Ventura County District Attorney Term Report 2003 - 2006

GREGORY D. TOTTEN District Attorney



# Our Mission

he Mission of the Ventura County District Attorney's Office is to promote justice and protect the people of the county of Ventura and the State of California by aggressively and fairly prosecuting those who violate the law.

We employ individuals of character and courage who provide the highest quality legal representation for the public, steadfastly protect the rights of crime victims, and conscientiously seek to improve the criminal justice system and strengthen our community.

Our vision is to enhance the quality of life in our community, to be leaders in quality prosecution, to aggressively advocate the cause of justice and, above all, to make Ventura County a safer community for everyone.

# Ventura County District Attorney Term Report 2003 - 2006

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# The Ventura County Board of Supervisors



Kathy Long District 3



Peter Foy District 4



John Flynn District 5





Gregory D. Totten

improved services in a cost-effective manner.

# First Term Report

This report describes the work and accomplishments of the dedicated men and women in the Ventura County District Attorney's Office during the four-year period 2003 through 2006.

This was a time of transition and change within the District Attorney's Office. In 2002, Michael D. Bradbury retired after almost 33 years as a prosecutor, serving an unprecedented six terms as District Attorney. I was honored to take office on November 1, 2002, after the county's first contested election for District Attorney since 1978. Mike did much to shape the office during his tenure, and I accepted the responsibility to build upon that foundation for the future.

While we have confronted many new challenges, from reduced staffing levels to the changing nature and demographics of crime, we have consistently sought to preserve and enhance this office's rich tradition of excellence and dedication to the safety of all Ventura County residents. Along the way, we pursued innovative strategies and new programs designed to fight crime and deliver

For example, we obtained the first civil gang injunction in Ventura County which has been responsible for a marked reduction in gang-related crimes. We also created the Real Estate Fraud Prosecution and Prevention Program to deter, investigate, and prosecute real estate fraud crimes. To better address the problem of domestic violence, we instituted the Family Violence Prevention and Education Center that provides direct assistance to victims of domestic violence in a classroom atmosphere, including obtaining restraining orders, education as to the causes and prevention of domestic violence, and referrals for legal assistance, counseling, and other services. With the assistance of generous volunteerism by local businesses, agencies, and citizens in our community, we opened the second Safe Harbor multi-disciplinary interview and advocacy center to meet the needs of victims of child abuse and adult sexual assault in the east county. At the same time, we filed and prosecuted more misdemeanor and felony cases during this period than any time previously, and we maintained one of the highest conviction rates in the state.

It is a privilege to lead the dedicated professionals in the District Attorney's Office and an honor to serve the county I am blessed to call my home. I am grateful for the support of local law enforcement and our community in helping keep Ventura County one of the safest places in the country.

Very truly yours,

GRECORY D. TOTTEN District Attorney

# Table of Contents

Dedication	5
A Time of Transition	6
Criminal Prosecutions	8
Major Crimes Unit	8
General Felony/Misdemeanor Unit	11
Sexual Assault and Family Protection Unit	13
Juvenile Unit	15
Special Prosecutions	17
Major Fraud Unit	17
Gang Injunctions	24
Consumer and Environmental Protection Unit	24
Writs and Appeals	28
Information Technology Unit	28
Fiscal, Administrative and Legislative Services	29
Ellie Liston Crime Victims' Assistance Program	29
Family Violence Prevention Center	30
Ventura County Safe Harbor East and Safe Harbor West	30
Legal Support Services Unit	31
Bureau of Investigation	32
Non-Sufficient Funds (NSF) Restitution and Prosecution Unit	34
High Technology Crime Task Force	34
 The Honorable Patricia M. Murphy	35
Retirees	36
Award Winners	39
Ventura County Summary	40
Ventura County District Attorney Office Locations	40

Three simple words describe Michael D. Bradbury: courage, loyalty and determination. He embodies these qualities as he lives his personal credo to "Do Right."

As District Attorney, he demonstrated the courage to stand against wrongdoing, and also to stand for those victimized by crime. He did so even in the face of criticism and when expediency would cause others to take a lower road. His courage in following his convictions when representing the People of the State of California is a model for us all.

His loyalty has been indisputable: loyalty to the law, to the People, to his colleagues, and to the oath of office he swore to uphold over 24 years ago on behalf of every person in Ventura County.

His determination meant that he got the job done, no matter the personal cost or sacrifice. In doing so, he fulfilled a dream of every law-abiding citizen: that public safety shall be the first priority of local government.

# Dedication



Michael D. Bradbury

Michael Bradbury led a crusade for justice in Ventura County for 33 years as a prosecutor, 24 years of which he served as our District Attorney. He committed himself to ensuring that every victim see justice done. He promised to make things right when he could, and he kept his promise.

He changed the way people in his county, state and nation approach law enforcement and criminal justice. He eliminated plea bargaining in Ventura County and proved wrong those who insisted that changing the way we did business would bring chaos to our judicial system. He made our streets safer by taking a hard line on drunk drivers. He was a leader in a national campaign against drunk drivers and served on the Presidential Commission on Drunk Driving. He is the only District Attorney in California's history to twice be elected to serve as the President of the California District Attorneys Association.

In seeking justice for all those affected by crime, Michael Bradbury placed a priority on victims' rights. He instituted one of the state's first victim services units, a program which became a model for other jurisdictions. He helped merchants by instituting our Non-Sufficient Fund Check Program, and reinstituted our Consumer Fraud Unit. Mr. Bradbury's unrelenting dedication to the furtherance of criminal justice established a benchmark for the dedicated men and women of this office to follow as we pursue justice every day.

Michael Bradbury is a friend, colleague, and mentor to all those who have taken on the tireless duty of seeking justice for the people of this great state. He is a distinguished attorney, a family man, a horseman, a sportsman, a poet, and he cooks a mean pot of chili. We owe Mr. Bradbury our deepest gratitude for his lifetime of work for our community, state, and nation. We hope to build upon his successes as we continue to ensure safety, community, and justice.

In his honor, we present this Term Report of the Office of the District Attorney.

## Ventura County District Attorney



# A Time of Transition

The Ventura County District Attorney has issued annual or biennial reports continuously since 1979. These reports are provided to libraries, government officials, District Attorney staff, and members of the public. Our last report ended with 1999, when budget considerations delayed the issuance of further reports.

In recognizing tighter fiscal times, but in keeping with the time-honored tradition of preparing these reports, we are moving from a biennial report to a "term report" which will encompass each four-year term served by the district attorney. Consequently, the report in your hands covers Greg Totten's first term as district attorney, from 2003 through 2006.

The years 2000 through 2002 are not discussed in detail in this report, but are noteworthy as an important period of transition for the Ventura County District Attorney's Office. Between 2000 and 2002, the management of our office was restructured for greater efficiency, consolidating the Major Offenses and General Criminal Divisions, and combining the General Felony and Misdemeanor Units. Services to victims of crime were expanded in the new Ellie Liston Crime Victims' Assistance Program, dedicated Management Staff Left to Right: Chief Deputy Jeff Bennett, Special Assistant Mike Schwartz, Chief Assistant Jim Ellison, District Attorney Greg Totten, Chief Deputy Mike Frawley, Present Chief Investigator Rob Briner

in honor of a pioneer of victims' rights in Ventura County. Innovations in information technology allowed the District Attorney's Office to join with the courts, probation and the sheriff into a single case management system, the Ventura County Integrated Justice Information System (VCIJIS). In 2002, the Child Support Division left the District Attorney's Office and became a separate department, part of a statewide change mandated by the California Legislature. Finally, after six terms as District Attorney, Michael D. Bradbury announced his retirement and Gregory D. Totten was elected.

This report honors the retirement of some of our most senior attorneys and investigators, those we had relied uponto prosecute our most serious crimes. Similar demographic transitions have occurred throughout law enforcement as baby boomers leave government service and make way for younger professionals to take their place. A talented new group of prosecutors and investigators are meeting this challenge, successfully prosecuting homicides and other serious cases.

## Office Organization Chart 2006



Ventura County District Attorney

# **Criminal Prosecutions**



Michael K. Frawley, Chief Deputy District Attorney

riminal Prosecutions encompasses the Major Crimes Unit, the Juvenile Unit, the General Felony/ Misdemeanor Unit, and the Sexual Assault/Family Protection Unit. The chief deputy of the division provides direct supervision of the Major Crimes Unit, while the other units have a supervising attorney to handle immediate supervisory responsibilities. The chief deputy provides direction and guidance regarding filing decisions, trial strategy, unit assignments, three strikes and death penalty cases, grant applications, and grant reporting obligations. The chief deputy of Criminal Prosecutions also acts as a liaison to the six law enforcement agencies in the county and is responsive to inquiries from the public. This division handles most of the over 23,500 criminal cases filed each year by the District Attorney's Office.

In addition to overseeing the prosecutorial units, the chief deputy of Criminal Prosecutions also serves as liaison to both the civil and criminal grand juries, chairs the Ventura County Child Death Review Team, the Ventura County Domestic Violence Death Review Team, and sits on numerous other countywide committees that address law enforcement issues.

## **Major Crimes**

The Major Crimes Unit prosecutes all homicides and special-interest cases in which the complexity of the case requires the experience and expertise of a major crimes attorney. The Major Crimes Unit is staffed by ten attorneys. These attorneys are widely recognized as some of the most experienced trial lawyers in Ventura County. In addition to prosecuting major crimes, the unit provides 24-hour-per day legal assistance to law enforcement agencies in areas such as search warrant preparation, crime scene response, and evaluation of officer-involved shootings.

Other duties include assistance in special investigations, law enforcement training, and appearances at California Department of Corrections parole hearings.

PEOPLE V. NATHAN SESSING

[Murder, Burglary, Assault With a Deadly Weapon, Infliction of Great Bodily Injury] Prosecutor: Richard Simon Investigator: Lance Steaman Victim Advocate: Connie Young

On December 1, 2004, Nathan Sessing, 17, recently released from juvenile hall, tried to break into the car of Brett Cooke. Cooke surprised Sessing who stabbed Cooke in the chest and escaped on a bicycle. Two days later Sessing took the family baseball bat and a knife, and broke into Larry Phifer's home. Phifer lived four houses away from Sessing in Newbury Park. Sessing murdered Phifer, beating him with the bat and stabbing him with the knife. Sessing then stole a DVD player and several DVDs from Phifer's home. Talking to his sister Katie, Sessing confessed to stabbing Cooke but denied Phifer's murder. A search conducted by the Sheriff's Department located the bat, the knife, the DVD player and stolen DVDs. Sessing was convicted in a jury trial of first degree murder with the special circumstance of murder in the course of a residential burglary. He was also found guilty of residential burglary, assault with a

Criminal Prosecutions

deadly weapon and infliction of great bodily injury. Sessing was tried as an adult and sentenced to life in prison without the possibility of parole.

PEOPLE V. SOCORRO CARO Multiple Murder Prosecutors: James Ellison and Cheryl Temple Investigator: Michael Barnes

On the evening of November 22, 1999, the defendant, 42-year-old Socorro Caro, got into a heated argument with her husband, Dr. Xavier Caro. The Caros' relationship had deteriorated significantly during 1999 and their arguments, on occasion, had evolved into physical fights. After the argument on this particular evening, Dr. Caro left the family home



and drove to his office in Northridge. While he was gone, the defendant took a .38 revolver and entered the bedrooms where three of their children (aged 11, 8, and 5) were asleep in their beds. She shot and killed them, then shot herself once in the head. The shootings were discovered by Dr. Caro when

Senior Attorneys Cheryl Temple and Chrystina Jenson

he arrived home. The defendant was airlifted to Los Robles Regional Medical Center, where she was treated for her gunshot wound and survived.

The defendant was convicted of three counts of first degree premeditated murder with a special circumstance of committing more than one murder. On April 5, 2002, she was sentenced to death. PEOPLE V. VINCENT HENRY SANCHEZ [Kidnapping, Attempted Rape, Murder] Prosecutors: Lela Henke-Dobroth, Dee Corona Investigators: Richard Haas, Dave Williams Victim Advocate: Catherine Duggan

On July 5, 2001, Megan Barroso's vehicle was found near her apartment, riddled with bullet holes. Small amounts of Megan's blood were on the front seat. The driver's side of the vehicle had extensive scrapes. A month later, Megan's remains were located in a secluded canyon in Simi Valley. She had been shot once in the left side.

