

INTOLERANCE

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SANTA BARBARA NEWS-PRESS



OUR 158TH YEAR WEDNESDAY, APRIL 16, 2014 75¢

Ex-Capps aide admits vehicular manslaughter

Raymond Morua’s sentence could be 20 to life

“It was pretty hard and emotional for me today to ... hear the voice of the man who killed my child ... say guilty.”

Matt Dies father of Mallory Dies

By ANGEL PACHECO NEWS-PRESS STAFF WRITER

A former aide to Rep. Lois Capps who ran down Mallory Rae Dies, 27, in his car before speeding away is expected to be receive 20 years to life in state prison after pleading guilty to gross vehicular manslaughter.

In custody since his arrest shortly after the Dec. 6, 2013, hit-and-run on Anacapa Street outside of EOS Lounge, Raymond Victor Morua III, 32, admitted to the felony before Santa Barbara County Superior Court Judge James Voysey as part of a plea deal in which prosecutors dismissed a murder allegation.

Mr. Morua also admitted an enhancement for leaving the crash site and that he has two previous DUI convictions.

In a dark suit and his hair smoothed back, Mr. Morua entered the long-awaited guilty plea in front of Ms. Dies’ family and friends, as well as supporters of his own. Defense attorney Darryl Genis told reporters and Ms. Dies’ father, Matt, following the hearing that Mr. Morua had tears running down his face as he entered the plea.

“It was pretty hard and emotional for me today to see Morua and hear the voice of the man who killed my child ... just hearing him say guilty,” Mr. Dies told reporters following the hearing. “I’m guilty of killing your child.’ That’s what my brain is hearing. That was pretty painful.”

As part of the plea agreement, Mr. Morua will be giving an apology to the Dies family during his May 28 sentencing hearing.

Attorneys agreed to the sentence of 20 years to life, but just how long Mr. Morua remains behind bars before he’s eligible for parole is up for debate. Senior Deputy District Attorney Arnis Tolks said it would be after 10 years, while Mr. Genis said the sentence could be just shy of 17.

“I hope I’m wrong,” said Mr. Genis.

It was a deal that Mr. Dies said he favored and leads to a just and fair outcome. There was no guarantee of a more significant punishment with a trial, which also would have put him and his family through a lot of pain.

“I know there was video outside of EOS, video that I never want to see,” said Mr. Dies. “Had we gone to trial, that would have been part of the evidence and something as a dad I did not want to face.”

Please see PLEA on A8



MICHAEL MORIATIS/NEWS-PRESS

Raymond Morua on Tuesday pleaded guilty to gross vehicular manslaughter while intoxicated in the December 2013 death of Mallory Rae Dies. He will get 20 years to life in state prison.



CARMEN SMYTH / NEWS-PRESS

Sheriff Bill Brown presents North County jail plans to the Board of Supervisors on Tuesday.

Sheriff hits ‘key milestone’ in jail plan

By SARA BUSH NEWS-PRESS CORRESPONDENT

Sheriff Bill Brown passed a key milestone in realizing his long-time goal of building a new jail facility in Santa Maria, presenting preliminary plans for staffing and operating the facility Tuesday to the Santa Barbara County Board of Supervisors.

While two supervisors brought up concerns about the building’s design — it resembles the Santa Barbara Municipal Airport terminal — they agreed that the project is way overdue, and needs to move forward. And after a three-hour hearing, the board unanimously agreed to approve the plans.

“Much work has already been accomplished to make this jail a reality, and I assure you it will be a facility we can all be proud of,” said Sheriff Brown. “It will provide an economic boost to the county at a time it is so desperately needed.”

According to the sheriff’s presentation, the County Jail facility is too small and in many ways outdated. The new facility, which would sit at the corner of Betteravia and Black Roads, would offer state-of-the-art accommodations and services for inmates. It would also allow custody deputies and jail personnel to better monitor and manage inmates.

