Mission of the District Attorney

To pursue truth and justice by employing the highest ethical standards in vigorously prosecuting the guilty, protecting the innocent, and preventing crime.
It has been my extraordinary privilege to serve as Santa Barbara County District Attorney for the past four years. In this report, I have highlighted the significant accomplishments, innovative programs, and notable cases of our office. None of these achievements would be possible without the commitment of District Attorney staff and volunteers, all of whom make a significant positive impact on public safety and improve the quality of life in our communities.

The mission of our office is to pursue truth and justice by employing the highest ethical standards in vigorously prosecuting the guilty, protecting the innocent, and preventing crime. We believe that maintaining the highest ethical standards results in fair filing decisions and prosecutions. We carefully and continuously examine the facts of each case as it progresses through the criminal justice process. At the same time, we have made it our responsibility to do all we can to prevent crime by creating innovative programs and initiatives such as the Truancy Program, Misdemeanor Diversion Program, and the Restorative Justice Program for juveniles.

Our office has also committed resources to crimes that require additional education or emphasis. We have expanded the Real Estate Fraud Prosecution Program to deter, investigate and prosecute real estate fraud. We also recognize that financial elder abuse is prevalent in our community, and have received grant funding to provide prosecution and outreach services to address this crime. In an effort to collaboratively engage with law enforcement partners and community organizations, we have created several task forces including the Arson Task Force, Human Trafficking Task Force, Environmental Task Force, and the Anti-Animal Abuse Task Force. In addition, our dedication to fighting increasing gang activity throughout Santa Barbara County is demonstrated in the prosecution and conviction of numerous gang members.

Lastly, we have accomplished significant legislative achievements with the signing into law of Assembly Bill 65, a result of a three-year effort to change an archaic law which prevented assailants from being charged with felony rape if the assailant was accused of coercing a victim into sexual activity by impersonating someone other than the victim’s spouse.

Serving as your District Attorney has only reinforced my passion to vigilantly pursue truth and justice. I look forward to serving as your District Attorney in a second term, and am confident that our dedicated staff will continue to work hard seeking justice and ensuring the public’s safety.

June 22, 2010
Joyce E. Dudley sworn in as District Attorney

Responsible for prosecution of adult and juvenile offenders countywide for misdemeanor and felony crimes or civil violations.

$21 million annual budget
County General Fund | 63%
State revenue/grants | 27%
Service charges/civil penalties | 10%

126 employees
Santa Barbara, Santa Maria, and Lompoc
Deputy District Attorneys | Criminal Investigators
Victim Advocates | Clerical support and IT | Volunteers | Interns | Attorney externs

The statutory duty of the District Attorney is to diligently and vigilantly pursue those who are believed to have violated the criminal codes of the state. The District Attorney also has the duty to protect the rights of victims of crime.
After losing funding due to budget cuts in 2008, the Truancy Program was restored in June 2012. It incorporates a resourceful new model, which provides for more school involvement and a budget that costs taxpayers approximately 1/3 of the previous program’s cost. The Office of the District Attorney took the lead in re-establishing this program, which is aimed at identifying the root causes of truancy and treating the problem on an individual basis. This is done through the use of school resources, counseling, and community-based programs. School districts have also partnered with local agencies and community service providers. The result is a program called Community Leadership in Achieving Student Success (CLASS).

CLASS is a dynamic plan designed to ensure that the children of Santa Barbara County receive a high school education, while also identifying and helping at-risk children before they fall prey to victimization and/or criminal behavior. As students accrue unexcused absences, CLASS provides a series of notifications and meetings to educate students and parents, identify the reasons for truancy, and provide appropriate solutions. During the past year, CLASS has formed 5 School Attendance Review Boards (SARB) that hear truancy cases for all 20 school districts. These involve collaboration between the District Attorney, Sheriff’s Department, local law enforcement agencies, Child Welfare Services, Probation Department, County Mental Health Services, Public Health Department, and various other community organizations.

In its first year, the CLASS Program intervened with 6,849 truants. Of those, 226 truants required a referral to SARB and only 38 of those truants required a referral to the Probation Department. At the end of the 2012-13 school year, 29 cases against guardians were referred to the District Attorney: 20 cases were resolved successfully and 9 were convicted and fined. Ultimately, only 3 truants were so unresponsive as to necessitate filing petitions in the juvenile courts.

<table>
<thead>
<tr>
<th>Number of Students Served by CLASS Program</th>
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<tr>
<td>2012-2013 School Year</td>
</tr>
<tr>
<td>Step 5</td>
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<td>Step 4</td>
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<td>Step 3</td>
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CLASS PROGRAM

STEPS

Prevention Letter
Welcome back to school letter sent to parents informing them of truancy laws.

Step 1
Schools send home initial notification letter to inform parents of their child’s truancy.

Step 2
Schools send home second letter inviting parents and their students to a group after school meeting to review education laws, school attendance policies, and programs and resources.

Step 3
Schools send home third letter inviting parents and their truant students to meet with a school administrator.

Step 4
Schools send home fourth letter inviting parents and students to meet with an assistant principal, deputy district attorney, school resource officer, and a school counselor at a Truancy Mediation Team meeting.

Step 5
Truant students are referred to School Attendance Review Board. In cases of excessive and continued truancy, SARB may refer students to the Probation Department and their guardians to the Office of the District Attorney for potential criminal charges.
MISDEMEANOR DIVERSION

The Misdemeanor Diversion Program (MDP) was established in November 2012 and is aimed at reducing recidivism while addressing the problems of diminishing criminal justice resources, congested courtrooms, and jail overcrowding. Historically, low level misdemeanors committed by low risk, first or second-time offenders have received very little attention in the courtroom for a number of years. Outcomes in these cases typically amount to nothing more than a fine, credit for time served, or misdemeanor probation that has no substantial conditions, no assigned probation officer, and no formal supervision.