In mid-July 2001, Vincent Henry Sanchez of Simi Valley was arrested for burglary. While in custody, Sanchez asked a roommate to destroy the contents of a plastic bag. The roommate found photos of partially nude women and video tapes. He played one of the videos, which depicted Sanchez raping a woman, and called the Simi Valley Police Department. Police officers searched Sanchez's home and found evidence that Sanchez was a serial rapist.

Detectives seized Sanchez's Ford Ranger truck and confirmed that paint fragments from the scrapes on Megan Barroso's car came from the truck. Blood, which proved to be Megan's, was found in the cab. Additionally, Simi Valley police officers discovered a green jacket that matched the description of the jacket Megan had worn on July 5. The jacket had small blood spots on it, and a bullet hole in the left side.

Sanchez was charged with the kidnapping, attempted rape, and murder of Megan Barroso. He was also indicted on 71 additional counts, including sexual assaults, kidnapping, burglary, robbery, and carjacking. In September 2003, a jury found Sanchez guilty of Megan Barroso's murder and sentenced him to death. PEOPLE V. MICHAEL JOSEPH SCHULTZ [Rape, Murder] Prosecutor: Michael K. Frawley, Richard Simon Investigator: Dennis Fitzgerald

On August 5, 1993, Michael Schultz, formerlya residentofVentura, entered the Port Hueneme condominium of Cynthia Burger, where he raped Ms. Burger and strangled her to death. He then placed her body face down in a bathtub full of water, bleach, and other household chemicals, disconnected the smoke detectors in the home, and set fire to Ms. Burger's bed.

The murder went unsolved until August 2000, when a witness informed law enforcement that Schultz had solicited her help to escape from prison, where he was serving a sentence for burglary and assault on police officers. Schultz had indicated an urgent need to escape before authorities took a blood sample from him which would enable his DNA to be compared to evidence left at the scene of the rape and murder.

Schultz's DNA was compared to semen left at the scene of the crime and he was confirmed as the rapist and murderer. The Ventura County District Attorney's Office arrested Schultz in November 2000. A jury convicted Shultz and sentenced him to death.

PEOPLE V. ADAM SARABIA [Burglary, Auto Theft, Murder] Prosecutor: Richard Simon Investigators: Dan Thompson, Ed Smith, Dennis Peet Victim Advocate: Linda Finnerty

On October 21, 2002, John Ramirez failed to show up for work, and the family of Joanne Wotkyns reported they had not heard from her. Santa Paula Police officers went to the couple's home and discovered the bodies of both victims in their bedroom. They



Senior Attorney Scott Hendrickson

had been savagely beaten with a blunt instrument and had received multiple stab and slash wounds. The couple's Pontiac Grand Prix was missing, as was Ms. Wotkyns's cell phone.

Adam Sarabia, 17, was seen driving around town in the Pontiac. He called numerous friends using Wotkyns's cell phone. Investigators from the DA's office went to the Sarabia family home. Investigator

Dan Thompson noticed small flecks of what appeared to be blood spatter on a sweatshirt that Sarabia was wearing. Investigator Ed Smith found a pair of shoes hidden under Sarabia's bed that had John Ramirez's blood on them. Investigator Dennis Peet found a baseball bat in the garage that had visible blood spatter which matched both victims.

Sarabia was charged as an adult and convicted of residential burglary, auto theft, and two counts of first degree murder with special circumstances. He was sentenced to life in prison without the possibility of parole. His age precluded seeking the death penalty.

PEOPLE V. ROBERT ALAN COFFMAN [Attempted Murder, Murder] Prosecutor: Stacy Ratner Investigator: John Bunch

On June 30, 2001, Robert Coffman went to the Ventura River bottom in Ventura. Coffman, a skinhead gang member, drank beer and smoked marijuana with several friends. They rode bikes around until they came upon the first victim, James Clark, a homeless man who frequented the area.

Coffman approached Clark and asked for a cigarette. He then stole Clark's backpack and ransacked it. He and the others then attacked Clark, kicking and stomping him. By all accounts, Coffman was the most aggressive, exacting the most damage

on the victim by stomping on his head over and over again.

After the attack, Coffman and his friends went to the beach to party. Mr. Clark died of blunt force trauma to the head. The coroner testified that he was struck in the head at least 10 times.

The following evening, Coffman and two other skinhead gang members were riding bikes when they saw Kenneth McGrath, a resident of Ventura. One of the gang members attacked McGrath, and Coffman jumped in and stabbed McGrath five times in the upper torso. McGrath was partially paralyzed as a result of the attack.

A jury convicted Coffman of first-degree murder and premeditated attempted murder.

PEOPLE V. SAMUEL PUEBLA [Homicide] Prosecutor: Maeve Fox Investigator: Dan Thompson

On the morning of January 1, 2003, the body of 19year-old Valerie Zavala, a Cal State San Jose student and former Fillmore resident, was found in a drainage culvert along South Mountain Road between Fillmore and Santa Paula. Later that afternoon, the body was identified after her parents and friends reported her missing. She had been in Fillmore visiting her family for the holidays.

Witnesses identified Samuel Puebla, a high school acquaintance of Zavala's, as the last person to be seen with Zavala prior to her disappearance. Puebla had obtained a ride home from Zavala in the early morning hours after they attended the same party at the home of a mutual acquaintance in Fillmore. Detectives from the Ventura County Sheriff's Department Major Crimes Unit discovered physical evidence that tied Puebla to the murder, including the victim's blood on Puebla's clothing, and a shoe print matching Puebla's left shoe at the culvert where her body was discovered.

At the end of Puebla's trial, the jury deliberated less than a day before returning verdicts of guilty on all counts, including special circumstance. On May 5, 2005, Puebla was sentenced to life in prison without the possibility of parole.

## General Felony/ Misdemeanor Unit

The combined General Felony and Misdemeanor Unit handles the vast majority of criminal prosecutions in the office. Entry level attorneys prosecute misdemeanor violations of the law including driving under the influence of alcohol and minor theft offenses. Veteran prosecutors within the unit oversee a wide variety of cases involving defendants who are eligible for state prison sentences. These prosecutions include offenses such as robbery, vehicular manslaughter, serious assaults, residential

burglary, identity theft, and narcotics offenses. The unit contains an Auto Theft Prosecution Section which works closely with state and local police agencies to prosecute those responsible for all crimes associated with the theft of automobiles. The Major Narcotics Section aggressively prosecutes those responsible for the manufacture, sale, and transportation of controlled substances. The unit is home to veteran prosecutors with proven expertise in all matters



Bill Haney Supervising Deputy District Attorney

associated with the illegal use and possession of firearms, search and seizure, electronic surveillance, and forensic evidence. PEOPLE V. KELSEY DRU GLEGHORN [First Degree Residential Burglary] Prosecutor: Kevin Drescher Investigator: Wayne Simmons Victim Advocate: David Smith

Kelsey Dru Gleghorn had a history of violence and of breaking into people's homes. Gleghorn entered the victim's home at 4:40 a.m. The victim awakened and confronted Gleghorn with a knife. The defendant ran out of the house and, in the process, dropped his hat in the victim's living room. Simi Valley Police set up a perimeter in the neighborhood and about an hour later a nearby neighbor reported a prowler in her back yard. The prowler's description matched Gleghorn's. Not long after, Gleghorn was located and apprehended a few houses down the street. The hat left in the victim's living room was tested for DNA, which was found to match Gleghorn's. Kelsey Dru Gleghorn was convicted, and because he fell under a three-strikes enhancement, was sentenced to 40 years to life in state prison.

PEOPLE V. ARTHUR OSBOURN [Making Criminal Threats, Attempted Murder] Prosecutor: Rebecca Day Investigator: Mike McKendry Victim Advocate: Mayela Ramirez

Arthur Osbourn, then 16, was walking down a neighborhood street at midday during the summer when he saw two Simi Valley high school girls, both aged 15, entering a house. He followed them into the house and confronted the girls and a boy, also 15, who were watching television. He held them at gunpoint, discharging the gun twice inside the home, and threatened to shoot them. Eventually, he let the two girls go but held the boy at gunpoint. Shortly thereafter, the boy managed to escape and ran out the door. Osbourn followed him into the street and began shooting at him. After his arrest, Osbourn said he did not like teenagers and was looking for some teens to kill that day. While in custody at Juvenile Hall, he stabbed a boy with his pencil and said that he wanted to kill him because he hated teenagers. Psychiatric counseling records revealed that he had been bullied at school and that he wanted to shoot teenagers at school, but did not want to wait until summer was over. The defense put on psychiatric testimony at the sentencing hearing in an attempt to mitigate his sentence. He was sentenced to prison for 34 years.

PEOPLE V. DENNIS SHELLHOUSE [Making Criminal Threats, Kidnapping] Prosecutor: Rebecca Day Investigator: Lance Steamans Victim Advocate: Sylvia Rodarte

Dennis Shellhouse, a 45-year-old family man with a government job in Alabama and no criminal

record, flew to California to carry out a well-planned kidnapping for ransom of a wealthy Lake Sherwood family member. Disguised as a courier, he entered the gated community, gained access to the victim's house, brandished a gun, and ordered her to pack a bag. He left a ransom note seeking 10,000 ounces of gold bullion and \$50,000 in cash. On the way out of the house, he also threatened the housekeeper with his gun. He ordered the victim into his van, but she refused, arguing with him while trying to secretly call 911. After several minutes, Shellhouse fled without the victim. The defendant led police on a two-hour chase through several counties that ended with a four-hour standoff on a freeway in Los Angeles, during which he threatened suicide. The defense at trial was that Shellhouse was acting under a Prozac-and-prescription-medicationinduced mania. Shellhouse was convicted and sentenced to life plus 17 years in prison.



Senior Deputy District Attorney Bill Haney and Deputy District Attorney Alvan Arzu

PEOPLE V. JOSHUA ADAMS [Criminal Threats, Possession, Resisting Arrest] Prosecutor: Kevin Drescher

Joshua Adams was under investigation by the DEA and the Simi Valley Police Department, who were about to serve a federal search warrant at Adams's house in Simi Valley. At the time, Adams was in a car a few blocks away. He discovered what was happening and fled back toward his house, tossing heroin and other drug paraphernalia out of his car along the way. Once back at his house, Adams tried to run inside. A Simi Valley K-9 officer and his dog, Rex, gave chase. Adams refused to comply with commands to stop, so the K-9 officer and Rex apprehended him. Adams verbally threatened the officer's life for arresting him. The defendant was charged and convicted of threatening the officer's life, possession of heroin, and resisting arrest.

## Sexual Assault / Family Protection Unit

The Sexual Assault / Family Protection Unit (SA/ FPU) is comprised of four units: Sexual Assault, Domestic Violence, Elder Abuse, and Mental Health. Offenses handled in the Sexual Assault Unit include child molestation, rape, kidnapping, sexual battery, indecent exposure, Internet-related sex offenses, failure to register as a sex offender, and felony child abuse. The Domestic Violence Unit prosecutes spousal battery, attempted murder, spousal rape, stalking, child abuse, criminal threats, and other crimes committed by partners in an intimate relationship or amongst family members. The Mental Health Unit handles sexually violent predators and mentally disordered offenders seeking release into the community from mental institutions. The Elder Abuse Unit specializes in crimes committed against elders, such



Tony Wold Supervising Deputy District Attorney

as identity theft, financial fraud, grand theft, physical and mental abuse, or any other crime committed against an elder.