Sheriff Brown said the facility would serve as a hybrid of a jail and a prison, to cope with the state’s recent inmate realignment policies that have resulted in many prisoners being transferred from state facilities

Please see JAIL on A4

“We wanted to put a look on the facility so it blends in with the community, and does not look and feel like a big concrete block.”

Bill Brown, sheriff

Police: GPS helped solve, didn’t deter killings

By DON THOMPSON and GILLIAN FLACCUS ASSOCIATED PRESS

SANTA ANA — GPS technology helped police link two convicted sex offenders to the rapes and killings of at least four women in California, but the mother of one victim said Tuesday that the monitoring system should have done more to prevent the crimes in the first place.

“If they were monitored correctly, then maybe none of this would have happened,” said Jodi Michelle Pier-Estepp, the mother of victim Jarrae Nykkole Estepp, whose naked body was found March 14 on a conveyor belt at an Anaheim trash-sorting plant.

The situation has raised new questions about the effectiveness of the devices that are supposed to deter criminals by keeping them away from forbidden area such as schools and playgrounds and from anyone who has a protective order.

They are also supposed to be an investigative tool for law enforcement to track down convicts.

Federal and state officials said the devices worked as intended after Ms. Estepp was killed, pinpointing the locations of suspects Franc Cano, 27, and Steven Dean Gordon, 45, after the crimes.

“Unfortunately, GPS monitoring cannot always de-

Please see GPS on A4

Damage control

When the going got tough, those around Raymond Morua got going

By PETER LANCE SPECIAL TO THE NEWS-PRESS

EDITOR’S NOTE: This is the fourth in a five-part series on the death of Mallory Rae Dies following a DUI-related hit-and-run; the man behind the wheel, Raymond Morua, at the time a district representative for Rep. Lois Capps; and the length various officials and politically-connected individuals went to protect and later distance themselves from Mr. Morua.

Teresa Montoya awoke the morning of Dec. 6, 2013, to a chilling voicemail from her fiancé, Raymond Victor Morua III, district representative for Rep. Lois Capps. The man she was planning to mar-

TUNE IN

Listen to News-Press City Editor Scott Steepleton’s interview with Matt Dies, father of Mallory Dies, and investigative journalist Peter Lance on the “Voices of Santa Barbara” radio program, 10 a.m. and 8 p.m. today and 10 a.m. Sunday on KZSB AM 1290, the Santa Barbara News-Press Radio Station.

ry, a decorated Army veteran who had been Mrs. Capps’ Central Coast point man on veterans affairs, called at 6:

18 a.m. to say he’d been locked up.

“Baby pick up. It’s me,” he said. “I’m in jail ... I had a DUI and they told me I hit somebody. I’m in the police jail and they’re going to move me to County Jail.”

Hours before he placed that call, Mr. Morua, 32, was arrested on suspicion of felony DUI causing serious bodily injury and leaving the scene of a crash. Witnesses identified him as the hit-and-run driver of a red Dodge Caliber that struck Mallory Rae Dies, 27, as she was crossing Anacapa Street just after midnight.

An hour prior to the crash, Mr. Morua left The Savoy nightclub on Anacapa Street where he’d represented Democrat Mrs. Capps at the Santa Barbara

Independent’s annual Holiday Bash.

With Mallory now fighting for her life in the intensive care unit at Santa Barbara Cottage Hospital, Mr. Morua was breaking the news to his loved ones.

“I’m sorry,” he said in that message to his 38-year-old bride-to-be. “I love you so much baby. I just want to be with you right now. Please let everyone know. Answer your phone please. I’m going to call you back.”

About 15 minutes later came a message that was more hopeful: “Baby... You don’t have to call Mollie. I just went and talked to her ... She’s going to try and get me out.”

Mr. Morua was referring to his boss,

Please see MORUA on A5



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Questions about information on documents

MORUA

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COURTESY PHOTO

Mollie Culver, right, at an Eric Garcetti event in Los Angeles.

