

Disney theme park to reopen April 30

Only in-state visitors will be allowed, with restrictions in place.

BY HUGO MARTÍN

More than a year after closing due to the pandemic, the theme parks at the Disneyland Resort in Anaheim are scheduled to open April 30 with limited capacity and restrictions on some attractions.

Walt Disney Co. Chief Executive Bob Chapek made the announcement Wednesday, telling CNBC: "We've seen the enthusiasm, the craving for people to return to our parks around the world."

The resort also plans to reopen its hotels in phases, with Disney's Grand Californian Hotel & Spa set to reopen on April 29, Disney Vacation Club Villas at the Grand Californian on May 2, and Disney's Paradise Pier Hotel and the Disneyland Hotel at a later date, the park announced on its website.

Since the park closed in March 2020, Disney executives, elected officials and business leaders in cities around the resort have been urging Gov. Gavin Newsom to allow the parks to reopen to help struggling businesses that rely on tourists who visit the parks.

With COVID-19 cases dropping and the vaccine rollout expanding, the state unveiled new guidelines March 5 that would allow theme parks and sports stadiums in counties with low enough virus transmission to reopen with limited capacity starting April 1. Chapek has said Disneyland needed more time to staff up.

Under the state guidelines, the parks will be limited to 15% of total capacity. If coronavirus cases continue to drop and the counties that are home to the theme parks qualify to enter a less restrictive tier in the state's four-category reopening roadmap, the cap can rise to 25%, and then 35% upon reaching the most lenient tier.

Only in-state visitors will be allowed in the parks, a requirement that Disneyland and others will enforce by requiring that

See *Disney*, page R7



Photos by Kevin Chang | Staff Photographer

THE RED ROCK staging area, which will be renamed as Black Star staging area once it is reopened to the public, is located by Peltzer Christmas Tree Farm in Silverado. The Irvine Ranch Conservancy is repairing land that was damaged by recent wildfires.

Irvine Ranch Conservancy repairing land destroyed by recent wildfires

The Silverado fire in late October devastated almost 12,500 acres of land in Orange County, racing across natural habitat and man-made infrastructure and sending up a plume of smoke that closed area schools.

The Irvine Ranch Conservancy has been working in spite of the pandemic to rebuild the damaged areas.

About 80% of the group's Portola Staging Area in Trabuco Canyon was destroyed during the fire. The conservancy has been able to rebuild the area with improvements and rehabilitate the vegetation.

The group also improved the Red Rock Staging Area and will work to completely rebuild two 40-foot trail bridges and two viewing decks at the Sinks in O.C. Parks' Limestone Canyon.

"The new bridges will have a concrete foundation with steel stringers and wood decking, while the new viewing decks will increase in size to allow for easier distancing and be made with a steel foundation and wood decking," said Adam Maywhort, director of planning and infrastructure at the conservancy.

"If fire comes through this area again, the steel and concrete structuring should remain intact and the wood decking on top will be the only part that would need to be replaced," Maywhort said.

For more information about the conservancy, visit irconservancy.org.

— Ben Brazil



ABOVE AND LEFT: About 80% of the Portola staging area in Trabuco Canyon was destroyed by the Silverado fire. Crews have been making improvements and repairing the damage.

Vietnamese refugee deportation decried

O.C. organizers hold a rally to urge the Biden administration to stop a flight, calling it "anti-Asian violence."

BY VERA CASTANEDA

Last Thursday, Asian American organizations in Orange County and across the U.S. were notified that Immigration and Customs Enforcement scheduled a deportation flight to Vietnam from Texas.

Hieu Huynh, a 49-year-old refugee who arrived in the U.S. in 1980 with his family, and Tien Pham, who spent years in a refugee camp and resettled in San Jose, were two out of an estimated 33 ICE detainees on the flight scheduled to leave on March 15.

VietRISE, an O.C.-based community organization, put together a caravan and rally in Westminster Park on March 14 that drew about 100 people. Over four days, people called, emailed and

See *Refugee*, page R2



ORGANIZERS hold signs at a VietRISE-led rally in Little Saigon on March 14.

Courtesy of Tim Phan

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D.A. accused of not updating oversight list

According to a legal motion, Todd Spitzer has repeatedly failed to add sheriff's deputies and investigators who lied in police reports to a record that keeps track of law enforcement officers with histories of misconduct.