SA/FPU prosecutors are specially trained in their areas of expertise and work closely with local law enforcement agencies to provide consultation and search warrant assistance on individual cases early in the investi-

gative stages. Sexual as-

sault prosecutors respond 24 hours a day, 365 days a year to either of the multi-disciplinary interview centers located in the county to observe victim interviews and assist law enforcement. Prosecutors, police, medical professionals, and victim advocates seamlessly integrate at each center to provide support and assistance to child and adult sexual assault victims, as well as felony child abuse victims. Once charges are filed, SA/FPU prosecutors work alongside district attorney victim advocates to support vulnerable victims throughout the criminal justice process. Unit members also participate in various task forces and committees related to sex offender management, domestic violence, and elder abuse, and provide formal training to law enforcement on the effective investigation of such crimes.

PEOPLE V. ALEX ALLBILLAR, ALBERT ALLBILLAR, and ANTHONY MADRIGAL [Sexual Assault] Prosecutor: Rameen Minoui Investigator: Mike McKendry Victim Advocate: Greg Baker

On December 29, 2004, the defendants picked up three underage girls and took them to the defendants' apartment. Albert began having consensual sex with one of the girls, but she eventually asked him to stop and take her home. All six persons left and that girl and one other were taken home.

On the way to the third girl's house, one defendant claimed he needed to use the bathroom and that their apartment was closer. All four went inside the apartment where Albert took the remaining girl into the bedroom. He confessed having sex with the first girl and began to remove the girl's clothing. The girl consented until the remaining defendants entered and asked to join. She refused. All three defendants then held her down and took turns raping her. When she slapped Anthony, he bit her repeatedly. When the defendants were finished, they took her home.

The victim told her sister about the rape the next day, and told her mother a few days later.

All three defendants were convicted: Alex was sentenced to 24 years and 4 months in prison, Albert was sentenced to 20 years in prison, and Anthony was sentenced to 19 years and 4 months in prison.

PEOPLE V. PAUL WHITEHEAD [Attempted Rape] Prosecutor: Anthony Wold Investigator: John Bunch Victim Advocate: Greg Baker

In November 2003, Paul Whitehead was driving in Thousand Oaks when he observed a 13-yearold female walking home from school. He pulled alongside her and claimed she was being followed and was in danger. He pretended to call 911 on his cell phone and told the victim that the police asked him to take her home until they could arrive. The victim got into Whitehead's truck and gave him directions. Once she was in, however, Whitehead drove in the opposite direction and began molesting the victim. He slowed down to make a turn, and she jumped from Whitehead's moving truck and ran to a nearby house. The homeowner called 911.

A sketch of Whitehead and a description of his truck were published in the local papers, and an informant called the Sheriff's Department with information about Whitehead. The victim identified Whitehead in a photo lineup. After the story ran in the newspapers, a 16-year-old victim reported that Whitehead had tried to rape her as well. Charges involving both victims were consolidated into a single case and prosecuted under California's "one strike" sentencing scheme. Whitehead was convicted following a jury trial and was sentenced to 25 years to life in prison.

PEOPLE V. CARLO PARLANTI [Rape, Battery on a Co-Habitant, False Imprisonment] Prosecutor: Gilbert Romero Investigator: Leslie Robertson Victim Advocate: Mayela Ramirez

In June 2002, Carlo Parlanti savagely beat Rebecca White, his roommate, causing her to lose consciousness more than once. He then logged on to a Web site with photos of bound women and told her he was going to tie her up. He pulled her into their bedroom, removed all her clothing, bound her—left wrist to left ankle and right wrist to right ankle with her lying on her back—and raped her. He then tied her wrist to his wrist and fell asleep. Three weeks later, when the defendant left on a business trip, Ms. White reported the incident to the police. Parlanti fled the country.

Prior to 2002, three girlfriends of Parlanti had reported to police that he had been physically and emotionally violent with them. As a result of pleading guilty to domestic-violence related charges, he had attended counseling, and had begun a romantic relationship with his counselor. She moved in with him and shortly thereafter reported to police that he was physically and emotionally abusive with her.

Parlanti, an Italian national, was arrested in Germany, extradited, and was convicted on all counts. He was sentenced to the maximum sentence in prison.

Criminal Prosecutions

PEOPLE V. ANDREW LUSTER [Rape] Prosecutors: Maeve Fox, Tony Wold Investigator: Leslie Robertson Victim Advocate: Connie Young

In July 2000, a young woman came to the Ventura County Sheriff's Department alleging she had been recently drugged and raped by a wealthy Ventura County resident. She agreed to make a surreptitiously recorded phone call to the suspect, Andrew Luster. During that call, Luster admitted that he gave her a powerful sedative, Gammahydroxybutyrate, or GHB, and that they had sex multiple times.

Asearch warrant of Luster's Mussel Shoals house turned up no trace of the drug itself, but revealed dozens of home movies depicting Luster in sexual activity with many women. Two of those tapes depicted Luster brutally sexually assaulting two women who were obviously unconscious. Sheriff's detectives identified the women, neither of whom knew they had been raped by Luster.

During the middle of his trial, which began in late 2002, Luster fled house arrest and became a fugitive. He was convicted in absentia of 86 counts including rape and oral copulation of an unconscious person and illegal drugging, and sentenced to 124 years in prison. In June 2003, he was apprehended by bounty hunter Duane "Dog" Chapman in Puerto Vallarta, Mexico and sent to the Department of Corrections to serve his sentence.

PEOPLE V. MARIA DelVALLE [Felony Child Abuse, Attempted Murder] Prosecutor: Melissa Suttner Investigator: Matt Harvill Victim Advocate: Mayela Ramirez

On May 15, 2005, Maria DelValle told her daughter, aged 12, and son, aged 10, that she believed their dad was cheating on her, and said they were going to a motel. The three of them packed, left, checked into the Malibu Beach Inn, then drove toward Petrero Road. The children were seated in the back of DelValle's Mercury Mountaineer. DelValle told her daughter to climb into the front seat, and to leave her seat belt off. DelValle then drove off the road and crashed the car. She then kicked her daughter in the mouth, breaking her jaw and knocking out three front teeth. She grabbed her daughter around the neck and began to choke her.

Trevor Roberson was driving home when he noticed the Mountaineer off the side of the road. Roberson got out and when he opened the Mountaineer door, DelValle and her daugher fell out. DelValle's hands were around her daughter's neck. Roberson separated them. Paramedics took the family to a hospital.

A jury found DelValle guilty of attempted murder on her daughter and of felony child abuse on her son. The court found DelValle not guilty by reason of insanity. She was committed to Patton State Hospital.

## Juvenile Unit

he Juvenile Unit prosecutes most criminal cases involving minors under the age of 18. The unit consists of five attorneys and one supervisor. The cases handled by the unit include misdemeanors such as driving under the influence and school fights, as well as serious felonies such as gang robberies and sexual assaults. There are two courtrooms dedicated



Brian Rafelson Supervising Deputy District Attorney

to handling the large volume of cases.

The increase in serious and violent offenses committed by juveniles is reflected in the increase in juvenile cases direct-filed in adult court. The overwhelming majority of these cases involve gang members committing violent offenses such as robbery, assaults with deadly weapons, and attempted murder. The unit works closely with the major crimes gang prosecutors to ensure cases are appropriately filed.





The Juvenile Unit strives to prevent juvenile delinquency. The unit works with 29 local schools to keep youth in school and off the streets. Working with the local School Attendance Review Boards (SARB), the Ju-

Legal Processing Assistant Francine Garcia

venile Unit participates in reviews and mediations involving youths who are habitually truant. The unit has two attorneys assigned to participate in the SARB meetings. During the 2005-2006 school year, deputy district attorneys conducted 2,767 student hearings. The Juvenile Unit attorneys file court petitions against parents or the youth to ensure the minor's attendance at school. The attorneys also speak at local schools to educate students and teachers about the juvenile court process.

In re AMANDO V. [Assault With a Deadly Weapon] Prosecutor: Pam Grossman Victim Advocate: Marisela Lopez

The 16-year-old minor became upset when his older sister was jilted by her boyfriend for another woman. The minor knew that the ex-boyfriend (aged 22) and his brother (aged 18) both played soccer on a certain night, and that they routinely stopped at a local market in Moorpark afterwards for a soda. The minor and his two step-brothers armed themselves with baseball bats and attacked the ex-boyfriend and his brother as they walked out of the market. The intent of the attack was to make the ex-boyfriend unappealing to other women. Both victims were hospitalized with multiple fractures and lacerations to their faces. The minor was charged with two felony counts of assault with a deadly weapon. He admitted his involvement and was given a lengthy sentence at the local juvenile facility.

In re CYNTHIA R. [Assault With a Deadly Weapon] Prosecutor: Pam Grossman Victim Advocate: Marisela Lopez

The 14-year-old female minor and a girlfriend went to visit the minor's boyfriend at his house. The minor became jealous when her boyfriend began to flirt with her girlfriend (the victim). The minor left the room for a couple of minutes and returned with a kitchen knife, which she used to stab the victim over seven times in the arms, stomach, and left hand. Psychological evaluation of the minor suggested potential for further dangerous and sociopathic behavior. She was charged with assault with a deadly weapon. She had been raped only months before this attack, a fact which the judge considered a mitigating circumstance. Instead of committing her to the Department of Corrections Youth Facility, she was placed in a local facility for one year. She remains on formal probation.

In re ALEXIS Z. [Robbery] Prosecutor: Kathleen O'Brien

On August 10, 2006, at 1:00 a.m., four suspects (this minor and three adults) robbed a Jack-in-the-Box restaurant in Ventura as it was closing. The suspects entered wearing masks and armed with handguns. An employee who was leaving was forced back inside and all of the employees were ordered to the ground. The suspects jumped over the counter and took money from the cash registers and safe. The employees were forced into the walk-in freezer and left inside. The suspects drove to a second car, split up, and fled. A customer who was leaving the drive-through window as the robbers entered the establishment notified police. Police found the suspects' car and all were arrested. The minor admitted involvement, was charged with armed robbery, and was given a lengthy sentence at the local juvenile facility.

## Special Prosecutions

# Special Prosecutions

Special Prosecutions includes the following: the Major Fraud Unit, Real Estate Fraud, Computer Crimes Section, Workers' Compensation Fraud Section, Auto Insurance Fraud Section, Consumer Fraud and Environmental Protection Unit, Special Investigations, Public Integrity and Official Misconduct, Asset Forfeiture Unit, Child Recovery Unit, Fish and Game Unit, Code Enforcement, and the Non-Sufficient Funds Check Restitution Program. The division also encompasses the Support Staff Services, Fiscal & Administrative Unit, and the Office Systems Unit.

Cases prosecuted by the Major Fraud Unit are characterized by lengthy pre-complaint investigations, complex schemes, significant dollar loss, and aggravated felony conduct.

Cases initiated by the Consumer Fraud and Environmental Protection Unit, (which includes Asset Forfeiture, Fish & Game, and Code Enforcement cases) most often involve cases seeking restitution and civil penalties for business and professions code violations, including unfair business practices and misleading advertising.

The Computer Crimes Section prosecutes cases in which a computer is a significant instrumentality of the crime.

Workers' compensation fraud cases are usually referred to the District Attorney's Office by employers who suspect fraudulent claims by their employees and from insurance companies who suspect fraud and report it to the Department of Insurance for investigation.

Auto insurance fraud cases may involve the investigation of faked auto accidents and illegal kickback schemes between attorneys and doctors.

The Real Estate Fraud Section investigates and prosecutes crimes involving recorded real estate documents. Criminal real estate fraud may involve home equity fraud, securities fraud tied to real estate, and loan fraud.



Jeffrey G. Bennett, Chief Deputy District Attorney

## **Major Fraud Unit**

he Major Fraud Unit investigates and prosecutes some of the most complex and costly cases in our criminal justice system. The unit includes the Major Fraud Section, the Computer Crimes Section, the Real Estate Fraud Section, the Public Integrity Section, the Auto Insurance Fraud Section, and the Workers' Compensation Insurance Fraud Section. Cases investigated and prosecuted by this unit typically involve governmental corruption or misconduct, computer crimes, insurance fraud, securities fraud, embezzlement, white collar thefts, and real estate fraud. The cases are very complex, and often involve thousands of documents. The victims, who may be private citizens or large corporations, insurance companies or elderly retirees on limited incomes, often suffer cumulative losses in the millions.