Mollie Culver, a seasoned political strategist. She'd been the campaign manager for Mrs. Capps' last successful re-election bid, and in May 2013 played a key role in Eric Garcetti's successful race for mayor of Los Angeles.

At the time of the hit-and-run outside EOS Lounge, near Haley Street, Ms. Culver was district director of Mrs. Capps' Santa Barbara office and Mr. Morua's immediate superior. Now, as his second voicemail indicates, within hours of crashing his vehicle after a high-speed chase involving a good Samaritan, she was about to make an effort to help him.

TRYING TO GET MR. MORUA OUT OF JAIL

As the evidence uncovered in this investigation shows, Ms. Culver was initially aided in her efforts to help Mr. Morua by George Eskin, a recently retired Santa Barbara County Superior Court judge whose wife, state Sen. Hannah-Beth Jackson, D-Santa Barbara, is an ally of Mrs. Capps. Immediately after the crash, Judge Eskin, who'd returned to the bench in the role of "assigned judge," would help the accused drunken driver retain the services of an experienced local criminal attorney, Samuel K. Eaton Jr.

By Dec. 7, Ms. Culver would text or call Mr. Morua's mother and fiancé with information on Mr. Eaton's fee and tell Ms. Montoya that she would help "cover" Mr. Morua's bail.

Then, over the next two days, Ms. Culver would go so far as to sign Mr. Morua's name on forms from the U.S. Department of Veterans Affairs with the intent of releasing his medical records and getting him into a treatment facility for veterans in Los Angeles.

While there's no evidence linking Judge Eskin or Mr. Eaton to that effort, those VA documents and other records obtained from the U.S. House of Representatives prove that between Dec. 7-10, 2013, Ms. Culver and staffers in Mrs. Capps' Washington office went to great lengths to help Mr. Morua, who was paid through mid-day Dec. 10.

The very next day, the congresswoman did a complete about-face; effectively disowning her district representative.

That was the day Mallory was taken off life support. Almost immediately Mrs. Capps' office put out a statement that Mr. Morua had been fired as early as Dec. 8. His private attorney, Mr. Eaton, withdrew on Dec. 13 and that same day, after initially signing his name on VA documents to get him into the treatment facility, Ms. Culver told the lead Santa Barbara Police Department detective on the case that Mr. Morua was not authorized to be at the Independent's party the night of Dec. 5.

It was at that party where Mr. Morua reportedly drank six vodkas in the hours before he got into his vehicle with a reported blood alcohol content of .17 and struck Ms. Dies.

"Damage control," is how William Canfield III, former senior staff counsel to the U.S. Senate Select Committee on Ethics, sees it. "My guess is that soon after they were apprised of the hit-and-run and the fact that Raymond had been drinking, Lois or her staff or both combined, made a concerted effort to try and extricate her, and the way they were going to do that was to get Raymond into a VA program. The way they were going to do that was to use her congressional staff to do things Raymond couldn't do himself — the idea being to put him into a

program. He'd be away for awhile. Maybe people would start to forget this, maybe. But they went into damage control."

INTERVENTION FROM THE FORMER JUDGE

In the weeks leading up to his DUI arrest, Mr. Morua was heavily involved in a controversy over the future of the Veterans Memorial Building on Cabrillo Boulevard.

On Dec. 5, the morning before the hit-and-run, he exchanged emails with Judge Eskin and dined with him at the Independent's Local Heroes luncheon. A former deputy district attorney in Ventura County, the 76-year-old judge had retired from the Santa Barbara County Superior Court in October 2013 after 10 years on the bench, but the judge's wife made for other close ties to Mr. Morua.

State Sen. Jackson appeared with Mr. Morua at multiple events over the last two years. In July 2013, she was co-presenter with him at the Latino Business Awards and in August they both attended an anti-DUI press conference. James Joyce, the senator's deputy district director, was so close to Mr. Morua that they each spoke at a Veterans Day event last November, and the two aides spent time texting and talking issues at the Independent's party in the hours before the collision.

