

Friday, January 12, 2007

Two claims against Carona closed

State probe into one sexual harassment complaint finds no criminal violations, and second accuser refuses to be interviewed.

By PEGGY LOWE

The Orange County Register

Sheriff Mike Carona has been cleared of one criminal sexual harassment claim, and a second has been dropped because the woman refused to cooperate with investigators.

Both claims came from women connected to George Jaramillo, the former assistant sheriff whom Carona fired in March 2004.

Carona asked the attorney general to sexual relationship with Carona.

Hill's attorney, Mark Geragos, wouldn't comment on why Hill refused to talk to investigators.

"The only reason that she didn't pursue it is because I advised her not to for specific reasons I cannot go into," he said.

Asked if Hill may seek future legal claims, Geragos said it, "certainly would not be unheard of."

The second complaint was filed in September 2005 by Dean Holloway, the former husband of Susan Holloway, a cousin of Jaramillo. Dean Holloway said Carona called his wife, asked her out for drinks and harassed her.

The investigation found no criminal violations, said Gary Schons, a senior assistant attorney general.

"We did find a violation of department policy, which has been addressed," Schons said. "This matter is closed as far as we're concerned."

Schons wouldn't elaborate on the probe or what potential departmental breaches may have occurred. Keller said she couldn't comment on any potential department violations.

"We are thankful that the attorney general has concluded his investigation and are pleased that these matters have been resolved," said Jennifer Keller, Carona's lawyer.

A third civil claim, made last year by a female secretary who works for the sheriff's department, is pending.

The claims made by Erica Hill, Jaramillo's sister-in-law, could not be investigated because she rebuffed investigators' attempts to interview her, said Nathan Barankin, a spokesman for the attorney general.

"We sought to interview her, and we were never able to," he said. "There's no basis for us to go forward on an investigation."

Hill made her claims in September 2005 by sending a letter to several government officials that she characterized as "a call for help," saying she was a victim of Carona's "relentless pursuit ... constant sexual harassment, assaults and battery."

The year before, Hill was charged, along with Jaramillo, with misappropriation of public funds and conflict of interest for allegedly using Sheriff's Department property to promote a company that employed Hill. District Attorney Tony Rackauckas dropped the pending sexual harassment case involves Sandy Trujillo, a secretary for the Sheriff's Department south county operations. She filed allegations with state officials last year – the first step toward a lawsuit – and was cleared to proceed.

Trujillo wouldn't comment Thursday. Her claim says Carona denied her a promotion after she complained about sexually explicit photos that Jaramillo was showing others in the office.

Trujillo also testified before the county grand jury investigating Jaramillo. She said she made photocopies of Jaramillo's pictures, which depicted his wife and girlfriends nude and in sexual positions, and gave them to an investigator in the District Attorney's Office.

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Wednesday, June 13, 2007

Orange councilman's sign- stealing trial delayed

The District Attorney's
Office may resolve its case
against Denis Bilodeau out
of court.

By **AMY TAXIN**

The Orange County Register

ORANGE – A sign-stealing charge against Orange Councilman Denis Bilodeau could be dropped later this year after lawyers Tuesday agreed to try to resolve the case out of court.

Bilodeau, 39, faces accusations of removing opponent Carol Rudat's campaign sign just before his election to the City Council last year.

On Tuesday, the District Attorney's Office agreed to postpone hearings until November

and might consider dropping the charges, although the case is pending for now, said Deputy District Attorney Scott Zidbeck.

"Both parties agreed to the continuance to reset the case and hopefully reach some kind of resolution outside of a trial," he said.

"He'll be officially exonerated in November and it will be dismissed and everybody will go on with their lives," said Jennifer Keller, Bilodeau's attorney.

The case began in October when Rudat's daughter shot a grainy video of Bilodeau swiping the sign. The sign read, "See me waste your \$\$." www.DumpDenis.com

Bilodeau said the case has been a distraction to his family. If convicted, he could face a maximum sentence of six months in jail or a \$1,000 fine.

"I am just relieved it is over," Bilodeau said. "Obviously this isn't the trial of the century here. They have real criminals to prosecute, and I was glad once I got their attention and was able to present my side of the story that they agreed this is just stupid and it's time to dismiss this."

