

*efficient ethical public safety welfare security community enforcement
community enforcement honest efficient ethical public safety wel
safety welfare security community enforcement honest efficient*

2007

OFFICE OF THE ORANGE COUNTY DISTRICT ATTORNEY



BIENNIAL REPORT



MISSION STATEMENT

The mission of the Office of the District Attorney of Orange County is to enhance public safety and welfare and create a sense of security in the community through the vigorous enforcement of criminal and civil laws in a just, honest, efficient and ethical manner.

TABLE OF CONTENTS

District Attorney Tony Rackauckas	2
Priorities of the OCDA	4
Organizational Chart	6
Executive Team.....	7
Bureau of Investigation	8
TracKRS	10
Public Affairs	12
Website and Top 10	14
Victim & Witness Advocacy	15
Government & Community Relations	16
Advisory Commissions	18
Trial Attorney Partnership	19
Branch Offices	20
Juvenile Division	22
Consumer Fraud	23
Environmental Protection	24
Family Protection	26
Felony Panel	28
Gang Injunction Program	29
Gang and TARGET.....	30
Hate Crimes	33
High-Tech Crimes	34
Homicide	36
Immigration Fraud	39
Insurance Fraud	40
Law and Motion	42
Major Narcotic Offenders	43
Public Integrity and Felony Projects	44
Sexual Assault	46
White Collar Crime, Major & Welfare Fraud.....	48



TONY RACKAUCKAS DISTRICT ATTORNEY

*"I have always wanted
to serve the public."*

Tony Rackauckas has often been referred to as a "tough, no-nonsense DA" by national talk show hosts, colleagues, and citizens. His passion and motivation for his job stem from the patriotism and philanthropy he learned as a child growing up in a military family with roots in East Los Angeles.



Tony was the second born of six children (3 sisters and 2 brothers) to Maria Socorro Limón and Anthony Joseph Rackauckas. On his mother's side, Tony is the second generation to be born and raised in the United States. His maternal grandparents, Alejandro and Carolina Limón, immigrated to the United States from Hermosillo, Sonora, Mexico around 1921 and settled in Texas to look for a new life and start a family.

In the late 1930s, Maria met Anthony, a Naval Officer, whose family immigrated from Lithuania. They married in March 1940. Tony was born three years later on March 18, 1943, and spoke mostly Spanish for the first three years of his life.

"I have always wanted to serve the public," states Tony. "I think it comes from my father. That is what I believe is important in life, and the people I have looked up to have been those who served others."



Tony's father Anthony spent 20 years in the U.S. Navy, rising to the rank of Chief. When Tony was 19 years old, he followed in his father's footsteps, enlisting in the U.S. Army as a paratrooper in the 101st Airborne Division (Air Assault) and serving on active duty from 1962 to 1964. He remained in the U.S. Army Reserves for four more years before receiving an Honorable Discharge.

After his service in the Army, Tony enrolled at California State University, Long Beach and took college courses during the day while working nights to help support his family. He studied political science and went on to earn his Juris Doctor from Loyola Law School, Los Angeles in 1971.

From 1968 to 1972, Tony worked as a social worker in the Los Angeles County Department of Public Social Services, where he was selected as one of four social workers to implement and run a pilot program that assisted unemployed fathers of families receiving welfare in gaining employment. The program continues to be successful and utilized statewide.

In 1972, Tony joined the Orange County District Attorney's Office (OCDA). Over the next 15 years as a deputy district attorney, he tried over 40 homicide cases and well over 100 felony trials, including rape, robbery, arson, assault, burglary, fraud, narcotics, and child molestations.

After briefly working in private practice, he was appointed as a Municipal Court Judge in 1990 by Governor George Deukmejian. Three years later, Governor Pete Wilson appointed Tony to the Superior Court, and he was named Presiding Judge of its Appellate Department by 1996.

In June 1998, Tony ran for Orange County District Attorney and was overwhelmingly elected to the post by the people of Orange County. He won the election by 23 points over his opponent, becoming the first person outside the District Attorney's Office to be elected OCDA in more than 40 years. He was re-elected in March 2002 by 22 points. In June 2006, Tony was reelected to his third term with 100 percent of the vote running unopposed.

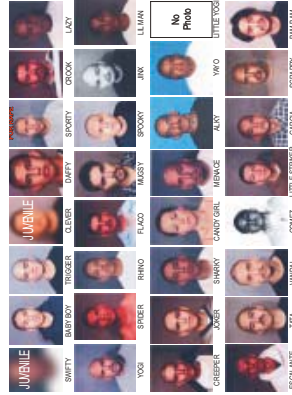


PRIORITIES OF THE OCDA

The Orange County District Attorney (OCDA) prosecutes more than 70,000 cases a year with a felony conviction rate of over 90 percent. Each year, the OCDA accomplishes its goals while staying under budget. Recently, the OCDA returned \$2 million of a \$33.5 million budget to the County.

CURBING GANG VIOLENCE

Criminal street gang activity disenfranchises citizens of their basic right to live in their communities free from the fear of becoming a victim of gang intimidation or violence. In the past eight years, gang crime has decreased dramatically in Orange County. Gang membership has decreased by approximately 8,500 members, a reduction of 45 percent. There are approximately 55 fewer gangs, a decrease of 15 percent. Recently, the OCDA sued two violent street gangs, enjoining them from taking over specific neighborhoods and terrorizing the residents. Curbng gang violence will remain the number one priority for the OCDA.



PROTECTING OUR PRECIOUS ENVIRONMENT

The OCDA will continue to be a leader in the battle to protect our natural resources and holding polluters accountable. The budget of the Environmental Unit was increased by 300 percent in 1999. This led to the first prosecution of its kind in the nation against three major oil companies for polluting the County's ground water by mixing in dangerous chemicals. As a result, these oil companies are cleaning up more than 300 gas station sites in the County at a cost that will likely exceed \$100 million. The settlement will continue to keep the drinking water safe for Orange County residents. All of the litigations were conducted at the expense of the oil companies and not the taxpayers.



SEXUALLY VIOLENT PREDATORS AND EMPHASIS ON TECHNOLOGY

"Protecting our community from sexually violent predators is a paramount responsibility. It goes without saying that we must be aggressive in prosecuting cases like Samantha Rynnion's killer in order to bring predators to justice after they are caught. Furthermore, I want these sexual deviants to be on notice that new technologies such as DNA are making it increasingly more difficult for them to get away with their crime," stated District Attorney Tony Rackauckas.



The OCDA takes a leadership role in employing the latest DNA technology to solve cases. The Office believes that DNA technology is the best thing to happen to law enforcement since the 2-way radio. Using new technology and investigative methods, the OCDA is committed to pursuing unsolved cases. By 2006, the OCDA had helped investigate hundreds of cold cases dating back as far as 1969. The OCDA played an important role in the passing of Proposition 69, which requires all felony arrestees to submit their DNA profile into a national database. This law has already aided in solving many violent crimes including murders and rapes. The OCDA intends to expand the use of DNA technology to property and other nonviolent crimes.



FIGHTING FRAUD FOR THE FUTURE

As criminals become more sophisticated, an aggressive stance in the areas of identity theft, Workers' Compensation Insurance fraud, medical insurance fraud, and high-tech crimes is required. The OCDA has increased the number of prosecutors, investigators, and support staff with specialized expertise and made a commitment to give them the tools they need to track down high-tech criminals. As a result, the OCDA is prosecuting a large identity theft ring with gang and international immigration fraud ties and the largest medical insurance case in the nation. The OCDA believes law enforcement must stay a step ahead of criminals in their sophistication.

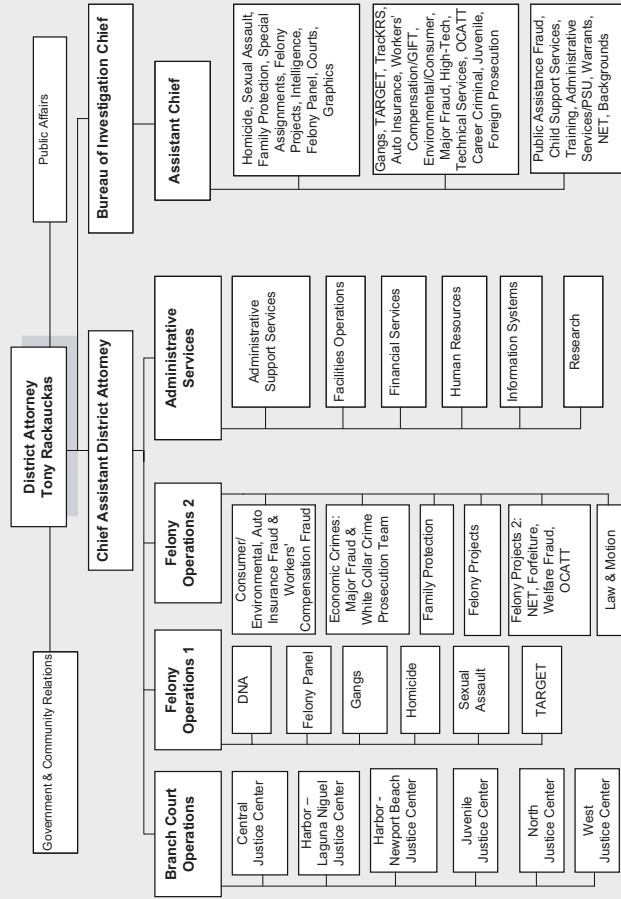


ORGANIZATIONAL CHART

EXECUTIVE TEAM



Office of the District Attorney
Staff Organization
January 2007



STAFF	
Attorney Managers	22
Deputy District Attorneys	243
Paralegals and Priors Researchers	34
Investigative Managers	5
District Attorney Investigators	125
Public Assistance Fraud Investigators	62
Investigative Assistants and Investigative Support	35
Administrative Managers	12
Supervisors, Professionals, and Support Staff	209
TOTAL	747

CONTRACT AND VOLUNTEER STAFF	
Victim Witness Advocates	9
Interns/Law Clerks	117
Volunteer Staff	47
TOTAL	173



Tony Rackauckas
District Attorney



Lisa Bohan-Johnston
Director of Administrative Services



Don Blankenship
Chief of Bureau of Investigation



Mary Anne McCauley
Senior Assistant District Attorney



Jim Tanizaki
Senior Assistant District Attorney



Bill Feccia
Senior Assistant District Attorney



Mike Major
Assistant Chief of Bureau of Investigation



Susan Kang Schroeder
Public Affairs Counsel



Farrah Emami
District Attorney Spokesperson



Todd Hart
Director of Government and Community Relations

BUREAU OF INVESTIGATION



Under the direction of Chief Don Blankenship and Assistant Chief Mike Major, the Bureau of Investigation is responsible for investigating original jurisdiction cases as well as assisting deputy district attorneys in trial preparation. The Bureau consists of 196 investigators and 44 support members who are under the supervision of three commanders.



The first division of the Bureau oversees the Anti-Terrorism/Organized Crime Unit or Intelligence, Branch Court Services, Family Protection, Felony Panel, Graphics, Homicide, Felony Projects, Sexual Assault, and Special Assignments. The second division is comprised of Auto Insurance/Workers' Compensation Insurance, Career Criminal, Environmental/Consumer Protection, Foreign Prosecution, High-Tech Crimes, Juvenile, Major Fraud, OCATT, TARGET and Gangs Units, Technical Services, TracKRS, and Workers' Compensation Insurance - GIFT. The third division covers Administrative Services, Backgrounds, Narcotic Enforcement Team, Training, Warrants, and Public Assistance investigations which include Child Support Services, Criminal, Early Detection, and Housing.

One of the major duties of the Bureau is the Special Assignments Unit. This Unit responds to and investigates officer involved shootings, custodial deaths, officer misconduct allegations, and other sensitive investigations. These types of investigations have been handled by the Bureau since 1970 and include conducting interviews, completing reports, analyzing evidence, coordinating with the involved agencies, and submitting all reports and materials for legal review. Since 1971, the Orange County District Attorney (OCDA) has conducted investigations into 249 custodial deaths, 460 officer involved shootings, and 521 special assignment cases.

Bureau investigators assist deputy district attorneys with trial preparations by conducting additional investigations to build each case. Their role includes preparing and serving search warrants, collecting additional evidence for cases, serving arrest warrants, and locating witnesses who are uncooperative or hesitant to participate in the investigation. The Bureau also develops and interviews additional victims and witnesses. During trial, the Bureau may have the duty to guard the safety of victims and witnesses who testify in court. The Bureau also prepares exhibits for trial such as crime scene diagrams, pictures, and charts.