Judge Eskin was the impetus behind the formation of the local Veterans Treatment Court in August 2012, presiding over its first "graduating class" of five vets accused of various crimes, who were allowed to enter treatment rather than serving prison time.

According to Megan Behrens, the public defender assigned to the Veterans Treatment Court, one of the principal facilities for treatment court referrals was New Directions for Veterans, a complex of five treatment centers in Los Angeles with a staff of 14 and 2011 revenues topping \$7 million.

New Directions is funded by federal grants and disability benefits paid by the Department of Veterans Affairs.

At 2:09 a.m. on Dec. 6, 2013, just hours after Mr. Morua's arrest, Judge Eskin received an email from Ron Dexter, an active member of Veterans for Peace. Mr. Dexter, who had no idea at the time that Mr. Morua was under arrest, suggested to Judge Eskin that the three of them get together to discuss the Veterans Memorial Building issue. At 9:06 a.m., also apparently unaware of the arrest, the judge emailed him back that he would "make time because it's very important to me."

But by 11:29 a.m., Judge Eskin was clearly aware of Mr. Morua's situation. In fact he sent him an email that contained no message; only a subject line: "Sam Eaton (ASAP) 963-3014."



Sam Eaton

Mr. Eaton is a former U.S. Army officer and longtime friend of the judge. The two lawyers worked in the Los Angeles City Attorney's Office at the same time in the 1970s, and in 2005, they spoke on a panel at UCSB together.

In an interview for this series Mr. Dexter said, "There's a history of George and Raymond. He was very impressed with Raymond and when this happened he was very upset, so he did what he could. He suggested that money be raised to hire Sam."

But Mr. Eaton was not retained right away. The next day, Dec. 7 at 7:39 a.m., Teresa Montoya got a call from Deedra Edgar, a deputy pub-

lic defender. At that point Ms. Edgar had not yet been formally assigned to Mr. Morua's case, but she was on call and she reached out to Mr. Morua's fiancé via the public defender's emergency line.

Ms. Montoya spoke to her for 43 minutes.

Later that day, just before noon, Ms. Montoya says Mollie Culver picked her up to visit Mr. Morua, who was then in County Jail. His stepfather, Albert Canchola, rode in a sepa-

Department of Veterans Affairs medical records release request form.

Request that Mr. Morua's medical records be released to the office of Rep. Lois Capps. (His Social Security number has been blurred.) Note his name is misspelled.

Purported signature of Raymond Morua, reportedly by Mollie Culver, Rep. Capps' district director.

rate car with his wife, Rose Saucedo, Mr. Morua's mother. In a timeline of the events compiled by Ms. Montoya and Mrs. Saucedo, they write, "Mollie mentioned that she would have Raymond's friend, the judge, send someone to help him."

Phone records indicate that Ms. Montoya had three phone conversations with Ms. Culver that day, including one at 4:27 p.m. She memorialized the conversations in a series of texts sent to Mrs. Saucedo's cellphone. According to the text Ms. Montoya sent her at 5:49 p.m., "Sam Eaton" had been "recommended" by Mr. Morua's "boss," Mollie Culver.

At that point Mr. Morua's family was in a quandary as to whether to stay with the public defender or hire Mr. Eaton, the private attorney. Further, if they did that, who would pay his fee, which Ms. Culver estimated, according to Ms. Montoya, to be \$7,500 plus \$1,000 for an investigation. That was in addition to Mr. Morua's bail, which, at that point, could have been as high as \$10,000 since his total bond was initially \$100,000.

Ms. Montoya says Ms. Culver told her by phone that she would help with bail, but that the family needed to contribute as well.

By Dec. 9, a Monday, Mr. Eaton had taken the case and was going to appear with Mr. Morua at a hearing the following day in Santa Barbara County Superior Court. At 1:58 p.m. Ms. Montoya sent Mr. Morua's mother a text confirming that, "Mollie got word from the lawyer Sam. He will be going today to meet Roc and so will Deedra," the public defender.

