

SANTA BARBARA NEWS-PRESS



OUR 156TH YEAR

SATURDAY, OCTOBER 8, 2011

75¢

Pulling the plug on pot dispensaries

Feds announce first wave of closures; stores must close in two weeks

By **MORGAN HOOVER**
NEWS-PRESS STAFF WRITER

Just days after the Santa Barbara County Board of Supervisors voted to ban storefront marijuana dispensaries, U.S. Attorneys in California announced the federal government is executing a crackdown on all California storefronts.

Dozens of letters were sent this week to affiliates of 38 marijuana stores in cities across the southern part of California.

According to a news release from the

U.S. Department of Justice, those receiving letters — the owners of the buildings where the stores are allowed to operate, as well as some owners of the illegal stores — are warned that the stores are operating in violation of federal law and that they have two weeks to “take the necessary steps to discontinue the sale and/or distribution of marijuana” at the stores.

Federal prosecutors say the worst offenders are using the cover of medical marijuana to act as storefront drug dealers.

Though no local stores have been contacted yet, according to Santa Barbara Police Department Deputy Chief Frank Mannix, the Drug Enforcement Agency has requested information from the department about local agencies.

“I also understand they’re looking at possible sanctions against the owners of the properties,” he told the News-Press. “Their property can be seized under federal law.”

Deputy Chief Mannix made it clear that the department will comply with the agency, adding that many local

dispensaries have already been shut down.

“Any dispensary that sells marijuana in violation of the Compassionate Use Act should be shut down,” he said, “and any properties that knowingly rent to these dispensaries do so at their own peril.”

Federal officials said the crackdown will be done in phases.

Employees at the Pacific Coast Collective, a dispensary located at 331 N.

Please see **POT** on **A10**



STEVE MALONE / NEWS-PRESS

So far, none of the Santa Barbara dispensaries, including Pacific Coast Collective on Milpas Street, above, has received official closure orders from the U.S. Department of Justice.

Grand Jury calls for cameras in patrol cars

Santa Barbara and Guadalupe police only agencies without cameras

By **ANGEL PACHECO**
NEWS-PRESS STAFF WRITER

The Santa Barbara and Guadalupe police departments, the only law enforcement agencies in the county without patrol vehicle cameras, should immediately obtain and install such equipment, the county Grand Jury says.

In a report posted to its website sbcgj.org on Friday, the investigative citizen body recommends that both agencies seek funding and install cameras.

“In all cases, agencies that work in law enforcement and have installed audio/video equipment say they are supportive of the use of this technology,” Grand Jury Foreman Ted Sten said in a statement Friday.

The Grand Jury’s recommendations were prompted by inquiries it received in July, not long after DUI defendant and investigative journalist Peter Lance, as part of a series on his New Year’s Day arrest and the alleged misdeeds of one of the officers involved, Kasi Beutel, questioned why cameras are not in SBPD vehicles.

In part five of the series, “With no video in patrol units, it’s cop’s word against DUI suspect’s,” published June 26, Mr. Lance explores the use of on-board video systems by the California Highway Patrol and other agencies. He notes in the piece that the Santa Barbara Police Department receives more than \$270,000 in DUI-earmarked grant money every year, money that could go toward cameras in police cars.

Mr. Lance, who is fighting his misdemeanor DUI case on a number of fronts, including gross governmental misconduct, hailed Friday’s report.

“This is a victory for the citizens of Santa Barbara,” he said in a statement. “With respect to DUI investigations, once video units are installed, as long as officers conduct field sobriety tests in front of the cameras it will be impossible for corrupt officers to frame innocent drivers and all honest officers will be assured that truly impaired drivers who are a threat to public safety will be brought to justice.”

In its report, the Grand Jury states the interests of the police departments, the city governments and the public “would be best served by the level of transparency that this modern technology would bring to their enforcement activities.”

The agencies have 90 days to respond.

Please see **CAMERAS** on **A8**

Recovering veterans cycle into Santa Barbara



MIKE ELIASON / NEWS-PRESS PHOTOS

Riders at State and Yanonali streets Friday cheer for people waving a flag from a vehicle. About 200 veterans made a stop in Santa Barbara during a 400-mile ride from San Francisco to Los Angeles. Below, soldier Dane Martin, based at Fort Knox, Ky., chats with local World War II veteran R.T. Lee during the stop by the Ride 2 Recovery Golden State Challenge.