All District Attorney Investigators are sworn peace officers who are Peace Officer Standards Training (POST) certified. They come to the OCDA from outside law enforcement agencies with an average of 17 years of experience in law enforcement and nine years in investigation.



TrackRS UNIT

The heart of the Orange County District Attorney's (OCDA) Task Force Review Aimed at Catching Killers, Rapists and Sexual Offenders (TrackRS) Unit is an information system available to all Orange County law enforcement from their desktop computer via a secure Internet site maintained by the OCDA. TrackRS is focused on providing Orange County law enforcement help in the investigation of our community's worst crimes: homicides and sexual assaults. The TrackRS Unit Review Committee identifies problems and sets priorities. The Committee consists of police investigators, crime analysts, criminalists, forensic technicians, fingerprint experts, deputy district attorneys, district attorney investigators, and other experts willing to help TrackRS identify the road blocks that interfere with homicide and sexual assault investigations. The Unit is flexible and responsive.



Cold Case Review

TrackRS proactively reviews cold cases, identifies offenders, reevaluates evidence based on advances in technology, and assists agency investigators with complex follow-up investigations. Through these efforts, leads have been generated, suspects have been identified, several cases are pending arrest and prosecution, and others have been brought to justice.

PEOPLE V. DONNA PRENTICE

In 1969, 3-year-old Michelle Pulsifer and her older brother lived with their mother Donna Prentice, her boyfriend Michael Kent, and Kent's son in Huntington Beach. Around the Fourth of July, the family mysteriously packed up all of their belongings and moved to Illinois without baby Michelle. The other children were told there was no room in the car for Michelle, although they made room for their dog. No one saw or heard from Michelle again. TrackRS spent over one year in 2003 investigating the case from coast to coast, interviewing witnesses in Florida, Illinois, Wisconsin, Nevada and California. The investigation led to the arrest of Prentice and Kent for the murder of Michelle. Kent died while awaiting trial and Prentice will face a jury almost 40 years after the murder. This is TrackRS' oldest solved case.

DNA Collection

TrackRS created the Sample Collection Index, Location, Activity, and Status (SciLAS) database to track the collection of DNA samples by Orange County law enforcement and to maintain quality control of all samples collected prior to submission to the state laboratory in Sacramento. The 2004 passage of Proposition 69, the DNA Fingerprint Act, resulted in an increase in DNA samples collected by local law enforcement. TrackRS was instrumental in coordinating local law enforcement efforts, establishing a protocol, providing training and implementing a successful program, and placing Orange County at the forefront of DNA collection and tracking throughout California.



PEOPLE V. BENJAMIN WATTA

On December 24, 1980, the son of 70-year-old Simone Sharpe noticed his mother was missing from her Seal Beach home. He went to the house next door where Ms. Sharpe had been feeding the cats for vacationing neighbors and discovered his mother in a bedroom wedged between the bed and the wall. She had been raped, strangled, suffocated, and murdered. The case went unsolved until 2001 when TrackRS got a DNA hit linking the case to Watta, a felon serving time in Florida for shooting and attempting to murder his girlfriend. Watta was extradited to Orange County for the 1980 murder and is awaiting trial. The OCDA is seeking the death penalty in this case.

Due Diligence

The OCDA entered into agreements with local law enforcement agencies to better share and document law enforcements' due diligence in its attempts to find murder suspects who have warrants issued for their arrest. The program aims to eliminate duplicated efforts by distributing the work between the originating agency that has obtained the murder warrant and the OCDA. TrackRS maintains contact with local agency investigators, and all due diligence work performed is summarized on the TrackRS database.

PEOPLE V. ROBERT GARCIA

Garcia was wanted for the September 13, 1991, slaying of 14-year-old Lilia Guevara following a dispute at a party in Tustin. After more than 11 years as a fugitive, Garcia was apprehended by TrackRS Investigators and Tustin Police Officers. The arrest occurred after he left his brother's residence in Murrieta for work at a nearby construction site. As a result of TrackRS due diligence investigation, Garcia was apprehended and is currently serving 32 years to life in state prison.

Foreign Prosecution

Article IV of the Mexican Federal Penal Code allows for certain defendants to be prosecuted and sentenced in Mexico. TrackRS reviews, evaluates, and coordinates the efforts of Orange County law enforcement agencies in seeking such domestic prosecution cases in Mexico. Additionally, TrackRS assists local agencies by locating suspects and witnesses and coordinates extradition requests from foreign countries.

PEOPLE V. VICTOR GARCIA

In the early morning hours of September 21, 2001, 16-year-old Cecelene Godsoe was found dead at Fairview Park in Costa Mesa. She had been severely beaten. Garcia was the last person seen with the victim and is accused of knocking her down, kicking her and killing her. He is accused of trying to cover up his crime by bathing in alcohol, burning his clothes and fleeing to Mexico. His whereabouts were unknown for years. TrackRS investigators and the Costa Mesa Police Department worked with Mexican authorities to locate Garcia, who was in custody in Mexico on domestic violence charges. The Mexican government extradited Garcia to California to stand trial for the murder of Ms. Godsoe. Garcia is the first juvenile to be extradited from Mexico to the United States to be tried as an adult for murder. The case is pending.

PUBLIC AFFAIRS

District Attorney Tony Rackauckas appointed the first Orange County District Attorney's (OCDA) public information officer in 1999 to respond to the growing need of the media and public for information. The Public Affairs Unit (PAU) was expanded and named in 2006 and provides the public and media with critical and accurate information regarding public safety, significant cases, and the criminal justice system. Furthermore, PAU aids the OCDA in investigations and trial preparations, as well as formulating strategies, providing analysis, and developing policies. The OCDA recognizes that certain cases receive higher public attention and priority, and the PAU is tasked with keeping the public accurately informed about these cases. The PAU consists of a deputy district attorney who serves as the Public Affairs Counsel, a District Attorney Spokesperson, and two clerical support members.



In 2001, the OCDA sent out 32 press releases. In 2006, the PAU sent out over 200 press releases and media advisories. The PAU also responds daily to hundreds of media related inquiries, as well as organizes press conferences for the OCDA and multi-agency cases.



The PAU writes, edits, and maintains the content of the OCDA website including the homepage with emergency alerts, news releases, the *e-notifier*, speeches, Frequently Asked Questions, and the *Ten Most Wanted* list.



With the increase in volume of press conferences, press releases, and media advisories, media and public interest has also increased. The website's *Cases in the News* has been a highly effective tool to keep the public and media informed about ongoing cases. The list is created, maintained, and posted to the OCDA website by the PAU and is updated on a weekly basis. *Cases in the News* went from a 7-page document at its inception in 2002 listing 70 cases, to a 44-page document in 2006 with information on over 200 cases.

The PAU also monitors local and national press on a daily basis. The PAU deals with mainstream as well as ethnic media inquiries, including Spanish, Korean and Vietnamese media. Press releases, on-camera interviews, and information may be available in four different languages.



The PAU advises the District Attorney and the OCDA staff regarding public appearances, writes, edits and coordinates speeches, and facilitates communications. These duties require the PAU to coordinate and maintain relations with other public agencies, the media, and the public.

Due to the ethical duties and confidentiality requirements of the Office, the PAU provides the staff with training on Constitutional laws, statutory laws, Rules of Professional Responsibility, and OCDA policies.





The Orange County District Attorney (OCDA) introduced a newly enhanced website in October 2005 to improve OCDA services to the public by providing valuable information about the criminal justice system and the resources available to the public via the Internet. The website provides easy access to applicable laws, offers crime prevention tips and resources, answers Frequently Asked Questions, and outlines the various cases prosecuted by the OCDA.



With the launch of the new website, the OCDA also introduced a *Ten Most Wanted* list to request the public's help in finding some of Orange County's most serious and dangerous criminal offenders who have eluded capture. By the end of 2006, five of the 11 individuals listed had been captured or had surrendered. The OCDA will be announcing the new replacements in 2007.



The website contains a Media Center that features a weekly updated list of *Cases in the News* and an archive of press releases. The public may sign up for e-notification of press releases and announcements. The website also lists a number of child safety resources, including an Amber Alert notification, a Child ID Kit for preserving your child's DNA profile, and provides links to Megan's Law and the National Center for Missing and Exploited Children.

The public may also send requests to the OCDA's Speaker's Bureau on the website for the District Attorney or members of the Office to speak with groups or organizations on issues related to the criminal justice system and public safety.

The Orange County District Attorney's website is www.orangecountyda.com.

RESTITUTION ENFORCEMENT

The Orange County District Attorney's Office (OCDA) is committed to obtaining restitution for victims who have suffered an economic loss as a result of criminal activity. The payment of restitution forces criminals to accept direct responsibility for the harm their actions have caused. The Restitution Unit is responsible for enforcing restitution orders payable to victims of crime and to the California Victim Compensation & Government Claims Board. Since 2004, Orange County victims have received over \$1.1 million in restitution.



COMMUNITY SERVICE PROGRAM, INC. (CSP)

CSP is a nonprofit organization established in 1972 at the University of California, Irvine, dedicated to serving those involved in the criminal justice system as victims or witnesses. CSP and the OCDA partner in assisting victims and witnesses through the most stressful times in their lives. CSP assists more than 80,000 people annually through its various programs.



VICTIM ADVOCATES

Victim Witness Advocates are trained professionals with specialized knowledge of the criminal justice system, victimology, crisis intervention, cultural/ethnic diversity and the Victim Compensation Program. Victim Witness Advocates assist victims and witnesses through the aftermath of crime and help them locate and utilize resources to better their emotional, mental and physical health.



"I had no idea a program like this existed. When they first called me, I didn't want to talk to them, but they didn't give up on me, which I'm thankful for. Everyone was so helpful. I'm glad we have a program like this to help people like me, people who don't know about these programs because they are never in trouble with the law, follow the law and live normal lives. I'm glad they are there to help people." - Marcia Devar, mother of homicide victim Sarah Rodriguez, with her husband and daughter

"The (Victim Witness Advocates) were great. They always had valuable information and helped me get therapy and compensation. They were there through the whole thing and there in my time of need." - Matt Corbetta, victim of attempted murder shooting whose fiancé was murdered in front of him, with his mother



"The (Victim Witness Advocates) were great. They always had valuable information and helped me get therapy and compensation. They were there through the whole thing and there in my time of need." - Matt Corbetta, victim of attempted murder shooting whose fiancé was murdered in front of him, with his mother



GOVERNMENT & COMMUNITY RELATIONS

The primary function of the Government and Community Relations Unit is to support the mission of the Orange County District Attorney's Office (OCDA) through advocacy, issue management, and serving as a liaison with government and community entities and constituents. While maintaining relations between the OCDA and other government agencies, the Unit identifies County, state, and federal budget and policy issues and develops options to meet funding needs. Additionally, the Unit reviews and evaluates proposed legislation related to criminal justice administration for the Office. The Unit is also responsible for managing, planning, and directing activities for Countywide outreach and educational programs.

CONNECTING WITH YOUTH

The **Orange Outreach Program** educates students about the criminal justice system. Teams of deputy district attorneys volunteer nine lunch hours to teach classes of fifth-grade students about the positive consequences that result from receiving an education and the negative impact of narcotics and gangs. During the course, the deputy district attorneys bring judges and law enforcement officers to the classrooms as guest speakers.



"Orange Outreach is an uplifting experience for the students and participating prosecutors alike. It is gratifying and a privilege to be able to help young students learn how to make positive choices so that they can remain on the right path to realize their goals."

- Deputy District Attorney Kal Kaliban

"Orange Outreach is fun. It is fun talking to policemen and judges and deputy district attorneys. I learned not to do drugs and to get a good education and I could get a good job and have a good life."

- Fausuto, age 11

"Thank you for setting up the Orange Outreach Program. I liked talking to the lawyers and the police officers. The part that I liked most is the mock trial at the courthouse. I promise always to make the right choices in my life."

- Jessica, age 10

The **Summer Youth Education Program** is a 1-week summer program for Orange County high school students. Students selected to participate in this program tour law enforcement agencies, meet local officials, and learn about careers in law enforcement. The program culminates with a mock trial.



"I learned so much and met some awesome people. On the last day, I couldn't believe it was all over. I really miss going to the District Attorney's Office every morning and looking forward to an exciting day. The conference really changed my perspective on the justice system and now I am interested in a career in law enforcement."

