2008, Duncan is convicted by a federal jury in Idaho of the kidnap and murder of a 9-year-old boy and he is sentenced to death.

In November 2008, Duncan is sentenced to three separate life terms in Idaho state court for three additional murders.

In January 2009, Duncan is extradited to Riverside County to be prosecuted for the kidnap and murder of Anthony Martinez.

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