By **BEN SMITHWICK**
NEWS-PRESS CORRESPONDENT

Cyclists participating in the Ride 2 Recovery Golden State Challenge were given a warm welcome Friday afternoon as they passed through downtown Santa Barbara.

The program’s 200 military veteran participants were treated to food, ice cream and jelly beans, a Ronald Reagan favorite, at a reception at the Reagan Ranch Center.

“The morale of the group today is extremely high,” Ride 2 Recovery President John Wordin told the News-Press. “There are riders here from all over the country and some from wounded warrior units in Germany and Hawaii.”

The ride, which began Oct. 2 in San Francisco, is nearing completion with participants expected to cross the finish line in Los Angeles this afternoon.

The ride raises money to generate awareness and support cycling therapy programs at Veterans Affairs and medical facilities.

“I feel like I belong to something again,” said Marine Pfc. Casey Robinson, an Iraq War veteran and Santa Cruz native. “It is important to be around other vets.”

Of the 450-mile ride from San Francisco to Los Angeles, Pfc. Robinson said the leg from Solvang to Santa Barbara was the most



breath-taking part. “The ride was mostly on the coast. It was beautiful,” he said.

The idea for the veterans ride came about during a meeting between Mr. Wordin and Gil Ramirez, an administrator at the Department of Veterans Affairs in Palo Alto.

Recognizing the positive healing aspects of the Palo Alto VA’s cycling rehabilitation club that he helped to create, Mr. Wordin started up the Golden State Challenge four years ago.

Please see **RIDE** on **A8**

Myers can prey no more

Judge strips disgraced Santa Barbara attorney of all fiduciary powers

By **SCOTT STEEPLTON**
NEWS-PRESS CITY EDITOR

At the prosecution’s urging, a judge on Friday took action to stop disgraced trust attorney and admitted thief Philip Eric Myers from swindling people by ordering that he not be given control of their affairs.

The 59-year-old pleaded guilty to financial elder abuse involving a South Coast woman, and he appeared before Santa Barbara County Superior Court Judge Clifford R. Anderson III for sentencing.

Seated next to public defender Kim “K.C.” Williamson and dressed in blue County Jail clothing — his wrists and ankles cuffed and shackled — the 59-year-old behind Typhoon Security Technology Inc. listed as Mr. Williamson and Deputy District Attorney Lee Carter argued whether he should be allowed to oversee anyone else’s money. This was a key component of the agreement where Mr. Myers admitted bilking the woman, who once considered him a friend, out of more than \$55,000.



GWINNETT COUNTY SHERIFF
Philip Eric Myers upon his arrest in Georgia in July.

Please see **MYERS** on **A10**

Nursing assistants charged with elder abuse

By **ANGEL PACHECO**
NEWS-PRESS STAFF WRITER

Two certified nursing assistants are charged with crimes ranging from sexual battery to elder abuse while they were employed at the Central Coast Nursing Center.

Ventura resident Brian Michael Watt, 29, and Santa Barbara resident Hugo Batalla Rendon, 32, have been investigated by the Office of the Attorney General’s Bureau of Medi-Cal Fraud and Elder Abuse, and the Santa Barbara District Attorney’s Office has filed separate elder abuse cases against each man, according to a news release.

Facing as many as six years in prison if convicted, Mr. Watt is charged with lewd act on a dependent adult, sexual battery on an institutionalized victim and elder or dependent adult abuse.

Please see **NURSING** on **A7**



RAFAEL MALDONADO / NEWS-PRESS

Two certified nursing assistants have been charged with abusing patients at the Central Coast Nursing Center in Santa Barbara.