- Rashmi, Junior at Tesoro High School



The **Spring Youth Sports Camp** provides young people between the ages of 7 and 13 with the opportunity to hone their soccer skills and learn about the criminal justice system. The OCDA partners with a designated youth-serving organization to host a sports camp during spring break. Following soccer practice in the morning, the students participate in afternoon criminal justice workshops that focus on gangs, delinquency, alcohol and drugs, and alternatives to crime.



"Not only did the week long program get our members excited about soccer, but it also gave them the sense of awareness in regards to drugs and gangs. The program also taught them how to overcome those obstacles in real life settings."

- Emmanuel Sanchez, Branch Director of Boys & Girls Club of Fullerton

ADOPT-A-FAMILY

Each year, the OCDA joins forces with a designated community based organization to brighten the holidays of special families. District Attorney staff, Advisory Commissioners, and friends contribute funds to provide the families with a holiday dinner and gifts. The families are invited to a party where they receive gifts and celebrate with Santa Claus and OCDA staff. The Office adopts an average of 40 families a year.



ADVISORY COMMISSIONS

The Orange County District Attorney (OCDA) recognizes that many ethnic communities have difficulty understanding the criminal justice system due to language and cultural barriers. The OCDA is proud of the input from and the exchange of information with the ethnic communities. The OCDA Hispanic, Korean, and Vietnamese American Advisory Commissions are composed of public officials, law enforcement personnel, business owners, and religious and community leaders. These Commissions provide invaluable assistance and direction in identifying key barriers to these communities and developing culturally responsive solutions to address those problems.

With the expertise and assistance of the Advisory Commissions, the OCDA has developed innovative and dynamic ways of reaching our communities, which include:

- bilingual resource booklets about the criminal justice system;
- bilingual media campaigns on crime prevention topics;
- criminal justice workshops and presentations;
- town hall meetings; and
- mock trials.



TRIAL ATTORNEY PARTNERSHIP

The Trial Attorney Partnership (TAP) program provides attorneys from outside law firms the unique opportunity to prosecute crimes on a volunteer basis. The Orange County District Attorney (OCDA) recruits attorneys from local, prestigious private law firms to receive a 1-week intensive training on prosecutorial skills and then work full time as temporary deputy district attorneys for eight weeks. TAP prosecutors handle all aspects of misdemeanor criminal cases including filing charges, plea negotiations, motions and jury trials. They also handle felony preliminary hearings and are encouraged to watch jury trials conducted by experienced prosecutors.

An innovative and cost effective public-private partnership, TAP adds experienced attorneys to the OCDA team at no extra burden to the taxpayers, which helps alleviate budgetary shortfalls. By the end of 2006, TAP prosecutors had contributed more than \$680,000 in services to the County. The program increases the OCDA's ability to better serve the public. In return, participating attorneys learn valuable courtroom skills from veteran prosecutors and gain courtroom and trial experience.

The OCDA would like to thank the following law firms and TAP prosecutors:

LAW FIRMS

Baker & Hostetler LLP • Cooley Godward LLP • Gibson, Dunn & Crutcher LLP • Knobbe Martens Olson & Bear LLP • Kutack Rock • Lens & Foley, LLP • Morrison & Foerster • Newmeyer & Dillion, LLP • O'Melveny & Meyers LLP • Paul, Hastings, Janofsky & Walker, LLP • Robinson, Calceagnie & Robinson • Sheppard, Mullin, Richter & Hampton LLP • Shook, Hardy & Bacon, LLP • Walsworth, Franklin, Bevins & McCall, LLP • Westrup Klick, LLP

ATTORNEYS

John Bowerbank • Ted Cannon • Jennifer Connor • Lauren Deeb • Jeffrey Dennis • Colleen Dougherty • Jay Freedman • Peter Finnerty • Jay Gandhi • Chris Glos • Paul Gutterrez • Jeffrey Gutkin • Darolyn Hamada • Laura Watkins Ives • Sage Knauff • Paul La Scala • Michelle Lents • Nicholas Liddi • Matt Lilly • Erik Lund • Thomas Manakides • Michele Maryott • Joan Mayer • Vicki Nash • Cynthia Nulman • Christopher Pitet • Marcus Quintanilla • Edward Raskin • Sarah Schlosser • Brian Selvaner • Jared Toffer • David Van Dam • Katie Walsh • Alexandra Wilson • Scot Wilson • Vikki Vander Woude • Christian Ziegler

TAP TESTIMONIALS

"Fantastic. Every attorney should be able to experience the hands on training that I received in this program. What a great environment. My fellow colleagues went above and beyond answering the numerous questions I had about motions, preliminary hearings, and trials."

- Thomas Manakides

"The practical experience of actually trying a case has made me a more confident and competent attorney. The open door policy of every deputy district attorney and their helpful advice and insights were appreciated. I developed more litigation skills in my two months here than I did in an entire year in the civil litigation arena. Thank you for the opportunity"

- Alexandra M. Wilson



BRANCH OFFICES

There are five regional branch court operations for the Orange County District Attorney (OCDA). The Central Justice Center is located in the main courthouse in downtown Santa Ana and serves the heavily populated central area of the County. The Harbor Justice Center-Laguna Niguel is located in Laguna Niguel and serves the southernmost area of the County, comprised of seventeen cities and unincorporated areas. Their misdemeanor cases are transferred to the Harbor Justice Center-Newport Beach for jury trial. The Harbor Justice Center-Newport Beach is located in Newport Beach and serves part of the southern area of the County. The North Justice Center in Fullerton serves the densely populated northeast area of the County. The West Justice Center in Westminster serves over 750,000 residents, approximately one-quarter of Orange County's population. Misdemeanor cases and preliminary hearings and motions in felony cases are conducted in the branch courts.



Many of the branches offer specialized programs. Central Justice Center prosecutors handle Proposition 36 felony drug cases and drug court on a County wide basis. West and Harbor Justice Center-Laguna Niguel prosecutors also participate in specialized drug court programs. The prosecutors diligently determine a defendant's suitability for the program and monitor the progress and behavior of these defendants.

Law enforcement partners

	CENTRAL	HARBOR – Laguna Niguel	HARBOR – Newport Beach	NORTH	WEST
	CHP, Orange, OCSD, Santa Ana, and Tustin.	California State Parks, California Department of Consumer Affairs, CHP, DMV, OCSD, and Saddleback Community College Campus Police.	California State Parks, CHP, Costa Mesa, Irvine, Laguna Beach, Newport Beach, UC Irvine Police.	Anaheim, Brea/Yorba Linda, Buena Park, CHP, Cal. State Fullerton Police, Fullerton, La Habra, La Palma, OCSD, and Placentia,	CHP, Cypress, Fountain Valley, Garden Grove, Huntington Beach, Los Alamitos/Rossmoor, Midway City, OCSD, Seal Beach, Stanton, and Westminster.
2005 Felony filings	4,335	1,524	2,419	5,327	3,943
2005 Misdemeanor filings	10,883	6,232	9,279	10,367	11,771
			Total: Felonies – 17,458		
			Misdemeanors – 48,532		

There are two programs to address offenders who are charged with driving under the influence (DUI). In the Harbor Justice Center-Newport Beach, the DUI Court is a pilot program funded by a 2-year grant for defendants who have one or two prior misdemeanor DUI convictions without prior violence, sex crimes, drug sales, or felony DUI convictions. Its mission is to reduce DUI recidivism, enhance community safety, and foster a safer life for the participants and their families. It is an intensive 12-month, 3-phase supervised probation program where the defendants are required to first plead guilty. The convictions remain on the defendants' records upon successful completion. The defendants who are terminated from the program must serve their entire agreed sentence. As of October 2006, 283 defendants had been admitted to the program, 97 had successfully completed it, 56 were terminated, and the rest were still participating in the program.



In the West Justice Center, a special misdemeanor DUI prosecution unit focuses resources on the most serious and difficult cases with an emphasis on repeat offenders. This program provides training to law enforcement and incorporates a public awareness campaign for local community organizations.

In the Domestic Violence Court, located in West Justice Center and Harbor-Laguna Niguel Justice Center, a deputy district attorney files cases and works closely with the court to hold defendants accountable. This serves the interest of protection, health and welfare for families impacted by violence.

JUVENILE DIVISION

The Juvenile Unit is located in the Lamoreaux Justice Center in Orange and oversees the prosecution of all juvenile felonies and misdemeanors. Annually, approximately 6,800 petitions, the juvenile equivalent of adult cases, are submitted for review. Of those, 1,700 felony and 3,500 misdemeanor petitions are prosecuted.

The cases include formal juvenile court handling and certification to adult court in certain cases. Based on Proposition 21, passed in 2000, serious and violent offenders are prosecuted to the fullest extent of the adult criminal law, including trial and sentencing in the adult division of the Superior Court.

In addition, the Unit has created and implemented specialized programs designed to meet the needs of youthful offenders by balancing rehabilitation and public safety. These programs include a nationally recognized model for **juvenile gang prosecution**, a designated prosecutor to handle serious **juvenile sex offender** cases, a **Juvenile Drug Court** to deal with drug addicted youth, and a program that addresses **truancy**. Other programs include **Peer Court**, a collaborative effort with the Orange County Probation Department, Orange County Department of Education, and the Constitutional Rights Foundation. Through the **Juvenile Justice Education** Together program, hundreds of junior high students experience Juvenile Hall and the Juvenile Court.

DRUG COURT - TESTIMONIALS FROM TWO JUVENILE PARTICIPANTS

"I am full of gratitude for this team. They never gave up on me; no matter how bad I looked, how bad I sounded, or how bad I was doing. They seemed never to lose hope for me. I can never repay them for being there when I didn't even know that I needed them. I realized that without this court and this program, I would probably be dead today."

"Drugs were the only thing that would make me happy. Too bad it took me this long to realize that you are the only one who can change your life and make it better by your actions."



CONSUMER FRAUD

The Consumer Fraud Unit strives to protect consumers from illegal, fraudulent and deceptive business practices and advertising. While many cases originate from governmental agency investigations, the Orange County District Attorney (OCDA) also responds directly to consumer complaints. The OCDA acts on consumer complaints if there are numerous or consistent patterns in the complaints. Consumer fraud actions may result in criminal filings or civil action. The OCDA may seek a court order to stop the business practice and collect penalties and restitution for the consumer.



Recent investigations and cases have been in the areas of: adoption agencies, false drug/supplement/healthcare advertising, false retail advertising, travel agencies, unlicensed contractors, unlicensed practice of law and medicine, unauthorized credit card charges, and schemes targeting senior citizens and immigrant communities.

Bodywise International, Inc.

Bodywise advertised that its health supplement, "AG IMMUNE," was proven effective in the treatment of AIDS, cancer, and other serious diseases. Such advertising is prohibited by the California Health and Safety Code. The Federal Trade Commission and the OCDA jointly negotiated a settlement which prohibited the false advertising and required the payment of \$3.5 million in civil penalties and costs.

Yellow Pages Incorporated (YPI)

YPI, not associated with any yellow pages phone book company, was sending out checks to businesses, schools and nonprofit organizations in small amounts (around \$3). If the consumer cashed the check, YPI charged the consumer \$179 for one year of service. After defrauding the victims, YPI then contracted with a collection firm and threatened to send the victims into collections. YPI was ordered to pay \$355,000 to the OCDA and 28 other states, to pay refunds to the victims, and to not send new solicitations.

ExtenZe

The ExtenZe pill, marketed by Maximizer Health Products, Inc., a subsidiary of Dish Direct, Inc., was advertising nationally in infomercials and on the Internet. The company claimed their product would result in a 27% penile enlargement. Dish Direct, Inc. was ordered to pay \$300,000 in fines and costs, change their advertising to prevent false or misleading statements, and to eliminate lead from the pills.



ENVIRONMENTAL PROTECTION

The Environmental Protection Unit is committed to protecting the health and safety of Orange County citizens and ensuring the integrity of the County's natural resources for present and future generations. The Unit investigates and prosecutes a wide variety of complex environmental crimes including violations of laws regarding regulating the handling, storage, and disposal of hazardous waste and underground storage tanks. The Unit is also dedicated to protecting natural resources, monitoring worker safety, and preventing air and water pollution. The Unit works with federal, state and local environmental agencies and health departments to investigate these cases and pursues criminal complaints and/or civil actions. The Orange County District Attorney's priority is to stop illegal polluting and require the polluters to pay for the clean-up of toxic and polluted sites.



PEOPLE V. MARKLAND INDUSTRIES INC.