BY BEN BRAZIL

Orange County Dist. Atty. Todd Spitzer has repeatedly failed to add sheriff's deputies and investigators who lied in police reports to a list that keeps track of law enforcement officers with histories of misconduct, according to a legal motion filed by Assistant Public Defender Scott Sanders.

Sanders contends in the motion filed Thursday that the district attorney's office hasn't honored its Brady notification list, which is a record that district attorney's offices are supposed to update with the names of law enforcement personnel who have records of dishonesty, criminality and other issues that could affect their credibility as a witness.

The U.S. Supreme Court ruling on Brady vs. Maryland requires that prosecutors notify defense attorneys when one of the officers on the list is a witness in a case.

Sanders' motion delves into an evidence mishandling scandal, where Orange County sheriff's deputies were found to have booked evidence late or failed to book evidence at all but subsequently lied about it in reports. Sanders claims that Spitzer hasn't added the names of law enforcement personnel involved in the scandal.

"In this very moment, we can finally see clearly the extent to which the Orange County D.A. has been operating a completely fraudulent system for disclosing evidence about officers who have lied," Sanders said in an email.

"They will scramble now and probably quickly add hundreds of people to their Brady List — but

only because they got caught. It's been a utter scam committed in violation of their oath as prosecutors — the type of fraud that leads juries to believe dishonest cops and the innocent to being wrongfully convicted. It's beyond shameful."

Sanders has been a vocal critic of Spitzer's and has been revealing details about the scandal in court filings throughout the year. Spitzer denies any wrongdoing.

"I'm putting Orange County on notice that Scott Sanders' primary focus of filing these ridiculous, baseless motions is not the defense of his client," Spitzer said in an emailed statement. "It is solely to bring the chaos of the Los Angeles criminal justice system here to Orange County. Our job is to ensure that never happens."

Through the motion, Sanders is seeking reports and other evidence that the sheriff's deputies involved in the case of Sanders' client, Victor Soto, falsely claimed to have booked evidence in past cases, lied about when they booked evidence or violated sheriff's policy dictating when evidence is required to be booked.

Soto has been charged with a host of crimes largely related to possession of weapons and various gang-related charges. The motion claims there is false information in a search warrant that was used to access Soto's phone, vehicle, house and his brother's home.

The warrant was filled out by Deputy Michael Garcia, who was among the first 17 deputies referred for criminal prose-

See **List**, page R8



Allen J. Schaben | Los Angeles Times

ORANGE COUNTY Dist. Atty. Todd Spitzer has been accused by a defense attorney of not honoring a Brady Notification list.

Former prosecutor announces bid to challenge first-term Orange County D.A.

BY HANNAH FRY

A former prosecutor and U.S. Marine Corps veteran said Tuesday that he will challenge Dist. Atty. Todd Spitzer to become Orange County's top prosecutor next year in a race that is poised to test the climate for justice reform in a county that has historically favored tough-on-crime policies.

Peter Hardin, 42, announced his candidacy at a media briefing outside the Lamoreaux Justice Center and Juvenile Hall in Orange on Tuesday afternoon, surrounded by dozens of supporters holding blue and orange signs bearing the attorney's name.

With his son by his side, Hardin outlined his catalog of ideas, including ending cash bail, halting



Francine Orr | Los Angeles Times

FORMER ORANGE COUNTY prosecutor and former assistant U.S. Atty. Peter Hardin, standing with his son Wyatt, holds a news conference Tuesday in Orange announcing his run for Orange County district attorney.

the practice of prosecuting children as adults and abolishing the use of the death penalty. These policies, he says, will help bring the county's justice system into the 21st Cen-

ture. "I'm running to enhance public safety, heal and restore our victims and survivors of crime, and restore integrity and professionalism to the Or-

ange County district attorney's office," Hardin said. "I know that being a guardian of justice means doing the right thing all the time however difficult it may be. Across America we are facing a national reckoning with an outdated and ineffective criminal justice system. We have turned to prisons and punishment and turned our back on rehabilitation, support and redemption."

Hardin said the system frequently leads to mass incarceration and siphons taxpayer money away from public schools, after-school programs, mental health services, and drug and alcohol counseling that can help reduce crime.

