

Fight for Discovery



JASON DOY

THE WARRIORS:
Alameda County Assistant Public Defenders Kimberly Kupferer and James McWilliams fought for years for discovery in their defense of a murder suspect.

A federal judge's ruling could make it easier for defense attorneys to access federal evidence

By **SONIA GIORDANI**
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OAKLAND — Samuel Lee Johnson is staring death in the face. His name appears on thousands of pages of federal documents that prosecutors say inculcate him in the 1996 kidnapping, torture and killing of alleged drug dealer Devon Chung and his girlfriend, 18-year-old Traci Carter.

Johnson and his attorneys have maintained that the documents — produced by an alphabet soup of federal agencies from the FBI to the INS — include exculpatory evidence crucial to the

defense, as well as important background information that could speak to the credibility of the prosecution's star witnesses.

For the last three years, the bulk of the documents has been off-limits to Johnson — until this week.

By an order of U.S. District Judge Samuel Conti, Johnson's attorneys — Alameda County Assistant Public Defenders Kimberly Kupferer and James McWilliams — got their hands on 2,500 pages of reports, notes, tests and test reports regarding two of the prosecution's witnesses. The documents also included witness statements that either contain exculpatory information

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