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Sunny
Coast: 68/52 Inland: 84/49
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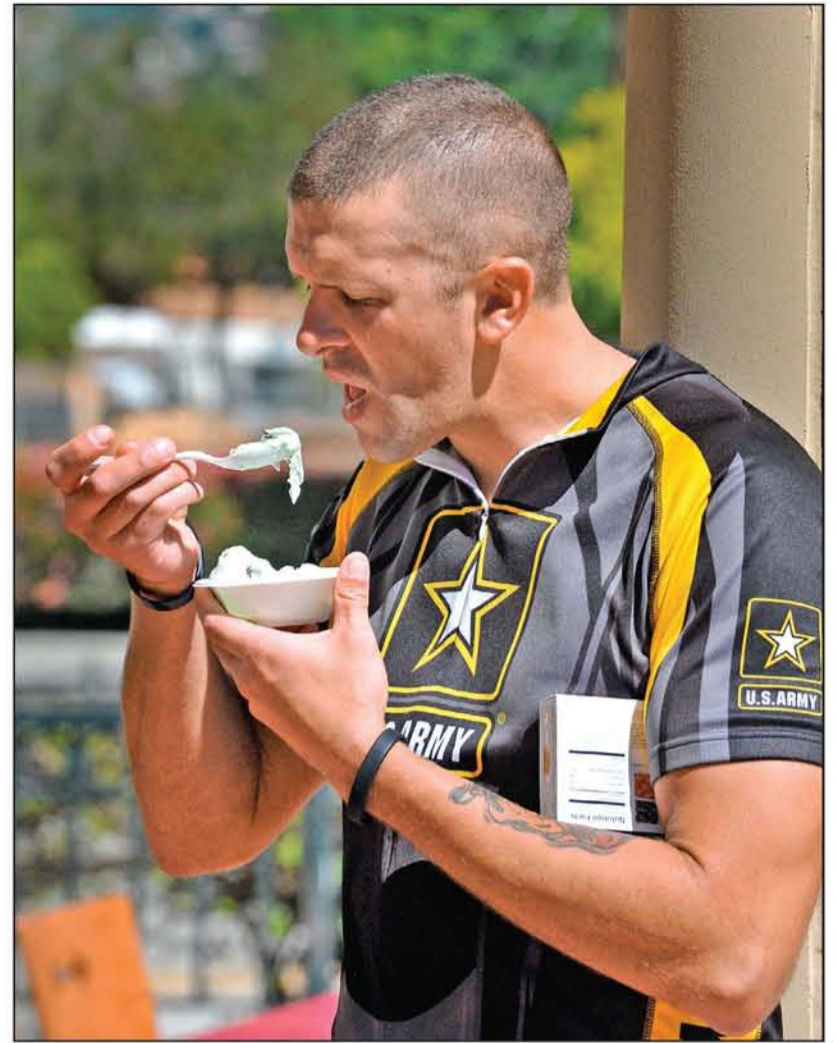
Dow Jones 11,103.12 (-20.21)	Nasdaq 2,479.35 (-27.47)
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MARKET RECAP **BUSINESS / B4**

Veteran: Ride 'stands out from other veterans programs'



Above, participants in the Ride 2 Recovery Golden State Challenge enjoy a meal Friday at the Reagan Ranch Center. At right, rider Jason Conley enjoys some ice cream after cycling over San Marcos Pass to Santa Barbara.



■ RIDE

Continued from Page A1

"The fact that it has grown so popular says a lot about how important it is," Mr. Wordin told the News-Press. Mr. Ramirez said that, in addition to the physical benefits of the ride, participating veterans often come out of their shells and make new friends during the week-long journey.

"A lot of our guys have struggled with feeling connected," Mr. Ramirez told the News-Press. "This is an opportunity to test themselves in a different kind of way." Veterans who participate in the program can relate to each other and freely discuss common issues that affect them, including post-traumatic stress disorder, he said. Raymond Ortiz, a Gulf War veteran, first heard about the statewide

challenge while participating in the VA cycling program in Palo Alto. "This is where I get my therapy," he said. "These guys have become my extended family." The lunch was facilitated by McConnell's Ice Cream general manager Scott Burns, who reached out to the Reagan Ranch Center three years ago after learning that the cyclists were passing through town. "They were sitting in the parking lot of a sporting goods store and no one knew that they were there," Mr. Burns

told the News-Press. Mr. Wordin praised the Reagan Ranch Center and Young America's Foundation for hosting the ride's participants for the second year in a row. "Ronald Reagan is an icon of California," Mr. Wordin said. "We're trying to show these guys all about California and what it means. Of course, he loved the military, too." Dane Martin, a veteran who went through a warrior transition program in Fort Knox, Ky., said that the support

from the center's staff and local residents has been great. "This has helped me a lot with PTSD issues," he said. "It stands out from other veterans programs." For World War II veteran and Camarillo resident R.T. Lee, seeing the riders arrive in Santa Barbara brought back memories of camaraderie and friendship.