Hardin served as a judge

See **Bid**, page R8



Gustavo Arellano | Los Angeles Times

SANTA ANA Mayor Vicente Sarmiento and the City Council approved two items on Tuesday that benefit the thousands of undocumented residents in the city.

Undocumented residents can now serve on all city boards and commissions in Santa Ana

BY BEN BRAZIL

Santa Ana's thousands of undocumented residents will now have the ability to serve on city boards, commissions and committees.

The Santa Ana City Council on Tuesday night voted to remove the re-

quirement that residents must be "qualified electors," or have to be eligible to vote, in order to serve on the advisory bodies.

More than 100,000 undocumented immigrants live in Santa Ana, according to the Vera Institute of Justice. The Santa Ana rule re-

ceived initial unanimous approval earlier this month and was passed Tuesday night as part of the consent calendar without any council discussion.

The city has 10 boards, commissions and commit-

See **Residents**, page R7

REFUGEE

Continued from page R1

tweeted at the Biden administration hoping to stop the flight.

Local organizations such as the Orange Mobile Home Coalition, Palestinian Youth Movement, Korean Resource Center, Los Alamitos Community United church, El Centro Cultural de Mexico, Chinatown Community for Equitable Development, Vietnamese Solidarity Action Network and the California Healthy Nail Salon collaborative joined the rally.

"Deporting Vietnamese refugees is anti-Asian violence," the group chanted on Sunday afternoon. "There's been a surge of anti-Asian violence," said Tracy La, VietRISE executive director, in a phone interview.

"We felt like there was a missing piece in that conversation. When our community members are deported, it doesn't just affect them ... How is it not an act of violence to separate and rip people away from their families and communities to put them in a country thousands of miles away that they haven't seen since they were children? We want people to see that the government is enacting anti-Asian violence too."

In a news release, organizers pointed out that President Joe Biden denounced violent attacks

against Asian Americans in his first address to the nation, and in his 2020 campaign trail published a piece in a local O.C. newspaper about how proud he was to have voted for more funding to help resettle Vietnamese refugees in the U.S.

Vietnamese residents in the U.S. who escaped their homeland and later committed crimes faced deportation under the Trump administration regardless of a 2008 agreement between the U.S. and Vietnam that excludes Vietnamese nationals who arrived before July 12, 1995, from being subject to deportation.

Last December, ICE spokesperson Carissa Cutrell confirmed there were 86 Vietnamese nationals in ICE custody.

"Under the Biden administration's deportation policy, they're supposed to be focusing resources on deporting people who pose a current danger to the public," said Anoop Prasad, Asian Law Caucus staff attorney.

"The majority of people on the flight have convictions that are very old like Tien's case, which is 20 years old. In the state of California, the governor, parole board, state prison system and prison psychologists had all found that Tien posed no danger to the public and was safe to return. So there's definitely this conflict there."

Prasad said the Asian

Law Caucus advocated for both Pham and Huynh not to be deported but were denied at every level of the ICE agency. Thomas Cartwright, a member of Witness at the Border, confirmed that the deportation plane landed in Vietnam on Tuesday night. Witness at the Border began tracking deportation flight information in 2020 knowing that ICE doesn't disclose information about their flights to anyone including Congress members.

Prasad hadn't heard from his clients yet as of Wednesday.

"I understand people are being placed in quarantine [after landing]. It's just enormously heartbreaking for their families here in the U.S.," Prasad said.

A fundraiser to help Pham with his basic expenses and reentry support was created online by the Asian Prisoner Support Committee.

"The Vietnamese community is not just a conservative community that will support anyone if you talk about the war," La said. "We want people to see us as a multifaceted community who wants change to come from the government. That's why we [held a rally in] Orange County — because it's so special to the Vietnamese diaspora here."

vera.castaneda@latimes.com
Twitter: @vera_fyd



Courtesy of Tim Phan

LOCAL O.C. community organizations appear for a rally and caravan on March 14 hoping to stop the deportation of about 33 Vietnamese refugees who were held in ICE detention.