The Major Fraud Unit caseload continues to increase in both size and complexity. To meet this challenge,

the unit uses a team-and-technology approach in investigating and prosecuting fraud cases within specific specialized areas. The staff consists of one supervising attorney, six attorneys, and seven investigators. Teams are often made up of prosecutors, investigators and support staff, such as

auditors. In some instances, investigators and support staff are provided by other agencies: the High Technology Task Force, the Department of Insurance, the Department of Corporations, the Employment Development Department, the Department of Labor Standards Enforcement, the State Contractors Licensing Board, and the State Franchise Tax Board. These specialized teams, using the latest technology, are very effective in the war against major fraud.

PEOPLE V. DENNIS AND BRENDA WILLINGHAM [Grand Theft, Securities Fraud, Sale of Unqualified Securities] Prosecutor: Eric Dobroth Investigator: Greg Askay

Brenda and Dennis Willingham operated both Sunshine Fresh Produce, a strawberry brokering business, and Willingham Farms, a strawberry farming business, in the city of Oxnard. The two defendants obtained funds to operate their businesses from investors, and issued securities in the form of unsecured promissory notes. The defendants defaulted on the promissory notes and the businesses went bankrupt. A criminal investigation by the District Attorney's Office revealed that the Willinghams made material misrepresentations and omissions in the sale of the securities or promissory notes to the investors. A credible estimate is that these two defendants created over \$35 million in financial losses for their investors and business creditors. Brenda Willingham was convicted of 22 felony counts of securities fraud, one count of felony grand theft, and one felony count of willfully disobeying a Department of Corporations Desist and Refrain Order. She was sentenced to 15 years in state prison. Dennis Willingham was convicted of 20 felony counts of securities fraud and the sale of unqualified securities,

Robert Meyers Supervising Deputy District Attorney

and was sentenced to 12 years in state prison. Each defendant has been ordered to pay an aggregate of millions of dollars in restitution to the 37 victims named in the charging documents.

> PEOPLE V. KAMI POWER [Embezzlement, Forgery] Prosecutor: Howard Wise

Kami Power was employed as an accountant with Vintage Press in Newbury Park. Power embezzled from Vintage Press, but the exact amount is unknown. Vintage Press did not press charges after reaching a civil settlement with Power. Power was subsequently employed as an accountant at The Grateful Palate in Oxnard. Using a variety of schemes, Power stole approximately \$683,259 from the Grateful Palate. After posting bail on the Grateful Palate charges, she obtained employment with A-C Construction of Moorpark and again stole checks from her employer. Power

was convicted of six felonies, including five counts of grand theft and one count of forgery. Power admitted that she stole more than \$500,000, that she committed one of her offenses after posting bail, and that she violated her felony probation relating to a previous embezzlement. She was sentenced to nine years and eight months in state prison, ordered to pay a restitution fine of \$1,800, and \$683,259 of restitution to the victim.

PEOPLE V. ERIN VOLANTE [Grand Theft, Commercial Burglary] Prosecutor: Howard Wise

Erin Volante tricked three victims into investing more than \$150,000 into a phony soap product. To further her scheme, she counterfeited purchase orders from department stores to convince her victims that she had large orders for the products. She also forged letters from the Target Corporation that falsely



claimed Target was interested in buying Volante's patents and trademarks. In a second scheme, she bounced several checks at a number of Simi Valley businesses. She was convicted of three counts of grand theft and two counts of commercial burglary. She admitted that she stole more than \$150,000 and was sentenced to five years and three months in state prison, and was ordered to pay restitution of more than \$153,000 to her victims.

PEOPLE V. SAM GRAIR [Grand Theft] Prosecutor: Howard Wise Investigator: Glen Kitzmann

Sam Grair was a cashier at the Crossroads Market in Camarillo. The market sold a Mega Lottery ticket which had five winning numbers. The cash value of the ticket was \$530,858. The customer who purchased the winning ticket returned to the market, placed his card in an automated reader and was informed by the machine that he was a winner. The reader did not indicate the amount of his winnings. Grair, who was working behind the counter that day, falsely told the customer that he had won four dollars. Grair retained the ticket and presented it to the Lottery Commission as if he were the purchaser. A follow-up investigation by the Lottery Commission identified the true purchaser of the ticket by videotape and computer records. Once the story broke, the customer was identified and was awarded the lottery winnings. Grair was convicted of committing felony grand theft, presenting a fraudulent claim to a government agency, and taking an item valued at more than \$500,000. Grair was sentenced to five years and four months in prison and ordered to pay \$2,300 in restitution to the victim to account for the monetary interest the victim lost while this matter was being investigated.

#### **Computer Crimes Section**

PEOPLE V. ANDREW ROY DYCK [Sending Harmful Matter Over the Internet With the Intent to Seduce a Minor] Prosecutor: Marc Leventhal Investigator: Detective Dave Delmarto

Andrew Dyck, a 56-year-old UCLA Professor and resident of Los Angeles, sent numerous improper sexual e-mail communications to a 13-year-old Simi Valley girl. These e-mails included text messages and images which either graphically described or explicitly depicted sexual activity. Dyck's e-mails also included links to Web pages displaying pornography. After the minor victim received the earliest e-mails from Dvck. the victim's family filed a police report, and later communications from Dyck were intercepted by law enforcement. Dyck repeatedly attempted to initiate telephone contact with the victim. The investigation culminated with two telephone calls between Dyck and a female officer posing as the victim. During those telephone calls, Dyck attempted to get the victim to engage in sexual conduct. Dyck was convicted



Investigative Assistant Dominique Rosales and Investigator Russ Robinson

of one felony count of sending harmful matter over the Internet with the intent to seduce a minor, and one felony count of attempting to send harmful matter with the intent to seduce a minor. Dyck was sentenced to five years felony probation, ordered to serve 180 days in jail, and ordered to register as a sex offender.

#### PEOPLE V. JULIE ANNE STOCKER

[Identity Theft, Grand Theft, Counterfeiting a Driver's License] Prosecutor: Howard Wise

Julie Anne Stocker was involved with an identity theft ring that was very active in Simi Valley. The group stole mail and catalogues and then ordered merchandise for delivery. The group also forged checks and driver's licenses. Their schemes allowed them to purchase expensive items such as car engines and high-end refrigerators as well as smaller items from catalogue retailers such as Pottery Barn and Williams-Sonoma. At the time of Stocker's arrest, police seized a computer that showed that a counterfeit license was being prepared to further a scheme to access a trust account with a balance of more than \$200,000. Police also recovered hundreds of catalogues with altered order forms. Stocker was convicted of five counts of felony identity theft, four counts of grand theft and one count of counterfeiting a driver's license. She was sentenced to seven years and three months in state prison.

#### PEOPLE V. DAVID ANTHONY TOMEO

[Possession of Child Pornography with Intent to Distribute, Possession of Child Pornography, Possession of Methamphetamine] Prosecutor: Marc Leventhal

David Tomeo was a participant in an Internet chat room that was suspected to be a center for trading child pornography. Tomeo sent an e-mail, containing images of child pornography, that was viewed by a police officer in Texas. The e-mail account was determined to belong to Tomeo, and a search warrant was served on Tomeo's Thousand Oaks residence. Numerous computers and data storage devices were seized. Forensic examination of those computers and devices revealed a large quantity of stored still images and video clips of child pornography, including the images that had been sent to the police officer in Texas. Tomeo was also found to be in possession of cocaine and methamphetamine. Tomeo was convicted of felony possession of child pornography with intent to distribute, misdemeanor possession of child pornography, and felony possession of methamphetamine. He was sentenced to three years felony probation on terms of 300 days in jail and terms restricting the use of computers and the Internet.

#### **Public Integrity Section**

PEOPLE V. EDWARD PONCE [Embezzlement by a Public Employee, Grand Theft of a Firearm, Possession of an Illegal Assault Weapon] Prosecutor: Howard Wise Investigators: Steve O'Neil, Jeffrey Robinson

Ventura County Deputy Sheriff Edward Ponce was arrested after being caught in a Ventura County Sheriff's Department sting. Ponce was targeted because of an earlier allegation that he had pressured a civilian to turn over firearms to him, in return for making a donation to charity. The civilian had previously requested that the guns be destroyed. An undercover officer pretended to be a civilian desiring to turn over guns for destruction to the Sheriff's Department. While on duty, Ponce took four guns from the undercover officer, but only booked three guns into evidence for destruction. The next day, a search warrant was executed at Ponce's home. The "sting" gun and an illegal assault weapon were seized. After his arrest, Ponce was suspended from the Ventura County Sheriff's Department. Defendant Ponce was convicted of three felony counts including embezzlement by a public employee, grand theft of a firearm, and possession of an illegal assault weapon. Ponce was sentenced to three years probation on terms that he serve 150 days in jail, that the assault weapon be destroyed, and that Ponce give up all of his other firearms.

#### **Real Estate Fraud Section**

PEOPLE V. VIDAL MALDONADO & ANGEL VELASCO [Real Estate Fraud] Prosecutor: Howard Wise Investigator: Ken Valentini

Vidal Maldonado used the identity of the victim to purchase a house in Oxnard. Maldonado secured loans totaling more than \$345,000 and forged the victim's signature on several documents pertaining to the house purchase. After the purchase, both the victim and Maldonado's names were on the deed. Maldonado and Velasco then forged the victim's signature on a new deed that removed the victim's name, but left him owing money on the mortgages. When the victim discovered the forgeries during a routine credit check, he contacted police. Maldonado was convicted of felony identity theft, embezzlement, and filing a false or forged instrument. A receiver was appointed by the court to sell the house, and after all costs were paid, there remained a net profit of \$126,659 because the house had appreciated in value. Maldonado was sentenced to three years felony probation on terms that he serve 364 days in jail and that the \$126,659 from the sale be given to the victim. Velasco was convicted of four felonies including identity theft, grand theft and two counts of forgery. He was sentenced to five years felony probation on terms that he serve 365 days in jail and make restitution to the victim.

PEOPLE V. ANTHONY SPENCER AKA NAVARRO [Real Estate Fraud, Grand Theft, Identity Theft, Loan Fraud, Check Fraud, Forgery, Filing False Documents, Money Laundering] Prosecutor: Marc Leventhal Investigators: Mike Fino, Paul Kolinzas, Steve Ramirez

Anthony Spencer had been imprisoned for felony convictions resulting from a previous financial crime spree. While released on parole, Spencer committed approximately \$2 million in new financial schemes. Spencer started a scam to steal the equity in homes belonging to people facing foreclosure. Spencer induced homeowners in foreclosure to hire him to obtain for them any surplus funds realized upon sale. Although Spencer received some \$700,000 in surplus funds, only a small percentage of those funds were distributed to Spencer's clients. Spencer defrauded a Santa Paula resident of more than \$435,000 by allegedly brokering the sale of a Christmas tree farm, producing a signed contract and other legal documents. In fact, Spencer never approached the tree farm owners. Spencer also committed a series of loan frauds, identity thefts, and check frauds involving a cumulative taking of more than \$1 million. Spencer was convicted of 24 felony charges, including multiple counts of grand theft, identity theft, loan fraud, check fraud, forgery, filing false documents, and money laundering. He was sentenced to 15 years in state prison. After the sale and distribution of the proceeds from Spencer's seized property, the court ordered

Howard Wise, Senior Deputy District Attorney

Spencer to make restitution of \$553,102 to named victims.

#### Workers' Compensation Insurance Fraud Section

PEOPLE V. TODD OWEN BALCOM [Workers' Compensation Insurance Fraud] Prosecutor: Mike Lief Investigator: Natalya Vayn, California Department of Insurance

Todd Balcom was a driver for the Foundation for Retarded Citizens of Ventura County when he claimed he suffered a job-related injury. He began receiving Temporary Total Disability payments from Majestic Insurance, the workers' compensation carrier for the charity. Balcom told a representative from the insurance company that he was no longer operating his own business working as a DJ. A surveillance videotape, however, established that while collecting disability benefits, Balcom was operating TNT Entertainment and was working Friday and Saturday nights as a DJ at the Wagon Wheel Bowl in Oxnard. The videotape included a conversation wherein he discussed his rates and availability for parties and weddings. Balcom was charged and convicted by a jury of insurance fraud for failing to report his income from his employment as a DJ; for signing his name to his disability checks, thereby certifying he was neither working nor had any income other than his disability benefits; and for telling the insurance company representative that he was not working as a DJ. Balcom was sentenced to 5 months formal probation, on terms that he serve 90 days in jail, pay restitution of \$20,902.51 to Majestic Insurance Company, and pay a \$10,000 fine.