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Tuesday, January 15, 2008

Orange County judge testifies in own defense

Judge Kelly MacEachern is accused of lying on an expense report. Some supporters question why a public hearing was necessary.

By **RACHANEE SRISAVASDI**

The Orange County Register

SANTA ANA – Orange County Superior Court Judge Kelly MacEachern sat on the witness stand, holding back tears as she defended herself before three of her peers.

"I wasn't trying to cause trouble. I was just trying to get into a class," she said, her voice quavering. "I never meant to steal any money."

handled privately by the commission.

"(The commission) has flown three judges in for this hearing and commandeered an appeals courtroom," said Keller, who testified Tuesday. "I wonder how much taxpayer money is being spent on this?"

Victoria Henley, the director of the commission, which is chaired by Orange County Superior Court Judge Frederick Horn, said she could not comment on Keller's contention or the MacEachern investigation since it is ongoing.

Three judges – all of whom serve outside Orange County – listened to testimony, and will issue a report to the commission, which will make the final decision regarding if any action should be taken against MacEachern.

MacEachern was questioned Monday about her attendance at the civil law conference, held from July 31 to Aug. 4, 2006. She said she unsuccessfully tried to get into two classes. She was, though, able to attend two other classes.

Regarding the email, MacEachern said she "(took) responsibility for a badly phrased missive."

"It was never, never my intention to mislead," she added.

The five-year jurist is accused of lying in order to get more than \$200 in hotel reimbursement for a 2006 judicial conference in San Diego.

In August, the state's Commission on Judicial Performance accused MacEachern, who won a contested election to become an Orange County Superior Court judge in 2003, of making "false and misleading assertions ... in support of her request for reimbursement of travel expenses to which she was not entitled."

At issue is an email she had sent to a county staffer after the conference, saying she had "sat in" on two classes on different days and should get hotel reimbursement for those two days. The county then discovered MacEachern was not registered for the classes, though she was enrolled in others.

The charges – which resulted in a public hearing held at the 4th District Court of Appeal that ended Tuesday – has garnered criticism from some MacEachern's supporters, who think the commission is being overly harsh on the former prosecutor.

Defense attorney Jennifer Keller, MacEachern's former campaign treasurer, said she doesn't think the incident warrants a full hearing, and pointed out other cases of judges behaving improperly have been Superior Court Judge Nancy Stock said she told MacEachern at a meeting that her behavior was improper and referred the incident to the commission.

"(I told her) the entire episode of a couple of hundred dollars was career jeopardizing," testified Stock, the court's presiding judge.

MacEachern did agree to pay for some of the travel expenses, and use some vacation days instead of work time, she added.

A decision is not expected for several months, and will be preceded by another public hearing before the San Francisco-based commission.

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Wednesday, June 13, 2007

Justice finally prevails in sign theft case

Hoping we haven't heard the last of Rudat



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The D.A. effectively dropped the sign-theft charges against Orange Councilman **Denis Bilodeau** yesterday. This is one case where law enforcement just got taken for a ride by someone with an ax to grind, in this instance a motivated political opponent. Evidence that looked pretty good – Bilodeau on video, no

less – evaporated the deeper one looked. Who really owned the sign? Did they have permission to post it?

And how about the fact that Bilodeau is seen bypassing signs touting opponent **Carol Rudat** and only tearing down a sign that anonymously dissed him personally? Not smart, a bit thin-skinned and an effort to deprive someone of their First Amendment rights – but in the annals of sign stealing, it's pretty weak.

Lest you think Bilodeau didn't pay for his sin, as someone who sees him fairly regularly, I know the charges caused sleepless nights, embarrassment and money. **Jennifer Keller** doesn't work for nothing – although she swears she's not as expensive as everybody assumes she is.

The big question now: Will we be gifted the spectacle of another Rudat campaign next year, when Mayor **Carolyn Cavecche** and council members **Jon Dumitru** and **Tita Smith** are up for re-election? Rudat has been showing up to more council meetings and sending out mass mailings, indicating she's trying to rehabilitate her reputation. It would be folly. Those three would be far harder to bring down than Bilodeau, a nonincumbent she couldn't beat even after TV news repeatedly showed the video of him taking the sign. But, hey, don't let me stop you. I need the columns.