Markland Manufacturing Inc., a chrome and nickel plater for motorcycle parts companies, was convicted of three felony violations for unlawfully disposing of hazardous waste in Orange County. Hazardous waste, including nickel, was found in tubular filters that had been discarded in dumpsters and in wastewater being discharged into the sewer system. This waste was discharged at a facility that did not have a permit from the Department of Toxic Substance Control. Markland Manufacturing Inc. was ordered to pay \$351,429 in fines, restitution, and the cost of the investigation.

PEOPLE V. ULTRA WHEEL, ET AL.

Buena Park custom wheels manufacturer, Ultra Wheel, was convicted of three felony counts of illegally disposing of hazardous waste. Ultra Wheel admitted to discharging acidic waste containing dangerous metals such as copper and nickel into the public sewer system. They also admitted to dumping similar waste into the storm drain system, which flowed directly into the environment through Coyote Creek in Buena Park. Ultra Wheel was ordered to pay \$425,000 in fines and costs, and received three years probation. As a result of the Unit's prosecution, the manufacturer spent \$500,000 upgrading its facility to prevent future contamination of the environment, and cleaned the public storm drain and sewer system that serviced the facility.

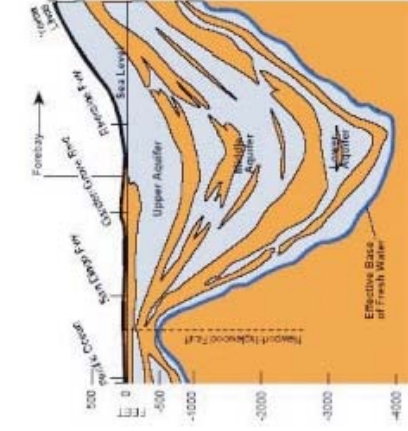


PEOPLE V. ARCO, SHELL, AND THRIFTY, ET AL.

The Unit has successfully prosecuted worldwide oil companies for violations of numerous state statutes and regulations governing gas stations' underground storage tanks. As a result of People v. Arco, Shell and Thrifty et al., clean-up work and remediation of numerous polluted underground storage tank sites are being funded by the defendant major oil companies. Past violations of these environmental laws led to the contamination of Orange County's groundwater and aquifer, threatening the County's drinking water. Orange County residents obtain approximately half of their drinking water from local underground wells. If polluted, the water would be almost impossible to replace. These prosecutions were the first of their kind to be brought by any district attorney's office in the nation.



The oil companies were required to write a blank check to cover the cost of cleaning up the environment until the ground water is free of dangerous chemicals. The lawsuits were prosecuted at no cost to the taxpayer. As a result, many of the polluted underground storage sites have been cleaned up and are free of a dangerous chemical compound called MTBE. Approximately 300 sites are being cleaned as a result of this lawsuit. The successful settlements against these corporations required these oil companies to pay more than \$25 million in penalties and an unlimited amount, which may exceed \$100 million, for clean up of contaminated sites.



The Family Protection Unit consists of experienced prosecutors who prosecute the most serious domestic violence, child abuse, child abduction, and elder abuse cases. Sadly, the victims of abuse in these cases often strongly oppose prosecution and many refuse to cooperate or attempt to derail prosecution efforts. Prosecutors and investigators in the Unit are trained to understand this psychological dynamic and prepare and present their cases with this expectation.



Numerous studies have established that children who grow up as witnesses or victims in abusive homes often become violent. This background leads to lack of self-control, aggressive behavior, low self-esteem, and poor school performance, often resulting in future criminality. Many of today's prisoners report that they were raised in such violent environments. The Unit attempts to break the cycle of violence.

Domestic Violence

The Unit investigates and prosecutes an average of 400 felony domestic violence cases a year. Misdemeanor domestic violence cases numbering in the thousands are handled by the branch divisions. The Unit also works closely with the Victim Witness Program. This effort includes obtaining protective orders, arranging for a live-in shelter, and relocating the victim. At the Anaheim Family Justice Center, a victim may meet with law enforcement officers, a deputy district attorney, medical personnel, a Victim Witness Advocate, a social worker, and/or an adult protective service representative in one location. In addition, Chapman University School of Law staffs a legal clinic at the Center.



PEOPLE V. DAVID BARELA

Barela became angry with Jane Doe and her young grandson. Barela approached the victim from behind with a 2"x4" board while she sat watching television. He struck her repeatedly in the head, breaking the board. Doe slumped to the ground and attempted to crawl away as her grandson watched in horror. The assault caused permanent injury. Barela had a long history of domestic violence. He was convicted of attempted murder and domestic violence and received 34 years to life in state prison.

Child Abuse

The Unit aims to protect some of the most vulnerable members of our community. Many of them cannot speak for themselves and the perpetrators are often people who are entrusted with protecting the victims. The Unit handles the investigation and prosecution of felony child physical abuse cases up to attempted murder. The Unit prosecutes approximately 30 cases a month.

PEOPLE V. DUSTIN DAVIS

Police officers responding to a medical aid call at a motel found a 1-year-old baby girl lying on the bed having trouble breathing. The baby was transported to a medical center where she immediately underwent brain surgery. The child had suffered multiple skull fractures, bruising to her forehead and along her spine, redness to her shoulders, arms and thighs, and burns to the fingers. Davis was convicted of felony child abuse causing great bodily injury and was sentenced to 10 years in state prison.



Child Abduction Unit

The Unit investigates cases of missing children when the suspected abductor is a family member. These complicated cases sometimes call for international investigation if the child is moved to another country. The Unit averages a 100-case workload. The Office's principal goal is to return missing children to their legal guardian through the enforcement of court orders.



PEOPLE V. WENDY SALAZAR

A father reported that his 1-month-old daughter had been abducted four months earlier by her drug addicted mother during a supervised visit at his house. Salazar fled the residence with the child to a car waiting outside. The defendant was soon located in Ogden, Utah. The Unit then coordinated with local police, who arrested Salazar and recovered the child. The child was returned to the father the following day. Salazar pleaded guilty to child abduction and received felony probation and 90 days in custody.

Elder Abuse Unit

The Unit investigates and prosecutes felony financial and physical elder abuse cases. At the Elder Abuse Forensic Center, a victim may meet with a deputy district attorney and professionals from medical, social services, and law enforcement officers who conduct case reviews, check on in-home medical and mental status, conduct evidentiary investigations, and participate in gerontology education and research.

PEOPLE V. NORMA CATLEY

A 72-year-old man was suffering from Parkinson's disease and mild dementia. His daughter hired Catley as a live-in caretaker. After two months, the family discovered that the defendant had purchased a \$20,000 vehicle with the victim's money, claiming it was a "gift" based on his romantic feelings for her. Doctors at the Center concluded that the victim had the ability to be a valid historian of such significant events. A jury convicted the defendant of financial elder abuse and grand theft. Catley was sentenced to 180 days in jail, placed on felony probation, and required to pay restitution.



The Felony Panel is the largest trial unit in the Orange County District Attorney's Office. The Unit handles all general adult felony cases in the County such as attempted murder, vehicular manslaughter, carjacking, kidnapping, robbery, and burglary charges. In 2005 and 2006, the Felony Panel completed 3,152 felony cases with an 87 percent conviction rate.

PEOPLE V. TUAN LAM TRAN AND DAWLOY BUNTEUNG
 During a street racing incident on a local freeway, driver Tran and his wife Bunteung, their 4-year-old daughter, and a male front passenger struck a Land Rover which contained a woman who was 8-months pregnant, her husband, their 3-year-old son, and her parents. They were on the way to the woman's baby shower. The impact caused the Land Rover to cross several lanes of the freeway and over an entrance ramp, and violently flipped the car in the air three times. The car ultimately ejected the expectant mother before landing on the roof. The baby girl was delivered via Caesarean section but later died. The defendants responsible for the crash lied about who was driving, but their friend later told the truth. Tran was convicted of two counts of vehicular manslaughter and sentenced to six years and eight months in state prison. Bunteung received six months in jail and convicted of being an accessory after the fact.



PEOPLE V. GEORGE CARTER

A third-striker made statements about being the "savior of the world," and wanting to die. While his girlfriend was in the shower, the defendant pulled down the shower curtain rod, pointed it at her and asked, "Are you ready?" Frightened, his girlfriend ran away wearing only a towel as the defendant chased after her naked. Later, the defendant took his keys, got into his car, accelerated to 36 mph, and crashed his car into a parked SUV. Another woman, who was walking to her car at that moment, was crushed between the two cars. She died shortly thereafter. At trial, the jury rejected Carter's insanity defense and convicted him of vehicular manslaughter with gross negligence. They also found true that he had prior violent or serious convictions. He was sentenced to 25 years to life in state prison.

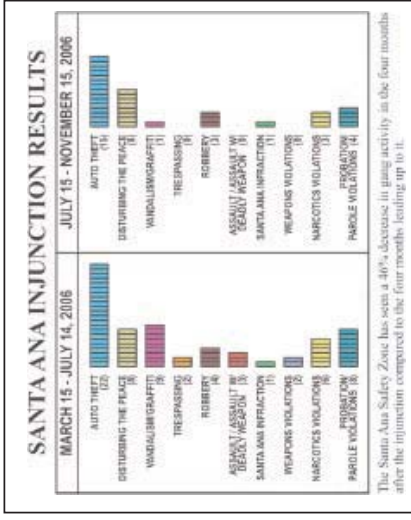
PEOPLE V. CHARNETTA SIMMONSABUEL

Simmonsabuel asked a woman, who was 9-months pregnant and leaving a doctor's appointment, to take a survey. She lured the victim to her Range Rover where she then stabbed her in the chest. She threatened to perform a Caesarean section on the victim and said, "I am supposed to kill you and take your baby." Simmonsabuel then drove the victim around the County for seven hours before the victim was able to escape. The jury rejected the defendant's insanity defense and convicted her of kidnapping and attempted murder. She was sentenced to 28 years in state prison.



Since July 2006, the Orange County District Attorney has partnered with local law enforcement agencies to begin a Gang Injunction Program. A gang injunction is a court order from a civil lawsuit with narrowly tailored restrictions on gang members specifically designed to eliminate a public nuisance and their intimidating behavior. Gang injunctions prohibit ordinarily legal conduct of gang members such as publicly associating in specific gang neighborhoods, wearing gang clothing and making gang hand signs.

The first injunction was sought after Santa Ana officials received numerous complaints from citizens about the rise in crime in a particular neighborhood occupied by a gang. Approximately 154 of the gang's most active members were responsible for much of the reported crime in the neighborhood. Crime in the Safety Zone dropped 46 percent during the time between the granting of the preliminary and the permanent injunctions. A second injunction was issued against an Anaheim street gang in November 2006.



The Santa Ana Safety Zone has seen a 46% decrease in gang activity in the four months after the injunction compared to the four months leading up to it.



INJUNCTION TERMS

- Do Not Associate
- No Intimidation
- Stay Away from Drugs
- No Guns or Dangerous Weapons
- No Fighting
- No Blocking Free Passage
- No Graffiti / Vandalism or Tools
- No Gang Hand Signs
- No Gang Clothes
- No Burglary Tools
- No Littering
- Obey Curfew (10:00pm - 5:00am)
- Obey all Laws
- Stay Away from Alcohol in Public
- No Trespassing



GANG AND TARGET

The Orange County District Attorney (OCDA) is dedicated to removing dangerous gang members from the streets and neighborhoods. Several studies have shown that a small number of offenders are responsible for a large percentage of offenses, particularly serious and violent crimes. The OCDA aggressively pursues and prosecutes violent criminal street gang members by devoting resources to the Gang and Tri-Agency Resource/Gang Enforcement Team (TARGET) Units and the new Gang Injunction Program.

The OCDA extensively uses the **Street Terrorism Enforcement and Prevention Act**, to prosecute gang members for "actively participating in criminal street gangs" and seeks the stiffest possible penalties for crimes "committed for the benefit of, in association with, or at the direction of criminal street gangs."

The Gang Unit specializes in the prosecution of documented gang members who commit serious and violent felonies or crimes involving possession of firearms. Over half of the homicides in Orange County are committed by gang members.



PEOPLE V. TUPOUTEE MATAELE AND MINH NGHIA LEE

The defendant and his co-defendant lured two victims out of their Anaheim apartment with an invitation to play pool. Once outside, Mataele shook one of the victim's hand and shot him in the base of the skull with his other hand. The defendants and the victims were at one time connected in an identity theft and bank fraud conspiracy. The group later had a falling out and the defendants decided to seek revenge. The defendants were convicted of first degree murder while lying in wait and attempted murder. Mataele was sentenced to death and Lee will be in prison for life without the possibility of parole.