PEOPLE V. KENT POLLOCK [Workers' Compensation and Auto Insurance Medical Provider Fraud] Prosecutor: Thomas Frye Investigator: Ernie Guzman

For 26 years, Kent Pollock owned and operated a chiropractic office in Camarillo. From approximately 1996 to 2003, Pollock was involved in a scheme to fraudulently bill insurance companies for the treatment of his patients, primarily in workers' compensation and personal injury cases. Under this scheme the patient's insurance was billed not only for procedures performed, but also for the same procedures on a subsequent day when the patient was not treated. The scheme was discovered after one of Pollock's patients and an insurance claims adjuster noticed billings for days that the patient had not been treated. Pollock was convicted of 15 felony counts of insurance fraud, including a special allegation that he stole more than \$50,000. Pollock was sentenced to 5 years formal felony probation on terms that he serve 365 days in jail, pay \$119,350 towards victim restitution and an additional \$380,650 in fines, penalties and assessments. As a term of probation, Pollock was prohibited from working at a chiropractic office in any capacity. Additionally, because Pollock was convicted of more than one felony count of workers' compensation fraud, the California Chiropractic Board revoked his license to practice as a chiropractor for no less than 10 years.

PEOPLE V. ROBERT GALANTE [Workers' Compensation Insurance Fraud] Prosecutor: Mike Lief

Robert Galante, a truck operator for the Glendale Department of Water and Power, reported that he had suffered an ankle sprain. Glendale's Workers' Compensation Program authorized him to begin treatments at a Simi Valley Orthopedic Institute. During four office visits, Galante told his treating physician that he was suffering too much pain to return to work. Although office work was authorized for Galante, he maintained he could not drive from Simi Valley to Glendale without further damaging his sprained right ankle. He also told his doctor that he was using a crutch full-time, and said it was too painful to walk without the crutch. Approximately six hours of video footage revealed Galante walking without any visible impairment, as well as driving for extended periods around Simi Valley, doing yard work, walking, and stomping his feet. Surveillance revealed that the only times Galante walked with a limp or used a crutch were when walking into or out of his doctor's medical building. Galante was convicted of two felony workers' compensation insurance fraud charges. He was sentenced to 5 years formal felony probation on terms that he serve 180 days in jail and pay more than \$56,000 in restitution and fines.

#### **Auto Insurance Fraud Section**

PEOPLE V. DAN BRADLY DAVIS [Auto Insurance Fraud] Prosecutor: Theresa Pollara Investigator: Randy Janes

Dan Davis made a fraudulent insurance claim to Allied Insurance Company for damages incurred in a traffic accident to a vehicle owned by his airlfriend. who, at the time of his claim, was incarcerated. Davis persisted for two months in claiming that he owned the vehicle, and persuaded the insurance company to issue a check payable to both himself and his girlfriend. Davis then caused his girlfriend's signature to be forged on the insurance proceeds check, cashed the check, and kept the cash for himself. The insurance company paid the claim a second time to Davis's girlfriend, who had not received any of the proceeds fraudulently appropriated by Davis. Davis was charaed and convicted of felony foraery for passing an altered check and was sentenced to one year and four months in prison.

PEOPLE V. JOHN TSAI [Auto Insurance Fraud] Prosecutor: Theresa Pollara

John Tsai loaned his car to a friend for a prolonged period of time in order to have extensive repairs made to the vehicle. When he was unable to reach the friend to get the car back, Tsai fraudulently reported to the police that the car had been stolen from his driveway. He made the same claim to his insurance company. He falsely reported that he had no idea who took his car or where it might be located. The car was recovered while the friend was driving it. When Tsai's friend was arrested for auto theft, he explained he had permission to use the vehicle. Tsai's friend had merely refused to return the vehicle until Tsai paid for the extensive repairs Tsai had commissioned on the vehicle. Although Tsai initially and repeatedly denied knowing the friend, subsequent investigation established their relationship. Tsai was convicted of felony insurance fraud, sentenced to three years formal probation on terms he serve 14 days in jail and pay \$12,135 in restitution to his insurance company. **Gang Injunctions** 

n September 2003, the District Attorney's Office partnered with the Oxnard Police Department in an Leffort to obtain a civil gang injunction against the largest and most violent criminal organization in the county of Ventura: the Colonia Chiques. The Colonia gang had approximately 1000 active members in 2004. With two police officers (Neail Holland and Dave Lacara) and two prosecutors (Bill Haney and Karen Wold) working full time culling through thousands of reports, both agencies determined that the gang was responsible for more than 1000 crimes and nuisance activities from just the years 2000 through 2004. A civil complaint was filed against the gang in March 2004 alleging that the gang and its activities constituted a public nuisance. After a lengthy trial that included testimony from gang experts, police and civilian witnesses, and Oxnard city council members, the Honorable Frederick Bysshe issued a Permanent Injunction against the gang on June 1, 2005. Since June 2005, more than 175 gang members have been served with the injunction, which prohibits members from associating with each other in public, possessing weapons or drugs in public, and which includes a variety of other rules that the gang members must comply with. The District Attorney has successfully prosecuted more than 150 Colonia gang injunction violations.

In August 2005, prosecutor Karen Wold of the District Attorney's Office again partnered with Detective Neail Holland of the Oxnard Police Department to obtain a second civil gang injunction against the Southside Chiques, the second largest criminal organization in the County of Ventura. The civil complaint alleged that the Southside gang and its activities constituted a public nuisance. It was filed in July 2006, and sought a permanent injunction prohibiting the gang from engaging in the same activities as the Colonia gang. The Honorable Vincent O'Neill issued the Permanent Injunction on October 23, 2006. To date, more than 45 Southside gang members have been served with the Permanent Injunction Order, and the District Attorney has successfully prosecuted numerous violations.

## Consumer and Environmental Protection Unit

Est a blished in 1979, the Consumer and Environmental Protection Unit helps preserve the quality of life for Ventura County residents by prosecuting violations of laws designed to protect consumers and the environment.

Consumer protection prosecutions include cases of misleading advertising, as well as a variety of other unlawful business practices. A prosecutor in the CEP



Gregory W. Brose Supervising Deputy District Attorney

Unit is responsible for civil asset forfeiture cases and code enforcement cases. The code enforcement cases include prosecutions for violations of weights and measures laws, food safety laws for restaurants, and county ordinances regulating building and safety issues.

Members of the CEP Unit make frequent public presentations about consumer protection to senior citizen associations, service clubs, and schools. The presentations alert members of the community to current scams and provide education about laws that benefit the public.

Environmental protection prosecutions are pursued by the CEP Unit for violations such as illegal disposal, storage, or transportation of hazardous waste; water pollution; illegal hazardous materials storage and handling; air pollution; underground storage tank violations; and illegal stream bed alterations.

Since 1993, with the support of the county's Fish and Game Commission, the CEP Unit has operated the Fish & Game Prosecution Program. Two part-time prosecutors work closely with law enforcement officers from the California Department of Fish and Game to enforce the laws designed to protect wildlife as well as riparian and marine resources.

#### **Consumer Mediation**

The District Attorney's Consumer Mediation Section assists Ventura County residents in resolving a variety of business and consumer-related problems. The section provides information regarding consumer protection laws and referrals to specialized state or federal agencies. Additionally, the Consumer Mediation Section serves as a dispute resolution forum to resolve disputes between consumers and businesses without court action.

During this reporting period, mediators responded to more than 14,000 inquiries from the public. Mediators handled 1,032 formal mediations that resulted in voluntary restitution of more than \$620,000 to consumers and businesses without judicial intervention.

#### Small Claims Assistance Program

The Small Claims Assistance Program provides advice to litigants, both plaintiffs and defendants, regarding procedures for filing and presenting claims in Small Claims Court, defending a claim, and collecting judgements. In this reporting period, Small Claims Court advisors assisted more than 30,000 persons either by telephone or in person with their Small Claims Court inquiries.

#### **Asset Forfeiture Section**

PEOPLE V. \$346,500 IN UNITED STATES CURRENCY [Narcotics Asset Forfeiture] Prosecutor: Wendy Macfarlane

In April 2005, an informant known as Mario provided the San Bernardino Sheriff's Department, Inland Regional Narcotics Enforcement Team (IRNET) with information regarding a pending sale of 25 kilograms of cocaine. Mario met a buyer, Jaime, in Los Angeles and Jaime gave Mario \$356,000 to pay for the cocaine. As they agreed, the next day Mario placed the cocaine in a storage locker at a location in Simi Valley. Mario then drove to Los Angeles and gave Jaime the key to the storage locker. The following day, IRNET investigators watched as Jaime opened the locker, placed the cocaine in a Pontiac van, and drove away. Officers from the Los Angeles Police Department followed the van and stopped it for vehicle code violations. During a search of the vehicle, 27 kiloarams of cocaine were retrieved. Jaime was arrested and prosecuted for criminal narcotics violations. IRNET investigators retrieved the cash that Jaime had given to Mario. The District Attorney's Office filed a petition in a civil action to forfeit the \$356,000 and the court ordered that the cash be forfeited. The portion of funds that are retained by local law enforcement are used to support investigations of drug dealers and to fund drug awareness programs.

#### **Consumer Section**

PEOPLE V. EDGAR MAURICIO BERRAZUETA PEOPLE V. MARIA CECILIA SANCHEZ PEOPLE V. ANDRES ZAMORA ACUNA [Predatory Lending, Grand Theft, Forgery, Perjury] Prosecutor: Mitchell F. Disney Investigator: Ken Valentini

Three separate, but related, cases involving predatory lending practices and multiple white-collar crime offenses were successfully concluded against Edgar Berrazueta, his wife, Maria Sanchez, and Andres Acuna, who worked in the same company with Berrazueta.

Berrazueta was employed as an assistant loan agent at Pacific First Bancorp in Oxnard, specializing in sub-prime home loans. He promised homeowners lower monthly payments on their home loans if they refinanced through his company. Instead, the homeowners received loans with higher payments, for which Berrazueta and his company received thousands of dollars in commissions. Berrazueta lied about, or hid, the true interest rates, fees, penalties, payment amounts and costs to refinance these home loans. All of the documentation was in English, and the homeowners read and spoke only Spanish. Berrazueta also did not tell his clients they had money due to them. He intercepted their cash-out checks, depositing them into his own bank accounts by forging homeowners' signatures. During the execution of a search warrant at his residence, several fraudulently manufactured social security cards were obtained. Berrazueta, an Ecuadorian national, pleaded guilty to multiple counts of grand theft, forgery, manufacturing false identification documents, attempting to dissuade witnesses, excessive-takings enhancements, and special allegations under the aggravated whitecollar crime statute. He was sentenced to three years, eight months in state prison and was ordered to pay restitution totaling \$120,000 to numerous victims of his fraudulent schemes.

Berrazueta's wife, Maria Sanchez, owned a home in Spanish Hills, a rental property in Oxnard, was driving a new Infiniti SUV, and had an annual household income well in excess of \$100,000. Sanchez, who was residing in the United States illegally, falsely understated her income to the County Human Services Agency in order to obtain welfare benefits. She was ordered to pay restitution of over \$5,000 to the State Medi-

Cal Department, and was sentenced to serve 180 days in the Ventura County jail for felony convictions of perjury and using false identification documents. Both Sanchez and Berrazueta were deported after serving their time in custody.

