

Michael T. Goodwin, Jr. v. Iowa District Court for Davis County
S. Ct. No. 18-0737

Appeal from Iowa District Court for Davis County

Facts:

On January 25, 2016, Michael Goodwin Jr. was charged with first degree murder in connection with the death of his father, Michael Goodwin Sr. on December 11, 2015. At the time of the murder, Goodwin Jr. was 16 years old. On April 28, 2017, pursuant to a plea agreement, Goodwin entered a guilty plea to murder in the second degree. The plea deal provided that Goodwin would plead guilty and would be sentenced to be incarcerated for a period not to exceed 50 years with a mandatory-minimum sentence of 20 years. In July 2017, the court sentenced Goodwin to this term. At the time of the sentencing, Goodwin was 17 years old. In October 2017, Goodwin filed a motion for reconsideration of his sentence. This motion was denied. In March 2018, Goodwin filed a motion to correct an illegal sentence. Goodwin asserted that the court failed to properly weigh factors cited in a 2017 Iowa Supreme Court decision (*State v Roby*) providing that the court impose mandatory-minimum sentences on juvenile offenders only after careful consideration of mitigating factors of youth. Goodwin also requested appointment of counsel as an indigent defendant. The State of Iowa did not file a resistance to this motion, but the district court denied reconsideration and the appointment of counsel for this process.

Issues:

Article I, Section 10 of the Iowa Constitution (similar to the 6th Amendment to the United States Constitution) protects the rights of persons accused of crimes in the state and provides for the assistance of counsel when necessary. The Court has interpreted this section to mean that a defendant in a criminal case is entitled to representation by counsel at all critical stages of the proceeding. If the defendant is indigent, the state has a constitutional obligation to provide an effective lawyer at state expense. At issue here is an interpretation as to whether a motion to reconsider a sentence after that sentence has been imposed is part of the same criminal proceedings, and therefore would fall under the constitutional requirement to the right to counsel.

Discussion:

The Iowa Court of Appeals has consistently rejected the constitutional right to counsel for a motion to correct an illegal sentence. The Appellant (Goodwin) seeks to have the Supreme Court reconsider in light of recent rulings dealing with the sentencing of minors and questioning the constitutionality of maximum-minimum sentences.

Arguments:

Appellant (Michael Goodwin Jr.): The Constitution requires that an indigent defendant be afforded a court-appointed attorney at all critical steps of proceedings. Goodwin argues that the appeal of an illegal sentence is a continuation of his original criminal proceedings and therefore should receive assistance. The basis for Goodwin's claim to an illegal sentence is the lack of consideration given during proceedings to Goodwin's youthful status (he was 16 at the time of the murder) and home circumstances. The Court has previously determined that in cases involving young offenders that a series of 5 considerations must be made (*State v. Lyle*, 2014). These include: 1) the age of the offender; 2) the particular family and home environment that surround the youth; 3) the circumstances of the particular crime and all circumstances relating to youth that may have played a role in the commission of the crime; 4) the challenges for youthful offenders in navigating through the criminal process; and 5) the possibility of rehabilitation and the capacity for change. The Court provided further

guidance to district courts (*State v. Roby*, 2017) by indicating that the factors should generally mitigate, not aggravate, punishment, with a goal of crafting a punishment that serves the best interests of the child and of society. The court indicated in *Roby*, that except in rare circumstances, juveniles should not be subject to mandatory minimum sentences. The Court also stated that mandatory minimum sentences may not be imposed on juvenile unless supported by expert evidence. Goodwin maintains that neither the process nor the considerations were applied to his situation and requests that the Court set aside the sentence, allow him to retain court-appointed counsel and make a motion for reconsideration of his sentence.

Appellee (State of Iowa): State challenges the basis for the claim and makes a distinction between an illegal sentence and a defective sentencing process. While denying that either occurred, the State acknowledges that an illegal sentence might require that Goodwin have court-appointed counsel. In the event of a defective sentencing process, however, Goodwin would not have a constitutional right to court-appointed representation. The State maintains that Goodwin received a fair and thorough sentencing hearing which took into consideration elements set forth in *Roby*, requiring a risk assessment of a youth's background and upbringing and requiring expert support for any minimum sentencing. Moreover, the State maintains that Goodwin's age and circumstances were considered in the minimum sentence of 20 years – which is far below the minimum sentencing guideline of an adult guilty of the same offense of 35 years. The State urges the Court to refuse to tolerate the unfairness that results when a defendant seeks to transform what was a favorable plea bargain in district court to an even better deal on appeal. The State asks the court to reject Goodwin's claims, but in the alternative asks that if the Court finds merit, not to order resentencing, but to allow for a full trial for first degree murder – subject to whatever verdict and sentence a jury determines for this offense.