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CONTACT US

Erik Haugli
Deputy Editor
erik.haugli@latimes.com

Raymond Arroyo
Advertising Director
(714) 966-4608
ray.arroyo@latimes.com

Online
timesoc.com
Social Media
@timesocofficial

Address
10540 Talbert Ave.,
Suite 300 West,
Fountain Valley, CA 92708
Business Office
(714) 966-4600
Newsroom
(714) 966-4699
Email
dailypilot@latimes.com
TCN Classifieds
800-234-4444

TCN Legal Phone
888-881-6181

TCN Legal Email
LALegal@tribune.com

COMPANY INFO

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Center says it will clear lot

El Centro Cultural de México in Santa Ana will work with the city to move a homeless encampment.

BY BEN BRAZIL

After facing fines and the threat of an abatement court order, a Mexican cultural center in Santa Ana has agreed to work with the city to clear a homeless encampment in its parking lots.

Since the beginning of the pandemic, homeless people have been living in the El Centro Cultural de México's lots. The numbers have steadily grown to an encampment with more than 40 people.

El Centro, which is a linchpin for the local Latino community, has been fined about \$1,800 by the city for not keeping the area clean.

But El Centro has continued to allow the homeless to live in the lots despite pressure from the city, contending that the homeless should not be criminalized.

The city sent El Centro a proposed plan last week to clear out the homeless encampment within 45 days. City Manager Kristine Ridge said in an interview on Friday that the city would work with El Centro as part of the plan by providing two resource fairs for the homeless, portable toilets and washing stations. The city will also waive the fines with El Centro's commitment to clear the encampment.

The city gave El Centro a deadline of March 12 to agree to the plan, but officials at the center said they needed more time to consider the agreement.



Photos by Raul Roa | Staff Photographer

ONE OF ABOUT 40 people who have been living in this parking lot, at the El Centro Cultural of Mexico, in Santa Ana on Feb. 24.

If El Centro chose not to sign the agreement, the city would seek an abatement warrant from a judge, which would allow the city to take charge and "rectify the property conditions."

Ben Vazquez, a longtime volunteer and board member with El Centro, said Tuesday night that the center signed the agreement and sent it to the city.

Santa Ana spokesman Paul Eakins confirmed that the city received the signed agreement.

Vazquez said the decision was made largely in response to the threat of the abatement warrant.

However, Vazquez said the portable bathrooms and wash stations will be beneficial for the homeless on their lots. He also said it's important for the center to get rid of the fines. El Centro's finances have been hit hard by the pandemic.

Vazquez also said it will give the homeless a reprieve from harassment by police for at least the 45-day period. Vazquez said police have been throwing away home-



See *Homeless*, page R7 **MORE THAN 40** people live in El Centro Cultural of Mexico in Santa Ana, pictured on Feb. 24.

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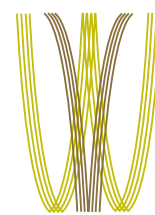
Kim
Walnut Villager
world traveler
artist

I spent a lot of time creating my own ideal world. But I never wanted to be an island unto myself. One of the things I love most about moving to Walnut Village is that it really is a village. I have my own place, but there's a fun community just outside my door. A morning class at Clay's art studio, a beauty treatment at the Strand salon, Happy Hour at the Red Chair Lounge with friends. For me, it's the best of all my worlds.



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4 exhibits are back as Bowers Museum reopens

With the recent easing of pandemic restrictions, the Bowers Museum reopened Wednesday, and four exhibits that premiered in 2020 will be on view.

Orange County moved into the state's red, "substantial" tier on Sunday, allowing indoor spaces to reopen at 25% capacity with safety measures in place.

The museum's protocols include timed entry, the enforcement of social distancing and a requirement that visitors and staff wear masks and undergo temperature checks. The museum has installed additional hand-sanitizing stations, Plexiglas shields in transaction areas and instituted an increased cleaning schedule.

Among the exhibits, "Inside the Walt Disney Archives: 50 Years of Preserving the Magic," which was closed for much of last year, has been extended (for the third time) to June 20. The show features 465 objects, including artwork, costumes, cars and props from the entertainment company's productions.

"Miao: Masters of Silver" and "Test of Medal: Charles J. Shaw and the Montford Point Marines" were on view for a short window last fall when museums were allowed to reopen.

The ongoing "Masters of Silver" exhibit includes 250 intricate pieces of jewelry and textiles primarily made in China's Guizhou Province, while the exhibit centered on Sgt. Charles J. Shaw II, the first Black instructor to train an integrated platoon, tells the story of his life in the military and in Santa Ana's Little Texas. The latter exhibit has been extended to June 27.