"Roc," short for "Rocky," is the nickname for Mr. Morua used by his parents.

SIGNING DOCUMENTS FOR THE VA

On Dec. 9, 2013, Mollie Culver left this voice mail message for Mr. Morua's mother: "Hi Rose, this is Mollie from Lois Capps' Office. Can you please give me a quick call? 550-9300. I've got just two quick questions for you on this paperwork for the VA that we're trying to get in right away. Thanks so much."

The "paperwork" involved two separate official VA forms. The first,

Form 10-5345, a "Request For And Authorization To Release Medical Records Or Health Information." At 3:34 p.m., not long before Ms. Culver called Rose Saucedo, the evidence suggests that a copy of that form had been faxed to Santa Barbara from an office on Capitol Hill.

The form had been partially filled out in a Courier typeface, presumably by staffers in Mrs. Capps' Washington, D.C., office. It requested that Mr. Morua's records be released to New Directions for Veterans treatment facility in Los Angeles. In a box requiring a "Purpose or Need For Which The Information To Be Used" the partially filled-out form said "Exploring treatment options for Mr. Moura (sic) to address his addictions treatment needs."

As the "Organization... To Whom Information Is To Be Released" the form listed "Office of Congresswoman Lois Capps 301 East Carrillo Ste. A Santa Barbara" with the office phone number.

There was only one other requirement before the form could be sent in to the VA: Mr. Morua had to sign it. But that afternoon the form was filled in, not by the man accused of a DUI hit-and-run sitting in County Jail, but allegedly by Ms. Culver. In blue ink she allegedly signed Mr. Morua's signature.

We know this because at the same time FORM 10-5345 was faxed from Washington, with Mr. Morua's named misspelled "Moura," a second FORM: 10-10 EZ "Application For Health Benefits" was faxed to Mrs. Capps' office in Santa Barbara.

Ms. Culver signed Mr. Morua's name on that form as well, along with other personal information including his Social Security number, date and city of birth, dates of military service and his home address; going so far as to list herself and her cellphone number in the box for Mr. Morua's "Home Telephone."

Using the same blue ink she'd used to sign Mr. Morua's name twice on the first two-page form, Ms. Culver then listed his gross annual salary \$36,000 and went so far as to write \$200 in a box requesting the "Cash

Please see **MORUA** on A8



COURTESY PHOTO



Sen. Jackson with Raymond Morua at an awards ceremony.



COURTESY PHOTO

Judge Eskin and his wife, state Sen. Hannah-Beth Jackson.



COURTESY PHOTO

Judge George Eskin

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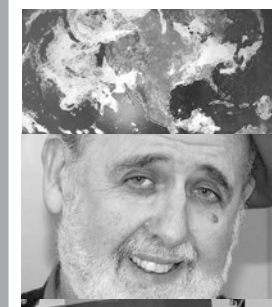
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Baron Ron Herron
Traffic and weather every 10 minutes, financial market reports, local news and breaking global reports from the BBC.



10:00-10:59 AM & 8:00-8:59 PM
Voices of Santa Barbara
Community leaders and guests talk about local issues.



11:00-11:59 AM & 9:00-9:59 PM
Commerce Radio
Steve Cushman, Rob Egenolf & Eloy Ortega talk with area business leaders about local economic issues.



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2:00-2:59 PM & 10:00-10:59 PM
Minds That Matter
Host Mark McIntire talks with the students, scholars and community leaders who work to make higher education attainable for all in the Santa Barbara community.



3:00-4:59 PM
The Andy Caldwell Show
Watchdog, business and traditional values advocate interviews leaders and scholars about local, state and national issues.



5:00-6:59 PM
David Jay
News, weather, sports and traffic reports every 10 minutes from CalTrans and the California Highway Patrol.

