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FBI looks into possible wrongdoing by Capps staff

Peter Lance's News-Press series on Mallory Dies' death prompts investigation

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

Rep. Lois Capps' district director, Mollie Culver, is the target of an FBI investigation into possible wrongdoing in connection with the DUI hit-and-run involving a Capps aid that claimed the life of 27-year-old Mallory Rae Dies.

The investigation was prompted by a News-Press series by Peter Lance that disclosed, among other things, a possible scheme to keep the driver, decorated Army veteran Raymond Victor Morua III, 32, out of jail and get him into a U.S. Department of Veterans Affairs treatment facility

in the days immediately following the collision in December 2013.

Mr. Lance uncovered documents that appear to show Ms. Culver forged Mr. Morua's name on two separate VA forms.

On May 27, Marquest Meeks, a trial attorney from the U.S. Department of Justice Public Integrity Section traveled from Washington, D.C., to Santa Barbara where he interviewed Teresa Montoya, Mr. Morua's former fiancée along with two FBI special agents from Santa Maria, Dieter Willkomm and Marni Barton.

Ms. Montoya reportedly spent 90 minutes with Mr. Meeks and the special agents — and cooper-

ated fully.

Later in the day at County Jail, the agents interviewed Mr. Morua in the presence of his attorney, Darryl Genis.

The Public Integrity Section, which oversees "the federal effort to combat corruption through the prosecution of elected and appointed public officials at all levels of government," got the case from André Birotte Jr., U.S. attorney for the Central District of California in Los Angeles, to whom it was forwarded from Santa Barbara County District Attorney Joyce Dudley.

On May 28, after pleading guilty to vehicular manslaughter and an

enhancement of fleeing the crime scene, Mr. Morua was sentenced to 20 years to life in state prison.

Later, Mr. Morua's mother also was interviewed by federal investigators.

In addition to raising questions about what her staff may have done to shelter a colleague from possible criminal prosecution, Mr. Lance's series exposed Mr. Morua's criminal past, including DUI and burglary convictions, raising a host of concerns regarding Mrs. Capps' hiring practices.

Mr. Morua says he was on the clock on Mrs. Capps' behalf the night he drank at a holiday party thrown by

Teresa Montoya, Raymond Morua's former fiancée, cooperated fully during a 90-minute interview with federal investigators.

the weekly Santa Barbara Independent.

The Capps office disputes this.

Ms. Dies' family have filed a wrongful death lawsuit against Mrs. Capps and the federal government.

Said Mr. Lance: "In my four investigative books on the (FBI), I've found evidence of earnest 'brick agents' at the lower level starting investigations only to have them thwarted by FBI or DOJ officials above them. Given that the central focus of this initial investigation is

Mollie Culver, the district director of an eight-term member of Congress from the same party as the president who controls the Justice Department, I certainly hope that the Public Integrity Section will conduct a no-holds-barred investigation of all the findings in my series, including VA fraud by members of Mrs. Capps' staff and possible obstruction of justice by a lawyer from the U.S. House of Representatives."

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Budget discussion stalled by maintenance

"Let's come back on Wednesday for deliberations. But I think maintenance has to be a part of that."

Steve Lavagnino,
5th District county supervisor

By **NORA K. WALLACE**
NEWS-PRESS STAFF WRITER

After seven hours of number-crunching budget discussions Monday, the Santa Barbara County Board of Supervisors ultimately ended the comprehensive overview of its financial plan bogged down in an issue that has plagued it for months—the cost of deferred maintenance projects and how to pay for them.

Monday was set aside for a fast-paced run through major components of the budget, from health and human services, to public safety and community resources, to pleas from nongovernmental organizations wanting programs funded.

It was a new format this year, instituted by CEO Mona Miyasato, and coming after an intense week of budget workshops and presentations from county department heads in April.

But the revamped budget presentation style almost derailed the hearing as it began.

After a speedy overview of summaries on major "functional groups," Chairman Steve Lavagnino was clearly frustrated early in the morning.

"We spent 20 seconds on public safety," he said. "I wanted to give this a try. I have a lot of questions

*Please see **BUDGET** on A8*



Supervisor Steve Lavagnino, left, pressed the county's deferred maintenance during Monday's budget hearing, while county Executive Officer Mona Miyasato, right, was pressed for admittedly racing through some important financial information.



