



District Attorney Newsletter

Mendocino County

June through July 2010

Issue 10

Special points of interest:

- *Congratulations Jill!!!* Chief Deputy District Attorney Jill Ravitch has won the Sonoma County DA position.
- *Closure of Willits Office*— As of June 25th, the Willits Office will be closed and no longer be available to the public.
- *Congratulations*—to Chandra and Scott for 10 years of county service.
- *Good Job Tim Stoen!!*— DDA Stoen successfully prosecuted Edward Colombi Jr. on Grand Theft of Timber that resulted in the Judge ordering \$200,000 in restitution.

Parole Hearings:

- ◆ July 26th—Steven Crump
- ◆ September 16th—Manuel Granados
- ◆ September 23rd—Charles Spain

COURTHOUSE ► tel. 707.463.4211
fax 707.463.4687
Post Office Box 1000
Ukiah, CA 95482

COAST OFFICE ► tel. 707.964.5624
• fax 707.961.2429
700 South Franklin Street
Fort Bragg, CA 95437

NEWS



Aaron Vargas Sentenced

On February 8th, 2009, Aaron Vargas, 32, drove to the home of Darrell and Elizabeth McNeill and shot Darrell McNeill with a muzzle loader revolver, killing him. Aaron Vargas then remained at the trailer for 40 minutes, to ensure Mr. McNeill died, and prevented Mrs. McNeill from calling law

enforcement for help. Law enforcement contacted Aaron Vargas later that evening at the home of his parents in Ft. Bragg where he was placed under arrest for murder.

Aaron Vargas was charged with first degree murder and the use of a gun, with a possible exposure of 50 years to life, and was charged with the false imprisonment of Elizabeth McNeill while he waited at the trailer for Darrell McNeil to die. At a pre-trial conference on April 6th, 2010, preceding the trial scheduled for April 12th, a plea agreement was reached to a charge of manslaughter with a gun, which allowed the defendant to argue for a grant of probation, and the prosecution to argue for a sentence of state prison if it was deemed appropriate. In allowing a plea to manslaughter rather than murder, the district attorney's office considered numerous factors including the defendant's lack of prior violent record, his high blood alcohol level on the night of the shooting, his disclosure of having been molested by the victim while the defendant was a child, and the defendant's strong support in the community. All of these factors were considered when the prosecution agreed to allow the plea to manslaughter, and agreed NOT to ask for the maximum term of state prison for the manslaughter charge, but to request no more than the middle term sentence of 10 years for the manslaughter with a gun.

A 2-day sentencing hearing was held from June 14th to 15th, 2010, which included the testimony of the widow, Elizabeth McNeill, the defendant's fiancé and family, and 2 psychiatrists who had examined him. The defendant himself testified that he believed he was no longer a threat to the community, and would seek counseling if released. Assistant District Attorney Norman confronted him about failing to have any actual treatment program in place, and about being involved in a fight while in jail awaiting trial. At the end of the hearing Assistant District Attorney Norman argued that she felt the (continued—over)

Aaron Vargas Sentenced continued

defendant continued to present a danger to the community if released, as he was still engaging in violent behavior, and that the callous nature of the crime required that the sentence be the middle term of 10 years state prison. Defense Attorney Thomas Hudson argued that the defendant was prepared to start a term of probation, that he was receiving some counseling already in the jail, and that the defendant had extensive support in the community if he were granted probation.

At the end of the hearing, after a break, Judge Brown returned to the bench and read from a prepared multiple page ruling, stating that he believed that the plea agreement was appropriate in light of the molestation of the defendant by the victim, and the emotional issues the defendant was experiencing at the time of the offense. The Judge then proceeded to emphasize the importance of the legal system and the fact that the Court could not condone the killing of a person by another person outside the process of the law. Judge Brown stated that, as a Judge, he had sentenced persons convicted of child molestation to prison, and that the legal process provides people the opportunity to confront their accuser, and for the accuser to present a defense. The Judge noted that, by killing Mr. McNeill, the night before the defendant was supposed to go to the police department with his fiancé to report the molests, he had denied all the victims their process of law. Judge Brown noted that, in prosecuting molesters, many penalties are imposed, including public stigma, long criminal sentences, and confrontation.

Judge Brown found that the callous nature of the criminal act, that the defendant stated on the night of the offense that he had “gut shot” the victim so he would suffer, and that he waited 40 minutes after shooting him, without allowing the widow to render aid, combined to justify the imposition of the 6 years state prison middle term for the crime. He further found that the manner in which the gun was used, with only one shot, was somewhat mitigated, so he sentenced the Defendant to 3 years state prison, for a total of 9 years state prison, with credits for the 16 months he has been incarcerated awaiting sentencing.

RANDOM FUN FACTS

Cockroaches can live for 9 days after their head has been cut off.



CASE OUTCOMES ♦ GUILTY PLEAS ♦ TRIALS

- ♦ Salvador Arroyo pled guilty to possession of a controlled substance for sale and was sentenced to 16 months prison. *(Prosecuted by DDA Houston)*
- ♦ William Blethen was found guilty of two counts of grand theft and sentenced to 3 years prison. *(Prosecuted by DDA Cox)*
- ♦ Juanita Carrasco-Santana pled guilty to felony drug charges and was sentenced to 10 years prison. *(Prosecuted by DDA Houston)*
- ♦ Alan Crow pled guilty to felony auto theft and was sentenced to 2 years prison. *(Prosecuted by DDA Hubley)*
- ♦ Johan Espinoza pled guilty to eight serious felonies including 1st degree burglary, false imprisonment and evading an officer while being armed. Mr. Espinoza received 4 years prison. *(Prosecuted by DDA Newman)*
- ♦ Robert Hendy pled guilty to possession of a controlled substance for sale with prior convictions and received 5 years prison. *(Prosecuted by DDA Houston)*
- ♦ Victor Lopez pled guilty to a felony violation of assault with a deadly weapon and was sentenced to 2 years prison. *(Prosecuted by DDA McMenomey)*
- ♦ Aaron Norbury was on felony probation for two separate assault with a deadly weapon cases when he violated his probation with a new offense involving a firearm and was sentenced to 3 years 8 months prison. *(Prosecuted by DDA Killion)*
- ♦ Rick Robison pled guilty to multiple charges of 2nd degree burglary and robberies he committed around the county. Mr. Robison received 16 years prison for his actions. *(Prosecuted by DDA Jackson)*
- ♦ Shawn Sherrill was sentenced to 4 years 8 months prison for inflicting corporal injury to a spouse. *(Prosecuted by DDA Killion)*
- ♦ Felix Valdovinos pled guilty to felony drug charges and was sentenced to 10 years prison. *(Prosecuted by DDA Houston)*
- ♦ Amber Edwards pled guilty to two separate cases of felony forgery and was sentenced to 2 years 8 months prison for both cases. *(Prosecuted by DDA Cox)*

The Mendocino County District Attorney's press releases are now on-line.
www.co.mendocino.ca.us/da/news.htm