MDP is a comprehensive solution to these problems. It saves resources and provides better criminal outcomes with lower recidivism rates. Offenders of such crimes as petty theft, driving on a suspended license, and public intoxication are screened to determine eligibility. Non-recidivists for low-level crimes are sent a letter giving them an opportunity to complete a rehabilitative program designed to address the underlying offense. If the offender completes and pays $250 for the rehabilitative program, pays all victim restitution, and has no new offenses during the two months provided to complete these conditions, the District Attorney agrees not to file charges.

The offender not only receives an opportunity to learn from his/her mistake, but enjoys a second chance to maintain a record free of criminal convictions with improved opportunities for professional licensing and employment. Research from other jurisdictions has shown that Misdemeanor Diversion Programs can reduce recidivism among this group by as much as 70%.

REAL ESTATE FRAUD

California continues to have a significant number of homes facing foreclosure, which renders our county vulnerable to perpetrators who prey on desperate homeowners. These perpetrators evolve along with the market, as they constantly endeavor to manipulate unsuspecting victims. In 2007, the District Attorney implemented the provisions of California Government Code section 27388, which established a $2 recording fee to fund a Real Estate Fraud Prosecution Program to deter, investigate, and prosecute real estate fraud crimes. Since then, real estate fraud has grown exponentially. As a result, the California State Legislature determined that the statutory fee was inadequate and amended the law in 2012 to allow for a $10 fee. In October 2013, the fee was increased to $10 in order to expand the District Attorney Real Estate Fraud Prosecution Program and hire additional staff to perform more investigations and prosecutions, as well as conduct additional community education, outreach, and prevention.

People v. Mike Wilson

Mike Wilson claimed to be a real estate developer. He obtained large loans from individual investors, assuring them that their loans were secured by second trust deeds on various high value properties. He provided the investors with “recorded” deeds of trust verifying their securities. In reality, Wilson falsified those documents and was using new investor’s loans to pay interest to his earlier investors in a classic Ponzi scheme. Wilson had more than 52 victims. He pled guilty to over 50 counts of Grand Theft. In February 2011, he was sentenced to 20 years and 4 months in state prison.
**VOLUNTEER ATTORNEY EXTERN PROGRAM**

Since its inception in 2011, the Extern Program has been an unqualified success. This innovative concept provides aspiring trial lawyers with an opportunity to volunteer attorney services to our county for six months or longer, in exchange for training in criminal litigation and courtroom practice. During their externship, volunteers work with experienced Deputy District Attorneys in researching and drafting legal briefs, preparing cases for court, and making appearances in court with supervision. Eventually, externs are allowed to assist in case preparation and misdemeanor trials. This program currently has 5 active participants and 17 graduates. It has proven to be a stepping stone for new attorneys to obtain permanent employment in district attorney offices, city attorney offices, county counsel offices, and private law firms throughout California.

**BAD CHECK PROGRAM**

Thousands of dollars are lost every year by merchants as a result of “bad checks” being written from accounts with insufficient funds. Bad checks affect everyone in terms of higher consumer costs that must be passed on to offset losses, and increased taxes to cover the additional costs for law enforcement and prosecution. In an effort to combat this problem, the District Attorney’s Bad Check Restitution Program was created to assist local merchants with bad check losses. The primary goal of the program is to obtain full restitution for the victim, without adding to the financial burden of the criminal justice system. First time bad check offenders are given the opportunity to avoid criminal prosecution by attending a mandatory educational class at their own expense, in addition to paying restitution. There is no minimum dollar restriction, and upon recovery, 100% of the check’s face value is returned to the victim.

**FINANCIAL ELDER ABUSE**

This office recognizes that financial elder abuse is prevalent in our communities, although it is often undetected, under reported, or unreported. In 2011, this office applied for and received grant funding from the California Department of Insurance for the Life Insurance and Annuity Protection Program to provide prosecution, outreach, and victim advocacy services to address this crime.

Staff developed a (CASE) Communities Against Senior Exploitation booklet, which is the basis for educational presentations to various community groups and retirement homes. It identifies various scams targeting seniors, as well as reporting procedures and victim service resources. In addition, one staff member participates in a weekly radio show on KTMS 990 AM, entitled “Young at Heart.” A “Scam Busters” segment on the radio show is designed to alert listeners to current scams. This office maintains a telephone hotline for complaints regarding elder financial abuse. Staff also belongs to various community groups working to combat elder financial abuse, including LEON (Latino Elder Outreach Network), FAST (Financial Abuse Specialist Team), and the Area Agency on Aging.

Neck purses are distributed as part of the Financial Elder Abuse outreach and community education effort. They are designed for elders to wear inside their clothing to prevent purse snatching.
PROPOSITION 36 | 3-STRIKES

Voters approved Proposition 36 in November 2012, which amended the State’s three-strikes sentencing law. The amendment made approximately 3,000 inmates across the state eligible to be resentenced and released from state prison if they met certain criteria. The responsibility of seeing each case through the courts was given to District Attorney offices throughout the state.

To date, this office has approached the new law with dual goals. The first goal is to ensure that the new law is implemented in accordance with intention of the California electorate. The second goal is to protect the people of Santa Barbara County by opposing the release of any inmate that poses a threat to public safety. We investigate the history of each individual case and seek all available information regarding the mental health of inmates who are potentially eligible for release.

Additionally, any victims of the inmate’s past crimes are given notice and the opportunity to be heard before the courts. If a judge determines that an inmate is eligible for resentencing and would not pose an unreasonable risk to the public if released, this office also petitions the courts for post-release supervision of those inmates, in an effort to aid in their reentry into society and reduce the risk of recidivism.

