

# SANTA BARBARA NEWS-PRESS



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## DMV seeks contempt sanctions against Beutel

State attorney general: Force SBPD officer to testify in Lance hearing

By SCOTT STEEPLETON  
NEWS-PRESS CITY EDITOR

The Department of Motor Vehicles is seeking contempt sanctions against embattled Santa Barbara police Officer Kasi Beutel over what officials call her “failure to comply with three administrative subpoenas” to appear for a driver’s license suspension hearing in connection with the Peter Lance DUI matter.

In a document known as a certification of facts justifying sanctions, filed in Ventura County Superior

Court late last month, Stephen Mesi, a deputy attorney in state Attorney General Kamala Harris’ office, states that after being subpoenaed to appear for a suspension hearing 8 a.m. June 30 in Ventura, Officer Beutel had to interrupt her testimony after about an hour so he could get back to Santa Barbara for a court appearance at 10 a.m.

But the genesis of her truncated appearance is at issue.

A transcript of that hearing obtained by the News-Press shows

Darryl Genis — the attorney who got Mr. Lance’s misdemeanor case thrown out of court on the grounds that the traffic stop leading to his arrest New Year’s Day was unconstitutional — arguing with Officer Beutel over how she came up with the 10 a.m. court call.

He notes that on June 29, Officer Beutel signed a document stating she would be unavailable because she’d have to be in court in Santa Barbara at 8 a.m.

“By signing this document, did you

intend to represent under penalty of perjury that you would not be able to be here at 8 o’clock in the morning because you would have to be in Dept. 12 at 8 o’clock in the morning?” Mr. Genis asks.

“No,” Officer Beutel responds.

In fact, court documents show the officer was not needed at 8 a.m.

“You’re aware that the minute order from (June 29 in Santa Barbara County Superior Court) indicates to be back in Dept. 12 at 10 o’clock this morning, correct?” Mr. Genis

asks the officer.

“I’m aware now. Yes,” she replies.

“At the time you signed this document there was no order as to what time you would have to be back in court was there?” says Mr. Genis.

“It was my understanding that I would need to be in Santa Barbara for court or to meet with the D.A. on that ongoing trial at 8:30 in the morning,” she continues.

“And what was the basis of your

Please see **BEUTEL** on **A7**



SCOTT STEEPLETON / NEWS-PRESS  
Kasi Beutel

## A lifetime struggle with alcohol



RAFAEL MALDONADO / NEWS-PRESS PHOTOS

Carpinteria City Councilman Joe Armendariz, a conservative in a liberal town who’s now an even more of the odd man out after getting into his second DUI crash in five years, told the News-Press during an interview last week that he has not received a single constituent email asking that he step down. The bump he is sporting near his right temple is a reminder of the Dec. 2 single-car crash near Santa Claus Lane.

### After second DUI crash, Councilman Joe Armendariz trying to get it together

By SCOTT STEEPLETON  
NEWS-PRESS CITY EDITOR

“I feel I am one of the most careless, weakest, stupidest human beings that I know.”

Carpinteria City Councilman Joe Armendariz could have uttered these words after crashing his Volvo and being arrested on suspicion of driving under the influence Dec. 2.

But in reality, this quote is from a News-Press report in May 2006 on Mr. Armendariz pleading no contest to DUI after crashing another car a month earlier.

So, if truly feeling careless, weak and stupid after that first DUI arrest almost six years ago — an incident that led to some jail time, a fine, temporary driving restrictions and three years probation — why did the 44-year-old get behind the wheel again after drinking, this time after attending a Christmas party with his girlfriend?

“I’m still stupid, careless and weak.”

That’s what Mr. Armendariz told the News-Press at the start of an hour-long interview Dec. 15, a meeting that at least one longtime friend told him to avoid.

But just as he did the first time around, Mr. Armendariz, a father of two adult children, two young children and a grandfather of one, said coming clean about the disease that’s gripped him for nearly 25 years will, hopefully, help loosen that grip.

Unbeknownst to Mr. Armendariz, who’s closing in on the final year of his second four-year term on the City Council, Santa Barbara County District Attorney Joyce Dudley later that day would announce the filing of DUI charges against him, including enhancements over the prior DUI.

According to Mrs. Dudley, his blood alcohol level was .18 — more than twice the legal limit.

Arraignment is set for Jan. 25.