Capps' staffer claimed no prior knowledge of Morua DUI

■ MORUA

Continued from Page A5

Amount In (Mr. Morua's) Bank Account."

Ms. Culver then signed Mr. Morua's name on that second form and dated it 12-9-13.

The top of that health benefits application says, "Federal law provides criminal penalties including a fine and/or imprisonment for up to 5 years for concealing a material fact or making a materially false statement."

But Ms. Culver seemed to be in an urgent rush to fill out that form along with the Release of Medical Records form. At 1:28 p.m., she called Ms. Montoya and spoke to her for seven minutes. Ms. Montoya then texted the gist of their conversation to Mrs. Saucedo at 3:15 p.m.

"Mollie sent this: 'I will know more on VA shortly. They are trying to get him emergency admittance to a wonderful in patient treatment that is specific for vets dealing with legal issues called new directions in la.'"

The fax number at the top of those forms, from a machine on Capitol Hill, confirms that they were sent to Mrs. Capps' Santa Barbara office between 3:34 and 3:35 p.m. on Dec. 9.

The typeface, date, time, pagination and fax machine numbering sequence on that form is identical to the same identifying information at the top of a letter sent to Matthew Stoll, an attorney in the firm representing the Dies family, from Mary Beth Walker, the House lawyer representing Ms. Culver, Mrs. Capps and her staff on Dec. 23, 2013.

Ms. Montoya's phone bill shows that Ms. Culver called her at 3:36 p.m. — one minute after she received those VA Forms.

"Mollie was desperate to get hold of Raymond's mother so she could fill out those forms and get Raymond out of jail," Ms. Montoya says.

"Around that time Mollie called me (and) said she needed personal information," says Mrs. Saucedo. "I was in my car and she made it seem so urgent, I pulled over to talk to her. She wanted my son's city of birth and my marriage name. We trusted her because, as his boss, we felt that she was trying to help Raymond. She was a government official and we believed that she knew what was best. We had no idea she'd (signed) his name or that any of this was (possibly) illegal."

By now attorney Mr. Eaton had been hired to replace Mr. Morua's public defender, Ms. Edgar.

In a follow-up text that afternoon, Ms. Culver told Ms. Montoya that both Mr. Eaton and Ms. Edgar would visit Mr. Morua in County Jail. "Mr. Eaton would not have come into this case but for George Eskin and Mollie Culver," says Ms. Montoya.

REACTION FROM MOLLIE CULVER

When contacted by cellphone March 20 about the VA forms and other issues uncovered in this investigation, Mollie Culver said, "I can't talk to you on advice of counsel" and hung up.

A follow-up email to Ms. Culver included 13 questions including, "Was Cong. Capps aware, at any time, either prior to you filling out the aforementioned VA forms or after the fact, that you were seeking to get special treatment for Mr. Morua by getting him out of jail and into the New Directions facility with the assistance of the Department of Veterans Affairs?"

As of Tuesday, Ms. Culver had not responded. Neither had Rep. Capps, who was contacted directly via her website on March 20, nor had her press secretary, Chris Meagher, the former crime reporter for the Santa Barbara Independent who was present with Mr. Morua at the paper's Holiday Bash and may have been a witness to him drinking alcohol at that event.

REACTION FROM THE JUDGE

TOMORROW: The cover-up. The Department of Veterans Affairs' admission that it received the forms signed by Ms. Culver, but its refusal to comment further or to allow Craig Lea to answer questions about the effort to get Mr. Morua into New Directions. Mr. Lea's recent visit to Mr. Morua in jail and the effort by the House lawyer for Mrs. Capps to get the Santa Barbara County District Attorney's Office to "segregate" what she called "sensitive official information" from his cellphone. It's evidence proving he was working for the congresswoman in the months, weeks, days and hours before the manslaughter hit-and-run.