PRISONER REALIGNMENT AB 109

Prisoner Realignment, which is also known by its legislative number as AB 109, has led to a massive shift in how convicted felons are punished. Realignment requires that non-serious and non-violent felons, as well as felons who are not required to register as sex offenders, serve their prison sentences in our local jails instead of in state prisons.

The Santa Barbara County Jail was already over capacity before Realignment became law in 2011. In response, this office has implemented dynamic new strategies to fight crime. These include the Truancy Program and the Misdemeanor Diversion Program. In addition, this office has utilized scarce resources to provide full-time staffing of the Drug Treatment Courts. While supporting efforts of early intervention to prevent offenders from ending up in jail, the impact of Realignment relative to public safety is also carefully monitored.

TREATMENT COURTS

Treatment Courts provide a therapeutic and positive alternative to jail in order to end the cycle of crime for defendants who are homeless, suffer from mental illness, or are addicted to drugs or alcohol. Low level felony offenders, such as those who possess illegal drugs, receive rehabilitation in Treatment Courts through a system of rewards, sanctions, and therapy. The Veteran’s Treatment Court (VTC) was established in Santa Maria in 2011 and Santa Barbara in 2012. Many veterans return to civilian life with major mental illnesses, as well as various substance abuse problems. VTC recognizes that these veterans are better served through treatment and intervention instead of incarceration. VTC effectively matches resources of the Veteran’s Administration with the needs of our returning veterans, who get caught up in the criminal justice system. Upon successful completion, charges may be reduced or even dismissed.

“`The mission of the Veteran’s Treatment Court is to assist veterans and their families, and improve their quality of life through a collaborative effort among justice partners, community organizations, and veteran services, thereby enhancing public safety while leaving no veteran behind.”`

District Attorney Press Release
October 3, 2013

PROJECT LEAD

Project LEAD (Legal Enrichment and Decision Making) began in Los Angeles County and was initiated in 2013 in Santa Barbara County. Overseen by two attorneys, Project LEAD teaches fifth graders who attend A-OK after-school programs at Franklin and Adelante Schools about the criminal justice system. The 20-week program began in November 2013 and concluded in May 2014.

Children learn social and legal consequences of juvenile crime such as truancy, illicit drug use, shoplifting, respecting diversity, and achieving economic goals through education. The hope is that program graduates will maintain positive attitudes about the justice system, and will learn the importance of education and the benefits of making the right life choices at an early age.
Since 1978, the Victim-Witness Assistance Program has been the primary provider of crime victim services in the County of Santa Barbara. Crime can have a devastating impact on many aspects of a person’s life. Each year, Crime Victim Advocates assist approximately 3,000 victims of crime in an effort to alleviate the long-lasting physical, emotional, and financial effects of crime. These services include crisis intervention, case status information, orientation to the criminal justice system, advisement of victims’ rights, resource and referral services, restitution assistance, court support, and victim compensation.

The District Attorney’s Victim-Witness Assistance Program is committed to assisting all victims. The program has received two specialized grants which help to ensure that hard to reach populations receive much needed crime victim assistance.

In addition, the program has current operational agreements with countywide law enforcement agencies, the County of Santa Barbara Departments of Social Services and Public Health, and various domestic violence, child abuse, and rape crisis agencies. The Victim-Witness Assistance Program is contracted with the California Victim Compensation Board to process victims’ claims for compensation. Each year, over $1 million is paid to crime victims to reimburse them for medical expenses, mental health, funeral and burial costs, lost wages, and relocation expenses.

In September 2012, the members of the Victim-Witness Assistance team were honored as the County of Santa Barbara Employees of the Month. The unit was recognized for its outstanding performance, and dedication to serving victims and their families in the aftermath of crime through court support, crisis intervention counseling, financial assistance, and resource and referral counseling.

VICTIM-WITNESS PROGRAM QUICK FACTS

- Assists over 3,000 victims annually
- Services provided:
  - Crisis intervention
  - Case status information
  - Criminal justice system orientation
  - Advisement of rights
  - Resources and referrals
  - Restitution assistance
  - Court support
  - Victim compensation

Victim-Witness Assistance Staff
County of Santa Barbara
Employees of the Month
September 2012

Canine Companion
Malvern

© Chris Kittredge Photography
THE OFFICE OF THE DISTRICT ATTORNEY’S VICTIM-WITNESS ASSISTANCE PROGRAM ASSUMES ADMINISTRATIVE RESPONSIBILITY FOR THE SEXUAL ASSAULT RESPONSE TEAM (SART). SIGNIFICANT IMPROVEMENTS HAVE BEEN MADE UNDER THE CURRENT DA ADMINISTRATION. MEDICAL EXAMINATIONS AND FORENSIC INTERVIEWS HAVE BEEN EXPANDED, A FUNDING STRATEGY WAS DEVELOPED TO ENSURE SUSTAINABLE SERVICES AND INFRASTRUCTURE, AND SERVICE COORDINATION AND OVERSIGHT WAS CENTRALIZED. IN 2012, SART RECEIVED NATIONAL ACCREDITATION THROUGH THE NATIONAL CHILDREN’S ALLIANCE (NCA) FOR ITS CARING AND COMPASSIONATE WORK WITH CHILDREN.

SART UTILIZES A COMPREHENSIVE, MULTIDISCIPLINARY APPROACH TO ENSURE THAT SEXUAL ABUSE SURVIVORS RECEIVE CARE IN THE Most THERAPEUTIC ENVIRONMENT POSSIBLE. THIS IS DONE THROUGH A FORENSIC MEDICAL/Legal EXAMINATION, MEDICAL TREATMENT, EMOTIONAL SUPPORT, ADVOCACY, COUNSELING REFERRALS, AND OTHER SUPPORT SERVICES FOR VICTIMS AND THEIR FAMILIES. THE COLLABORATION HAS GROWN TO 21 SART PARTNERS.

