



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA
TODD SPITZER

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PRESS RELEASE

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**Third Striker who Orange County Prosecutors Warned Posed a
Significant Risk to Public Safety Convicted of Murder
After Judge Allowed Him to Participate in Collaborative Court
Program Over Objection of Prosecutors**

SANTA ANA, Calif. – A 53-year-old third striker who Orange County prosecutors warned posed a significant risk to public safety due to his violent criminal history has been convicted of stabbing another man to death after two of his felony convictions were dismissed as a result of a judge allowing him to participate in a collaborative court program over the objection of prosecutors.

A jury convicted Effrum Maland Burnett, 53, of Yorba Linda, of one felony count of second-degree murder with the special enhancement that he personally used a knife during the murder for stabbing Toye Mim Jones during to death in a fight outside of a sober living home in Anaheim last year. Burnett has two prior strikes for kidnapping and robbery in Los Angeles County.

On July 18, 2023, Burnett, Christina Roberts, who is a female acquaintance of both Burnett and Jones, and a third man drove in Burnett's vehicle to the sober living home in the 9500 block of Canton Avenue and attempted to retrieve a 2009 Dodge Ram truck which Roberts claimed was hers.

While attempting to start the truck, Jones angrily confronted Roberts, which escalated into a physical confrontation, in which Burnett intervened and began fighting with Jones. Jones went

inside the sober living home, but minutes later came back out to the street and walked down the sidewalk where he confronted Burnett in front of another home, hitting him in the eye.

Burnett then stabbed Jones five times in the face, arm pit, groin, abdomen, and chest, puncturing his heart. Jones was taken to a nearby hospital and was pronounced dead.

Burnett faces a maximum sentence of life in prison. Sentencing is scheduled for July 19, 2024, in Department C35 of the Central Justice Center in Santa Ana.

In April 2018, Burnett, who was facing felony charges for robbery and burglary asked an Orange County Superior Court judge to strike his two prior strikes for kidnapping and robbery and to allow him to participate in the Whatever It Takes Court program, which would only be possible if the Court struck his prior strikes. At the time, the program was not intended to serve people with serious strike priors who posed a public safety risk. Despite the objection of prosecutors, the Court granted the defendant's request to strike his prior strikes and admitted him to the program. Burnett's felony cases for robbery and residential burglary were dismissed in December 2020 after he completed the Whatever It Takes Court requirements.

"We warned the Court that this individual's serious and violent criminal history posed too great of a risk to public safety, and he should not have been allowed to participate in a program in which his past criminal behavior excluded him from eligibility," said Orange County District Attorney Todd Spitzer. "The Legislature and the Courts are continuing to allow more and more dangerous and violent criminals into these programs at great risk to public safety. Judges must balance the potential benefits with protecting public safety, and there are cases where the facts and the criminal history simply cannot be ignored. This is one of those cases and a man paid the price for it with his life."

Senior Deputy District Attorney David Porter of the Homicide Unit is prosecuting this case.

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