Andres Acuna was a licensed real estate agent. While working for Pacific First Bancorp of Oxnard, Acuna intercepted clients' cash-out payment checks without their knowledge and deposited



Senior Deputy District Attorney Kevin Drescher and Deputy District Attorney Tom Frye

the checks into his own bank account, or requested checks from clients, ostensibly for payment of incidental loan costs, but which Acuna instead altered and deposited into his own account. He pleaded guilty to one felony count of grand theft and one felony count of forgery, and was placed on probation for three years with terms and conditions that he serve 180 days in the Ventura County jail and pay \$13,390 in restitution to 17 victims

PEOPLE V. CARDSERVICE INTERNATIONAL, INC. [Misleading Advertising] Prosecutor: Mitchell F. Disney Investigator: Paul Kolinzas

Cardservice International, Inc., headquartered in Moorpark, California, provides card-processing services to merchants, allowing them to accept credit card, debit card, electronic-check and other forms of non-cash payments. A civil complaint filed against Cardservice alleged that the company violated unfair competition laws by implementing contract provisions that discouraged merchants from canceling their accounts. The complaint also alleged that Cardservice failed to adequately disclose its account renewal terms, account closure requirements, and early cancellation fees. The

> complaint asserted that these practices resulted in early cancellation fees being improperly charged against, and collected from, merchants.

The District Attorney's Office, in conjunction with the California Attorney General's Office, obtained a final judgment and permanent injunction in the civil action against Cardservice. The judgment was based on a negotiated settlement arising from alleged violations of unfair competition laws. While not admitting any wrongdoing or liability, Cardservice worked cooperatively with the District Attorney and the Attorney General, and implemented procedures

to address the areas of concern. By way of settlement, Cardservice agreed to pay to the County of Ventura \$900,000 in civil penalties and \$399,999 in investigative costs, attorneys fees, and filing fees.

Special Prosecutions

PEOPLE V. PINNACLE FOODS GROUP, INC. [Unlawful Business Practices] Prosecutor: Mitchell F. Disney

Pinnacle Foods Group, Inc. sold frozen fish products under the "Van de Kamp's" brand name. A complaint filed in Ventura County Superior Court alleged Pinnacle sold short-weighted packages of Van de Kamp's brand frozen fish products in California. "Short weight" means the actual net weight of the product weighed less than the net weight specified on the package. Following a statewide investigation initiated by the Ventura County Division of Weights and Measures, with assistance from the California Department of Measurement Standards and the Weights and Measures Divisions of 23 other California counties, the Ventura County District Attorney's Office joined with District Attorneys from Santa Barbara, Marin, and Fresno Counties in a civil prosecution against Pinnacle for short-weight violations.

Without admitting liability, Pinnacle stipulated to a final judgment that included a permanent injunction which prohibits Pinnacle from violating California's false advertising law and its Fair Packaging and Labeling Act. Pinnacle also agreed to implement enhanced check-weight and quality-control procedures. The company was ordered to pay civil penalties, investigative costs and attorney fees of \$509,000, including \$45,000 to a state fund used for training, investigation and prosecution of pricing-accuracy and quantity-control cases.

#### **Environmental Protection Section**

PEOPLE V. MEJIA'S NURSERY, INC., JOSE GAILLO MEJA, EDUARDO MEJIA, AND JOSE MEJIA [Unlawful streambed alteration, illegal dumping, water pollution] Prosecutor: Laurel McWaters

Mejia's Nursery, Inc., in Fillmore, is owned by Jose Gallo Mejia, Eduardo Mejia and Jose Mejia. Following an investigation, the California Department of Fish and Game filed a civil complaint against Mejia's and its owners, alleging that the defendants unlawfully altered the bed, banks and channel of Sespe and Boulder Creeks, and deposited asphalt and other garbage in the creeks.

Without admitting any wrongdoing, the defendants agreed to pay civil penalties in the amount of \$75,000, half of which shall be distributed to the Ventura County Fish and Wildlife Propagation Fund, and half of which shall be deposited into the California Department of Fish and Game's Preservation Fund. The judgment also required that the defendants remove nursery stock from Sespe Creek, plant native vegetation, and remove non-native vegetation for a minimum of seven years on all streambed property they own. Under the injunction, the defendants are also prohibited from substantially changing the bed, bank or channel of any river, stream or lake, from depositing any substances deleterious to fish, plant or bird life into the waters of the state, and from placing garbage within 150 feet of the high water mark of the waters of the state.



Senior Deputy District Attorney Mitch Disney and Investigator Kimberly Michaels

## Writs, Appeals, and Training

The Writs, Appeals and Training Unit files and responds to writs and appeals in state and federal courts, including the California Supreme Court. The unit provides continuing legal education for the prosecutors of the office as well as training for new prosecutors and police agencies.



Special Assistant District Attorney Michael Schwartz

PEOPLE V. SHAUN Y. STANISTREET and BARBARA JOYCE ATKINSON Prosecutors: William Haney, Michael Schwartz

Shaun Stanistreet and Barbara Joyce Atkinson were convicted of knowingly making a false complaint of misconduct against a peace officer. They appealed their conviction, claiming that it violated their constitutional right to free speech. The District Attorney's Office argued the case in the California Supreme Court, which upheld the convictions and the constitutionality of the law.

PEOPLE V. WILLIAM KADDIS Prosecutors: Karen Wold, Michael Schwartz

William Kaddis was convicted of unlawfully bulldozing 301 protected oak trees and unlawfully altering a streambed. He was sentenced to 210 days in jail and ordered to pay \$500,000 to the Ojai Land Conservancy to restore oak woodlands. In a writ of mandate filed in superior court, the District Attorney's Office successfully opposed the defendant's challenge to the conviction, defended the case on appeal, and persuaded the United States District Court to dismiss the defendant's federal habeas corpus petition.

## **Information Technology Unit**

The Information Technology Unit (ITU) provides the technological tools so that the staff of the District Attorney's Office can efficiently accomplish its mission. The ITU is responsible for the application, development, implementation, and maintenance of information systems, and for the network infrastructure. The ITU also provides help desk support for over 300 staff members. To do this, the ITU maintains a Helpdesk which provides support to DA staff by phone or email. The ITU resolves over 4800 calls for assistance each year through its Help Desk program. The ITU is also responsible for updating the District Attorney's Web site with online resources and relevant information.

The ITU provides technical support in the sharing of information between law and justice partners—sheriff, courts, public defender, probation and external law enforcement agencies- to eliminate the re-entering of information at each stage of the judicial process. In the Sexual Assault Family Protection Unit, attorneys can now, from their desk, video conference into interviews conducted at the off-site multi-disciplinary interview centers. This new service eliminates travel delays and costs.

The ITU recently upgraded all of the servers of the District Attorney's Office by adding clustering services. Clustering services allow us to have multiple servers running different tasks while also allowing the servers to back each other up.



Information Technology Unit Manager Gene Mecagni

If one server experiences an issue, another of the servers automatically takes over while the first server is repaired, so that there is no service down time. Once the problem is resolved, ITU can transfer the service(s) back to the original server. All this happens without the user being affected. The ITU has projects scheduled to upgrade the network infrastructure with new servers and storage, deploy new computer equipment, and to implement major enhancements to the case management systems.



Program Administrator Barbara Dixon and Fiscal, Administrative and Legislative Services Unit Manager Michael Jump

## Fiscal, Administrative and Legislative Services Unit

he purpose of the Fiscal, Administrative and Legislative Services Unit is to assist the attorneys, investigators, and support staff with access to the materials and services they need on a daily basis to perform their duties effectively. With responsibility for administering a budget of \$37 million and for collecting \$15 million in revenue annually, the unit conducts the following services for the District Attorney's Office: all budgeting, accounting, contracting, purchasing, administrative and fiscal compliance, hiring, discipline, payroll, benefits, supplies, travel, grants management, and facilities. The unit also serves as the primary liaison to the County Executive Office and Auditor-Controller's Office and coordinates many of the District Attorney's legislative and research efforts.

## Ellie Liston Crime Victims' Assistance Program

he purpose of the Ellie Liston Crime Victims' Assistance Program is to make the criminal justice system more accessible, easier to understand, and more responsive to the rights and needs of victims of crime. The program, which began in the late 1970s with three volunteers and a small government grant, has expanded to a staff of 16 victim advocates, an administrative assistant, and a director. The program



Catherine Duggan Director

has developed training and selection standards for all victim advocate personnel in order to ensure the effective delivery of comprehensive services to victims and witnesses. Victim advocate personnel are skilled in crisis intervention, emergency assistance, and thorough responses to the individual needs of victims. Victim advocate personnel accompany victims to court, assist in obtaining the return of victims' property, and assist in the processing, filing, and verifying of claims filed with the California Victims of Crime Compensation Program.

The number of victims served by the program has steadily grown. In 2003, the program provided services for 4,968 crime victims. In 2004, 5,142 victims received services. In 2005 and 2006, the number of victims receiving services continued to increase to 6,150 and 6,001, respectively.

The operation of a robust volunteer program is essential to the success of the Crime Victims' Assistance Program. Between 2003 and 2006, volunteer staff contributed 13,000 hours of service. Volunteer staff complete an initial 48 hours of training, which prepares them to assist victims with certain services, including obtaining a restraining order, emergency shelter placement, and court accompaniment. The Crime Victims' Assistance Program continually strives to improve the public's understanding of the effects of victimization, the rights of crime victims, and the services available. Victim advocates make regular presentations to community organizations, service clubs, schools, and law enforcement agencies. The program publishes brochures in both English and Spanish on topics such as domestic violence, sexual assault, child abuse, elder abuse, and crimes involving juvenile offenders.

## The Family Violence Prevention Center

The Family Violence Prevention Center, working out of a single location, brings together a number of community resources and makes them available to victims of crime. Several times a week, District Attorney Victim Advocates put on classes both in English and Spanish for victims of domestic violence. These classes offer instruction on how to obtain restraining orders, educate victims on the dynamics of violent relationships, and counsel victims on how they can move beyond these relationships. Mental health professionals, provided by Interface and the Coalition to End Family Violence, provide free counseling to crime victims in both English and Spanish several times a week. The Coalition provides a civil attorney who comes

to the center twice a week and assists crime victims with issues such as child custody. The center also refers victims to additional counseling and directs those in need to local shelter programs.

"... we really wanted to thank you for what you do for victims of crime. You really came through for us... I just have to give you recognition and commendation for what you are doing for people and their families. So with our deepest gratitude, thank you

so very much."

A Crime Victim

## Ventura County Safe Harbor East and Safe Harbor West

entura County Safe Harbor, a multi-disciplinary interview and advocacy center, supports the criminal investigation process by providing interviews and forensic medical examinations for victims of child physical abuse and child and adult sexual assault. Safe Harbor is a partnership between many organizations: all law enforcement jurisdictions in the county; the District Attorney's Sexual Assault Family Protection Unit and the Ellie Liston Crime Victims' Assistance Program; the Ventura County Health Care Agency; and the Ventura County Human Services Agency, Children and Family Services Division. Ventura County has two centers: Safe Harbor West, which opened in April 2002, and Safe Harbor East, which opened in the fall of 2003. Both centers are located in houses that were renovated and adapted for Safe Harbor through the generosity and hard work of local businesses, service organizations, and members of the community.

The mission of Safe Harbor is to promote dignity and respect for victims while minimizing trauma and maximizing criminal prosecution. This is accomplished by reducing the number of interviews a victim has to go through and by providing a secure, confidential and friendly environment. Deputy district attorneys are available to observe interviews and consult on the investigative process. Victim advocates provide crisis intervention and support to victims at the center. Sexual assault nurse examiners provide forensic medical exams for sexual assault

> victims. Crisis counselors from the local rape crisis center provide support during the medicolegal exam process. Pediatricians are on call to provide forensic exams for child physical abuse victims. Children and Family Services social workers are available in cases where there is a concern for a child's safety. By coordinating the investigative and prosecution processes, law enforcement, social

workers and prosecutors have reduced the number of times victims have to relive the trauma by repeating the details of their assault or molestation.

From April 2002 through March 2007, 1,139 victims of sexual assault or child abuse received investigative and advocacy services from Safe Harbor.