STATE STREET MILE FUNDRAISER

Each June, the District Attorney Victim-Witness Assistance Program holds the State Street Mile fundraising run on Santa Barbara’s main street. The State Street Mile has evolved into a premier event that includes age group categories, a family fun run, and the much-loved dog mile.

The event raises approximately $10,000 annually for the District Attorney’s Crime Victim Emergency Fund. Every dollar of the entry fee translates into tangible and vital financial help for victims. Expenses include rent assistance, food, clothing, travel, and emergency lodging expenses.

CANINE COMPANION

Since August 2012, the Santa Barbara office has had a full-time and highly trained canine companion that is available to offer emotional support to victims and witnesses with psychological, physical, or emotional trauma as a result of criminal acts. Malvern is a male 2-year-old black Labrador Retriever and Golden Retriever cross. Prior to being placed with this office, he underwent intensive professional training by Canine Companions for Independence, which is a non-profit organization.

Malvern is cared for by a volunteer attorney, and is available to interested victims and witnesses when visiting the Office of the District Attorney. The use of a dog represents a unique addition to how this office meets the emotional needs of victims and witnesses as they go through the criminal justice system.

At no additional cost to Santa Barbara County, Malvern’s calming presence has helped create a compassionate environment for victims and witnesses of crimes perpetrated against our most vulnerable population.
WELFARE FRAUD

The Department of Social Services (DSS) contracts with the Office of the District Attorney to investigate and prosecute individuals who have fraudulently received aid. The Welfare Fraud Unit has a team of sworn investigators located throughout Santa Barbara County, as well as an investigative assistant. Investigators trace, locate, and contact suspects, witnesses, employers, law enforcement agencies, and other public and private entities to secure and verify information related to welfare fraud. Welfare fraud most commonly consists of welfare recipients failing to report income, failing to report that an absent parent is no longer absent, or failing to report that aided children no longer live in the aided household.

ATTEMPTS TO PURCHASE FIREARMS

In an effort to reduce gun violence in Santa Barbara County, beginning in March 2012, the Office of the District Attorney began to prosecute felons who attempt to purchase firearms. The mere attempt to purchase a firearm by a person who is prohibited from possessing a firearm, due to a prior felony conviction or any domestic violence conviction, can and will be prosecuted.

This past year, 24 firearms purchase cases were investigated by the Bureau of Investigations. Of those 24 cases, 7 criminal complaints were filed. 11 were determined to be violations of federal law, and therefore complaints were not filed locally.

People v. Maliesha Akins

In June 2010, Maliesha Akins applied for food stamps, cash aid, and MediCal for herself and her three children. She said that she had been on public assistance in Santa Clara County, and wished to transfer to Santa Barbara County. Akins reported owning two vehicles, and requested that DSS pay the $1,004 that she owed in delinquent parking fines and registration fees because she could not afford to do so herself. Akins failed to cooperate fully with the Welfare to Work program requirements, and refused to participate in a county job search program unless she was paid $35/hr. DA Investigators found that Akins had been gainfully employed as a surgical assistant in Santa Clara County since 2009, was on probation, and had failed to report also owning a BMW. Akins failed to report wages of almost $65,000 from June 2010 until her aid was discontinued. Akins pled guilty to felony welfare fraud in January 2013 and was ordered to pay $14,000 in restitution.

People v. Michael Corella, Jr.

The Office of the District Attorney was notified by the Department of Justice when convicted felon Michael Corella, Jr., a 49-year old resident of Santa Maria, attempted to reclaim a handgun that he had pawned. He had obtained a handgun out of state, pawned it at a local shop, and then attempted to reclaim it.

Corella was sentenced in 2012 to 3 years and 8 months in prison for being a convicted felon in possession of a firearm.
INTERNET CRIMES AGAINST CHILDREN (ICAC)

The Internet Crimes against Children (ICAC) Unit focuses on investigating cases in which the internet is used to sexually exploit children. The Internet Crimes against Children Task Force Program (ICAC Program) is a national network of 61 coordinated task forces representing over 2,000 federal, state, and local law enforcement and prosecutorial agencies. These agencies are engaged in proactive investigations, forensic investigations, and criminal prosecutions of those who use the internet to sexually exploit children. This office is a member of the Los Angeles Area ICAC Task Force.

The unit initiated a total of 43 investigations in 2012-2013. Of those cases, 25 were self-initiated peer-to-peer child pornography cases, while 18 were referrals received from the National Center for Missing and Exploited Children. Investigating internet peer-to-peer cases involves identifying people in Santa Barbara County (“peers”) who are using the internet, peer-to-peer computer software, and peer-to-peer networks to obtain and share child pornography. When a peer is identified, the ICAC Unit obtains a search warrant to identify the subscriber associated with the internet connection. The unit then obtains a warrant to search the subscriber’s residence for evidence relating to the possession and distribution of child pornography.

These statistics validate a respected study which found that up to 85% of those who view child pornography have also committed a “hands on” child sex offense.

In Fiscal Year 2012-2013, the ICAC Unit identified suspects and located unlawful images and videos of children at every residence at which a search warrant was served.

WORKERS’ COMPENSATION FRAUD

Workers’ Compensation fraud is a community and statewide issue that impacts industries, employers, the medical profession, insurance companies, employees, and local businesses. More than $10 billion in workers’ compensation claims are filed each year in the State of California. An estimated 10% to 30% of those claims are fraudulent, which costs consumers $5 billion per year. Fraud results in higher insurance premiums for all employers. In turn, these higher premiums are passed on to the consumer through an increase in costs of goods and services.