Tuesday, November 13, 2007

Testimony begins in wife-slaying trial

Cypress man is accused of making the slaying appear to be a home-invasion robbery.

By **RACHANEE SRISAVASDI**

The Orange County Register

SANTA ANA – An elderly man was not physically capable of killing his wife and had an alibi for the day his wife is believed to have been killed, a defense attorney told jurors today.

Marvin Smith, 69, is accused of murdering his longtime wife, Minnie Smith, 68, who was found bludgeoned to death in the master bedroom of their Cypress home on Dec. 15, 2005. The couple was married for 28 years.

Smith left that morning for work, as his wife slept, his defense attorney Jennifer Keller said during opening statements. He came courtroom.

Marvin Smith, who is hard of hearing, wore headphones to listen to today's proceedings. He owns several businesses, including a construction company and a liquor store.

Defense attorney Keller told jurors that her client would not have been able to kill his wife, saying he had recently undergone shoulder surgery that would have made it unable for him to lift the murder weapon. She contends it was a home-invasion robbery. Money and jewelry were missing from the residence, including valuables from a hidden safe.

But authorities don't buy that story.

Some of the jewelry reported stolen was found in Marvin Smith's car, according to prosecutor Michael Murray. His DNA is also on the murder weapon.

Keller counters the DNA was present because Marvin Smith lived in the home, and does not link him to the killing. As for the jewelry, she said the items were in her client's vehicle months before the incident.

The trial is expected to last into December.

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home that evening, and didn't think his wife was home, she added.

After walking in, Marvin Smith saw parts of kitchen and living room ransacked, Keller said.

He started to go upstairs and saw a flash of light coming from the bedroom, she said.

He ran out of the house and called police.

"I think someone is in my house. I just got home. I'm pretty sure my wife is not home," Smith told a police dispatcher in a tape played for jurors.

Police came to the scene, and found Minnie Smith dead, half-naked and lying face down, in the master bedroom. Her hands were bound with wire from hangers. She had been hit repeatedly with a fireplace tool that is usually kept downstairs.

"I saw two feet on the ground on the far side of the bed," testified Los Alamitos Police Officer Christopher Karrer. "I told (other officers), she's dead."

The jury trial is underway before Superior Court Judge Daniel Barrett McNerney. More than 20 family members and friends of Minnie Smith – a mother and grandmother – listened to the first day of testimony. Several of Marvin Smith's family also sat in the

Friday, August 3, 2007

Lopez trio arraignment postponed until Aug. 17

Brothers and cousin suspected in 1994 Torrez murder hire new attorneys.

By **ADAM TOWNSEND**

The Orange County Register

PLACENTIA — A judge Friday postponed the arraignment of Sam, Armando and Xavier Lopez — two brothers and a cousin suspected to be linked to the 1994 stabbing death of Cathy Torrez — until Aug. 17.

Lawyers for Sam Lopez and Armando Lopez asked Judge Kazuharu Makino to postpone the proceeding because they were new to the case and needed time to read up on it.

David Swanson is representing Armando evidence, according to the district attorney's office.

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Lopez, Jennifer Keller is representing Sam Lopez and Orange County Deputy Public Defender Doug Lobato represents Xavier.

Armando Lopez posted \$500,000 bail after the three were arrested in early July, but Makino denied the other two bail at that time because of the special circumstances surrounding the 13-year-old homicide case.

The district attorney's office alleges torture in addition to Sam Lopez's other charges. District attorney office officials say they don't anticipate seeking the death penalty.

Sam Lopez, 35, and Xavier Lopez, 35, were arrested on suspicion of the murder of Cathy Torrez. Armando Lopez, 36, was arrested on suspicion of being an accessory to murder and for allegedly dissuading witnesses.

Torrez was missing for a week in 1994 before she was found stabbed to death and stuffed in the trunk of her car. Police early in the investigation named Sam Lopez as a principal suspect, but never had enough evidence to charge him until this summer. Sam Lopez was Cathy Torrez's former boyfriend.

Police said heavy rains during the week Torrez was missing washed away most of the evidence around the car, but improved DNA technology turned up more genetic