## Legal Support Services Unit

Legal Support lhe Services Unit Provides essential clerical and secretarial support to attorneys, investigators, managers, and paraprofessionals in the District Attorney's Office. This unit consists of 64 highly skilled employees who support the following sections of the District Attorney's Office: management, maior crimes, felonv misdemeanor, and sexual assault and family protection, juvenile, special prosecution, welfare fraud



Ann Phelps, Manager Legal Support Services Unit

and the bureau of investigation. Support staff services include witness coordination, wordprocessing, discovery, secretarial support, reception and mail room/courier.

The Legal Support Services Unit is an essential element of the prosecution effort. In 2003, the LSS staff processed and printed over 60,000 subpoenas. By 2006, that number had increased to approximately 101,500. During this time period, the staff prepared an average of one million photocopies, and duplicated an average of 11,500 audio and video tapes and

Bonnie Mesinoff and Cyndy Villa Legal Processing Assistants

CDs. Each month, the staff prepared and processed approximately 245 felony cases, 1,828 misdemeanor cases, and 226 juvenile cases. Each year, the staff typed more than 8 million words.

In October 2005, the Legal Support Services Unit added the Bureau's Subpoena Unit, consisting of four investigative assistants who go out in the field to personally serve the criminal subpoenas for witnesses. They work very closely with the Witness Coordination Unit, which prepares and coordinates the subpoenas, so the merge created a more efficient process. It also gave the investigative assistants better access to the attorneys handling the case.

The Legal Support Services Unit is extremely proud of its accomplishments and is committed to maintaining a highly professional level of support services and programs designed to enhance the efficiency of the criminal prosecution process.

## Ventura County District Attorney

## **Bureau of Investigation**



Gary Auer, Chief Investigator

he District Attorney's Bureau of Investigation provides professional investigative support in both criminal and civil matters. The Bureau is staffed with a chief investigator, two deputy chief investigators, district attorney investigators, welfare fraud investigators, and investigative assistants.

All of the investigators assigned to the Bureau of Investigation are tenured sworn peace officers who have been recruited from law enforcement agencies throughout California. These highly experienced and trained investigators are available 24 hours a day, seven days a week, to respond to investigative requests and law enforcement emergencies. Members of the Bureau of Investigation use the most advanced equipment to complete their assignments and have been recognized throughout the state for their expertise in a wide range of investigations from homicide to complex white collar fraud schemes.

The Bureau of Investigation is divided into two divisions: the Criminal Investigations Division and the Special Operations Investigations Division. The Criminal Investigations Division includes units that investigate major crimes, special crimes, sexual assault, domestic violence, intelligence, official misconduct, and child abductions. The division also serves subpoenas.

The Special Operations Investigations Division includes units that investigate economic crimes, computer crimes, public assistance fraud and non-sufficient funds checks.

#### **Major Crimes Unit**

The majority of all homicide cases are assigned to this unit. In those homicide cases where the death penalty may be imposed, an extensive investigation is completed regarding the background of the defendant. This unit is also responsible for responding to officer-involved shootings, and works closely with the assigned deputy district attorney to prepare a comprehensive public report in such cases.

#### **Special Crimes Unit**

Investigators from this unit conduct investigations involving gang, misdemeanor and juvenile crimes, as well as auto theft. They work closely with local and regional law enforcement agencies to combat gang crime.

#### Sexual Assault / Family Protection Unit

Investigators assigned to this unit investigate crimes relating to sexual assaults, child abuse, elder abuse, and domestic violence. All of these cases are handled on a vertical prosecution basis. It is common for each investigator in this unit to have an ongoing caseload of 25 to 30 active cases.

## **Special Investigations Unit**

Investigators assigned to this unit gather and provide intelligence information to the District Attorney and also conduct comprehensive investigations involving allegations of misconduct or corruption by local government officials. This unit also investigates citizen complaints involving members of the District Attorney's Office and interacts with a variety of law enforcement agencies in long-term investigations of organized crime activities throughout Ventura County.

## Child Abduction and Recovery Unit

This unit's staff use their investigative skills and contacts to locate and return children who have been abducted by one of their parents. This unit has been successful in returning children who have been removed from their Ventura County homes and hidden in other parts of the United States or in various foreign countries.

## Economic Crimes Unit

This unit handles a variety of white collar crime issues, ranging from false and misleading advertising to multimillion dollar investment fraud schemes. Investigations include major fraud, workers' compensation fraud, auto insurance fraud, consumer fraud, environmental crimes, real estate fraud, asset forfeitures, fish and game violations, and code enforcement violations.



Investigators Dennis Peet and Tom Rigali

### **Computer Crimes Unit**

This unit investigates allegations involving computer crimes, network intrusions, theft of trade secrets and other high technology crimes. Investigations involving identity theft are also handled by this unit. Investigators assigned to this unit are part of the Southern California High Tech Task Force, and they complete the forensic examination on computers which have been seized as evidence associated with criminal activity.

#### Subpoena Service Unit

The members of this unit are responsible for serving subpoenas to witnesses in the cases prosecuted by the District Attorney's Office. They serve an average of 800 subpoenas per month.



Bureau of Investigation Seniors Meeting

#### **Government Fraud Unit**

This unit investigates individuals who are suspected of receiving government aid by fraud or deceit. Typical violations involve failure to disclose income or assets, allowing a reported absent parent to live in the home while gainfully employed, or falsely reporting a child to be living in the home. Investigations center around potential welfare fraud cases, but may involve a combination of welfare fraud and housing assistance fraud. A high priority is also placed on investigating forged or counterfeit welfare checks.

## Non-Sufficient Funds (NSF) Restitution and Prosecution Unit

The Non-Sufficient Funds (NSF) Check Restitution and Prosecution Unit works to obtain restitution for victims who receive bad checks and, when necessary, prosecutes those individuals who pass them. The program uses administrative fees collected from bad-check writers to offset the operational costs of this program and to minimize the cost to taxpayers.

During this reporting period, 21,412 new checks were submitted to the unit for collection. Full restitution was received for 16,837 bad checks, providing restitution of \$1,877,800 to local victims. Since the inception of the NSF Check Program in 1986, close to \$10.5 million has been returned to victims through this upfront diversion program.

# High Technology Crime Task Force

Computer crimes, identity theft and online criminal fraud activities have grown to become some of the largest and most complex crimes faced by law enforcement. In 2007, in the United States alone, victims reported losses of \$239 million to online fraud, with average losses running about \$2,530.

In 2000, the Ventura County District Attorney's Office joined other Southern California law enforcement agencies to create the Southern California High Technology Crime Task Force. This group of highly trained specialists works with local, state and federal law enforcement agencies to prosecute cases involving identity theft, computer hacking, theft of high-tech computer components, counterfeit computer software, theft of trade secrets, Internet auc-

> tion fraud, and child exploitation on the Internet. The Ventura County District Attorney's Office presently staffs the unit with four investigators and one deputy district attorney.

> The Task Force provides technical support and forensic services for the District Attorney's ever-growing number of cases involving computer evidence or other high-tech devices. The Task Force has become an integral part of the District Attorney's efforts to uncover and utilize all forms of available evidence in the prosecution of serious crimes. Members of the Task Force provide specialized training to other law enforcement agencies and prosecutors.

District Attorneys of the Past 30 Years Left to right: Michael D. Bradbury, November 1978 - November 2002, Gregory D. Totten, November 2002 - present, C. Stanley Trom, August 1973 - November 1978



# The Honorable Patricia M. Murphy

The Honorable Patricia Murphy graduated from California State University Northridge with a bachelor's degree in political science. She attended Southwestern University School of Law, Los Angeles, and received her juris doctor degree in May 1987. Patty was admitted to the California State Bar in December 1987 and immediately joined the Ventura County District Attorney's Office. In November 2002, she was appointed Chief Assistant District Attorney, a position she held until she was appointed to the Superior Court bench in March 2006.

During her 18 years as a prosecutor, Patty prosecuted some of the most serious homicide cases in the office, including the murder of Simi Valley Police Officer Michael Clark. She was respected as a tough and talented trial lawyer and an effective administrator. But beyond these professional skills, she also brought humility, human kindness, and absolute integrity to her work. These latter qualities were a part of Patty's character long before she joined the District Attorney's Office and will be ever-present in her courtroom.

Patricia Murphy's service in the District Attorney's Office is a testament to the highest ideals in the prosecutor profession. Patty enjoyed a career that was marked by success in the courtroom, principled leadership, and many firsts. Patty was the first prosecutor assigned to a newly created unit focusing exclusively on car theft, and obtained the county's first guilty verdict for the crime of carjacking. She was the first woman prosecutor to obtain a death verdict as co-counsel in a capital murder case.

But forme, the "first" that stands out is her exceptional work as my first Chief Assistant.

The role of Chief Assistant is a tough yet vital job. The work requires long hours and many thankless tasks. The Chief Assistant has to have the trust and respect of colleagues and law enforcement and the strength of character to deal with problems directly. Above all, the Chief Assistant must be a truth teller who always seeks what is right and just without being self-righteous. Patty did all of this with great grace and dignity and continues her outstanding service as a judge. I will be forever thankful for her outstanding service to the office and to the People of Ventura County.

GREGORY D. TOTTEN District Attorney



Patricia Murphy

## Ventura County District Attorney

# Retirees



#### RONALD C. JANES

Chief Deputy District Attorney

Ron Janes received his bachelor's degree in 1969 from the University of California at Berkeley. In 1972, he graduated from the University of California at Davis with a law

degree and was sworn in as a deputy district attorney with the Ventura County District Attorney's Office later that same year.

Throughout his 30-year career, Ron had an opportunity to work in every unit of the Criminal Division. This experience garnered him a reputation in the law enforcement community as an expert in narcotics investigations and prosecutions. In 1984, he was appointed Felony Supervisor, and then became the supervisor for the Major Crimes Unit in 1989. In this capacity, he personally handled initial calls from law enforcement on all homicides in the county, and then assigned and supervised the subsequent prosecution of these cases.

Ron was promoted to Chief Deputy District Attorney in 1995. As Chief Deputy, he managed the Major Offenses Division until his retirement in 2002.



#### LELA HENKE-DOBROTH

Chief Deputy District Attorney

Lela Henke-Dobroth began her career with the Ventura County District Attorney's Office in 1975 as a secretary in the Child Support Division. In 1977, Lela enrolled in law school

at Ventura College of Law. She was admitted to the State Bar in 1981 and was immediately sworn in as a deputy district attorney.

Lela's remarkable 23-year career as a prosecutor began in the Misdemeanor Unit and soon after was promoted to the Sexual Assault/Career Criminal Prosecution Unit. In 1987, she was promoted again, this time to the Major Crimes Unit, where she prosecuted homicide cases. Lela's next promotion was to the rank of supervising attorney of the Sexual Assault/Career Criminal Prosecutions Unit. Recognizing her management ability and tenacity as a skilled trial attorney, in 1994 Lela was asked to serve as Chief Deputy District Attorney of the General Criminal Division. Lela accepted the position and served in this capacity until her retirement from the office in June 2004.



#### R. THOMAS HARRIS

Special Assistant District Attorney

A Stanford University Law School graduate, R. Thomas "Tom" Harris devoted his legal career to public service. From 1973 through 1986, Tom worked for the Ventura County

Counsel's Office as a deputy county counsel and litigation supervisor, advising government agencies on land use and zoning issues.

In 1986, Tom was recruited by the city of Stockton to serve as City Attorney. In this post, Tom supervised a legal department that provided a wide range of municipal legal services to the city council and city departments.

However, Ventura County was always home to Tom, and in 1998, Tom returned and was hired by the District Attorney to serve as Special Assistant. Tom's expertise in local government and his sharp legal analysis of the issues made him an integral part of the District Attorney's management staff. He held the post of Special Assistant District Attorney until his retirement in 2005.

# 1

#### PETE KOSSORIS

Senior Deputy District Attorney

Pete Kossoris obtained his law degree from Berkeley in1966. During his tenure with the Ventura County District Attorney's Office, Pete held many administrative positions,

including Chief Deputy District Attorney. He also supervised the Misdemeanor Unit, the Felony Unit, and the Training and Appeals Unit. He lectured and published articles on trial advocacy and other criminal justice issues throughout the nation. Pete was also an instructor of law with a specialty in constitutional law at California Lutheran University.

