

# SANTA BARBARA NEWS-PRESS



OUR 156TH YEAR

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## Prosecution to seek death penalty against alleged salon shooter

By NICOLE SANTA CRUZ and LOUIS SAHAGUN  
McCLATCHY NEWS SERVICE

SANTA ANA — A string of angry shouts, including "I hate you, I hate you," tore through a packed Orange County courtroom Friday as the man accused of killing eight people and wounding a ninth at a Seal Beach beauty salon made his first court appearance.

The defendant, Scott Evans Dekraai, showed no emotion amid taunts from the audience, which included dozens of family members and friends of the victims.

Prosecutors said they would seek the death penalty against Mr. Dekraai, who is charged with eight felony counts of special circumstance first-degree murder, and one felony count of attempted murder in connection with the worst mass murder in the county's history.

As Mr. Dekraai, 41, was led into the courtroom, some in the audience cried and one man shouted "coward."

When attorney Robert Curtis asked Orange County Superior Court Judge Erick L. Larsh for a continuance in order to assemble a defense team, one man in the gallery buried his head in his hands.

Curtis also told Larsh that a medical order is needed so that Dekraai can receive his anti-psychotic medication, and to have a spinal cord stimulator to help control chronic pain that the defendant suffers.

The judge ordered a medical evaluation of the defendant, who is being held without bail, and continued the arraignment to Nov. 29.

Please see **SALON** on **A10**

## Suspect arrested in crash that injured officer

By ANGEL PACHECO  
NEWS-PRESS STAFF WRITER

Santa Barbara police tracked down a 41-year-old known heroin addict suspected in a hit-and-run involving a parking enforcement officer Thursday.

A wanted state parolee, Michael Bassett fled East Canon Perdido Street on foot Thursday after crashing a recreational vehicle into the rear of a three-wheel vehicle driven by Parking Enforcement Officer Maria Borden, said Sgt. Mike McGrew of the Santa Barbara Police Department.

Police found Mr. Bassett at a Tuolumne Drive residence in Goleta on Thursday evening and booked him into Santa Barbara County Jail on suspicion of felony hit-and-run, driving on a suspended license, being a known addict driving and being in

Please see **BASSETT** on **A10**



COURTESY PHOTO

Michael Bassett

## Another bite of the Apple



RAFAEL MALDONADO / NEWS-PRESS

Above, customers line up Friday at the State Street Apple store to buy an iPhone 4S. Below, Matthew McClintock of Santa Barbara was one of the first to get one of the new products.

### Customers line up for latest edition of the iPhone

By MORGAN HOOVER  
NEWS-PRESS STAFF WRITER

A line of people stretched down State Street on Friday morning to get into the Apple store for an iPhone 4S.

Just nine days after Apple founder Steve Jobs, 56, died of respiratory arrest from the effects of a pancreatic tumor, the iPhone 4S became available to the public.

Pre-orders of the phone topped 1 million in a single day, surpassing the previous single-day pre-order record of 600,000 held by the iPhone 4, an Apple news release said. New software and a faster processor are among the phone's features, the Apple website says.

The Santa Barbara store was one of 245 Apple retail stores nationwide where the phone became available at 8 a.m. Friday. Customers who purchase an iPhone 4S at an Apple store are offered a free personal setup service, which includes help customizing the phone by setting up email and being shown new apps.

Brian Davis, a Santa Barbara resident, got to the store at 5 a.m. Friday to get upgrades for his and his wife's phones. He said the setup took only about 15 minutes and was an easy process.

"I wake up early anyway," he said with a smile as he carried his lawn chair down the street after being helped in the store.

He called iPhones "the best phone on the planet."

"I am an Apple nerd," he said.

Whitney Stodtmeister of Goleta said she



did not anticipate the line being so long, but she needed a new phone and likes Apple products.

"I look forward to everything syncing up," she explained.

Brenda Varela said she needed a phone upgrade Friday because her 3G is no longer working as it should, and she wants to stick with iPhones.

"You can do so much on them," she explained.

Santa Barbara resident Will Cohn was in line to pick up a phone, also as an upgrade from a 3G.

"They're very easy to use," he said, "and

everything on it is helpful."