Court denies Dario Pini change of venue

A judge in Santa Barbara denied landlord Dario Pini's request for a change of venue in a slip and fall trial.

Mr. Pini and DP Investments claimed that negative publicity about Mr. Pini would prevent a fair trial in an action brought by a woman who alleges to have been injured Nov. 1, 2010, at premises in Carpinteria "owned, maintained, managed and operated by defendants Dario Pini and DP Investments," according to court records.

Trial is set for Aug. 11.

The defendants filed a motion to have the trial moved from Santa Barbara County Superior Court to Ventura County or SLO County based on seven articles, "one from the website of a daily newspaper, one from the website of a weekly newspaper, three from online news services and two from the website of a local television station." All apparently "deal with Pini's problems with (the) city of Santa Barbara related to maintenance of rental properties and mention a long history of like problems. Two of the articles refer to an arrest for burglary of building supplies from a home renovation site."

Superior Court Judge Colleen Sterne denied the motion.

"To accept defendants' evidence as sufficient would be to recognize that any negative publicity makes a fair trial unlikely," Judge Sterne writes in her ruling.

— Scott Steepleton

VA audit: New patients wait average of 56 days in Los Angeles

By **KEVIN FREKING** and **MATT HAMILTON**
ASSOCIATED PRESS

LOS ANGELES — Patients seeking care through the VA's Greater Los Angeles Healthcare System waited an average of 56 days for their first appointment with a primary care doctor — four times longer than the department's goal.

A report released Monday by the Department of Veterans Affairs said the average wait time for new patients at other VA hospitals in California ranged from about 25 days in Fresno to about 44 days in Loma Linda.

VA guidelines say veterans should be seen within 14 days of their desired date for a primary care ap-

pointment. The department now says that meeting that target was unattainable given existing resources and the growing demand for services.

The findings are part of a national audit ordered after a whistleblower said veterans were dying while waiting for care in Phoenix. In all, more than 700 VA hospitals and large outpatient clinics were reviewed. The review also found that 7,086 veterans in California had requested an appointment during the enrollment process during the past 10 years but an appointment was not scheduled.

The audits indicate that accessing care is difficult for newcomers, but that established patients within the VA generally had little trouble

The findings are part of a national audit ordered after a whistleblower said veterans were dying while waiting for care in Phoenix.

getting in to see a doctor in a timely manner.

"It gets easier, especially when they know what your problems are," said Dane Stageberg, 56, who served in the Army and has used the VA in Los Angeles for the last four years.

He said he waited "a good four months" to get in, but he said part of the difficulty was scheduling appointments while living in a half-way house. He now visits the VA West Los Angeles Medical Center about once per month to deal with

post-traumatic stress disorder, diabetes and his general health.

Kelvin Neilson, 71, of Ventura, who also served in the Army, said that scheduling an appointment with the VA can be complicated. He said Monday he was scheduled for a biopsy at one clinic in west Los Angeles, a separate stress test at the VA's main campus in West Los Angeles, and a blood pressure consultation with a doctor in Oxnard, Calif., more than an hour's drive away in Ventura County. He wasn't sure whether he could make all three. And dealing

with the VA's phone system added to his aggravation.

"The phone system is atrocious. You get all these extensions," Mr. Neilson said.

Established patients served by the Greater Los Angeles Healthcare System got an appointment with a primary care doctor an average of four days after their desired date. The Los Angeles system is the VA's largest and most complex.

Established patients served by the San Francisco and Fresno VA hospitals, on average, were able to get an appointment for primary care within one day of their desired date.

A similar trend occurred with access to specialty services and mental health care. New patients at times had difficulty accessing the system,

but established patients were able to get appointments much more quickly. For example, new patients seeking mental health care through the Los Angeles VA waited an average of about 39 days, but for existing patients, it was about a two-day wait beyond the veteran's preferred date.

The controversy around patient wait times at the VA prompted Eric Shinseki to resign as the department's secretary on May 30. Mr. Shinseki took the blame for what he decried as a "lack of integrity" through the network. The audit report released Monday said 13 percent of VA schedulers reported supervisors telling them to falsify appointment dates to make waiting times appear shorter.