For 35 years, Pete served Ventura County as a gifted trial lawyer. With skill and tenacity, he prosecuted many of the county's most high-profile murder cases. Pete's dedication and abilities earned him the respect of his colleagues and the loyal admiration of crime victims.

In 1987, his skills and dedication were recognized by the California District Attorney's Association when he was named Prosecutor of the Year. Pete retired in October 2001.



### RICHARD E. HOLMES

Senior Deputy District Attorney

Richard Holmes earned a bachelor's degree in 1967 and a master's degree in criminology in 1968 from the University of California at Berkeley. He then continued on to law school at Berkeley's Boalt Hall School of Law, earning

his law degree in 1971.

Richard began working for the Ventura County District Attorney's Office in September 1971. During his 31-year career with the office, Richard was assigned to various



units, but spent most of his career in the General Felony Unit or Major Crimes Unit. Richard tried more than 25 homicide cases as a major crimes attorney. He was a member of the Legislation Committee of the California District Attorney's Association and chairman of a subcommittee to revise California's sentencing statutes.

In 1998, Richard was promoted to supervisor of the Major Crimes Unit, and managed the unit until his retirement in 2002.



#### DONALD M. GRANT

Senior Deputy District Attorney

Don Grant obtained his law degree from the University of San Francisco in 1966 and joined the Ventura County District Attorney's Office in 1968.

Don's first assignment was to the Oxnard branch of the District Attorney's Office where he rose to the position of supervisor. In the 1970s and 1980s, Don was assigned to the Major Crimes Unit, trying homicides and complicated fraud cases. Despite his fine trial skills, Don's uncanny ability to quickly assess the provability of a case led to an almost 20-year assignment reviewing felony complaints. He was unflappable and cheerful no matter how much work and how little time he had. With his good humor and skill at complaint review, Don gained the respect, and trust, of law enforcement, even as he was rejecting their cases.

In Don's evaluations, his supervisors identified him as "a unifying force" and "part of the foundation of the office." Don's integrity, strong work ethic, and high spirits made a significant contribution to the morale of the office. He was a role model and a leader. A bright light went out in the District Attorney's Office with his retirement in 2002.



#### DON GLYNN

Senior Deputy District Attorney

Don Glynn began his professional career as an engineer in the defense industry after obtaining a master of science degree from the University of Santa Clara in 1963.

He worked for such notable companies as Lockheed, General Dynamics, and Litton.

In 1975, Don obtained his law degree from the University of San Fernando Valley and launched his second career as a prosecutor with the Ventura County District Attorney's Office in 1976. Throughout his tenure as a deputy district attorney, Don worked in various units throughout the office. However, it was in the Major Crimes Unit trying some of the most egregious homicide cases that Don's skills as a trial attorney excelled. In one of his performance evaluations, it was speculated that his earlier training as an engineer attributed to his keen trial skills when his supervisor wrote, "He tries a case like an engineer; he's strong on detail, preparation, and organization." By the time Don retired from the District Attorney's Office in June 2000, he had established himself as one of the most accomplished death penalty litigators in this office



#### **TERRENCE "TERRY" KILBRIDE** Senior Deputy District Attorney

Terry Kilbride began his career in law enforcement as a sheriff's deputy in Maywood, Illinois in 1969. While working as a patrolman, he attended law school at night

at DePaul University, College of Law, in Chicago, earning his law degree in 1974. After working for a year as an assistant attorney at the State's Attorney's Office in Cook County, Illinois, he moved to Ventura County and began an exemplary career as a prosecutor for the Ventura County District Attorney's Office.

For 29 years, Terry capably handled arange of assignments, from code enforcement violations to the most serious sexual assault cases. Terry served this office and the community with a sincere desire to ensure that justice be done. In addition to the arduous preparation Terry committed to the cases he prosecuted, he also found time to serve as a member of the Ventura Unified School District Board of Education from 1980 to 1994. Terry once said, "If I can do something for students in the district now, I'm less likely to do something to them in the criminal courts."

Terry retired from the District Attorney's Office in 2004.



#### JIM GRUNERT Senior Deputy District Attorney

Jim Grunert earned his bachelor's degree in 1969 from the University of California Los Angeles and his juris doctorate in 1976 from the University of West Los Angeles School of

Law. He was admitted to the California State Bar in 1976.

Jim began his 24-year career as a prosecutor in 1981. Over the years, he worked in the Misdemeanor, General Felony, Sexual Assault/Family Protection, Major Narcotics, and Major Crimes Units. In 1998, when the District Attorney initiated the first Community Prosecution Program to provide specialized prosecutorial services directly to local law enforcement, Jim's breadth of experience made him the perfect prosecutor for the position. For the next seven years, until his retirement in 2005, Jim worked at the Oxnard Police Department as an "in-house" prosecutorial resource, reviewing and filing complaints, providing law enforcement training, and conducting community outreach.

Jim's legal expertise and his commitment and dedication to the police officers and citizens of Oxnard made the Community Prosecution Program a tremendous success, and as a result, the program was expanded to other communities in Ventura County.

## >>> Ventura County District Attorney



**RICHARD HAAS** Deputy Chief Investigator

Richard Haas graduated from California State University (Los Angeles) in

1967 with a bachelor's degree in Police Science. His career in law enforcement began with the Ventura Police Department. In 1980, he was hired by the Ventura County District Attorney's Office.



Early on in Richard's 23-year career with the district attorney's office, investigator, he established a reputation as a hard-working, dedicated investigator. The bureau chief once wrote of him in an early evaluation, "Excellence has a new synonym in the bureau, and it's called Richard Haas." Richard maintained this reputation of excellence throughout his career. He quickly promoted through the ranks, and in 1999 was promoted to Deputy Chief Investigator, the second highest ranking position within the District Attorney's Bureau of Investigation.

Richard's career and character was best summarized when, at Richard's retirement in 2003, District Attorney Greg Totten said of him, "For in wisdom, he has been



#### DAVE STONE

Deputy Chief Investigator

Dave Stone attended California Lutheran University where he obtained a bachelor's degree in sociology in 1970 and a master's

degree in administration of justice in 1975. He began his law enforcement career with the Ventura Police Department where he worked for nine years, earning the rank of corporal.

In 1985, Dave was hired by the Ventura County District Attorney's Office. He quickly established himself as a tenacious, passionate and energetic investigator. Dave's sense of integrity, incredible self-discipline and unique work ethic enabled him to rise quickly through the ranks of the Bureau of Investigation. He was entrusted by the District Attorney to conduct the most sensitive of investigations, including political corruption cases, internal affairs matters, and organized crime cases. In 2004, Dave was promoted to Deputy Chief Investigator.

When Dave retired in 2006, he had helped establish the culture of the Bureau, leaving behind a legacy of perfection.



#### **KAREN HENDRICK**

Manager – Fiscal and Administrative Services

Karen Hendrick was hired by the District Attorney's Office in 1980 and first worked in the Child Support Division. Karen quickly promoted through the ranks, and in 1990

was appointed manager of the District Attorney's Fiscal/ Administrative Services, a position she held throughout her tenure with the office.

Karen's natural management abilities combined with her intuitive fiscal skills enabled her to successfully oversee the operations budget of the office, which at the time of her retirement was in excess of \$40 million. Karen also served as a senior advisor to the District Attorney and other senior managers and supervisors on fiscal, personnel, administrative and management issues. As the senior manager of all fiscal and administrative matters, Karen was frequently required to interface with the county's chief executive officer, the auditor-controller, the human resources director, and other department heads. Karen's professionalism and communication skills garnered her respect from her colleagues and consistently fostered cooperation between the District Attorney's Office and other county agencies. Karen retired from the District Attorney's Office in 2001



#### PAT DEFISHER

Staff/Services Specialist

Pat DeFisher began her 21-year career with the District Attorney's Office in 1983 when she was hired as a typist clerk in the Child Support Division. In September

1985, Pat transferred to the Criminal Division and was promoted to clerical supervisor in 1990. For the next seven years, Pat supervised support staff in various units of the office. In 1997, Pat was appointed Staff/Services Specialist to manage all clerical support staff of the District Attorney's Office.

As the Staff/Services Specialist, Pat's quiet, friendly demeanor and genuine interest in those she supervised endeared her to the support staff. Her exceptional organizational skills enabled her to conquer many tasks during periods of transition, including twice overseeing the move of the storage facility which houses hundreds of thousands of case files. Pat took tremendous pride in every project she was assigned, and she always treated those she supervised with respect and dignity.

When Pat retired in June 2004, her professionalism, kindness and sweet spirit left an imprint on her colleagues throughout the office.

## Ventura County District Attorney

## Retirees 2000 - 2006

2000 Chickie Callaway Paul Wright Kenneth Hess Melodianne Duffy Leighton Armstrong Don Glynn Beth Hamilton

#### 2001 Sharon Klaus Dan McGrath Tom Kitchens Elva Cooper Thomas Finn Phyllis Nishida Emogene Baker Karen Hendrick Pete Kossoris

2002 Michael D. Bradbury Michael Thomas William Nugent Gilbert Lovio Richard Holmes Ronald C. Janes Donald M. Grant

2003 Rebecca Sobba James Burt Richard Haas

2004 Dennis Fitzgerald Michael Barnes Lynda Watt Matt Basolo Sandra Helm Terence Kilbride Gloria Ronquillo Linda Ulmer Pat DeFisher Mike Fino Leopoldo Ferreria Barbara Carroll Harvey Taylor Lela Henke-Dobroth

2005 Dee Corona Larry Cox Jim Grunert Susan Proett Alan Siemens Claudia Gonzales R. Thomas Harris

#### 2006

Sally Williams Anita Luna Gene Signor Barbara Dean Jeff Jacobson Melinda Siemens Robert Anderson David Stone

## Award Winning Attorneys and Staff

2003

Eric Dobroth Outstanding Prosecutor of the Year Colleen Andersen Outstanding Employee of the Year Sylvia Campos Outstanding Employee of the Year Dennis Fitzgerald Outstanding Investigator of the Year Theresa Pollara Outstanding Prosecutor of the Year Michelle Robertson Outstanding Employee of the Year Alfredo Valenzuela Outstanding Employee of the Year 2004 Mary Peace Outstanding Prosecutor of the Year Greg Askay Outstanding Investigator of the Year Roberta Parada Outstanding Employee of the Year Paula Miller Outstanding Employee of the Year

#### 2005

Karen Wold Outstanding Prosecutor of the Year Daniel Thompson Outstanding Investigator of the Year Angela Daniel-Gibson Outstanding Employee of the Year Yolanda Chavez Outstanding Employee of the Year 2006 Howard Wise Outstanding Prosecutor of the Year Mariaelena Miller Outstanding Investigator of the Year Sandra Molina Outstanding Employee of the Year Barby Reyes Cervantes Outstanding Employee of the Year Danali Ibarra Cortez and David Lehr Outstanding Team of the Year Minerva Loya Outstanding Employee of the Year

# **District Attorney Office Locations**

entura County is located approximately 60 miles northwest of Los Angeles and borders the Pacific Ocean. The county has a population of approximately 800,000. Because the county is geographically blessed with an expansive seashore, rich valleys, rugged mountains, and an ideal climate, the population growth continues. Today, oil and agriculture are the county's largest sources of income, with many new light industrial centers contributing to the economy. The County of Ventura employs approximately 7,500 people in its 27 departments.





Mary Peace 1949 - 2007

ith Mary's passing, we lost a beloved member of the District Attorney's Office and the County family lost an extraordinary public servant. Mary served our profession and this county with great skill and character for more than 21 years and handled everything from crimes against women and children to consumer fraud. But even more important she was someone who always put others before herself and effectively wrote her name on the hearts of her colleagues. By doing so, she left us a rich legacy of kindness and self sacrifice.

#### VENTURA COUNTY DISTRICT ATTORNEY'S OFFICE 800 SOUTH VICTORIA AVE. VENTURA, CA 93009

http://da.countyofventura.org