Still sporting a golf ball-size lump near the right temple, slight facial swelling, and feeling pain from a compression fracture in the neck and other injuries he suffered in the single-car crash, Mr. Armendariz agreed to discuss where he finds himself these days and how he got there.

It’s a story that begins with a boy — the baby of a family of six kids —

Please see **ARMENDARIZ** on **A4**



MIKE ELIASON / NEWS-PRESS FILE

Empty chairs are stacked on desks in a Santa Barbara Junior High School classroom.

## School districts dig into reserves to ride out budget cuts

By KATHRYN WATSON  
NEWS-PRESS STAFF WRITER

As the consequences of the state’s midyear cuts to social services and education come into focus, the real threat for most school districts in Santa Barbara County is not the impending fallout, but the future.

“We have the money for this year’s midyear cuts — the question is, what is the new number that the (next) budget is going to be based on?” said Kathy Boomer, Goleta Unified School District superintendent.

Gov. Jerry Brown recently announced that \$1 billion will be slashed statewide in January. The cuts came in lower than anticipated, meaning that in districts like Goleta Unified, which has managed to save enough funds in rainy day insurance, the anticipated loss of \$250,000 to \$300,000 is manageable.

What isn’t so manageable is calculating for potential cuts in the 2012-2013 state budget and beyond, and figuring out where to go from there.

Also next month, the governor will announce his budget plan for the 2012-2013 fiscal year.

“January will tell the tale for us,” Dr. Boomer told the News-Press.

compound,” said Maggie White, public information officer for the Santa Maria-Bonita School District.

Like so many others, that district is relying heavily on unrestricted reserve funding to ride out the storm for now.

“We’re kind of living out of our savings account,” she said.

Despite the \$800,000 to \$1 million in cuts expected by the Santa Maria-Bonita School District, Ms. White said everything should look the same to students and teachers when they return from winter break in two weeks.

With 13,000 students — many of whom come from low-income families heavily reliant on buses — the district has decided not to touch transportation.

“We don’t anticipate having to change anything,” she said.

In Lompoc Unified School District, officials expect a hit of approximately \$117,000 to revenue limit funding, as well as just over \$233,000 to general home-to-school transportation funding and about \$140,000 to special education transportation funding.

Please see **SCHOOLS** on **A7**

The midyear “trigger” cuts, as they are commonly known, were tucked into Gov. Brown’s 2011-2012 budget package that relied on \$4 billion in increased tax revenue. In all, the midyear cuts mean a statewide \$248 million loss in home-to-school transportation funding, as well as \$79.6 million in cuts to revenue limit funding, which is essentially the amount of general funding a district receives on a per-student attendance basis.

Mr. Brown has warned of more cuts in 2012-2013. That is why most districts are far more fearful of the yet-to-be-foreseen future than they are of January’s cuts.

“These trigger cuts will continue to

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## Bishop Diego students spread Christmas cheer

By BEN SMITHWICK  
NEWS-PRESS STAFF WRITER

The spirit of Christmas was in the air Saturday as volunteers from Bishop Garcia Diego High School delivered gifts to 11 needy families throughout Santa Barbara.

More than 70 students, parents and faculty members participated in the 10th annual Project Santa, delivering toys, food and household supplies into the hands of families adopted by the school.

“We just feel so grateful,” said Elizabeth Chandler-Perez, who was overwhelmed with joy by the delivery. Her husband, Manuel Perez, was recently diagnosed with psoriasis of the liver and is in need of a liver transplant.

“We have no money to bless our daughter ... so to have Santa show up and people so full of love is amazing,” she told the News-Press.

In addition to receiving a bike and other toys for their 3-year-old daughter, Rio, volunteers dropped off food and cleaning supplies for the couple.

A draftsman by trade, Mr. Perez has been out of work because of his condition. This marks the second year that a contingent from Bishop visited the couple’s home.

“I just don’t know how we can give back except for to keep everyone in prayer because it’s powerful in itself,” Ms. Chandler-Perez said.

The program is a joint effort between the private Roman Catholic high school and Santa Barbara County Catholic Charities, which provides volunteers with wish lists from local families.



NIK BLASKOVICH / NEWS-PRESS

Bishop Diego High School students and volunteers gather Saturday for Project Santa, in which gifts are delivered to the homes of selected families.

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# SUNDAY

VOICES / G1

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LIFE / D1

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### ELSEWHERE

Travel takes in the sights: It’s a wonderful time of year in New York City D12



## Official: PD has not been made aware of filing

### ■ BEUTEL

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understanding?" says Mr. Genis.