The phone comes in either black or white and is available for a suggested retail price of \$199 for the 16gb model, \$299 for the 32gb model and \$399 for the 64gb model.

The iPhone 4 is now available for just \$99, and the iPhone 3GS is available for free with a two-year contract.

The iPhone 4S will be available in 22 more countries by the end of October.

For more information, go to [www.apple.com](http://www.apple.com).

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## Witness describes Santa Rosa Island slaughter

### Spokesman offers explanation for killings

By SCOTT STEEPLTON and KATHRYN WATSON  
NEWS-PRESS STAFF

The slaughter of the remaining Roosevelt elk and Kaibab mule deer continued Friday on Santa Rosa Island in what one eyewitness decried as an "insane, sickening" display.

"What's going on in the island is just Nazi cleansing," said Anthony Brown, who observed what was happening on the 53,000-acre island Friday.

In all, the remaining 200 or so animals were set for slaughter this week. The island is closed to the public and will remain so through Halloween.

The animals are being eradicated as the ownership of the island transfers from private to public hands. But the way the animals, which were introduced to the island by the Vail & Vickers families in the 1920s has caused outrage.

Through an extensive process that's been going on since the sale of Santa Rosa to the



COURTESY ANTHONY BROWN

Please see **DEER** on **A10** Deer on Santa Rosa Island are being wiped out.

## DA: Lance should purge Internet of all case comments 'in any form'

### Attorneys call move violation of the First Amendment

By SCOTT STEEPLTON  
NEWS-PRESS CITY EDITOR

The Santa Barbara County District Attorney's Office is asking a judge to order something that on its face appears unprecedented in the history of the Internet: the purging of all postings about a particular criminal case.

In a motion for a gag order filed Thursday with Santa Barbara County Superior Court Judge Brian Hill, Deputy District Attorney Michael Carrozzo states that attorney Darryl Genis, who is representing investigative journalist Peter Lance in a misdemeanor DUI case, "has engaged in improper pretrial publicity that threatens to prejudice the upcoming trial."

One of his proposed remedies: Mr. Lance and his attorney should be "prohibited from commenting on this case in any manner."

Judge Hill is not averse to issuing gag orders in the Lance case: in July, he told the News-Press not to publish information that had been legally obtained from the city. The paper defied the order on the grounds the judge lacked the authority and jurisdiction to make such an order.

This is not the first time the prosecution has asked the judge to gag the defense, but each time the judge has said no.

Mr. Carrozzo's motion states a gag order is necessary at this time because defense comments endanger the likelihood of the state to receive a fair trial against Mr. Lance. This despite the fact that Judge Hill has yet to decide whether the case, which involves allegations of misconduct on the part of arresting Officer Kasi Beutel of the Santa Barbara Police Department and others, should even go to trial.

A hearing on a variety of pre-trial issues will be taken up Oct. 25.

Prosecutors hope the judge will rule on the latest gag order motion on Tuesday.

The motion includes 11 examples of statements made by the defense — all in the News-Press — that the prosecution claims are inflammatory.

In one instance, according to Mr. Carrozzo, Mr. Genis made a statement that is "incorrect and not supported by the record." This involves an Oct. 13 News-Press story on yet another DMV hearing in the Lance matter that Officer Beutel was declared unavailable because of medical leave.

Two weeks earlier, a seemingly healthy and happy Kasi Beutel showed up at the County Courthouse prepared to testify in the case. At that time, she walked in

Please see **LANCE** on **A8**

## Deputy recovering after attack by inmate

A Santa Barbara County sheriff's deputy was back on duty Friday after being attacked by a county jail inmate, a KCOY News report said.

The attack occurred Thursday morning as the deputy was escorting the inmate into the Santa Maria courthouse, KCOY reported.

The courthouse was placed in lockdown for the remainder of the morning while the inmate was restrained.

Sheriff's Department spokesman Drew Sugars declined to give details, including the names of the deputy and the inmate.

"There is an incident that we are investigating, and we will be able to provide more details as we're further into the investigation," Mr. Sugars told the News-Press.

Mr. Sugars spoke to KCOY News about the difficulty custody deputies face in controlling inmates.

