



Bonnie M. Dumanis

On the Record



San Diego County District Attorney

October/November 2005

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**San Diego District Attorney Office
619-531-4040**

**Oct/Nov 2005
Volume 1, Issue 9**

District Attorney Targets National City Gangs With Preliminary Injunction

San Diego District Attorney Bonnie M. Dumanis filed for and was granted a preliminary injunction against the Old Town National City street gang and 104 individual members of the gang, the largest injunction in the County history.

"Residents of National City deserve to get their streets back and this gang injunction will help," DA Dumamis said. "They shouldn't have to live in fear and intimidation any more."

The order prohibits certain activities within the two designated "safety zones." The key provision of the injunction prohibits the defendants from associating with other gang members. Other provisions prohibit activities which are already illegal, such as drinking alcohol or using drugs in public, possessing weapons, trespassing and graffiti.



DA Dumanis is joined by local law enforcement and National City Mayor Nick Inzuza.

About 100 armed law enforcement officers from agencies throughout San Diego County participated in serving the injunctions to most of the intended gang members. Officers from the San Diego, Chula Vista and Escondido Police Departments joined forces with Sheriff's Deputies, US Border Patrol Agents, Parole Agents, County Probation Officers and the National City Police Department. This procedure has been used successfully by the District Attorney's Office numerous times. This is the thirteenth injunction obtained by the DA's Office.

Settlement involves 62 Shell Gas Stations Throughout the County

The San Diego District Attorney's Office and the City Attorney's Office have settled a 10.75 million dollar settlement with Equilon Enterprises, in connection with environmental violations by Shell gas stations countywide.

"This is the largest environmental health settlement ever recorded in San Diego County," said DA Bonnie M. Dumanis. "Our local environment just got better because of this agreement."

The County Department of Environmental Health began issuing notices of violation as far back as 1999, addressing alleged violation of underground storage tanks requirements, hazardous waste laws and state unfair business practices. Approximately 2,200 violations were noted on County inspection reports during a five-year period through mid-2004. Inspections will continue.



DA Dumanis is joined by city and state officials as she announces the \$10.7 million dollars settlement reached with Shell Oil Company.

DA Donates Lights to South Bay Recreation Center Following Murder

DA Bonnie M. Dumanis announced in November that her office pledged money needed for additional lighting at the Robert Egger, Sr./South Bay Community Park and Recreation Center in Nestor. The Office donated more than \$13,000 to improve the lighting at the park following the murder of a Southwest High School student there in October.

"Family and friends of murder victim Donna Hernandez wanted better lighting in the area in an effort to prevent more crimes," DA Dumanis said. "Our office was glad to provide the money necessary to make the park and recreation area safer for the community."

The 17-year-old murder victim was sitting in a car with friends when two men approached in the dimly-lit parking lot and opened fire during a robbery. Hernandez died of gunshot wounds while her two friends were not injured.

DA Launches Bad Check Program



[Check Enforcement Program](#)

In early November, the District Attorney's Office launched a Check Enforcement Program targeting bad checks in San Diego County. Notices have been sent to 40,000 merchants throughout the County, encouraging them to sign up for the program. The program will assist merchants in recovering money lost to bad checks, pursuit and prosecution of check offenders who refuse to make restitution, training programs and preventive check acceptance measures designed to reduce the number of bad checks and an educational course to help check offenders avoid writing and passing any future bad checks.

"Help has finally arrived for local business owners," said DA Dumanis. "People who write bad checks will have to pay restitution instead of facing law enforcement and prosecution."



DA Dumanis being interviewed by News 8.

Bad Check Program For Merchants

Call Toll Free: 1-888-240-6495

Toll Free FAX: 1-866-713-2494

Environmental Health Task Force Helps DA's Office Crack Bad Cheese Case



District Attorney Bonnie Dumanis and the County's Environmental Health Department settled a civil suit against the owners of seven Rodeo's Meat Markets for selling illegal Mexican cheese known as queso fresco. The case was part of a law enforcement response to a countywide salmonella outbreak in 2004. The owners agreed to pay nearly \$200,000 in penalties and investigation costs. The stores were located in Oceanside, Vista, San Marcos, National City, El Cajon and two markets in San Diego.

DA CASE FILES

In the past couple of months, we have had some very good results in the courtroom. The following is a snapshot of some of our cases.

Mark Battle,

35, pleaded guilty to kidnapping and elder abuse and was immediately sentenced to four years in prison by Judge K. Michael Kirkman. The case stemmed from an incident involving the theft of an 85-year-old man's car and wallet. The suspect also made the elderly man drive him around the North County area in search of car parts. Finally, the elderly victim was able to get out of the car. Police apprehended the suspect a short time later.

Nasser Alavi,

60, was convicted of sexual assault and battery charges for molesting one of his patients. The doctor had been treating the 22-year-old woman for anxiety and depression. He was taken into custody after being found guilty of one count of rape by digital penetration and six counts of sexual assault.

Richard Ernie Martinez,

32, pleaded guilty to raping and sodomizing four women between 2001 and 2004 in San Diego and Los Angeles. Martinez, a former thrift shop worker, pleaded guilty to one count of sodomy of an unconscious person, once count of rape by a foreign object of an unconscious person and two counts of forcible rape. Police say Martinez used drugs to sedate the victims he met in bars. DNA linked Martinez to the crimes. He faces 35 years in state prison.

Tammy Ann Cappel,

45, pleaded guilty to shooting her 71-year-old employer. Cappel was immediately sentenced to 17 years in prison. The shooting took place inside the victim's Fairbanks Ranch estate.

The victim, Jan Valdez, testified she had promised Cappel that was going to leave her part of the estate, which would have been "a fortune," Valdez said. The victim said she also told the defendant she would be granted power-of-attorney status, in case she became incapacitated. Authorities say both women had been drinking prior to the shooting. Valdez was shot five times and survived.

Raul Rojo Garcia,

30, has been sentenced to 40 years to life in state prison for shooting to death his live-in girlfriend. Garcia was found guilty of second-degree murder killing Myriam Abraham in their Escondido apartment back in November. She was found shot in the neck and died five days later.

Amber S. Jackson ,

21, has been convicted of disfiguring her teenage sister by throwing hot cooking oil onto her neck and chest.

A jury found Jackson guilty of assault and aggravated mayhem after only hours of deliberation. She faces life in prison when she is sentenced. The defendant's younger sister suffered second and third degree burns on her neck, upper chest and hip.

Gregory John Garrett,

55, pleaded guilty to involuntary manslaughter for shooting to death his fiancée during an drunken argument. Authorities say that Garrett told them the victim, 48-year-old Teresa Wood, became angry when he took car keys from her after they had been drinking. Garrett claimed she armed herself with a gun and that there was a struggle. However, witnesses testified that evidence at the scene did not support that story. The defendant faces six years in prison.

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