

JURY WANTS DEATH FOR PARTIN

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Robert Ramsdell remembers that day five years ago when he first saw his stepdaughter's killer in a Pasco courtroom.

A defiant Phillip Alan Partin showed off the tattoo across his shoulders, the one he got during his year on the run from law enforcement:

"Live free or die."

Words to live by, the stepfather said. "He's not going to live forever," Mr. Ramsdell said Wednesday. "He may as well kill himself now."

That's because a jury decided on Wednesday that the state of Florida should take Partin's life for taking 16-year-old Joshan Ashbrook's life in 2002.

It took the jury of eight men and four women three hours on Tuesday to convict Partin of first-degree murder. It took them two hours on Wednesday to vote 9-3 in favor of the **death penalty** instead of life in prison.

Partin, 42, reacted as he has throughout his two-week trial: with a cold, blank stare and an air of hostile indifference.

In fact, the trial revealed that the only thing Partin seems to care about in this world is his 12-year-old daughter, Patrisha.

Is Partin both a cold killer and a caring father? "How can he love his little girl," said the victim's mother, Tara Lynn Ramsdell, "and not care what he did to mine?"

The trial, or guilt phase, took seven days. Wednesday's penalty phase was brief by comparison.

The state's lone witness was a Miami-Dade police lieutenant who testified about Partin's first murder two decades ago, when he snapped the neck of a Miami man. The lieutenant said Partin hustled at gay bars then, which is how he met that victim.

In 1987, Partin was sentenced to 17 years in prison for second-degree murder. But he was released in 1995.

Joshan (pronounced Yo-shan) also had her neck broken, a medical examiner testified, separating her head from her spine. Her throat was also cut open.

No one testified on Partin's behalf. No family members have even come to court. Instead, the defense played snippets of videotaped depositions on his behalf.

They played just a few seconds of a tape of Partin's daughter, who testified for the state that she saw the victim alive with her father.

In the tape, defense attorney Bjorn Brunvand showed the girl a hand sign that she and her father used to share.

"Is that what the two of you used to say 'I love you' to each other?" the lawyer asked.

"Yes," the girl said.

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The jury's vote for the **death penalty** is a recommendation. State law says the judge must give it "great weight."

In the end, it will be Circuit Judge William Webb's decision alone. Partin's lawyers will try to persuade the judge to override the jury's recommendation at a May 16 hearing.

Partin doesn't appear to like the judge. He's insulted Webb in jailhouse letters and on Wednesday directed profanities at him.

The judge will sentence Partin on June 20.

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The Ramsdells have eight children, 17 grandchildren and one more on the way. Those children have questions their grandparents cannot answer.

"We have grandchildren who want to know why the bad guy killed Auntie Yo-Yo," Tara Ramsdell said, "and what do you say to them? He's not going to say anything to us. I want him to tell me why."

The state said the motive for Joshan's murder is a mystery that may never be solved.

The mother of Partin's daughter said she is conflicted about the **death penalty**. "How's his daughter going to feel," she said, "not being able to see her father again?"

Given Partin's feelings about being living free, the mother said, she wonders if a worse punishment would be to let him live out his days behind bars.

"Sometimes I think so," Mrs. Ramsdell said. "But I'm Joshan's mother. I say kill him."