PEOPLE V. EDELMIRA CORONA, GERARDO LOPEZ, ARMANDO MACIAS, ALBERTO MARTINEZ, ANTHONY NAVARRO, AND DEBORAH PERNA

Victim David Montemayor was gunned down on a residential street of Buena Park by four gang members. The victim's sister, Perna, was jealous of Montemayor because their parents were going to turn the family business over to him. Perna's secretary, Corona, acted as the middleman between Perna and the shot caller for the gang to arrange the murder-for-hire. Perna and Lopez were both convicted of first degree murder with special circumstances and both have been sentenced to life without the possibility of parole. The OCDA is seeking the death penalty against the three remaining gang members and their trials are pending.

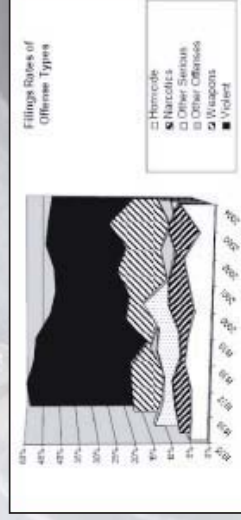
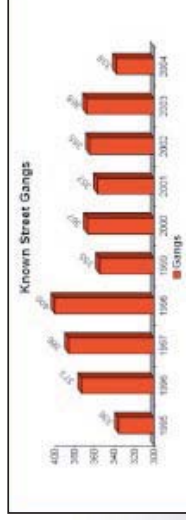
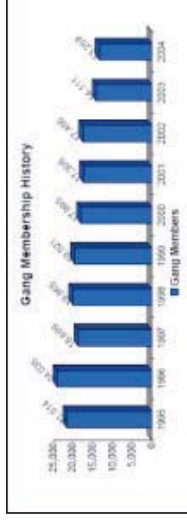


"In Orange County, we refuse to accept the notion that we are condemned to having gangs in our midst. These numbers will not remain static; they will either get better or worse. We are committed to making them better. We will eliminate every gang and drive out every gang member: Orange County will give them no quarter."

- District Attorney Tony Rackauckas

PEOPLE V. CHRISTOPHER DIEP AND KHA TRAN

On June 8, 2002, Asian criminal street gang members were at an Internet café and became involved in a dispute with members of a rival gang. Police were called to respond and the rival gang left the café. Shortly thereafter, 8th-grader Eddie Fernandez, 14, who was not associated with any gang or involved in the dispute, left the café with three friends after watching the Lakers' game. The associates of the Asian gang mistook Fernandez for a member of the rival gang and decided to follow the taxi in which Fernandez was riding. The associates called members of the gang who were at Tran's house to meet them and three cars ended up following the taxi until it stopped on Adelle Street. As Fernandez leaned to the passenger side of the taxi to pay the driver, one of the gang members got out of his car and shot Fernandez five times. Diep and Tran were both convicted of murder with true findings on the special circumstances allegations and were sentenced to 50 years to life in state prison. Accomplice testimony, cell site evidence and DNA recovered from the steering wheel of the stolen car helped convict the defendants.



TARGET places police officers, probation officers and prosecutors together in police departments throughout the County. TARGET focuses its efforts on the most hardcore, violent, repeat criminal street gang offenders, especially gang leaders. The goal of TARGET is to incapacitate these gang members before they can commit further violent acts in the community. Focusing on the most active hardcore gang offenders promises the greatest reduction in overall street gang violence.



Annually, the Gang and TARGET Units file over 1,200 cases, resolve 1,100 cases, and conduct 60 jury trials and 10 court trials, with a combined conviction rate of more than 90 percent.



ANAHEIM

Anaheim TARGET recently focused its attention on a Hispanic organized prison gang. One of its shot callers was released after serving a prison sentence for leading police on an extended high speed pursuit that ended in the death of two officers, a civilian chaplain, and the permanent maiming of another police officer. This gang member was reemerging as a power source for criminal enterprise. Investigation into the activities of this gang member led to the filing of drug dealing charges and prior strikes. He faces 75 years to life in state prison.

NORTH ORANGE COUNTY (FULLERTON, LA HABRA, AND BUENA PARK)

The North Orange County TARGET had effectively eliminated violence caused by a Fullerton gang by prosecuting and incarcerating most of its active members. One member of the gang, recently released from prison, was motivating the younger members to become more active. The gang was becoming an increasing problem with renewed acts of vandalism and street crimes. After driving a stolen vehicle and leading police on a high speed pursuit resulting in numerous accidents, TARGET apprehended the gang leader. The gang leader was sent back to state prison for ten years and the gang has returned to a very low level of activity.

ORANGE

In Orange, TARGET closely watched the activities of a recent parolee gang leader who had served several years in prison for participating in a drive-by shooting. The parolee threatened a family with a semi-automatic pistol for “disrespecting” him with a “look.” He was charged with being a felon in possession of a firearm and for active participation in a criminal street gang. He was sentenced to 33 years to life in prison.



California hate crime law prohibits the use or threat of force by any individual in order to intimidate, interfere with, oppress, or threaten any other person in exercising any right secured by the U.S. Constitution or state or federal laws based on race, color, religion, ancestry, national origin, sexual orientation, gender or disability. Offenders face an increased sentence of up to four years in state prison if their crime is “substantially motivated” by such factors. The Orange County District Attorney (OCDA) is committed to the prosecution of hate crimes and is based on the fundamental belief that all people should be treated fairly, equally, and not face discrimination.

Education is an important component of these types of cases and the OCDA works closely with anti-hate groups such as the Anti-Defamation League and the Orange County Human Relations Commissions to foster cultural understanding.

PEOPLE V. ABEL CASTANEDA

Hispanic Castaneda attacked Steve Lawson, an African American, who was standing outside a Santa Ana auto shop waiting for his car to be repaired. Castaneda took out a knife, swung at Lawson several times, and screamed racial slurs before fleeing the scene. A jury convicted Castaneda and he is serving 10 years in state prison.

PEOPLE V. CHAD MORELAND

Caucasian Moreland yelled racial slurs at an African American customer at a bar in Costa Mesa, fought with a bouncer and pulled out a box cutter. He continued to yell racial insults at police officers who came to arrest him. He was sentenced to 13 years in state prison.



PEOPLE V. JOSEPH VELASCO

Velasco attacked a man he suspected was gay in an Anaheim park while screaming anti-gay slurs. He also stole the victim's wallet and keys. He was sentenced to two years in state prison.

PEOPLE V. CHRISTOPHER MULDER AND LOGAN WOOLLER

Mulder and Wooller, Huntington Beach white supremacists, got into a fight at a party and yelled racial slurs at a fellow party attendee. They took out a knife before fleeing the scene. Both were sentenced to 16 months in state prison.

“We hold these truths to be self-evident, that all men are created equal...”
 - Declaration of Independence, July 4, 1776

The High-Tech Crime Unit was established in 2005 to prosecute cases that require a high level of technological sophistication relating to computers and the Internet. The Unit members have specialized skills and experience to handle the complex technological and legal issues that arise in the investigation and prosecution of these cases. The cases typically involve evidence from seized computers and electronic devices with digital memory capacity including cell phones, iPods and PDAs. A secure computer forensics lab was established in order to provide forensic capability to search evidence seized in criminal investigations and prosecutions.

The widespread use of computer and digital technology has resulted in a need for specialized forensic searches of devices with digital memory capacity. The use of the Internet by criminals has allowed anonymous access into homes and workplaces. Many types of evidence may be recovered from high-tech equipment regarding identity theft, criminal fraud, gang crime, Internet predators, child pornography, and violent crimes.



Tips

- Report suspected identity theft to your local police department.
- Contact your bank and companies involving your account if you become a victim.
- Run periodic credit reports on yourself.
- Only deal with reputable businesses.
- Shred all paperwork with personal identifying information.

A recent joint investigation with local law enforcement involving communications between Internet predators and fictitious children was conducted with the assistance of a citizen advocacy group, "Perverved Justice." The sting operation resulted in the arrest of 13 suspected sexual predators, including a then-peace officer lieutenant.

There are ongoing investigations and prosecutions involving an organized identity theft ring that used notebook computers, cell phones, thumb drives and PDAs to store victim profile information and templates to create false identities. Forensic examination of the devices led to more than 30 arrests. The investigation is ongoing.

Portable devices such as iPods are being used to store child pornography. The technical ability to seize and search the information on portable storage devices will result in increased detection and conviction of predators who traffic in child pornography and store the images in portable formats, erroneously believing that they are safer from detection.

There are ongoing investigations and prosecutions into the sale of counterfeit trademark items on eBay and the importation and distribution of counterfeit trademark goods within the United States. An IP address obtained by computer forensic examination linked the defendant to the fraudulent transactions and shipping.

Computers and portable storage devices, such as cell phones and iPods, are now common communication devices found in the possession of criminal street gang members. Some gangs have become deeply involved in committing identity thefts, while others use communication devices to identify potential rivals or to identify targets. Photos from cell phones have been used to prove gang-related crimes.

The ability of the Orange County District Attorney to utilize technology is important to successful criminal prosecutions. Jurors expect 21st century technology to be used to solve crimes. Television crime programs such as *CSI* create an expectation in the minds of jurors that a wide range of technical and electronic testing should be available in all criminal cases.



HOMICIDE

The Orange County District Attorney's Homicide Unit is responsible for the prosecution of homicides, including murders and voluntary manslaughter. First degree murder is found when a defendant intentionally kills another person, having premeditated and deliberated the killing. Special circumstances allegations are found true if the murder was committed during the commission of certain serious felonies such as robbery, burglary or rape, against victims such as police officers, elected officials or judges, or while lying in wait and other factors. A first degree murder with special circumstances makes the defendant eligible for the death penalty. Prior to seeking the death penalty, a special circumstances committee consisting of the District Attorney, the Chief Assistant, the Assistant in charge of the Homicide Unit, and other prosecutors experienced in capital cases, meets and considers mitigating circumstances presented by the defense attorney, and discusses the defendant's criminal record, the nature of the crime, the vulnerability of the victim, and other factors. The final decision to pursue the death penalty rests on the District Attorney.

Second degree murder is an intentional killing without premeditation or deliberation. These convictions may be found if a defendant perpetrates an intentional act with a conscious disregard for human life, resulting in the death of another person. The Unit also prosecutes manslaughter cases, where the defendant commits an intentional killing in the heat of passion, and the circumstances are such that an ordinary and reasonable person would have acted in the same or a similar way.

	2004 - 2006
First degree murder convictions	45
True special circumstances findings on first degree murders	17
Death penalty sought	5
Death penalty convictions	3
Second degree murder convictions	24
Voluntary manslaughter convictions	2
Hung juries	7
Not guilty verdicts	1
Sanity phase trials	7
Total completed homicide trials	81
Total homicide convictions	76
Conviction rate	94%

**These statistics represent jury trials prosecuted by the Homicide Unit. These numbers do not include homicide trials prosecuted by the Gang and TARGET Units.*



PEOPLE V. JENNIFER DELEON, SKYLAR DELEON, MYRON GARDNER, JOHN KENNEDY AND ALONSO MACHAIN

In November 2004, husband and wife Thomas and Jackie Hawks placed an advertisement for the sale of their 55-foot boat named "Well Deserved" for \$440,000. They wanted to sell their yacht in Newport Beach to spend more time with their new grandchild in Arizona. Five defendants -- Jennifer Deleon, Skylar Deleon, Myron Gardner Sr., John Kennedy and Alonso Machain -- were charged with participating in the murder of the couple to take their boat and life savings.

The defendants are accused of staking out the boat and Thomas and Jackie Hawks on November 6th. Jennifer Deleon gained the trust of the couple by bringing her 9-month-old baby to meet them on November 9th. On November 15th, Skylar Deleon, Kennedy and Machain are accused of taking the boat out to sea, overpowering the victims, forcing them to sign the transfer of title documents, handcuffing and tying them to the anchor, and drowning them. As the defendants were preparing to throw the couple overboard, Thomas Hawks was stroking the hand of his crying wife in an effort to comfort her in their last moments.



Jennifer Deleon was convicted of murder and faces a possible sentence of life in state prison. Skylar Deleon is also charged with the murder of John Jarvi and with soliciting the murder of his father and cousin. The District Attorney is seeking the death penalty for Skylar Deleon and Kennedy who have prior strike convictions.