A large portion of Santa Barbara County’s workforce is employed in the agriculture, service, manufacturing, and construction industries. These types of jobs greatly impact the State Workers’ Compensation program, as the physical nature of the work lends itself to injuries. As a result, employers pay high premiums. Furthermore, many jobs in Santa Barbara County are temporary positions, and some workers are willing to make false insurance claims to guarantee income when their positions end. These factors led this office to develop the Workers’ Compensation Fraud Program. This program brings together local businesses, the Department of Insurance, and the Office of the District Attorney to tackle Workers’ Compensation fraud in Santa Barbara County. It is designed to investigate allegations of Workers’ Compensation fraud, arrest offenders, prosecute violators, and seek restitution for funds lost through fraudulent claims. In May 2014, this office embarked upon a countywide public service advertising campaign, which included brochures and ads on over 60 city buses.

Daniel John Sifuentez was employed by the Santa Barbara Metropolitan Transit District (MTD) when he filed a workers’ compensation claim stating that he had been injured at work. He received $3,386 in disability payments and $3,485 in medical benefits. It was later discovered that Sifuentez saw a doctor three days prior to filing his claim, and told the doctor that he hurt himself at the gym. He also told co-workers that he disliked MTD, and he was going to get even with them. Sifuentez pled guilty to one felony count of workers’ compensation fraud on February 7, 2014.

People v. Daniel Sifuentez
In 2008, Lee Leeds went on a deadly shooting rampage at his father’s Santa Maria auto salvage yard, killing four men including his father. Leeds entered the Black Road Auto wrecking yard armed with a semi-automatic handgun that had been kept at the business. He shot his father once in the chest.

He then walked through the property and shot two victims, before shooting a fourth victim in the rear of the business. Leeds admitted to committing the murders, but pleaded not guilty by reason of insanity. However, the jury found Leeds sane at the time of the killings.

On July 19, 2012, Leeds was sentenced to 100 years to life in prison, followed by a term of life without the possibility of parole on each of the four counts of first degree murder.

During the early morning hours of January 22, 2011, Juan Ramirez pried open a window screen in an Isla Vista, apartment, crawled through the window, and raped a 19-year old UCSB student, resulting in her sustaining injuries. The crime remained unsolved until DNA evidence was linked to Ramirez from a state criminal database approximately six months after the crime. Ramirez was in the database due to a late 2010 arrest for felony child endangerment. On August 9, 2013, a jury found Ramirez guilty of rape and assault with intent to commit rape during a residential burglary. He was sentenced to life in prison on December 12, 2013.

On October 15, 2013, Michele Ann Newberry pled to felony charges of unlawful sex with a minor and oral copulation with a minor. This criminal activity occurred during John Doe’s sophomore, junior, and senior years of high school in Santa Maria. At that time, Newberry was 27 years older than the victim. Newberry was sentenced to 1 year in county jail, and 5 years on felony probation. Newberry must register as a sex offender and complete sex offender therapy. Additionally, she is not allowed to have contact with minors during the period of probation. During the sentencing hearing, the victim’s family stated that this crime had a devastating effect on their son.

On July 31, 2011, Isaac Martinez threatened to kill his estranged wife and his 14-year-old son. On August 5, 2011, Martinez followed his estranged wife to a convenience store and waited outside behind her car for her to come out. As she walked to her car, he attacked her in broad daylight with a .32 caliber handgun, striking her with it on the back of her head. He then shot her at close range two times in her chest. Martinez fled to a relative’s home and called his mother for help. Martinez’s mother called his father to come help their son, telling him that Martinez had just shot his wife. Martinez’s father and stepmother drove from Arizona to Santa Maria, picked up Martinez, and headed back towards Arizona. Their car was stopped by the US Marshall’s Office, the Arizona Department of Public Safety, and the Yuma, Arizona Police Department. Martinez was arrested for an outstanding felony parole warrant, and was transported back to Santa Barbara County to face murder charges. He pled guilty to first degree murder with the use of a gun causing death, and admitted the special allegation that he had a prior strike conviction for vehicular manslaughter in 2000. He was sentenced to 75 years to life in prison on March 25, 2013. He will be 107 years old before he is eligible for a parole hearing.
Deputy District Attorneys, victim witness advocates, investigators, and support staff work together on every phase of the criminal prosecution, including the preparation and argument of motions, probation violations, jury trials, and sentencing hearings.

People v. John Gibbs

On February 14, 2012, John Gibbs spent his wedding day violently assaulting his new bride. He beat and strangled her, and threatened to throw her off their hotel balcony in downtown Santa Barbara. He was arrested, released on bail, and then repeatedly violated his “no contact” order by attempting to dissuade his wife from testifying. This office located 5 other women who had been in relationships with the defendant. All 5 had been victims of domestic violence at the hands of Gibbs, and 3 agreed to testify at trial. Gibbs was convicted of felony criminal threats, felony corporal injury to a spouse, felony dissuading a witness from reporting a crime, in addition to other charges. Within hours of his release, he found his way to Santa Barbara. Just before midnight, he entered the Arco AM/PM Market at the corner of State Street and Ontare Road. He demanded money from the clerk and when refused, Sastre began lighting merchandise and fixtures on fire. The clerk was able to successfully extinguish the burning displays, and Sastre was detained by police after a foot pursuit. In April 2013, Sastre pled guilty to Second Degree Robbery and Arson of Personal Property. He was sentenced to 30 years to life in prison.