"Treasures in Gold & Jade: Masterworks from Taiwan" is open for in-person viewing for the first time through Sept. 5. The exhibit showcases the jade and gold sculptures of two artists based in Taiwan, Wu Ching and Huang Fu-shou. A special team from Taiwan traveled to the Bowers last year to install the delicate pieces.

The museum's online programming, such as virtual public tours and recorded lectures, are continuing as scheduled.

Admission to the museum and its exhibits varies. The museum is offering free admission to all healthcare and emergency service workers with a valid ID.

— From staff reports

IF YOU GO

What: Bowers Museum

When: Tuesday through Sunday, 10 a.m. to 4 p.m.

Where: 2002 North Main St., Santa Ana

Cost: General admission: \$15 weekdays, \$13 weekends; "Inside the Walt Disney Archives," \$25 weekdays, \$23 weekends (includes general admission price); discounts available to seniors, children, students, active-duty military and Santa Ana residents

Info: (714) 567-3600; bowers.org



Courtesy of the Shaw family

SGT. CHARLES J. SHAW II, the first Black instructor to train an integrated platoon, is shown with recruits at Montford Point, N.C., in the 1940s.



File Photo

THE BOWERS MUSEUM reopened on Wednesday at 25% capacity after Orange County went into the state's COVID-19 red tier.



AN ELSA PARK costume from the Walt Disney World Resort. "Inside the Walt Disney Archives: 50 Years of Preserving the Magic" is curated by the Walt Disney Archives in conjunction with the Bowers Museum.

Courtesy of Walt Disney Archives, ©Disney.

Orange County Music and Dance launches program for veterans



Courtesy of Orange County Music and Dance

DOUG FREEMAN is pictured with Orange County Music and Dance students.

RICK ROCHE, Charles Fearing and Barbara Stransky at a Rock for Vets event.



BY VERA CASTANEDA

Orange County Music and Dance is launching a new program for veterans in April.

Operation Gig is designed to help active duty military or veterans cope with stress resulting from the coronavirus pandemic.

The free eight-week program features three options: classes for beginners, jam sessions for those who want to improve their skills and rehearsals in small ensembles for experienced players who want to perform in front of an audience.

The program supplies veterans with everything they need — instructions, lessons, coaches and instruments. All classes and rehearsals are planned to take place in-person and outdoors at Orange County Great Park in Irvine. At the end of the program, participants will get a chance to perform in several concerts around the park.

Veterans' spouses, family members and children 16 years or older are also encouraged to participate.

Operation Gig is the first of its kind for OCMD.

The nonprofit typically offers music and dance classes to children ages 5 to 18. When the pandemic hit, OCMD's student participation of about 470 children was cut in half because music teachers weren't able to get in touch with some students re-

motely. Leadership at the nonprofit started to brainstorm how they could use their resources.

"I'm a 10-year Air Force veteran and my COO is a 10-year Marine veteran," said Doug Freeman, executive chairman and chief executive officer of OCMD.

"We knew that vets were going to be one of the hardest hit groups, particularly those in the most recent deployments. Those veterans really need to be around other veterans who have gone through similar experiences. It's a crucial part of their return to normalcy."

Rock for Vets, a Long Beach nonprofit which has been in operation since 2010, will train the program's coaches and help identify participants.

Frank McIlquham, Rock For Vets cofounder, said there's a specific way to deal with veterans.

"It's very hard to build trust with the vets. It's all about treating veterans with respect and consistency. Music helps veterans open up," McIlquham said.

Although Rock for Vets has lost much of its funding for performances, the group's online programming continues. It has offered virtual gatherings that have drawn veterans from out of state during the pandemic.

Jimmy Perez, a 12-year vet who lives in Rancho Santa Margarita, already signed up for the program. For Perez, music has been

a therapeutic tool for his mental health.

In addition to adjusting to life outside military service, Perez and his partner lost their child. He describes the time period as a dark place full of depression and thoughts of suicide. In the waiting room on one of his therapy visits, he noticed how an automated baby grand piano playing classical music eased his mood. He bought himself a keyboard and taught himself how to play.

