

# Prosecutor defends Parks case plea deal

By Christina Lords Daily News Staff Writer

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The prosecution's inability to use evidence relating to Silas Parks' criminal background played an integral role in a plea agreement reached between Latah County Prosecutor Bill Thompson and Parks' attorneys, Thompson said Wednesday.

On Tuesday, Parks, 26, pleaded guilty to voluntary manslaughter charges for killing his wife, Sarah Parks, and their unborn daughter, Lilly Ann Parks, on June 24.

He also pleaded guilty to one count of first degree arson for setting their Moscow apartment on fire the day of the killings.

Second District Court Judge Jeff M. Brudie last week denied the prosecution's motion to admit evidence relating to Parks' 2006 domestic violence case.

Parks was initially charged with domestic battery in the 2006 case, but the charge was later amended to disturbing the peace.

Brudie wrote in his opinion that "the court is simply unable to find that the 2006 domestic battery charge is relevant" to the June 24 murder case. Any evidence related to that case would not have been admissible at trial.

"We were told none of the evidence in relation to (Parks') conduct could be used," Thompson said. "Those were important decisions for us to have from court to be able to assess, then, what we were going to be able to go (with) at trial."

Thompson said with Parks' character evidence from the 2006 case, he had a provable case for premeditated homicide.

Without that evidence, "there would be no background information to put his conduct into context in terms of premediation," he said.

Thompson said the cost to Latah County to conduct a murder trial was not considered while making the plea agreement.

"It was never a factor," he said. "Cost is never a factor in a case like this."

Thompson said he was unaware of any public criticism from local residents in relation to the agreement.

"He's pleaded guilty to homicide," he said. "Anyone who doesn't understand that just doesn't understand what has occurred and what the crime is. ... (Parks) is facing the prospect of a substantial sentence."

People need to remember the statutes applied to voluntary manslaughter and maximum prison sentences that apply to the case are decided by the Idaho Legislature and not the prosecuting attorney, Thompson said.

"This is a horrible crime, particularly because it was completed by arson, but that doesn't change the facts," he said. "We have to apply the facts to the law."

Parks' plea agreement was finalized during a mediation hearing with Nez Perce County Magistrate Judge Kent J. Merica on Tuesday.

Thompson said the mediation took the majority of the day, and Merica met with the prosecution and defense separately.

Parks and his attorneys, D. Ray Barker and Charles E. Kovis, met with Merica around 10 a.m. Tuesday.

Barker said while he didn't feel comfortable discussing certain aspects of the plea agreement, he did say he thought the agreement was fair.

"I think it's fair because there is no evidence of any homicide other than manslaughter," he said.

Sarah Parks' mother was on a conference call from Alabama as a representative of the family for the prosecution's portion of the mediation, Thompson said.

"The biggest thing the family wants to know, and rightfully so, is what happened, what really happened," he said. "That is part of the (plea) agreement."

Thompson said the sentencing range Parks is facing - up to 40 years in prison for the three charges - was "actually more than what Sarah's family was asking for themselves."

Sgt. James Fry, the investigating Moscow Police Department officer for the case, also was present during the mediation.

He said the plea agreement "was the best deal for the evidence that we had at the time," Fry said.

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