People v. Michael Sastre

On January 24, 2013, Michael Sastre was released from state prison in Los Angeles after serving 12 years for attempting to murder his ex-girlfriend, in addition to other charges. Within hours of his release, he found his way to Santa Barbara. Just before midnight, he entered the Arco AM/PM Market at the corner of State Street and Ontare Road. He demanded money from the clerk and when refused, Sastre began lighting merchandise and fixtures on fire. The clerk was able to successfully extinguish the burning displays, and Sastre was detained by police after a foot pursuit. In April 2013, Sastre pled guilty to Second Degree Robbery and Arson of Personal Property. He was sentenced to 30 years to life in prison.

People v. James Lujan

In February 2011, James Lujan was sentenced to 75 years to life in prison for the second-degree murder, torture, and assault of 4-year-old Diego Calles. The jury also found Lujan guilty of torturing a 17-month-old girl in 2006. Lujan was the boyfriend of Diego’s mother. Lujan violently beat Diego for several days in a Lompoc motel room until Diego eventually died from blunt force trauma. In addition, Diego’s mother pleaded guilty to felony child abuse for failing to protect him.

People v. Lanie Tyrone Richardson

On June 6, 2012, Lanie Tyrone Richardson was driving through Montecito with three others while under the influence of alcohol and cocaine. Two passengers sat on the hood of the SUV that Richardson was driving, and the third passenger was inside the vehicle. The vehicle was traveling between 70 and 92 mph in a 40 mph zone when Richardson hit a bump on East Valley Road. The passengers flew off of the hood of the vehicle; one skidded for 230 feet before dying at the scene, and the other was injured. Richardson later told police that the passengers had been victims of a hit-and-run, and he had stopped to provide assistance as a Good Samaritan. However, the third passenger eventually admitted their involvement in the incident. On September 12, 2013, Richardson pled to committing felony gross vehicular manslaughter while intoxicated. Richardson also admitted to personally inflicting great bodily injury to a second victim, and to having a prior felony conviction. Additionally, he pled to a count of misdemeanor driving on a suspended license as a result of a prior DUI conviction. On January 9, 2014, Richardson was sentenced to 14 years in state prison.
The Vulnerable Victims Unit prosecutes domestic violence, crimes of abuse, and hate crimes. This unit has been reinforced and expanded during District Attorney Dudley’s first term of office.

**People v. Felix Nicolas**

On December 18, 2013, Felix Nicolas was sentenced to 206 years to life in prison after being convicted of 16 felony counts which included solicitation to commit murder, aggravated sexual assault of a minor under the age of 14, oral copulation of a minor under the age of 14, rape of a minor under the age of 14, and attempted sodomy of a minor under the age of 14. Nicolas sexually assaulted 3 girls who were between the ages of 9 and 13 at the time of the crimes.

While incarcerated in the Santa Barbara County Jail, Nicolas hired a fellow inmate to kill two of the victims who are currently ages 21 and 23. The inmate told a guard about the murder plan for hire, and assisted in the investigation. The victims also bravely testified in the trial and delivered moving impact statements.

**People v. Jose Raya Hernandez**

On February 19, 2013, Jose Raya-Hernandez was sentenced to a total term of 158 years to life for committing nine acts of child molestation on three victims in Santa Barbara and Ventura Counties. Two of the victims were his own daughters, and the third victim was his niece. The abuse took place over a 10-year period from 1996 to 2006. During that time, Raya-Hernandez molested his daughters hundreds of times. This sentence follows a guilty verdict on nine counts of child molestation and a multiple victim enhancement. Without the bravery of the three young ladies who heroically testified against their own family member, the defendant would have never been brought to justice.

**People v. Muhammad Sayyidel**

On July 14, 2011, Muhammad Sayyidel, a prior convicted child molester, was sentenced to life in prison. In September 2009, he asked a 13-year-old girl to perform sex acts on him in downtown Santa Barbara. He will also have to register as a sex offender based upon his recent convictions of attempted lewd act upon a child, and annoying or molesting a child under 18. The 51-year-old defendant will not be eligible for release until he is at least 92 years old. The victim and her father spoke directly to the court, and asked that the defendant be sentenced to the maximum time allowed. The Vulnerable Victims Unit worked together to convict this sexual predator, who is now off the streets and likely incarcerated for life.

**People v. Ryan Olsen**

In January 2010, a woman told Santa Maria police that she had been molested by Ryan Olsen nearly a decade ago. Olsen had been the babysitter of the 7-year-old victim and a trusted family friend. He was convicted by a jury of oral copulation and molestation of a child. On July 14, 2011, Olsen was sentenced to prison for 57 years to life. He was convicted of seven sex crimes, including forcible lewd acts upon a child and aggravated sexual assault. The victim and her family stood together, and asked the court to sentence Olsen to the maximum sentence allowed under the law so that he could not molest other children. The family’s request was echoed by this office.
Gangs continue to be a major problem in Santa Barbara County. In response, the Office of the District Attorney created specialized enhanced prosecution units staffed by specially trained deputy district attorneys who work closely with local law enforcement agencies to prosecute gang offenses. A goal of the Gang Unit is to serve gangs with Street Terrorism Enforcement and Prevention Act notification. STEP is an allegation of gang activity that, if found true at trial, increases prison time by a maximum of three years.

**People v. Adrian Robles**

In December 2012, Adrian Robles was found guilty of first-degree murder and was sentenced to life in prison without the possibility of parole. In April 2010, Robles stabbed Robert Simpson in the neck at Hendry’s Beach in Santa Barbara. Rudy Gallegos, a gang member and friend of Robles, originally fought with Simpson after a disagreement. Simpson won the fight and the two shook hands and walked away. Robles returned with a knife, came from behind and stabbed Simpson in the neck.

The gang mentality forced Robles to respond to Simpson to gain respect for the gang. Gallegos was originally arrested for the murder, but it was later determined that Robles was actually the one to commit the stabbing. Gallegos testified against Robles in the trial.