"It was based on the ongoing trial and the change in schedule each day," she replies.

After a contentious hour or so that included Messrs. Genis and Lance being shot down in their attempts persuade the examining officer to consider past acts that go to Officer Beutel's credibility and Officer Beutel being admonished for objecting, as if she were an attorney, to a line of questioning by Mr. Genis, Officer Beutel leaves to get to court in Santa Barbara.

She is subpoenaed again Aug. 25 to appear at the continued hearing 9 a.m. Sept. 8. But on Aug. 27, according to Mr. Mesi's document, "a declaration of unavailability executed by Police Lt. Paul McCaffrey of the Santa Barbara Police Department stated that Officer Beutel was injured on duty and would not be available."

The unspecified injury may have prevented Officer Beutel from traveling to Ventura for the Sept. 8 hearing at the DMV, but it didn't stop her from meeting with the lead prosecutor on the still-in-play Lance court case 48 hours earlier, at 11:31 a.m. Sept. 6 at the Santa Barbara County District Attorney's Office headquarters on Santa Barbara Street.

A six-page investigation report from that meeting obtained by the News-Press shows Deputy District Attorney Sanford Horowitz and DA investigator Norma Hansen met with the officer to go over her use of pre-filled report forms.

An interesting side note is that Ms. Hansen's report states Officer Beutel gives estimates in response to two questions regarding when she used pre-filled reports, even though she's not sure of an accurate answer.

However, in testimony before Michael Windover, the DMV examiner in Ventura, when asked by Mr. Genis about when she stopped using video equipment in DUI arrests, Officer Beutel responds, "I don't give estimates."

"Are you testifying under oath that you don't give estimates and that you have never been under oath giving estimates at the DMV or in a court of law?" Mr. Genis asks.

The officer goes on to say she doesn't want to "give you an inaccurate date."

"If I were to give you a date and it was inaccurate, that would be improper," she continues, "so I'm saying I don't want to give estimates in this case because I simply don't know the date."

Pressed further by Mr. Genis, this time on how long she used video equipment in DUI arrests, a practice that apparently started in 2009, the officer rethinks her position.

"My best estimate is somewhere between three and 12 months."

The Sept. 8 hearing was ultimately rescheduled for 9 a.m. Oct. 13. On Sept. 27, Officer Beutel was served to appear.

On the eve of that hearing, Lt. James Pfleging issued a declaration on the officer's behalf stating she was "off-duty medical" and not available.

California's Government Code states that a person is subject to a contempt sanction for, among other things, failure to comply with an administrative subpoena.

It is the Superior Court's responsibility to initiate a contempt proceeding.

While not going into specifics about its filing, Mr. Mesi told the News-Press the state attorney general is awaiting a court date.

By not appearing, according to the document, "the enforcement of drunk driving laws cannot proceed."

Although the court case stemming from Mr. Lance's New Year's Day arrest on suspicion of DUI was thrown out, the DMV, as in other DUI cases, is proceeding with its hearing into suspending his license.

"The driver has a stay of his license suspension during the pendency of this proceeding," according to the filing. As such, the purpose of such hearings — to quickly remove drunken drivers from the public highways — "cannot be fulfilled until the witness complies with the administrative subpoena issued as described in the certification" in this case, Mr. Mesi writes.

Deputy Santa Barbara Police Chief Frank Mannix was not aware of the filing. "No one from the attorney general's office has contacted us," he told the News-Press.

Nor had the filing made its way to the department or the City Attorney's Office. Later Deputy Chief Mannix said

the case was not available for his department's review, that the case file was located in Judge Frederick Bysshe's office.

In the papers, on behalf of the DMV, Ms. Harris' office states, "The DMV requests that the court proceed with the order to show cause against Officer Kasi Beutel ... so that the administrative per se hearing can be completed as required by law."

Mr. Lance welcomed Ms. Harris' involvement.

"With the action by the attorney general, we may finally be able to solve the mystery behind all that leave time taken by Kasi Beutel, during which she dodged multiple subpoenas to appear at the DMV," he told the News-Press.

Mr. Lance, who wrote a series of stories that were published in the News-Press detailing Kasi Beutel's alleged bankruptcy fraud, perjury in her divorce proceedings and suborning perjury of the minister who conducted her first marriage, says Officer Beutel "hid behind the excuses put forth by the Santa Barbara Police Department that she was unavailable, first for an alleged court appearance, then for an alleged 'injury on duty' and later because she was allegedly 'off duty' due to 'medical' reasons.