He started playing piano for veterans and families coming in and out of the veterans' volunteer office in Long Beach.

"I didn't realize what I was doing," Perez said. "I wasn't even thinking about 'healing.' For me, it was more like an opportunity to play the piano so I can feel good."

He volunteered for five years before being hired as an assistant at the office and still uses music as a way to process his emotions.

Perez is looking forward to performing with other musicians and for a formal audience for the first time through the Operation Gig program.

Freeman hopes that at least 100 veterans will sign up online and residents in the surrounding park area will come out to listen to the outdoor performances in the spring.

vera.castaneda@latimes.com

Twitter: @vera_fyd

DISNEY

Continued from page R1

parkgoers submit a California address and ZIP Code online when buying tickets. Universal Studios Hollywood representatives say their park will open in late April and Knott's Berry Farm in Buena Park is expected to open in May. Exact dates will be announced later, park officials say. Six Flags Magic Mountain in Valencia has yet to release any reopening date information.

To help generate some revenue and rehire employees who were let go during the closures, Disney California Adventure Park, Universal Studios and Knott's Berry Farm had already announced plans to open their parks for food and shopping events. Knott's Taste of Boysenberry Festival launched March 5. Universal Studios kicked off its Taste of Universal event Friday, and Disney's A Touch of Disney event begins Thursday. Theme park officials say their biggest challenge now is rehiring and training

thousands of workers to reopen the parks and enforce the new safety guidelines, such as the requirement that visitors wear masks when not eating or drinking and that they maintain social distance in queues. Chapek said he plans to recall about 10,000 workers. Universal Studios Hollywood's senior vice president of operations, Scott Strobl, said Universal would rehire about 5,000 workers to help reopen the park. **HUGO MARTÍN** writes for the Los Angeles Times.



THE EMPTY DISNEYLAND train station in November 2020. The park is set to reopen with limited capacity April 30. *Myung J. Chun L.A. Times*

HOMELESS

Continued from page R3

less people's belongings. It will also provide the center with a chance to "come to the table with policy makers," Vazquez said. "We want to talk with policy makers to help create positive change for folks who are unsheltered," he said. Vazquez said the center didn't see the encampment as a long-term answer. He mentioned that the center may reopen as COVID-19 numbers continue to improve, and it may need its parking lots back for community members attending the center. "I believe they're a well-meaning nonprofit," Ridge said. "I think it's an issue that they inherited and they took it on and they are extremely ill-equipped to deal with it." Ridge said the city has received a number of complaints from residents about the encampment. Eakins sent a message from one of the residents to TimesOC. "I write this letter in an effort to bring greater attention to the homeless encampment and the increase of homeless and drug users in this encampment that is occupying the parking lot of El Centro Cultural de México located at 837 N. Ross Street in Santa Ana," the resident's message reads. "Over the past several months the population of this homeless and drug user encampment has increased exponentially and it is beginning to have a negative effect in the very densely populated Willard Neighborhood. ... As we get closer to the reopening of schools such as El Sol Academy which is slated to open March 15, and children begin going back to school, allowing this encampment to continue unchecked diminishes the level of safety of our children." Vazquez said the goal is to connect homeless people with housing and shelters if they are receptive to it. If there are any homeless individuals



Raul Roa | Staff Photographer

EL CENTRO has agreed to work with the city to clear a homeless encampment.

still on the property after 45 days, Vazquez believes they will go somewhere else if El Centro asks them. "We have a good relationship with the folks, and they know what we've been through, so I think they would just find another place," Vazquez said. "I think they're very grateful for what we're going through." Several homeless people have expressed gratitude for the center's help. "Thank God for this place," said Alex Beltran, who has been living at El Centro for months. "They have been very helpful," said Nathan Muiars, who lives in the parking lot. "Most places would usually just call the police." Vazquez said El Centro will continue working with homeless service providers independent of the city like Wound Walk and Illumination Foundation. Ridge said the growth of the encampment could "probably partially" be owed to the closure last month of the county's Courtyard shelter in downtown Santa Ana. The county has been transitioning to its new Yale shelter in the city. "As the county was transitioning

over to Yale, I think that there are, unfortunately, some very service-resistant homeless that we find in our community," Ridge said. "And I think it gave them an opportunity to walk over to a different location. Unfortunately, for them, there are a lot of services that are offered in shelters and these individuals have missed out on that opportunity." Some homeless people may be discouraged to enter an Orange County homeless shelter considering the large-scale outbreaks of COVID-19, which have infected hundreds and killed one person. "If it's not fully resolved in 45 days, then the city would have to just — step in and address the issue," Ridge said, referencing the abatement warrant she referred to earlier in the interview. "But I trust El Centro, if they're willing to sign on to the settlement agreement, that they understand the parameters that they would need to do to have it fully resolved."

