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Judge in Arizona shootings trial has local ties

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— The federal judge appointed to preside over the trial of the 22-year-old man accused of shooting U.S. Rep. Gabrielle Giffords and several other people in Tucson, Ariz., on Jan. 8 has family ties to Murray County.

Judge Larry Burns said he always looked up to his father, a Murray County native then known as Tom Paul “Nub” Cockburn, when he was growing up, and his father’s background and influence on him shaped who he is today. In fact, his father’s work as an officer for the Pasadena (Calif.) Police Department opened doors that ignited Burns’ desire to become a prosecuting attorney and later a judge.

“Whatever (my father) did, he strove to do the best job he could,” Burns said during a phone interview from his chambers in San Diego where he is a judge for the Southern District of California. “He told me many times, ‘Even if I’m digging a ditch, I’m going to dig the best ditch that I can ...’ That’s had a big influence on me.”

Burns was chosen to preside over the trial of Jared L. Loughner after all the federal judges in Arizona were disqualified from hearing the case because the state’s chief judge, their colleague John M. Roll, was killed in the shootings. The shootings left six dead and wounded more than a dozen others.

Commentators and analysts describe Burns as a no-nonsense jurist who prefers to hear and decide cases with as little delay as possible. He visits Murray County periodically as his father, now 85, returns to Cisco to visit with family and friends.

The Burns family’s ties to Murray County go back to the 1830s when they were still known as the Cockburns. (The name at that time was pronounced “Koe-burn.”) For generations, the family lived in Cisco, said Greg Cockburn, one of Burns’ cousins and a former Whitfield Board of Education member. Cockburn said Burns’ mother, Grace Momjian Burns, was born to an Armenian immigrant who escaped the Turkish Muslim genocide of Christian Armenians during World War I.

His father is a fourth-generation North Georgian and the descendant of a Revolutionary War veteran who settled in Franklin County in 1780. Tom Cockburn was a first-generation Murray County resident who grew up in Cisco and went to school there until seventh grade when his father called him back home to help out on the farm.

Tom Cockburn joined the Navy during World War II and served in the Pacific aboard the battleship USS Wisconsin. When he returned home from war, he got married and moved to California where he worked as a carpenter making cabinets for trailers. As demand for trailers began to decline in the 1950s, Cockburn sought other employment.

In Pasadena, Cockburn applied for a city carpenter’s job only to find there were no openings. What the city did need was police officers. Cockburn applied and was hired, working there until the 1970s and during Burns’ childhood years. It was also during that time that Cockburn decided to change his family’s last name after enduring years of teasing.

In 1959, Larry Cockburn became Larry Burns.

Burns would watch his father constantly at work, and as he got older would often work alongside him. Tom Burns labored

as a guard, a chaperone, a gardener, a landscaper — anything to supplement his police officer salary.

“He always had other jobs on weekends,” Burns said. “He would take anything he could get ... I was raised by a dad with a very strong work ethic who inculcated that with his kids.”

As a police officer, Tom Burns developed a respect for certain prosecutors, particularly those who weren’t afraid to tackle something hard.

“He appreciated the prosecutors that weren’t afraid to take on difficult cases, that weren’t so worried about won and lost records,” Larry Burns said. “I remember as a kid him taking me over to the courthouse in Pasadena and introducing me to some of the prosecutors that he knew there ... I think that’s what sparked my interest in going into law and in particular being a prosecutor.”

When Burns entered college, it was with that goal in mind, he said. Out of law school, Burns became a prosecutor in the state system and later the federal system for 18 years. He said a judge gets to experience the “dynamic of the trial court” from a different angle as the judge watches opposing counsel match wits with each other and with him.

In 1997 Burns became a Magistrate Court judge, serving there until 2003 when then-President George Bush nominated him for his current position. Since then, he’s presided over several high profile cases. In 2008, he ruled the Mount Soledad memorial cross on public land in La Jolla, Calif., did not violate laws prohibiting government-sponsored religion. The U.S. Circuit Court of Appeals reversed that decision this month.

In 2007, Burns sentenced Javier Arellano Felix to life in prison for crimes involving his leadership of a cartel that smuggled drugs from Mexico to the United States. Burns also oversaw the case against former U.S. Rep. Randy “Duke” Cunningham, R-Calif., sentencing him to eight years in prison for crimes involving tax evasion, bribery and fraud.

“The stakes are high in the matters that come before me, whether they’re criminal cases or civil cases,” Burns said. “People want a conscientious decision before a prepared, informed judge.”

Cases involving complex science or areas in which he is not an expert are among the most challenging he faces as a judge, he said.

“I’d also say that in the criminal cases where somebody’s life or liberty is at stake, those are always challenging cases,” he added. “Judges ultimately hold the line on constitutional rights when there’s challenges or disagreements ... I’ve never been locked up in jail ... but I have an appreciation for what a severe restriction on personal freedom going to jail is.”

Burns’ father now lives in Arcadia, Calif. Burns’ cousin Frank Higdon lives in Texas and he said he visits with family in Murray County periodically also.

“Larry is pretty well-known out there in California as being a very good judge,” Higdon said. “I’m not surprised the Ninth Circuit Court selected him to handle this case.”