PEOPLE V. ALEJANDRO AVILA



This was a cruel, unjustified murder of a little girl who should have been safe, playing just steps away from her home. This case went to the heart of every parent's nightmare. District Attorney Tony Rackaueas put together a special team of prosecutors and investigators for this case.

Avila kidnapped little 5-year-old Samantha Rummion while she was playing with her friend Sarah. Samantha bravely screamed, kicked and fought when she was kidnapped. The last thing Sarah saw was Samantha looking toward her from Avila's car. Sarah immediately went to Samantha's grandmother, who called the police. Sarah articulately gave a detailed description to the police which initiated a massive televised manhunt. A day later, Samantha's nude and battered body was found on a deserted trail overlooking Lake Elsinore. A few days later, Avila was arrested by police, acting on a tip from the mother of one of Avila's prior sexual molester victims.

During trial, the prosecution submitted overwhelming physical and scientific evidence such as tire tracks, shoe prints and DNA. Samantha's bravery helped capture her killer because DNA from her tears was found in Avila's car and Avila's DNA was found underneath Samantha's fingernails. Credit should also go to three brave young women who fought their fears to testify that Avila had sexually molested them when they were young. The jury found Avila guilty of kidnapping, sexually assaulting and murdering Samantha and found true the special circumstances allegations. The jury later determined that Avila should face the ultimate punishment and recommended the death penalty. The judge ultimately imposed the death penalty on July 22, 2005.

Samantha's mother, Erin Rummion, has become a national figure in fighting for children's rights and preventing victimization of children. To continue Samantha's legacy, please log on to <http://www.thejoyfulchild.org>.



In criminal cases, the focus is often on the perpetrator rather than the victim. The Homicide Unit is committed to remembering those whose lives were forcibly taken and bringing the offenders to justice. The Unit would like to remember the hundreds of homicide victims whose cases have been prosecuted since 1999 and dedicate its service to those whose lives were unjustifiably extinguished or harmed through violence.

Javier Adame • George Aldridge • Rostia Anaya • Francisco Anguiano • Bridgette B. • Hyang Baek • Pamela Balint • Mary Barajas • Jill Barcomb • Arielle Barley • Jane Bautista • Ronald Bell • Robert Berg • Taylor Bippus • Jason Blanchard • Michael Blankenhorn • Robert Bobadilla • Ann Bowman • Francisco Brito • Hugh Brown II • Hugh Brown III • Peggy Bechler • Bang Bui • Fabima Bumatey • Sam Bunn • Chong Camp • Jerry Camp • Robert Carder • Patricia Carpenter • Emilia Casas • Nicolas Casas • Teresa Cervantes • Ryan Cheung • Bassim Chmait • John Chung • Andres Cisneros • Bruce Coffman • Helen Cook • Matthew Corbett • Jennifer Cu • Mitchell Curran • Heidi D. • Nicole D. • Suresh Dass • Sonia Davies • Christa Deans • Michael Decker • Daniel Desrosiers • Dianne Diaz • Thomas Do • The Doan • Baby Girl Doe • Jane Doe • John Doe • James Duff III • Patricia Dunthorne • Dung Duong • The Duy-Nguyen Doan • Betty Easley • Melanie Eggeleston • Jeanette Elias • Thomas Englerdt • Jeanette Espeleta • Mario Espinobarras • Jose Estrada • Minor Estrada • Paulino Estrada • John Fisher • Eusebio Flores • Theresa G. • Daniel Ganshaw • Herman Garcia • Escela Garlthy • Charles George • Parvaneh Charayankordestan • William Gline • Ceciline Goadso • Miguel Gonzales • Diego Gonzalez • John Gonzalez-Ruiz • Brian Gray • Morris Grace • Theresa Guevara • Noah Gusto • Francisco Gutierrez • Steve Hartt • Jackie Hawks • Thomas Hawks • Arthur Hayes • Chuck Henry • Reyes Hermsillo • Bertha Hernandez • Diana Hernandez • Fernando Hernandez • Reyes Hernandez • Simon Hernandez • Victory Hernandez • Mario Hernandez • Marcyel Hilario • Ariel Hilario • William Hildebrand • Marla Hires • Ngoc Hoang • Alan Hopper • Daniel How • Jose Huerta • Venus Hyun • Christopher Ibarra • Elizabeth Iglesias • Gemma Ilagan • Baby Jo Jade • John Jarvi • Nicole Jeong • Jack Jesse • Giovanni Jimenez • Irma Jimenez • Miguel Jimenez • Fernando Jimenez • Danell Johnson • Cheryl Joyner • James Jun • Brandon Katsdever • Amy Khylyty • Brian Kim • Chun Kim • Dong Kim • Haeng Kim • Angela King • Deena L. • Bridgett La Mon • John Labort • Bernard La Chapelle • Tommy Lam • Trish Lam • Charlotte Lamb • Matthew Large • Phong Le • Tuyet Le • Alvaro Ledezma • Jean Lee • Garciso Leggs • Rocio Leon • Eric Liu • Yi Liu • Mariano Lopez • Timothy Lyga • Israel Maciel • Bert Madison • Richard Madrid • Miroslav Maric • Teresa Marrufo • Arthur Martinez • Aurelia Martinez • Camilo Martinez • Francisco Martinez • Jose Martinez • Carmen Martinez • Guadalupe Martinez • John Masubayashi • Victory Mayo • Nicholas McCarty • Michael McClellan • Horace McKenna • Yosinia Mendoza • Hayden Merrill • Steven Merritt • Francisco Meza • Scott Miller • Pauline Mingte • Ray Mingu • Nooshin Mirabadi • Jeff Mistriel • Melissa Mitchell • David Montemayor • Armando Montes • Santiago Montes • Hanna Montessorri • Rudy Mora • Joe Moreno • James Morgan • Barbara Mullenix • Ronald Murphy • Marlene Mustaffa • Elena Najera • Jose Najera • Hector Narez • Dar Ngo • Chinh Nguyen • Nhan Nguyen • Sergio Ojeda • Carla Olson • Richard Omondi • Carolyn Oppy-Stahl • Robert Ornales • Jimena Orozco • Ignacio Ortega • Miguel Ortega • Mike Paek • Janie Pang • Jill Parenteau • Cari Parnes • David Parrino • William Pascoe • Michael Peckham • Jose Picodi-Salau • Ignacio Pillado-Ortega • David Piquette • Paula Plesh • Baby Boy Portillo • James Potter • Michelle Pulsifer • Terrance Ragland • Guadalupe Ramirez • Samuel Ramirez • Cristobal Raygoza • Felipe Raymond • Bruce Reed • James Reed • James Renteria • Hermsillo Reyes • Gary Reynolds • Dusty Rhodes • Bradley Riches • Donald Riley • Selene Rios • Walter Rivas • Edgar Rivera • Ann Rizer • Eric Robertson • Jason Robertson • Ronald Robertson • Darian Robinson • Jason Robinson • Federico Rodriguez • Fredrico Rodriguez • Gilbert Rodriguez • Primitivo Rodriguez • Sarah Rodriguez • Maurilio Rodriguez • Hermes Rodriguez-Raya • Thomas Rojas • Ana Rojas • Felipe Rojas • Armando Rosales • Helen Rosenfeld • Vincent Rosetti • Firooz Roshdih • Simindokht Roshdih • Andres Roxen • John Ruby • Deserte Ruggiero • Hector Ruiz • Michele Ruiz • Samantha Rummion • Sierra Russell • Grant Sadis • Alberta Safford • Jasmine Saltzman • Mila Salvador • David Sanchez • Stephen Sanchez • Jorge Sanchez Jr. • Mario Santa Maria • Olga Saebia • Fardinando Saucedo • Bruce Seabol • Gustavo Segura • Simone Sharpe • Victoria Sherman • Devin Sherrill • Jade Smith • Ha Smith • Edwin Sorto • Sierra Soto • April Star • Shannon Stevens • Maria Suarez • Gheorghe Sureti • Alethea T. • Cesar Tejada • Gertrude Thompson • Jane Thompson • Marion Thompson • Gregory Thornton • Timothy Tran • Minh Truong • Vinh Truong • Aaron Velaz • Yolanda Veloz • John Victim • Rhiannon Viter • Jamie Vitoli • Anita Vo • Sunny Wagner • Timothy Walters • Jennie Waterson • Jackie Waycaster • Alex Weber • Jean Weber • Charles Weeks • Bruce Whipple • Guy Whitney • Brandon Wiener • Deborah Williams • Georgia Wixted • Shawna Wolgram • Ronald Woodhead • Melody Woodbridge • Haye Woollever • Ian Wright • David Yacovetta • Raffi Yossayan • Eddie Young, III • Amir Zekria • Jeselinda Zill

The Orange County District Attorney's (OCDA) Consumer Fraud Unit prosecutes cases involving hardworking immigrant families who have lost their life savings and suffered harm to their immigration status. The OCDA cracks down on fraudulent and unscrupulous immigration consultant businesses that take advantage of vulnerable victims with limited resources and language skills. Scams include charging exorbitant fees and failing to provide services, filing false political asylum claims on behalf of victims who do not qualify for asylum, and charging fees to prepare applications for nonexistent immigration programs.



PEOPLE V. CARLOS CORTEZ AND CARLOS LUGO

A father-son team defrauded hundreds of undocumented individuals by taking their money and promising them legal residency for which they did not qualify. Cortez completed the victims' applications and advised them to lie on their residency applications and to the immigration hearing officers. Lugo assisted his father by taking the victims to the hearings. Most of the victims were deported as a result of the fraud and only seven victims were available to testify. Both defendants were charged with seven felony counts of grand theft and seven felony counts of subornation of perjury. Cortez received one year in jail and Lugo received six months in jail, and they were ordered to pay \$6,680 in restitution to the seven victims and were placed on three years formal probation.

PEOPLE V. LA GUADALUPANA: ROBERTO FERNANDEZ, MARICELA CAMARILLO, MARCO ANTONIO OLIVARES, GERARDO CALDERON, ADAN MARTINEZ AND ULISES FERNANDEZ

The defendants were charged with bilking immigrants by falsely promising political asylum at a Santa Ana office named "La Guadalupe." There were at least 2,000 possible victims with losses amounting to millions of dollars. Mexican Nationals were charged \$5,000 each to obtain work permits and permanent residency status. The majority of the victims had been living in the United States for over 10 years. The defendants are accused of submitting applications for "political asylum" on behalf of the victims, ultimately resulting in the deportation of the victims from the United States. This case has over 2,000 victims with the monetary losses to the victims close to \$4 million. Calderon and Ulises Fernandez pled guilty to conspiracy for defrauding people of property and were sentenced to jail, 5 years probation, and restitution. The other defendants are fugitives and the case is pending.



The Orange County District Attorney's (OCDA) insurance fraud units work closely with the California Department of Insurance to investigate and prosecute insurance fraud cases which affect every Californian. The cost of insurance industry fraud is passed to every consumer and business in the form of increased premiums. The OCDA has increased its efforts to meet the rise in widespread fraud and the activities of suspected medical or legal provider fraud mills and false claims.

The OCDA utilizes the services of the Gatekeeper Insurance Fraud Team (GIFT) investigators, which was set up in 2003 to conduct undercover investigations on suspected fraud mills. GIFT investigators also work with forensic accountants and computer forensics experts to investigate and prepare cases.

Medical and Disability Insurance Fraud

The Medical and Disability Insurance Fraud Unit was established in 2005 to address concerns about suspected fraud in the areas of medical and disability insurance. The Unit is currently prosecuting the largest surgery center fraud case in the nation.