benjamin.brazil@latimes.com
Twitter: @benbrazil

RESIDENTS

Continued from page R2

tees. Two of the advisory bodies — the Youth Commission and Measure X Citizens Oversight Committee — have not required members to be qualified electors. Undocumented residents will now be able to serve on the Arts and Culture Commission, Personnel Development Commission, Planning Commission, Transportation Advisory Commission, Historic Resources Commission, Workforce Development Board and Board of Recreation and Parks. Also on Tuesday night, the council voted unanimously in favor of a \$400,000, two-year contract, with the Immigrant Defenders Law Center to provide legal services to undocumented residents who are battling deportation proceedings. The move is part of the city's deportation defense fund, a program started in 2017 that allows Santa Ana residents facing potential deportation to secure an attorney they would otherwise not be able to afford. The fund was a subject of controversy last year when the council considered cutting the program's budget in half, from \$200,000 per year to \$100,000. At the time, the council was discussing its

fiscal budget, including an increase in police spending. The council received criticism from the community and ultimately approved the original \$200,000 figure. Current Mayor Vicente Sarmiento, then a councilman, spoke out in favor of the defense fund at the time. After welcoming three new members in December, the council has a progressive majority. Councilwoman Thai Viet Phan spoke in favor of the contract and pointed out that she would like to see the inclusion of the Asian/Pacific Islander immigrant community in the program. "Immigration is really a core issue for me, my family and our community in general," Phan said. "... I want to make sure that we're also providing services or extending offering services to the API community, the Asian American community, because I think based on previous reports, they have not had any clients in Santa Ana under this program who is Asian American or non-Latino. "Obviously, I know the need is very high in both communities but I just want to make sure that we do have some outreach and work with other community organizations also that may refer undocumented APIs to the program."

benjamin.brazil@latimes.com
Twitter: @benbrazil



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LIST

Continued from page R2

cution for evidence mishandling and filing false reports. Garcia is on the county's Brady list.

Garcia was referred for criminal prosecution in August 2018 for false reports and failure to book evidence, but he was initially cleared by the district attorney's office, the motion says.

The district attorney's office then waited two years after the criminal referral to add him to the Brady list, disclosing his misconduct in September 2020, the motion says.

"But what is worse [is] they don't share Brady evidence about his misconduct for two years (well after the scandal broke)," Sanders wrote in an email. "So when Garcia signed the search warrant and the D.A. approves it and gives it to the judge, that judge authorizes the warrant he has absolutely no idea about Garcia's history of lying."

Another officer involved with Soto's case is Deputy Michael Devitt, who was caught on video in 2018 beating Mohamed Sayem, a Black man. The sheriff's department said he was placed on administrative leave in August for an unrelated investigation.

Sanders is representing Sayem.

The evidence mishandling scandal was brought to light in 2019.

The sheriff's department had already conducted two audits of its deputies by that time. According to the motion, the department found that between 2016 and 2018, 414 deputies had booked evidence 31 days or more after it was seized and 1,135 deputies had booked evi-



Allen J. Schaben | Los Angeles Times

ASSISTANT PUBLIC DEFENDER Scott Sanders has been looking into an alleged evidence mishandling scandal.

dence six to 10 days after it was seized. Department policy requires evidence to be booked at the end of a shift.

In his motion, Sanders said these numbers reveal that the district attorney's Brady list should have more deputies and investigators on it. The list currently has 16 deputies, and another 23 are being considered for addition to the list. The motion says that no investigators have been added to the list.

"This reasonably alerted the agency that there were massive Brady disclosure responsibilities to past and current defendants

and that potentially 1,000 or more deputies needed to be added to the OCDA's Brady Notification System because of the enormous likelihood that deputies were, on a systematic level, falsely stating in their reports that they booked evidence by the date of their report," the motion says.