Multiple efforts were made to get a response from Judge Eskin, but he never responded. As noted, there's no evidence that he was directly involved in Ms. Culver's alleged effort to get Mr. Morua into New Directions, but when I contacted officials at the Los Angeles treatment facility to ask if anyone there was aware of that plan, Cindy Young, vice president of development and marketing, had this to say:

"There are many steps that would need to occur before a veteran could be court-ordered to New Directions. For starters, a court process involving a judge, public defender and district attorney would have to occur that would lead to a decision to make an alternative sentencing order for a particular veteran. New Directions has no power to bring a veteran into its program that would somehow sidestep this court process."

"But at this point Mr. Morua was simply charged," says attorney Darryll Genis, who took over as Mr. Morua's counsel Jan. 15, after Mr. Eaton had withdrawn and Ms. Edgar resumed her representation of him.

"He was far from being sentenced; and while we can't say for sure that Judge Eskin had a hand in this, New Directions was one of his veteran court's go-to facilities. We know that Judge Eskin was the key to getting Sam Eaton involved, and according to what Ms. Culver was telling Raymond's family, this judge who'd only stepped down from the bench in October, was interacting with her on Raymond's behalf in the days right after his arrest."

"What we do know for sure," says Robert Stoll, another of the Dies family attorneys, "is that as late as three days after this horrific accident, the district director of Lois Capps' office goes so far as to risk violating federal law to get him out of jail and out of town into a facility that would be partially funded by U.S. taxpayers. She's also heavily involved in getting him private counsel. Now why would Lois Capps' lead staffer in Santa Barbara go to those extremes if she believed that he wasn't working in the course and furtherance of Mrs. Capps' interests on the night of Dec. 5 prior to the accident? This was a bold scheme to protect a man, who was Mrs. Capps' district field representative. A man clearly viewed at that point as an employee."

THE FACE-TO-FACE MEETING

On Dec. 10, 2013, Mollie Culver called Teresa Montoya at 8:59 a.m. "She told me she had some things she wanted to talk about in person. Not on the phone," Ms. Montoya says. "So she came over to the apartment building on De la Vina where Raymond and I lived. We sat on the front steps and she pulled out a file folder."

That folder contained Sam Eaton's email address and phone number. Inside was the second VA form that Ms. Culver had filled out, the application for benefits. There was also a page of yellow legal paper on which Ms. Culver had written:

Craig Lea
VA Desert Pacific Network (22)
562-826-8000 X 4323
craig.lea@va.org

"Mollie told me that she had already sent in the form to the VA for the release of medical records, but in order to complete the process of getting him into New Directions, I would have to fax the other form to this man, Craig Lea, at the VA."

Ms. Montoya says she asked Ms. Culver why she had to meet her in person to tell her this and Ms. Culver told her that, "our office may no longer be able to intervene for Raymond directly."

"I asked her why not," Ms. Montoya says, "and she told me, 'We have inside information that they're going to take Mallory off life support in the next 12-24 hours and if that happens, we can't be involved.'"

At that point Ms. Montoya says, Ms. Culver instructed her to fax in the second form to Mr. Lea. "When I saw that it wasn't Raymond's signature on the form, I questioned that but she said, 'We couldn't get it because he's in jail, but if you get this to Craig (Lea) right away we can get him into this facility in L.A. But you have to do it today.' She also told me she had lots of examples of Raymond's signature in the office as a reference."

"The impression I got from her," says Ms. Montoya, "was that things could change radically if Mallory passed away. So later that day, I made a pdf of the form (10-10EZ) and emailed it to Mr. Lea. I got a confirmation that he received it."

THE 180-DEGREE TURN

At 9 a.m. the next day, Ms. Montoya got a puzzling email from Sam Eaton, who was still representing her fiancé: "RE: Case: Raymond Morua ... So, as we have heard, the young woman was declared brain dead and taken off life support," he wrote. "This creates a very different situation where any ability to affect the outcome is now very limited. The charges will be either 2nd degree murder, 15 years to life; or PC 191.5, vehicular manslaughter, with 2 DUI priors, which is also 15 to life, to which they can add more time (5 years +) for the hit and run. Murder provides no good time/work time credit reduction, and the manslaughter charge is to 15% credits."