"The quality of the individual that is in there is much more criminally sophisticated," Mr. Sugars told KCOY. "Many of them have spent time in state prison. They may be on their way back there, or coming and going. It's a very different clientele so, yes, the danger has been greater for our custody deputies. For those who've never been inside a jail or seen what a custody deputy does, it's a very dangerous job."

The deputy who was attacked declined to comment, but cuts and scrapes to his face and neck, including some with stitches, were visible Friday, KCOY reported.

The incident follows a series of brawls and lockdowns this past summer at the Santa Barbara County Jail near Goleta.

In one incident, four inmates were charged with starting a fight on a sheriff's bus as they were being taken to the Santa Maria courthouse.

Some of the violence is being caused by gang turf wars among the jail population, KCOY reported.

—Merrill McCarty

# Salon promotes breast cancer awareness differently

By NIKKI GREY  
NEWS-PRESS CORRESPONDENT

It's not every day you see photographs of bare breasts displayed on Chapala Street.

For a such a cause, though, Fay Doe, owner of Underground Hair Artists beauty salon, said she was willing to ask staff members to bare their breasts in photographs for an attention-getting window display. With hands strategically placed to make the images more appropriate, the black-and-white photographs hang in the window of the salon, with a sign explaining the staff's adoption of the cause to spread breast cancer awareness.

When one of the stylist's mothers was diagnosed with breast cancer recently, Ms. Doe, 46, said, it got her thinking about the disease.

"Early detection, doing self-exams, is the most important thing and we

don't talk about it," she said. "I read in a magazine that a lot of women don't do self-examinations because they are afraid of what they may find, but I think it's very important."

Thanks to early detection, the stylist's mother has made a full recovery, said Ms. Doe, who also posed for the pictures.

The window display advertises a fundraiser the salon is holding to raise money to support the cause. The event will take place from 10 a.m. to 7 p.m. Monday at the salon, 1021 Chapala St. The salon is normally closed on Mondays, but is opening its doors for this event, with 50 percent of the proceeds from hair, nail, and skin care services provided to benefit Santa Barbara Cancer Center.

Music and giveaways also will be featured at the event.

Ms. Doe said the display has gotten quite a bit of attention.

"My husband said the other day he

saw this woman nearly trip over," she said.

The pictures were taken in black-and-white to make them more serious and tasteful, Ms. Doe said.

Initially, some of the women were uncertain about posing for the pictures, said Melia Treviso, front desk receptionist, but after discussing the importance of bringing attention to the issue, they all agreed to pose for the display.

"I thought if people saw us doing something, they'd want to be a part of it," Ms. Treviso, 25, said. "Someone has to start things."

Both Ms. Doe and Ms. Treviso said they were surprised at what a bonding experience posing for the display became for staff members. Ms. Doe said it got the women communicating about breast cancer.

"I think definitely the positive affects have been it got my staff talking and being aware of their own breast

health, and clients, also."

Ms. Doe said the staff has mostly seen positive feedback about the display. Ms. Treviso said from the reception desk she can often see people do double takes as they walk by.

As she walked by the display, Reina Yamamoto, 21, said she found the pictures distracting.

Sarah Edge, 24, laughed as she passed by.

"I think the pictures aren't really necessary, but I think it's a good thing they're doing something," she said.

Overall, Ms. Doe said the point of the display is to get people talking about breast cancer. Ms. Treviso said her friends and family have been supportive of her participation.

"People do so many shocking things anyway, so we might as well do it for a good cause," Ms. Treviso said.

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THOMAS KELSEY / NEWS-PRESS  
A window display at Underground Hair Artists on Chapala Street promotes a fundraiser for breast cancer awareness.

# Goleta celebrating the mighty lemon

By DAVE MASON  
NEWS-PRESS STAFF WRITER

Expect more than a few twists of the famous yellow fruit when an estimated 30,000-plus people go to this weekend's California Lemon Festival in Goleta.

The 20th annual event will take place 10 a.m. to 6 p.m. today and 10 a.m. to 5 p.m. Sunday at Girsh Park, 7050 Phelps Road. Both admission and parking are free.