Two women were also charged in the case. Brittany Weiler pleaded guilty to accessory to murder and received probation, and a 17-year-old juvenile had her case resolved in juvenile court.

**People v. Charles Owens**

On June 11, 2007, Charles Owens shot Michael Spradling in the alley outside his Lompoc home. Spradling died of his gunshot wounds two days later. Owens was arrested and charged with the murder, along with special circumstances of a killing by a street gang member. The investigation also uncovered that Owens was beating and sexually assaulting his girlfriend. In May 2012, Owens was charged with corporal injury on cohabitant, forcible rape, forcible sodomy, attempted forcible oral copulation, and witness intimidation committed for criminal gang purposes. Owens was found guilty of all charges, and was sentenced to life in prison without the possibility of parole on December 3, 2013.

**People v. Lorenzo Padilla**

On November 21, 2011, Lorenzo Padilla was sentenced to 57 years to life in prison. He was found guilty of three separate counts of attempted murder, assault on a custodial officer, and attempted witness intimidation on a peace officer for a September 2009 crime spree during which he stabbed three people while shouting out his gang name. During his jury trial for the stabbings, Padilla committed a vicious attack with a jail shank on a Santa Barbara County Custody Sergeant at the Santa Maria Court Holding Facility. On August 20, 2013, he was convicted of the attempted murder of the Custody Sergeant. Padilla received a 22 year sentence to run consecutive to his 57 year prior sentence.

**People v. Michael Cardenas et al**

On October 20, 2010, George Ied was killed while walking home from work in Santa Barbara. He was murdered because he refused to give money to Eastside gang members when he was confronted on the sidewalk by Michael Cardenas, Ismael Parra, Miguel Parra and Steven Santana. In 2013, Miguel Parra and Santana pleaded guilty to voluntary manslaughter, and were sentenced to 16 years in prison and ordered to pay $20,000 in restitution each. Ismael Parra and Cardenas were found guilty of second-degree murder, battery, and street terrorism. They were sentenced to 15 years to life in prison.
The Financial Crimes Unit focuses on financial and cybercrimes. Whether a case involves embezzlement, fraud, tax evasion, or another financial or cybercrime, the Financial Crimes Unit is dedicated to investigating and prosecuting those responsible.

People v. Karen Flores

Karen Flores was employed by the Santa Barbara Police Department (SBPD) for approximately 15 years, and had been the Business Office Supervisor since 2004. In late 2009, discrepancies were found between the Police Department’s automated parking citation system and the City’s general ledger. One of the people tasked with working with the City on the discrepancies was Ms. Flores.

It was determined that the discrepancies were a result of theft, and an investigation led to Flores’ arrest after discovering that she had been stealing from the SBPD since being promoted to Business Office Supervisor in 2004. She pled guilty to a felony charge of misappropriation of public funds, and 5 felony charges of filing a false tax return. She also admitted that the amount of theft exceeded $500,000.

On September 5, 2013, Flores was sentenced to 10 years state prison. In addition, she was ordered to pay restitution in the amount of $797,592 to the City of Santa Barbara and the Franchise Tax Board. Additionally, she forfeited all retirement benefits from the City of Santa Barbara earned or accrued from 2004 to 2011.

People v. Chester Adam Taylor and Chester Lee Taylor

Father and son Chester Lee Taylor and Chester Adam Taylor owned Montecito Motors, a used car dealership in Santa Barbara. Both men were accused of delaying and withholding payments to customers whose cars they sold, as well as forging signatures and filing false tax returns. On May 17, 2012, Chester Adam Taylor pled no-contest to 24 felony charges and Chester Lee Taylor pled no contest to 22 felony charges. There were 27 victims named in the complaint. The charges included conspiracy, grand theft, financial elder abuse, and tax evasion.

The father and son duo also admitted a special allegation that the offenses were related felonies, a material element of which was fraud or embezzlement and the loss sustained by the victims was over $300,000. As part of the plea agreement, Chester Adam Taylor was sentenced to 11 years in state prison. Chester Lee Taylor was sentenced to 13 years in state prison.

People v. Penny Art Estes

Penny Art Estes came to Santa Barbara after the Jesusita and Tea Fires with the intent to defraud victims of those devastating fires. She claimed to have a “green” building block that was better than conventional building materials. She gained the confidence of her victims, took their insurance money and funds from other sources, and failed to complete the rebuild of their homes. In the most extreme cases, Estes took hundreds of thousands of dollars and did no construction work at all. Estes used most of the money for shopping excursions, airfare, expensive dinners, hotels, travel, and other extravagances. She took in close to $4.8 million dollars from the fire victims. Estes was charged with multiple felony counts of diverting construction funds, grand theft, theft by false pretenses, theft from an elder or dependent adult, and failure to file state income tax returns. On October 31, 2013, Estes pled to 28 felony counts and admitted 21 special allegations in connection with defrauding victims of the Jesusita and Tea Fires. Estes also admitted special allegations, which included defrauding victims of a natural disaster, and theft in excess of $500,000. On January 8, 2013, Estes was sentenced to 11 years and 8 months in state prison.
The Office of the District Attorney works closely to ensure that the public is protected, victims are compensated, and the rehabilitation of the minor is addressed. When there is probable cause to believe that a crime has been committed, the arresting agency may send that information to the Probation Department first. Probation can then decide whether the case should be handled informally, or sent to the District Attorney for the filing of a formal petition. If the petition is filed, the minor may still be afforded the chance of having the case handled informally depending upon the nature of the offense and the minor’s past behavior.

In 2012, felony referrals from law enforcement agencies decreased 33% from the previous year. Some of that decrease is attributed to the most serious cases being directly filed into adult court by the District Attorney under Proposition 21. After careful consideration of the minor’s juvenile history, the gravity of the offense, and the minor’s age, offenses such as murders, attempted murders, and assaults with deadly weapons causing great bodily injury are certified to adult court.