"I have told George Eskin and Molly Culver that I don't feel that I should continue with the case. The fees would be substantially increased with no reasonable probability of affection the outcome. I think Raymond should apply for the Public defender."

At 12:09 p.m., Mr. Eaton sent a second email to Ms. Montoya: "I am pleased to have been of assistance. I am very saddened by this news as well. Raymond seems a worthwhile person with a lot to offer. I would only feel worse if I knew I was taking your family's finances with no real possibility of doing anything meaningful about the charges."

What is so curious about those two emails from Mr. Eaton, signaling his withdrawal, is that Ms. Dies was not declared brain dead and taken off life support until 3:15 p.m. that day, more than six hours after Mr. Eaton's first email stating that "we have heard" that she passed away.

DISOWNING RAYMOND MORUA

In the hours after the death of Mallory Dies, the Capps office took immediate steps to disassociate itself from Raymond Morua. First they put out the word that he'd been fired on Dec. 8, two days after the hit-and-run. But records from the House of Representatives show him on the payroll at least through Dec. 10, around the time Ms. Culver asked Ms. Montoya to that in-person meeting.

Later Mrs. Capps' Chief of Staff Sarah Rubenfield claimed Mr. Morua attended the party "of his own volition;" a position endorsed

by House counsel Mary Beth Walker on Dec. 23.

By the morning of Dec. 13, 2013, a Friday, Mr. Eaton had formally withdrawn as private counsel. Rose Saucedo, Mr. Morua's mother, says that though the family had raised "about \$4,000 in cash" to pay Mr. Eaton, he never accepted their money. At that point Deputy Public Defender Deedra Edgar resumed her representation of the accused hit-and-run killer. She was later replaced by Mr. Genis.

Meanwhile, just hours after Mr. Eaton's withdrawal, Detective Jaycee Hunter of the Santa Barbara Police Department served a search warrant on Mrs. Capps' Santa Barbara office. After executing the warrant at 11 a.m., Detective Hunter interviewed Ms. Culver, who only days before had tried to help Mr. Morua.

She now claimed that he had not been representing Mrs. Capps at the Independent's Holiday Bash, and that he may have actually taken the invitation off a desk in the district office.

Ms. Culver also told Detective Hunter that, "The office was unaware of the suspect's criminal past of prior DUI arrests, a prior hit-and-run and theft from Kmart." (In 2006, Mr. Morua was charged with DUIs in July and October and leaving the scene of a crash in December after he broadsided a woman's car in Ventura. After the Kmart incident, he was convicted of grand theft embezzlement and served 10 days in jail in 2011 while he was working as an intern for Mrs. Capps.)

You Are Invited!
The Annual Veterans Breakfast
 with
Congresswoman Lois Capps





Lompoc Veterans Breakfast

When: September 4th
 8:30am (Breakfast) 9:00am-12pm (Program)

Where: Lompoc Veterans Memorial Building
 100 E Locust Ave Lompoc, CA 93436

Who: Congresswoman Lois Capps, Congressional Caseworkers, Santa Barbara County VSO, Santa Maria VA Clinic, EDD

RSVP: cappsvetsbreakfastsrvp@gmail.com or call 805-730-1710

Atascadero Veterans Breakfast

When: September 5th
 8:30am (Breakfast) 9:00am-12pm (Program)

Where: Atascadero Elks Lodge #2733
 1516 El Camino Real Atascadero, CA 93423

Who: Congresswoman Lois Capps, Congressional Caseworkers, SLO County VSO, Cuesta College Veterans Financial Aid Office, Housing Authority of SLO, Social Security Administration, SLO Veterans Center

RSVP: cappsvetsbreakfastnorthcounty@gmail.com or call 805-546-8348

Flier for a veterans event showing Lois Capps with Raymond Morua.

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