Mr. Lee, who served in Normandy, said that he wished a cycling program for veterans had existed when he returned from war. "It is the best thing that ever happened," he told the News-Press. "Cycling is very therapeutic. It is important for veterans to do."

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Grand Jury: Decreased litigation would offset cost

■ CAMERAS

Continued from Page A1

Santa Barbara Deputy Police Chief Frank Mannix told the News-Press that his department likes the idea because it provides another layer of evidence that can be presented in court. But the nearly \$250,000 price tag to outfit SBPD's 35 vehicles is inhibiting, he said. Local and state funds are tight, he added, and while the department is applying for DUI suppression grants to fund the program, no funding has been found. Despite the price tag, the Grand Jury found that the costs would be offset by the decreased cost of litigation. In the run-up to the Grand Jury report, Santa Barbara City Councilman Dale Francisco voiced support for patrol unit cameras. "I think in most cases it will show the kind of abuse that police officers experience routinely," he said. "In any case, transparency is a good thing." Santa Barbara police cruisers were at one time outfitted with videotape-based recording devices, but officials said the units would break down, the media was difficult to store and retrieving particular recordings was a challenge. But modern technology solves many of the problems, as digital videos are time stamped and can be wirelessly

downloaded to a hard drive while the vehicles are parked at the station. "It sounds like the technology has caught up to the idea," Deputy Chief Mannix said. While speaking with other agencies about cameras, the deputy chief learned there have been some technical difficulties, but he didn't see this as a reason to rule them out. Dash-cam systems aren't quite the norm, he added, noting he couldn't find a single agency in Ventura County that uses them. Santa Barbara police received a demonstration from a vendor last week, and camera units are being installed in one or two patrol cars so officers can put them to the real-world test, Deputy Chief Mannix said. But vehicle-mounted cameras may not be the department's only choice. "There are a lot of different ways to do this," City Councilman Frank Hotchkiss said before the report came out. "One that I saw recently is a credit card-size camera that clips on the pocket of the uniform. They have a removable chip in them. You turn it on, get out and do your business and you turn the chip in at the end of the shift." The small cameras wouldn't be in the car getting bounced around all the time and are less expensive choices, Mr. Hotchkiss said. In recent weeks the News-Press contacted council members Grant House, Michael Self, Randy Rowe and Harwood "Bendy" White for

comment on cameras in cop cars, but none responded. In September, Mayor Helene Schneider issued a statement addressing, among things brought up by the News-Press reports on the Lance matter, the lack of cameras in patrol cars. "I can share with you at this time that the SBPD and City Administrator's office have been reviewing specific recording and storage technology options, the budget implications of placing this equipment in all patrol cars and potential one-time grant funding opportunities," she said. She announced the council would begin looking into the financial implications of purchasing and installing such equipment at a budget work session Oct. 6, which turned out to be the day before the Grand Jury report. And while cameras were discussed during Thursday's session, Police Chief Cam Sanchez said they would pose storage problems. DUI defense attorney Darryl Genis, representing Mr. Lance, called the Grand Jury's recommendation a "step in the right direction." But ideally, the body should have also called for the City Council to enact ordinances to ensure the equipment is used effectively. From the moment an officer makes contact with a subject, he said, that contact must be captured and not be destroyed. And field sobriety tests need to be conducted on camera with

the sound being captured, Mr. Genis said. Had camera equipment been installed and used properly at the time of Mr. Lance's arrest, the community never would have read about the case and both the prosecution and the defense wouldn't have spent hundreds of thousands of dollars on expert and attorney fees, Mr. Genis said. Mr. Genis said the equipment could be paid for through a California Office of Traffic Safety grant, which is how DUI checkpoints are funded. Seven years ago the Santa Barbara County Sheriff's Department purchased its first dash-cams, which are installed in roughly 55 patrol units, said Drew Sugars, department spokesman. The Sheriff's Council and some drug forfeiture money funded the initial \$752,000 investment, which covered cameras, download equipment and storage devices. The average cost per car is \$9,300, Mr. Sugars said. The Santa Barbara Police Department has 35 patrol vehicles, and Guadalupe police have seven, according to the Grand Jury report. Both agencies have 90 days to respond to the findings. A request for comment from Guadalupe Police Department officials wasn't immediately answered Friday.