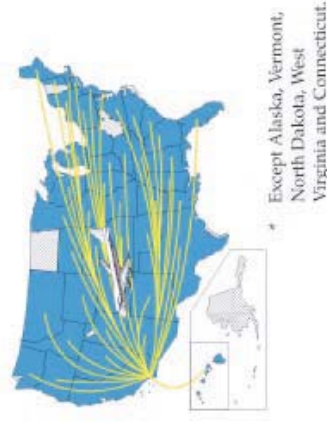
PEOPLE V. DEE FRANCIS, NGOC HUYNH, THUY HUYNH, PANGCHA KEOPHIMPHONE, ROSALINDA LANDON, SUE NANDA, HUONG THIEN NGO, LAN THI NGOC NGUYEN, TAM VU PHAM, MARIA DE JESUS LICEA ROSALES, OLGA TOSCANO, BRENDA TRAN, HENRY TRUONG AND NICHOLAS VU

This case involves thousands of patients undergoing unnecessary surgeries in return for kickbacks. During an 8-month period, \$96 million in fraudulent claims were billed to medical and Workers' Compensation Insurance carriers. A multi-year investigation into the case resulted in criminal charges being filed against 14 people, including the administrators and owners of the Unity Outpatient Surgery Center in Buena Park, who worked with patient recruiters called "cappers." Almost 5,000 patients from 46 states underwent or were scheduled for unnecessary surgeries. Healthy people from all over the country with PPO insurance plans were placed at risk by undergoing unnecessary surgeries in exchange for money or low cost cosmetic surgery. Five of the cappers were charged with receiving more than \$1 million. Some of the defendants have pleaded guilty. The case and the investigation is ongoing. The Office is currently developing evidence on additional defendants.

Most Common Procedures Patients Undergo



More than 5,000 patients came to Unity from across the nation.



Automobile Insurance Fraud

The OCDA has operated a unit to prosecute automobile insurance fraud crimes since 1991. Fraud referrals to the program come from a variety of sources including the California Department of Insurance, the Bureau of Automotive Repair, the California Highway Patrol, the Department of Motor Vehicles, police departments in Orange County, the Orange County Auto Theft Task Force, and automobile insurance companies.



PEOPLE V. SHERYL BOBBITT AND STANLEY WALKER ET AL.

Seventeen defendants were charged in a sophisticated auto insurance fraud conspiracy that netted approximately \$100,000. The accused ringleaders are Sheryl Bobbitt, a former claims adjuster for Western United Insurance Co., and her boyfriend, Stanley Walker. Both were charged with 47 counts of insurance fraud, 47 counts of grand theft and additional enhancements for the aggravated amount of fraud. The pair is accused of soliciting 26 friends and relatives to pose as passengers in cars that had been involved in real accidents, and whose claims Bobbitt was processing. Those involved in the real accidents were unaware of the scheme and did not know Bobbitt or Walker. Those recruited are accused of receiving checks in their names from Western United Insurance Co. for amounts between \$850 and \$3,800, cashing the checks, and sharing the money with Bobbitt and Walker. The scheme was uncovered by an audit. The case is pending.

Workers' Compensation Insurance Fraud

The OCDA prosecutes various types of criminal fraud involving the Workers' Compensation Insurance fraud system that affect insurance rates of the businesses legitimately operating in the free market. Investigations and prosecutions are conducted on all types of fraud within the system including fraud by applicants, fraud by employers who fail to have required coverage or illegally deny employee benefits, fraud by medical and legal providers, and fraud by insurance insiders.



Annually, the OCDA receives approximately 400 applicant fraud, 80 provider fraud, and 60 premium fraud investigations. These Workers' Compensation Insurance fraud referrals may result in criminal investigation by the Office or the Department of Insurance and may lead to prosecution.

PEOPLE V. EVELL STANLEY

Stanley was an employer who is accused of cheating on her Workers' Compensation Insurance to avoid paying the required premium. The case involves over \$3 million in premium fraud and is pending.

PEOPLE V. FRANCO GAMBOA AND EDGAR ESPARZA

Two chiropractors were convicted after an undercover investigation of a Workers' Compensation Insurance fraud mill by the California Department of Insurance. The case involved fraudulent injury and billing claims by workers using a dishonest chiropractic office. Gamboa and Esparza served a year in jail and lost their licenses.

The Law and Motion Unit acts as legal advisors and provides specialized assistance to the other attorneys in the Orange County District Attorney's Office (OCDA). The continuing mission of the Unit is to take a proactive approach to advancing the interests of the People of the State of California by making substantial contributions to the development of California law in both trial and appellate courts and to provide the legal assistance and training necessary to keep the OCDA at the forefront of the law.

The Unit handles specialized pre-trial legal hearings in the trial courts, such as opposing the suppression of evidence and dismissal of charges, as well as handling appeals and extraordinary writs in the appellate courts. In addition, the Unit provides in-house legal updates, manages a central library and five branch court libraries, creates and maintains legal forms, pleadings and other legal resources, and provides continuing legal education and training to attorneys and paralegals in the Office.



Each year, the Unit handles several hundred pre-trial motions in felony trial courts, 100 misdemeanor writs and appeals in the Appellate Division of the Superior Court, and approximately 75 writs and appeals in the California Court of Appeal, the California Supreme Court and the federal appeals courts. The Unit has also been responsible for more than thirty published decisions in the appellate courts in the past eight years.

ROBERT L. V. SUPERIOR COURT (2003) 30 CAL.4TH 894

The Unit convinced the California Supreme Court to hold that all crimes, even misdemeanors, may be deviated to felonies where they are committed by gang members to benefit their gangs. This decision has provided a valuable tool for law enforcement in curtailment all gang crime.

PEOPLE V. HILLHOUSE (2003) 109 CAL-APP.4TH 1612

The Unit successfully closed a loophole in the law that appeared to permit a child molester who attacked a mentally disabled child to be punished less severely than one who attacked a mentally disabled adult.

PEOPLE V. SUPERIOR COURT (BLANQUEL) (2000) 85 CAL-APP.4TH 768

The Unit ensured that repeat felony driving under the influence offenders would still be treated as recidivists despite a statutory renumbering change appeared to leave a window of time when their prior convictions could not be used against them to increase their punishment.



Narcotics Enforcement Team (NET)

The Narcotics Enforcement Team (NET) prosecutes major narcotic cases, and handles the major narcotics vendors program, PROACT (the Orange County Methamphetamine Lab Task Force) and Asset Forfeitures. NET works with federal and state law enforcement agencies, including specialized narcotics task forces, to prosecute individuals and organizations involved in the use, manufacturing, and trafficking of large quantities of narcotics.



PEOPLE V. ALMA VASQUEZ

Vasquez was part of a criminal organization that was responsible for repackaging and transporting large quantities of cocaine in Orange County. After extensive surveillance of the defendant and her co-conspirators, law enforcement seized 100 kilograms of cocaine and \$213,000 used to facilitate major narcotics transactions. The cocaine had a street value of approximately \$1.3 million. A jury convicted Vasquez of conspiracy to sell cocaine and the court sentenced her to 28 years in state prison.

Asset Forfeiture

Enforcing California's narcotics asset forfeiture statutes is an important aspect of narcotics prosecutions. The purpose of asset forfeiture is to remove the tools and profits from drug dealers and criminal organizations engaged in the illegal drug trade. In 2005, the estimated value of assets seized in asset forfeiture actions initiated by the Orange County District Attorney was approximately \$2.6 million.



PUBLIC INTEGRITY & FELONY PROJECTS

The Felony Projects Unit investigates and prosecutes individuals who violate public trust. The Unit is also responsible for upholding professional integrity of licensed professionals such as doctors and lawyers who commit crimes in the course of performing their duties. The Unit reviews criminal violations of state laws that regulate the conduct of elected or appointed public officials, public employees, and licensed professionals. Most of the cases investigated by the Unit are initiated by the Orange County District Attorney's Office (OCDA). The public is also invited to file complaints. The Unit also handles hate crimes, election violations, parole hearings, arson, mental health commitments, perjury, and cases with high public interest.



The Unit also acts as the primary advisor to the Orange County Grand Jury and reviews all non-fatal officer involved shootings. Additionally, to ensure enforcement of California's criminal laws when a suspect leaves the state, the Unit is responsible for extraditing suspects nationally and internationally. The Unit works closely with the United States Department of International Affairs and foreign governments to ensure fleeing criminals are brought to justice.

Holding public officials accountable for violating public trust is an important priority in promoting our democratic process and keeping our government free of corruption. Lifetime bans from holding public office have been imposed in cases involving city council members who abused their official positions to benefit themselves financially and personally.

PEOPLE V. DAVE GAROFALO

Garofalo pled guilty to felony Conflict of Interest and 15 misdemeanor violations. The former mayor and councilman from Huntington Beach was voting on matters in which he had a personal financial interest. In addition to the lifetime ban from holding public office, Garofalo was fined \$50,000 and ordered to complete 200 hours of community service.

PEOPLE V. SHAWN BOYD

Boyd, while a member of the Seal Beach City Council, worked for a real estate developer who sold property to the city for \$4 million. He voted on projects that benefited him personally and financially and collected thousands of dollars for real estate deals that he approved as a councilman. Boyd was also convicted of felony Conflict of Interest, fined \$25,000, and received a lifetime ban from holding public office.

PEOPLE V. CHRIS BECKER AND ROBERT D'AMATO

The City of Placentia's former Public Works Director and City Manager were indicted by the Grand Jury for breaching their fiduciary responsibility to the City by arranging for the Public Works Director to receive a lucrative personal contract with the City for three years. The case is pending.

PEOPLE V. RONALD LAIS

From October 1999 to December 1999, and from December 2000 to December 2003, defendant Lais represented and conducted himself as an attorney, frequently giving legal advice to numerous victims without a valid law license. Lais also claimed he was a child custody expert. He was convicted of 25 counts of the unauthorized practice of law while suspended by the California State Bar. The defendant was sentenced to 14 years in state prison, which is the longest known sentence in California for a former lawyer convicted of the unauthorized practice of law.

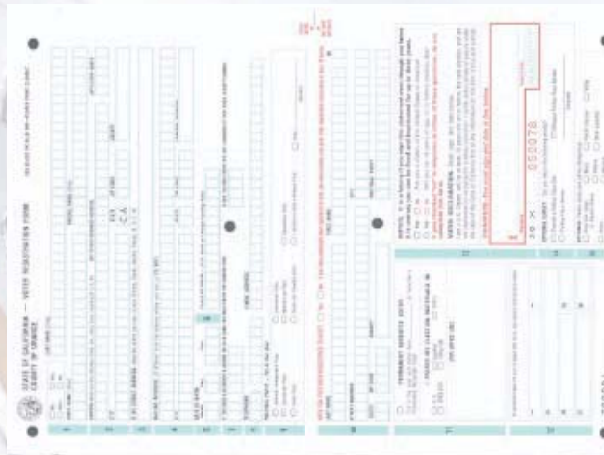
PEOPLE V. JOSE LOPEZ

Lopez is charged with the 1990 murder of his 20-year-old stepdaughter, Olivia, and the attempted murders of his 15-year-old stepdaughter, Eileen, and 8-year-old son, Jesse, as well as two counts of assault with a deadly weapon. During an argument in the living room area of their Santa Ana residence, Lopez is accused of shooting Olivia once in the head and twice in the torso, killing her. Lopez is also accused of shooting at Jesse, who witnessed the murder, and missing. Lopez is then accused of shooting Eileen in the forearm as she tried to get the gun away from him, and then shot her in the back left shoulder as she ran outside. Lopez is also accused of firing several shots at two young neighbor girls as they ran for cover. After Lopez was arrested in Mexico, the Unit was successful in securing his extradition to Orange County.

Voter Fraud

The OCDA believes that upholding the integrity of the voting process is essential in a democratic society. Interfering with the voting process deprives citizens of their core First Amendment rights and the right to associate with others who share similar beliefs. Recently, the OCDA filed charges against a dozen individuals who were involved in an organized scheme to switch voter registration without the voters' permission for profit. After a joint investigation by the Secretary of State and the OCDA, the Unit filed over 40 felony counts against 12 defendants. This prosecution, which is the first of its kind in Orange County, aims to reduce voter fraud, renew voter confidence, and punish those who violate other's constitutional rights for profit.

In another case, several people were prosecuted for intentionally voting more than once in an election. The Registrar of Voters and the Secretary of State submitted the cases, which resulted in convictions with penalties of probation, community service, and fines.



SEXUAL ASSAULT

The Orange County District Attorney (OCDA) Sexual Assault Unit is dedicated to the prosecution of serious sex offenders. Each deputy district attorney works closely with a team of investigators with expertise in the sensitive and complex prosecution of sexual assault cases.

The Unit prosecutes felony sex offenses such as the sexual assault of minors, forcible sex crimes against adults, child pornography, Sexually Violent Predators (SVP), statutory rapes, and undercover Internet predator stings. Many of the cases prosecuted by the Unit carry mandatory indeterminate life terms. Some violent and serious sex crimes are "one-strike" cases where a defendant may be incarcerated for life. Sexual assault defendants receive some of the harshest punishments of any crime and often receive prison sentences amounting to decades.