"We are very excited," said Kristen Amyx, president and CEO of Goleta Valley Chamber of Commerce, which organizes the festival as its biggest fundraiser for the year. "Thirty thousand came last year, and we expect up to 35,000 this year."

The festival celebrates the city's lemon-growing heritage.

"I think we're creating a sense of community pride. This is the biggest kind of event that we have in Goleta," Ms. Amyx told the News-Press.

There'll be no lack of lemons, that's for sure. For example, Anna's Bakery will sell lemon meringue pies and lemon bars. McConnell's Ice Cream will provide a lemon zest ice cream. The Goleta Rotary Evening Club will again provide its popular lemonade, Ms. Amyx said.

"Sometimes we have lemon cotton candy," she added.

And at noon each day, there'll be lemon meringue pie eating contests. Competitions are held for any kid tall enough to reach the table up to age 12; others are for those 13 and older.

Fifteen participants will be chosen for each contest from all the people lining up for it, and they'll have their hands behind their backs as they eat the Anna's Bakery pies really fast. What a mess, what a sight, it's over in a couple minutes. Whoever eats the most in each contest gets a lemon festival T-shirt plus bragging rights.



MICHAEL MORIATIS / NEWS-PRESS FILE PHOTOS  
Above, teens show how messy they can get at last year's pie-eating contest at the California Lemon Festival in Goleta. Below, Tess Andrews, 12, flips on the Aero Bungy during the 2010 event.



The festival, which is moving this year to the grassy baseball field part of the park, will feature carnival rides and vendors selling both lemon-related and lemon-free food.

One place in the fest has no room for lemons: the car show. Ms. Amyx said she expects 85 to 100 cars of classes such as street rods and hot rods, vehicles from all eras, foreign and domestic.

And the festival will feature non-stop entertainment with groups varying from country western ensemble JR&D to Santa Barbara Dance Arts.

For more information, go to [www.lemonfestival.com](http://www.lemonfestival.com).

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# Prosecution willing to call Beutel as first witness

■ LANCE  
Continued from Page A1

under her own steam, walked out the same way and was able to dodge some photographers hoping to get a shot of the elusive officer.

And this came after she got over another on-the-job-injury-related period of unavailability.

It's not clear what caused the suffering over which she missed last week's DMV hearing, but on the eve of that hearing, a colleague submitted a declaration of unavailability on Officer Beutel's behalf. (As a side note, a DMV supervisor in Oxnard on Friday gave the OK for Mr. Genisto to certify the record in the DMV aspect of the case, in spite of the no-shows by Officer Beutel, so he can move for a contempt order against the officer.)

In the Oct. 13 News-Press story, Mr. Genis said the DA knew it had no intention of calling the officer to the stand two weeks earlier, "but they wanted to create the illusion that they would for the benefit of the media. We'll be deceived no longer."

Mr. Carrozzo responded, telling Judge Hill by way of the motion that prosecutors were ready to call the officer as their first witness. (Indeed, lead prosecutor Sanford Horowitz made several attempts to get Officer Beutel to the stand, only to be rebuffed by Judge Hill, who insisted handwriting experts testify first.)

"The issues were framed in a manner that expert testimony was required to be provided first," Mr. Carrozzo writes in his motion.

The defense knew this, he adds, because it was discussed in chambers. "The defense knows that Officer Beutel will be called as a witness during the hearing and any allegations to the contrary are intended to cast dispersions (sic) on the People in the media."

Gag the defense, Mr. Carrozzo says in a declaration supporting the motion, before inaccurate statements contaminate the jury pool.

But a declaration is not what ultimately is signed by a judge. That would be the accompanying order — and in this case, besides advocating a violation of the First Amendment, Mr. Carrozzo's proposal includes a move that is impossible utterly.

Besides barring the defense from commenting on the case, Mr. Carrozzo asks the judge to sign off on this: "Defense counsel and defendant are ordered to remove any comments or information regarding this case that is currently posted on the Internet in any form."

Michael Zinser, an attorney representing the News-Press, said of the proposed order, "I can't imagine it's possible."

If, for example, the proposed order seeks Mr. Lance to remove from the News-Press website everything he has written about the case — and there has been a lot — as a freelance writer with no ownership interest, he would have no standing to do so.