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11:00 am - 2:00 pm
Carpinteria Library
Multipurpose Room
5141 Carpinteria Avenue

SUNDAY, OCTOBER 30
10:00 am - 2:00 pm
Farmers Market - Camino Real
Corner of Hollister and Storke

THURSDAY, NOVEMBER 3
4:00 - 7:00 pm
Santa Barbara Cottage Hospital
1st floor, Conference Room C/D

Investigator denies making 'substantial number of mistakes'

■ JACKSON

Continued from Page A7

medicine Ms. Fleak said she had found on the floor was photographed on a nightstand. In addition, Mr. Chernoff said Ms. Fleak didn't note that she had found a bottle of the powerful anesthetic propofol inside an IV bag until March 2011, nearly two years after the singer's death. "Would you agree with me that you made a substantial number of mistakes in your investigation?" Ms. Chernoff asked. "No," Ms. Fleak said. Jurors at times leaned forward to look at the photos projected on a large screen. Some took notes on the testimony.

Deputy District Attorney David Walgren attempted to minimize the missteps. "Ms. Fleak, did you conduct a perfect investigation in this case?" he asked. "No," she said. "Have you ever conducted a perfect investigation?" Mr. Walgren asked. "No," said the witness. "Are there always things you would have done differently in hindsight?" he asked. "Yes," Ms. Fleak replied, saying she had tried to be as accurate and truthful as possible. Fleak was assigned to the investigation on June 25, 2009, when Mr. Jackson died and she went to his rented mansion to collect evidence. Four days later, after Dr. Murray, the singer's personal physician, had

talked to police, she returned to follow leads the doctor had provided, including a description of medications hidden in a closet. "Returning to the scene is not typical," she said, "and there was a lot more medical evidence." Mr. Chernoff questioned whether Ms. Fleak had heard testimony by bodyguard Alberto Alvarez, who said during a preliminary hearing in January that he saw the propofol bottle inside the IV bag. He repeated the detail for jurors last week and said Dr. Murray told him to put the IV bag into another bag before calling 911. Authorities say Mr. Jackson died of acute propofol intoxication combined with other sedatives administered by Murray. Defense attorneys have an alternate theory: The King of Pop gave himself the fatal dose when the

cardiologist left the singer's bedroom. Dr. Murray has pleaded not guilty to involuntary manslaughter. Fingerprint evidence stipulated to by both sides did not appear to bolster the defense theory. Mr. Jackson's fingerprints were not found on any medicine bottles. One of Dr. Murray's prints was found on a 100 milliliter vial of propofol, a much larger dose than the doctor said he gave Mr. Jackson on the day he died. In testimony Wednesday, Ms. Fleak detailed numerous medications that were found in Mr. Jackson's bedroom and closet. By the end of the day, more than three dozen bottles of medicine were lined up in two jagged rows on the edge of the prosecution table, directly in front of jurors.

San Quentin prison guard arrested on suspicion of drug sales, bribery

ASSOCIATED PRESS

SAN QUENTIN — A guard at San Quentin State Prison has been arrested on suspicion of selling drugs at the prison and bribery, authorities say. Robert Alioto, 48, of Petaluma was taken into custody on Wednesday and booked into Marin County Jail on suspicion of selling drugs to a person in custody, requesting or receiving a bribe, possession of marijuana for

sale, sale or transportation of marijuana and conspiracy, according to jail officials. Mr. Alioto was arrested by investigators with the California Department of Corrections and Rehabilitation. The department said it did not have many details about the case and referred requests for information to San Quentin Prison spokesman Lt. Samuel Robinson. Lt. Robinson told the Marin Independent Journal he also didn't have

details about the case although he said the investigation was ongoing. "We here at San Quentin and the California Department of Corrections and Rehabilitation are determined to ensure that our institution is safe and secure, even if it means pursuing legal action against our staff," Lt. Robinson said. San Quentin, north of San Francisco, is the state's oldest prison and houses about 5,000 men, including

those on death row. The Marin County District Attorney's Office was still reviewing the case against Alioto on Thursday and had not filed any charges, said spokesman Barry Borden. Mr. Alioto has been released on \$50,000 bail, according to the Marin Independent Journal. A message left at a number for a Robert Alioto in Petaluma was not immediately returned.

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