"But during this time, she was healthy enough to give a lengthy interview with the DA about her excuses for pre-checking boxes on DUI forms before she went into the field," he added. "She was healthy enough to finally appear at a (Superior Court) hearing in my case and testify for four hours and yet she repeatedly avoided legal subpoenas to testify under oath.

"And the few times she did, she was able to do it with her own private attorney at her side, ensuring that she wouldn't perjure herself further or be forced to take the Fifth.

"All of this happened at a time when the state Department of Insurance was continuing its investigation of criminal fraud into her workers compensation claim for an alleged 'shoulder injury,' which she claims happened during her Taser-ing and arrest of Michael Kenny in August 2009, a driver she pulled over for a DUI whose blood later tested below the legal limit."

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## SBUSD to look at cutting programs

### ■ SCHOOLS

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To make up for the losses, the approximately 9,700-student district will dip further into reserves.

"Although there is a potential reduction in our home-to-school transportation that comes from the state, we're not planning on reducing transportation services," said Sheldon Smith, assistant superintendent of business services for Lompoc Unified. "It would be shortsighted of us to do so."

In the 15,000-student Santa Barbara Unified School District, Superintendent David Cash has said the district will look at cutting programs, but not home-to-school transportation or school days. The specifics of those cuts have yet to be announced.

Santa Barbara Unified is facing an approximately \$400,000 loss in general home-to-school transportation and special education funding combined, as well as an approximately \$175,000 cut in revenue limit funding, said Meg Jetté, interim assistant superintendent of business services.

The Carpinteria Unified School District expects an approximately \$80,000 slash to transportation and plans to absorb the hit.

"We're just going to continue to operate the (transportation) program for the rest of the year," said Cindy Abbott, assistant superintendent in

charge of business services for Carpinteria Unified.

"I'm much more concerned about next year than this year," Ms. Abbott said.

Taking into consideration the expected trigger cuts, Carpinteria Unified has a fairly deep pot of unrestricted reserves at just over 15 percent.

"Basic aid districts try to maintain higher reserves because we don't ever know what's going to happen with property taxes," Ms. Abbott said.

At this point, the exact amount of the cuts is especially murky for basic aid districts — districts that receive essentially all of their funding from local property taxes rather than state aid.

Still, those districts do receive some of what is known as categorical funding for programs and basic aid districts expect that to be cut.

Among those basic aid districts, which tend to be wealthier, are Montecito Union, Goleta Union, Carpinteria Unified and Hope School District.

Basic aid districts are permitted to keep any spillover funding from local property taxes, but in recent years the state has required basic aid districts to give back what is called their "fair share" of revenue gained from local property taxes, to put them in step with the rest of the state's districts with reduced state

funding, according to the California Department of Education.

For many districts, spring will be the crunch time as they put together the 2012-13 fiscal year budget and decide what has to be sacrificed.

As the state has cut K-12 funding over the past few years, it has, in return, given districts more freedom in how they spend limited funds. For a five-year period ending June 30, 2013, districts have been authorized to use funds from about 40 categorical programs "for any educational purpose," according to the California Department of Education.

"Generally speaking, flexibility is something that's always appreciated as long as there's enough money to cover all the things you have to do," said Wendy Shelton, director of communications for the Santa Barbara County Office of Education.

But, explained Ms. Shelton, sometimes specified categorical funding makes some programs possible that wouldn't be otherwise, and when that funding is eliminated, so are the programs.

In any case, districts are hoping for the best, but planning for the worst.

"I'm hoping next year is the last year of cuts, but we don't have any way of knowing that really," Ms. Abbott said.

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## Injured hiker rescued by air

A 21-year-old man with head and leg injuries was airlifted Saturday to Santa Barbara Municipal Airport for transport to Cottage Hospital after being rescued from Tunnel Trail in the Seven Falls area.

The Santa Barbara County Fire Department responded at 4:39 p.m. with a helicopter and other units to

a report of a hiker down.

The hiker, who had fallen about 40 feet, was spotted from the air by the helicopter. Paramedics using night-vision goggles were lowered to the hiker and prepared him for transport to the airport, where an ambulance to Cottage Hospital was waiting, according to Fire Department spokes-

man Paul Christensen.

Members of the Santa Barbara County Search and Rescue Team contacted three other members of the hiker's party and helped them walk to safety. The injured hiker's identity wasn't released.

— Kathryn Watson

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