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PRESS RELEASE

April 30, 2024

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TWO MARINA HOMICIDES FROM 1979 HAVE BEEN SOLVED, BUT SUSPECT CANNOT BE PROSECUTED DUE TO CURRENT MENTAL INCOMPETENCY

SALINAS, California- Monterey County District Attorney Jeannine M. Pacioni and Marina Police Department Chief Randy Hopkins announced today that Jurn Lavern Norris, age 69 and formerly a resident of Marina, has been identified as the perpetrator of the murders of Helga DeShon and Uicha Malgieri, two young military spouses murdered in their apartments in Marina in 1979. The District Attorney's Office is unable to file charges against Norris because he is incompetent to stand trial due to severe mental illness. Norris is currently the subject of a federal civil commitment in another state, where he is presently being supervised and has been receiving inpatient mental health treatment in a locked facility for decades.

On September 25, 1979, 27-year-old Uicha Malgieri was found strangled to death in her apartment on Cosky Drive in Marina. Mrs. Malgieri, originally from South Korea, was married to a U.S. Army specialist stationed at Fort Ord. She also worked as a housekeeper in Carmel. Physical evidence was collected from Mrs. Malgieri's body, clothing and apartment. Mrs. Malgieri's husband was originally arrested for the crime, but he was released without charges being filed against him. Mr. Malgieri was later cleared as a suspect. He was not involved in his wife's murder in any way.

On October 9, 1979, 21-year-old Helga DeShon was found strangled to death in her apartment, also on Cosky Drive in Marina. Mrs. DeShon was originally from Germany and was married to a U.S. Army sergeant also stationed at Fort Ord. Physical evidence was collected from Mrs. DeShon's body, clothing and apartment. Investigators immediately determined that the murders of Mrs. Malgieri and Mrs. DeShon were connected due to their proximity, victim type and method of homicide. Both victims were murdered by strangulation on Tuesday mornings while their husbands were at work.

Norris, then age 25, had been discharged from the U.S. Army in May 1979 after attacking and strangling another soldier while stationed in Germany in 1978. The young female soldier survived

and identified Norris as her attacker. Norris received a bad conduct discharge for committing assault and resisting arrest. Norris was in Marina at the time of the homicides because his then-wife was an Army sergeant stationed at Fort Ord.

Norris was named a suspect in the initial Marina Police Department investigation because a neighbor of Mrs. Malgieri's told police about an unsettling interaction she had with Norris at the same apartment complex on Tuesday, August 21, 1979, approximately one month before Mrs. Malgieri was killed. The neighbor, who was also a foreign-born Army spouse, reported that Norris knocked on her door early in the morning while her husband was at work. Norris asked if he could enter her apartment and wait until noon. He smoked cigarettes inside the apartment and made sexual comments toward the neighbor. He told her that she could be a "nude model" and asked if she trusted him. When the neighbor became uncomfortable and asked Norris to leave, he exited but then returned, claiming he had left his cigarettes inside her apartment. He had not left any cigarettes in the apartment. The neighbor documented the license plate to Norris's car as he drove away.

The following day, August 22, 1979, Norris called the neighbor and identified himself as the man who had been to her apartment the day earlier. He told her that he was married and said that the neighbor should deny knowing him if his wife were to call her.

On August 25, 1979, Norris stabbed his wife with an ice pick, fled the scene of the crime, and returned to the neighbor's apartment, where he asked her husband for money. Norris's wife survived the attack.

On October 9, 1979, the day of Mrs. DeShon's murder, an unknown male believed to be Norris called Mrs. Malgieri's neighbor and told her that her "best friend" had just been killed. Although the neighbor did not know Mrs. DeShon, they were both originally from Germany. The caller then told the neighbor that she was "next."

On November 11, 1979, Norris kidnapped his wife on the way to a marriage counseling appointment and threatened to kill her. He returned her to their residence without harming her. In December 1979, Norris was sentenced to 180 days in jail with 60 days suspended for stabbing his wife.

On January 8, 1980, Norris shot his wife multiple times. She survived the shooting. Norris was subsequently convicted of assault with intent to commit murder and sentenced to federal prison.

Although Norris remained the prime suspect in both murders, the initial investigation did not result in any arrests. DNA testing did not exist at the time, and the physical evidence was inconclusive using the technology that was then available.

In 2016, Marina Police Department conducted a review of unsolved homicides that had occurred in the city. Detective Oliver Minnig of the Marina Police Department was assigned the cases. Advancements in DNA technology allowed for Detective Minnig to submit evidence from the crime scene for new forensic analysis. Detective Minnig also re-interviewed witnesses and continued to actively pursue the case after he went to work for the Monterey County District Attorney's Office in 2017. The Monterey County District Attorney's Office Cold Case Task Force, which was established in 2020 to investigate, solve and prosecute cold-case homicides in Monterey County, also worked collaboratively with Marina Police Department to conduct additional investigation and DNA testing.

DNA testing was conducted on the evidence items taken from both crime scenes by Serological Research Institute in Richmond and Astrea Forensics in Santa Cruz. DNA analysis showed there was strong support for Norris as a contributor to a mixture of DNA found on Mrs. DeShon's jeans. A hair found inside the DeShon apartment was identified as belonging to Norris. Norris also could not be excluded as a contributor to a mixture of DNA found on Mrs. Malgieri's underwear. The District Attorney's Office has determined that sufficient evidence exists to establish Norris's identity as the perpetrator of the murders, and charges would be filed against him if he were presently mentally competent to stand trial.

The investigation revealed that Norris has suffered from severe mental health conditions for decades. Upon his release from federal prison in 1990, Norris was civilly committed under a federal statute on the grounds that his release would pose a substantial risk to others due to his mental illness. Norris has been held in a locked medical center for federal prisoners continuously since 2002.

The Due Process Clause of the Fourteenth Amendment to the United States Constitution prohibits states from trying or convicting criminal defendants who are not mentally competent. To be competent, a defendant must have both a "sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding" and "a rational as well as a factual understanding of the proceedings against him." In California, a defendant charged with a felony who is found to be incompetent to stand trial cannot be held more than two years while experts attempt to restore him or her to competency. At the conclusion of two years, the case must be dismissed if the defendant cannot be restored to competency.

Based upon a thorough review of Norris's records and in-person interviews with Norris conducted by members of the Cold Case Task Force and Marina Police Department, the District Attorney's Office has concluded that Norris would not be found competent to stand trial and that there is no reasonable likelihood that he would be deemed competent to stand trial within two years. He has been diagnosed with multiple mental health disorders and is gravely mentally ill. Accordingly, the District Attorney's Office is not able to file criminal charges against Norris for the murders. In the extremely unlikely event that Norris's mental state were to substantially improve, the case could be re-evaluated for filing at that time.

In January 2022, the Monterey County District Attorney's Office Cold Case Task Force received a \$535,000 grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. The grant, titled "FY 2021 Prosecuting Cold Cases Using DNA," provides funding to support forensic testing and investigative activities in the prosecution of cold cases where DNA from a suspect has been identified. Funding from the U.S. Department of Justice grant enabled the Cold Case Task Force to conduct additional analysis in these cases.

The Cold Case Task Force is grateful to all who assisted in bringing a resolution to these offenses and those who continue to honor the memories of Uicha Malgieri and Helga DeShon.