The Unit assigns a deputy district attorney to work with the Child Abuse Services Team. This prosecutor supervises and observes the interviews of child sexual assault victims in a child-friendly facility, as well as coordinates trainings on a quarterly basis for law enforcement personnel who investigate sex crimes against children.

The OCDA feels that those who hold positions of trust within a community or to their victims bear a greater responsibility for their conduct and deserve a greater punishment for their criminal action. The OCDA has investigated and filed charges on priests, religious leaders, teachers, and coaches for sexually assaulting minor victims. The OCDA has also filed charges against a judge, police officers, probation officials, and jail workers who used their position of authority and power to sexually assault adult and minor victims.



PEOPLE V. SARAH BENCH-SALARIO

Sarah Bench-Salorio was a married English teacher at a middle school. She was sentenced to six years in prison after being convicted of 20 felony counts of sexually molesting three male students between the ages of 12 and 14. She seduced the boys with gifts and dinners and through emails and phone calls prior to molesting them for several months.

PEOPLE V. OSCAR MENDEZ

Pastor Mendez was sentenced to 30 years to life in prison for molesting two young boys he met through his church. Mendez molested two young boys for months and engaged in unlawful oral copulation, anal penetration, and masturbation. He was also convicted of showing lewd materials to the boys.

PEOPLE V. FRANCISCO HERNANDEZ

Hernandez is a convicted serial rapist and robber who terrorized park patrons in Santa Ana and Fountain Valley for six years. He was convicted of 69 counts of rape, kidnapping, robbery, and assault with a deadly weapon with multiple enhancements for the use of a weapon and kidnapping. Hernandez attacked 12 women and 11 men in several parks by approaching the victims on foot or on a bicycle, wearing a ski mask and armed with a handgun and a knife. He would rob the couples of their money and their jewelry. Several of the women were raped. He will be sentenced to multiple life terms in state prison.

Sexually Violent Predators (SVP)



The Unit is responsible for obtaining civil commitments of SVP offenders who have served their prison sentences but have been evaluated as fitting the criteria for mental hospital commitment. The burden of proof is beyond a reasonable doubt and a jury of 12 must agree unanimously that the predator should be committed to a mental health facility dedicated to the treatment of sex offenders instead of being released into the community.

PEOPLE V. KEVIN REILLY

The SVP Unit continues to work diligently to keep twice-convicted child molester Reilly civilly committed in a mental hospital. The Unit proved that he was a continued threat to society. In 2003, Reilly underwent surgical castration and argued that he was no longer a sexual threat to children. The OCDA opposed his position and presented evidence that sexually violent crimes and child molestation are a mental problem not a physical one, and that surgical castration is not a sufficient solution to preventing future assaults. Reilly was recommitted. He has been in Atascadero Mental Hospital since 2000 as a result of the OCDA's SVP petitions.



PEOPLE V. GREGORY HAIDL, KYLE NACHREINER AND KEITH SPANN

This case grabbed the public's attention because it stood for whether there would be an equal administration of justice for all defendants, no matter who they were or what they had, and whether a woman had a right to control her body.



The three defendants asked a 16-year-old girl to come to Haidl's father's lavish home in Corona del Mar. They gave Jane Doe enough alcohol to render her incapacitated and videotaped sexually assaulting her. The disturbing tape showed the three men repeatedly inserting various foreign objects such as a Snapple bottle, a juice can, a lit cigarette, and both ends of a pool cue into the vagina and anus of the unconscious Jane Doe. They slapped and pinched her and signaled to each other that she was out cold. They continued the assault for more than 40 minutes while making hand signs pretending to be gangsters, and laughing and mugging for the camera.

The defense put on an unprecedented publicity campaign to smear Jane Doe's name and made outrageous false allegations. The first trial ended in a hung jury and Jane Doe had to endure another round of brutal cross examinations and assault to her character. As a result of her courage, the defendants were convicted in the second trial on multiple counts of sexual assault on an intoxicated victim. All three defendants were sentenced to six years in state prison.

PEOPLE V. DAVID PARK

Park was charged with two counts of sexual battery and one count of sexual penetration by a foreign object for assaulting a woman while on duty as a police officer. Park is accused of following Jane Doe in his marked police vehicle while on duty after she left an adult dance club and pulling her over using his emergency lights on a secluded stretch of road. He is accused of requesting a sex act in return for allowing Jane Doe to leave without a citation. The case is pending.

WHITE COLLAR CRIME, MAJOR & WELFARE FRAUD

Major Fraud

The Major Fraud Unit prosecutes a wide array of fraud cases with losses in excess of \$100,000. The types of cases include grand theft, embezzlements, investment frauds, mortgage frauds, income tax cases, and identity theft.

PEOPLE V. JEFFREY HAMBARIAN

Hambarian was convicted of defrauding the City of Orange and his family businesses. The \$7 million scheme was built on various frauds and embezzlements relating to refuse collection over many years. After a 5-month jury trial, the defendant was convicted of more than 40 counts and sentenced to almost 15 years in state prison.

PEOPLE V. ANA LIMBARING

This case is one of the largest known embezzlements from an Orange County nonprofit organization. Limbaring was convicted of embezzling \$1.8 million from the Orange County Performing Arts Center to fund a gambling habit. She was sentenced to 10 years in state prison.

PEOPLE V. ALINA ADAMIAN AND TAMMY SMIRIN

Adamian and Smirin stole the credit card information and identities of unsuspecting victims and used it on a spending spree in Las Vegas and elsewhere. The defendants received state prison sentences of almost eight years and five years, respectively.

PEOPLE V. CAROLYN SOMMERFELD

Sommerfeld embezzled \$1.1 million from her employer, a small lighting manufacturer, and spent the money supporting and promoting a friend's country western band. She received eight years in state prison.

PEOPLE V. FERNANDO OROZCO

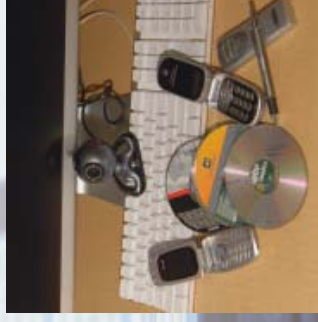
Orozco, an IT employee for a large pet insurance company, stole more than 70,000 names and their identifying information from the company database and made \$100,000 in purchases in some of the names. Fortunately, he was detected before more people were victimized. He received four years in state prison.

White Collar Crime Team

The Orange County District Attorney's Office (OCDA) established the White Collar Crime Team to increase prosecution efforts against the increase in economic crimes, particularly in the complex areas of identity theft rings, investment fraud and real estate fraud. The Unit was designed to provide an opportunity for the prosecution of cases that are too complex or time consuming for efficient branch court prosecution, but do not meet the loss threshold for the Economic Crimes Major Fraud Unit.

In addition to the vigorous prosecution of economic crimes, the OCDA is coordinating outreach efforts to increase the number of successful fraud prosecutions and works closely with local law enforcement to identify complex or multi-jurisdictional cases for early handling.

- In 2006, OCDA hosted a full day "Fraud Summit," bringing together representatives from multiple County law enforcement agencies to identify the issues involved in the increasing number of fraud investigations and prosecutions. This group now meets quarterly to discuss issues relating to inter-agency cooperation, banks and financial institutions, and multi-agency crimes.
- The OC Fraud Coops, a group of fraud detectives, meet bimonthly to share information and provide a forum for organized training for investigators in fraud units at law enforcement agencies. Some of the recent sessions have involved training in Securities Fraud, Real Estate Fraud, Search Warrants and Identity Theft.



PEOPLE V. NATASHA WIGGINTON

Wigginton, an associate of a white supremacist street gang, committed \$100,000 in sophisticated identity thefts in a 5-week period. The stolen identities were used to purchase gift cards from large retailers, which were then sold on eBay to unsuspecting secondary victims. She received eight years in state prison.

PEOPLE V. JACOB MORRISEY AND DARREN WEST

The two white supremacist street gang members were charged with forging and passing counterfeit checks throughout Orange County. Each received three years in state prison.

WHITE COLLAR CRIME, MAJOR & WELFARE FRAUD (CONT'D)

Welfare Fraud

The Welfare Fraud Unit is responsible for prosecuting all aspects of public assistance fraud, including illegally receiving benefits for cash aid, food stamps, in-home support services, childcare and housing. The Unit helps to protect finite resources to make sure there are sufficient funds to aid those who qualify for assistance. The Unit guards the public funds from fraud and abuse. The Unit works closely with caseworkers from the Orange County Social Services Agency and the Orange County Housing Authority. These agencies refer potential public assistance fraud cases to the Unit for review.

CASE EXAMPLE

The defendant misrepresented her residence address information to obtain fraudulent benefits by renting two commercial post office boxes. While the defendant was living in Michigan, the Social Services Agency mailed the food stamps and child care aid to the post office box addresses in California. Periodically, the defendant called the private businesses to see if she had received any mail. If she had received mail, the defendant sent a self-addressed stamped envelope to the business and requested the mail be sent to an address in Detroit. The Social Services Agency discovered the fraud when a letter addressed to the defendant was returned from the post office with a forwarding address in Detroit. The fraud cost taxpayers \$17,664. In December 2004, the defendant pled guilty to one count of aid by misrepresentation and one count of perjury by false application for aid. The court sentenced the defendant to five years of formal probation, nine months in jail, and ordered her to pay restitution.



OCDA WELFARE FRAUD HOTLINE: (714) 347-8400

SPECIAL THANKS TO ORANGE COUNTY'S CRIMINAL JUSTICE AGENCIES
WITHOUT WHOSE DEDICATION AND PROFESSIONALISM
THE WORK OF THE DISTRICT ATTORNEY'S OFFICE WOULD NOT BE POSSIBLE:

- | | |
|-----------------------------------------------------------------|----------------------------------------------------------------|
| Anaheim Police Department | La Palma Police Department |
| Brea Police Department | Laguna Beach Police Department |
| Buena Park Police Department | Los Alamitos Police Department |
| Bureau of Alcohol, Tobacco, Firearms and Explosives | Newport Beach Police Department |
| Bureau of Narcotic Enforcement—California Department of Justice | Orange Police Department |
| California Department of Social Services | Orange County Sheriff's Department |
| California Highway Patrol | Placentia Police Department |
| Costa Mesa Police Department | Probation Department |
| CSUF University Police | Santa Ana Police Department |
| Cypress Police Department | Seal Beach Police Department |
| Federal Bureau of Investigation | The United States Department of Justice United States Attorney |
| Fountain Valley Police Department | Tustin Police Department |
| Fullerton Police Department | U.C. Irvine Police Department |
| Garden Grove Police Department | U.S. Drug Enforcement Administration |
| Golden West College - Criminal Justice Training Center | U.S. Immigration and Customs Enforcement (ICE) |
| Huntington Beach Police Department | United States Secret Service |
| Irvine Police Department | Westminster Police Department |
| La Habra Police Department | |

TO THE 2006 BOARD OF SUPERVISORS WHO CONTINUE TO MAKE PUBLIC SAFETY A NUMBER ONE PRIORITY:

- Bill Campbell, Chairman - Third District
Lou Correa - First District
Chris Norby, Vice Chairman - Fourth District
Jim Silva - Second District
John Moorlach - Second District
Thomas Wilson - Fifth District



*Public safety welfare security community enforcement honest efficient
honest efficient ethical public safety welfare security comm
unity community enforcement honest efficient ethical public sa*

OCDA OFFICE LOCATIONS

MAIN OFFICE

401 Civic Center Drive West
P.O. BOX 808
Santa Ana, CA 92701
(714) 834-3600

HARBOR JUSTICE CENTER
(NEWPORT BEACH)
4601 Jamboree Road
Newport Beach, CA 92660
(949) 476-4650

JUVENILE JUSTICE CENTER
341 City Drive South
Orange, CA 92668
(714) 935-7624

NORTH JUSTICE CENTER

1275 N. Berkeley Avenue
Fullerton, CA 92631
(714) 773-4480

HARBOR JUSTICE CENTER
(LAGUNA NIGUEL)
30143 Crown Valley Pkwy.
Laguna Niguel, CA 92677
(949) 249-5026

WEST JUSTICE CENTER

8141 13th Street
Westminster, CA 92683
(714) 896-7261

CENTRAL JUSTICE CENTER

700 Civic Center Drive
Santa Ana, CA 92701
(714) 834-3952

CONTACTS

Public Affairs Counsel: (714) 347-8408
Spokesperson: (714) 347-8405
Public Affairs Assistant: (714) 347-8414