In addition, Mr. Genis and Mr. Lance both have made comments in News-Press stories written by others, including this reporter. Does District Attorney Joyce Dudley expect these stories to be wiped clean of "any comments or information" provided by the defense?

"If it's interpreted to apply to the News-Press, it violates its First Amendment rights," said Mr. Zinser. "It's a unique story to chronicle his going through this proceeding."

Then there's Mr. Lance's own website, which includes numerous stories about the case by Mr. Lance and others, photos of Kasi Beutel and copies of evidence submitted by the defense. Can the government force him to take it all down?

Said Dugan Kelley, another News-Press attorney, who, like Mr. Zinser, was provided a copy of the proposed order: "This is unfortunately another example where the Santa Barbara County District Attorney's Office has attempted to overreach by asking Judge Hill to order the removal of content on the Internet 'in any form.' This request is anathema to the First Amendment and strains common sense."

"By crafting an order in such a way, the District Attorney's Office is creating a toehold of content control, where any press can be muzzled regardless of whether the press appears in front of Judge Hill or not. Such an order runs contrary to the Founders' intent to create a free press and ensure freedom of speech for everyone."

In response to a News-Press inquiry about whether her office indeed seeks

to have these two men remove content from other people's websites, Ms. Dudley said: "As always, my concern is that everyone's First Amendment rights be upheld, the defendant be presumed innocent, that this case be decided in a court of law, that a local jury pool not be contaminated and that no attorney violate any (California Rules) of Professional Conduct."

Later, Senior Deputy District Attorney Gordon Auchincloss told the News-Press by phone, "The intent of the motion is not to force the parties to remove any comments that have been previously published. Obviously we can't remove from the Internet things that are circulating in that medium."

"It's about future statements to the press," said Mr. Auchincloss. "I am sure the judge would place the same orders on us."

But because of its overly broad language, perhaps the proposed order will be reworded before the judge considers it.

"Indeed, the judge has no jurisdiction over anyone but the involved parties," said Mr. Auchincloss.

Mr. Lance on Friday responded to the proposed order this way: "What does it say about how worried the D.A.'s office is about (Officer Beutel's) culpability that they have made multiple motions with Judge Hill to gag the media from covering the story?"

"And now they've taken the unprecedented step of trying to remove any material on the Internet they find critical to their position? This is not the Eastern Bloc at the height of the USSR or Nazi Germany. This is Santa Barbara, California, in the year 2011. And the issues I've raised go to the heart of just how safe our citizens are from a police officer who may be bent on framing them for DUI crimes they did not commit."

Added Mr. Genis: "There's no way a judge is going to order anyone to take down information about his life from his own website."

"It's a burn-the-books motion," he said. "The Internet is the 21st century center of books and information, and they're saying 'We don't like the truth, burn the books.'"

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# Myers moved to L.A. jail

Disbarred attorney Philip Eric Myers has been transported to Los Angeles County where he faces several felony charges, including financial elder abuse, after allegedly bilking a Pasadena woman out of \$215,000.

Mr. Myers, who was sentenced to probation and ordered to pay \$55,000 restitution to an elderly woman he

admitted ripping off in Santa Barbara, was moved from Santa Barbara County Jail and assigned to Men's Central Jail in Los Angeles on Thursday.

His booking number is 2906674. Bail is set at \$1 million.

His next court date is Nov. 3.

— Scott Steepleton

# Candidates both criticize recent military actions

■ GOP  
Continued from Page A3

government should play a reduced role in education. Mr. Mitchum said that the Department of Education should be eliminated, asserting that it has "done nothing but screw up education in the country."

Mr. Mitchum, a past vice president of the Screen Actors Guild, criticized public employee unions, arguing that they care more about power than individual employees. "We need to pass a national right-to-work law," he said to a roaring applause.

Recent U.S. launched military operations in Libya and Uganda came under criticism from Mr. Watson and Mr. Mitchum. Both said that the President should consult Congress before committing U.S. troops to overseas operations.

The event was sponsored by the Santa Barbara Tea Party. Former Lt. Gov. Abel Maldonado, a Republican who also is running, was not in attendance.

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