Spitzer has held that the sheriff's department hid the audits from him. In response, the district attorney's office conducted a third review of the evidence mishandling, which was released in a report in January.

The district attorney's audit

was a joint effort with sheriff's department and district attorney's investigators combing through 22,289 cases. Spitzer ended up dropping or reducing charges in 67 cases due to mishandled evidence.

"The D.A.'s office will continue to review cases and provide notice to the defense when appropriate to ensure that defendants' due process rights are protected, but because of remedial action [the Sheriff's Department] has taken to address evidence booking deficiencies, there should be few, if any, negatively impacted cases in the fu-

ture," the report states.

In his motion, Sanders said the district attorney's report is "self-protective," "self-congratulatory" and bends the truth.

He said that the district attorney's office claimed to have reviewed about 17,000 more cases than it did during the audit.

"As will be seen, the extended concealment of Brady evidence related to Deputy Garcia is just one example why the portrait presented in the OCDA Report of an agency that both demands accountability from law enforcement and reliably makes officer-specific Brady disclosures, is not rooted in fact," the motion says.

Sheriff's spokeswoman Carrie Braun said Thursday that the department has not yet reviewed the motion. She provided a statement on the evidence mishandling controversy.

"Our department alone identified this issue, conducted two internal audits, and held accountable individuals who violated department policy, including submission to the district attorney for their consideration to prosecute the individuals involved," Braun said. "This is an issue of policy that we identified, we addressed, affected parties were notified and we have remedied with safeguards to ensure this does not happen in the future."

In a separate motion Sanders filed on Friday, he listed three more deputies who he said lied in reports and were not added to the Brady list — Deputy Jonathan Larson, Deputy David Larson and Investigator Theodore Wilder.

Sanders is seeking more files on their potential misconduct.

benjamin.brazil@latimes.com
Twitter: @benbrazil

BID

Continued from page R2

advocate in the U.S. Marine Corps for more than five years after graduating from the George Washington University Law School. He served in Helmand Province in Afghanistan in 2011 and 2012 as a member of the 1st Reconnaissance Battalion. After leaving the service, he was a deputy in the Orange County district attorney's office for a year and a prosecutor in the U.S. attorney's office for

two years. He entered private practice in 2017.

Hardin's challenge comes during a tumultuous time for Spitzer's office, which has been dogged by a series of scandals in recent months, including allegations of sexual harassment and criticism over the handling of a high-profile Newport Beach sexual assault case.

During the contentious race for district attorney in 2018 against Tony Rackauckas, Spitzer — then a county supervisor — billed himself as a reform candi-

date. At the time, he was fiercely critical of prosecutors' use of jailhouse informants to obtain confessions and win convictions, and ran on a platform promising to lead an honest and accountable office.

Hardin has found support from some of Spitzer's former allies turned vocal critics. Among them is Paul Wilson, whose wife was one of eight people killed by Scott Dekraai at a Seal Beach hair salon in 2011 in the deadliest mass shooting in county history. Though Wilson supported

Spitzer in 2018, he told the crowd Tuesday that he has since been disappointed by Spitzer's failure to clean up the district attorney's office.

"After years of excruciating pain I thought the county had a savior in Todd Spitzer. He ran a campaign to remove the district attorney with Spitzer speaking every day about the terrible misconduct of our case and the need for accountability and change of culture," Wilson said. "It was all a con game."

Spitzer, who stood be-

hind television news cameras as Hardin made his announcement Tuesday, said he attended the briefing to learn about his challenger's policies, which he compared to the progressive platform of recently elected Los Angeles County Dist. Atty. George Gascón.

"Mr. Harden made it unequivocally clear that he wants to be the next George Gascón for Orange County and I'm telling you, unequivocally, it's not going to happen," Spitzer said. "This county will not tolerate it. They will not

stand for it."

Hardin refuted those assertions during his speech, saying that his policies will be tailored to meet the needs of Orange County.

"Todd Spitzer has built his career on tough on crime rhetoric and using fear and intimidation as a tactic," Hardin said. "I know that he wants to run against George Gascón, but my name is Peter Hardin and we're in Orange County not in L.A."

HANNAH FRY is a reporter for the Los Angeles Times.

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