The graph below summarizes the steady decrease in filings from a high of 2,382 in 2011 to a low of 1,404 in 2012.
Complex cases involving consumer and environmental crimes are investigated and prosecuted. Over the past four years, the Office of the District Attorney has secured approximately $450,000 in civil penalty revenue through settlements of civil cases countywide. The Office of the District Attorney handles a wide variety of environmental cases. These cases range from hazardous waste or deleterious spills, air pollution violations, improper maintenance of underground storage tanks, and/or hazardous materials facilities, to illicit water diversions, streambed alterations, enforcing protected species and marine areas, and even regulating commercial fishing and hunting. A significant goal of this office is to protect, enforce, and maintain Santa Barbara’s extraordinary environment – this goal is achieved by enforcing environmental laws that can be overlooked.

Individuals that harm our surroundings, either through intentional or negligent acts, have also been prosecuted. Whether through injunctive relief, criminal probation, jail time, and/or financial penalties, those culpable are held accountable. Payments received can be directed toward mitigating the damage inflicted, as well as given to programs and private groups dedicated to protecting our environment. This office also investigates and prosecutes consumer fraud cases, including companies or individuals who engage in fraudulent or unlawful business practices. Furthermore, this office also joins in statewide consumer fraud litigation against companies that engage in widespread unlawful business practices throughout California.

“Our office is committed to protecting the environment. Businesses must adhere to environmental standards that protect the public health and safety of our communities, or face the consequences for failing to do so.”

District Attorney Press Release
August 9, 2013

**People v. Walgreens**

Along with 42 other California district attorneys and two city attorneys, the Santa Barbara County District Attorney brought a civil enforcement lawsuit against Walgreens Co. for their company-wide policies of unlawfully handling and disposing of various hazardous wastes and materials, and confidential medical information without preserving the confidentiality of patients’ medical information. These unlawful acts were discovered when district attorney investigators and environmental regulators across the state conducted a series of waste inspections of dumpsters belonging to Walgreens’ stores.

As a result of this prosecution, Walgreens Co. was ordered to pay $16.57 million in civil penalties and costs. Santa Barbara County received approximately $24,000 in civil penalties and cost recovery in this judgment. Part of this judgment must fund environmental projects that further consumer protection and environmental enforcement in California. Walgreens will also be permanently prohibited from engaging in similar unlawful practices in the future. As a result of this lawsuit, California Walgreens stores have adopted policies and procedures designed to eliminate the disposal of hazardous waste products and confidential consumer information records into store dumpsters.

**People v. Summerland Gas**

Elian Hanna, the owner and operator of Summerland Gas, was prosecuted after an investigation was completed by the Santa Barbara County Fire Hazardous Materials Unit. The investigation found that Summerland Gas had consistently and repeatedly failed to properly monitor and operate underground gasoline and diesel storage tanks, thus endangering the public and the environment. Summerland Gas was forced to come into full compliance before the stipulated judgment was entered. On June 28, 2013, Hanna was ordered to pay $30,000 in civil penalties.
RESTORATIVE JUSTICE

New in 2013, the Office of the District Attorney partnered with the Probation Department and Conflict Solutions to establish its first victim-centered conflict resolution system in the juvenile courts known as Restorative Justice. This mediation program is offered, at the discretion of the District Attorney, to qualifying youth offenders who have committed misdemeanor crimes and certain non-serious felonies.

Restorative Justice is a theory of justice that emphasizes repairing the harm caused or revealed by criminal behavior. Through a mediation process called a “circle conference,” Restorative Justice allows victims an opportunity to voice the effects the crime has had on his/her life and provides offenders an opportunity to restore relationships and learn that his/her actions affect more than just the victim. These conferences involve the victim, the offender, the victim’s family, the offender’s probation officer, a mediator, and in some cases, community members.

This process provides victims a level of participation in the criminal justice process they would not typically have and helps youth offenders appreciate the impact of their actions and an opportunity to accept responsibility.

TECHNOLOGY

A concerted effort has been made by this office to embrace technology in order to streamline and modernize our operations. Discovery is provided electronically to the Public Defender and private defense attorneys, which has saved staff time and resources by reducing the need to burn CDs. Electronic arrest and filing data is also transmitted and received to and from the Santa Barbara Police Department. Courtrooms are wireless, and each attorney is provided a laptop for instant access to documents and the case information system.

The District Attorney website has been redesigned to include the latest information on cases, current programs, and press releases. Video conferencing is used for meetings county-wide, in addition to being available to participate in parole hearings for convicts serving life terms. Numerous hard copy publications have been eliminated, and this office now conducts legal research online. These enhancements have increased the ability for staff to work more efficiently and effectively in order to advance justice and protect our environmental resources.

LEGISLATIVE INITIATIVE

Crime victims have a tendency to feel helpless when it comes to fighting an injustice, especially when it comes in the form of a law. However, even one person can be the catalyst for change.

In 2009, a stranger entered a sleeping woman’s dark bedroom and briefly began having sexual intercourse with her. The woman screamed and resisted as soon as she realized that the man was not her boyfriend, who had fallen asleep in the living room.

The perpetrator could not be charged with felony rape, because the law stated that a man who impersonates someone in order to have sexual intercourse may be guilty of rape only if the victim is married and the man is pretending to be her husband.

At the request of District Attorney Dudley, Assemblyman Katcho Achadjian introduced Assembly Bill 65 to close this unconscionable and outdated loophole. Amidst multiple setbacks over a three-year period, the bill was eventually signed into law on September 9, 2013.

The new law ensures that all sexual assault victims are entitled to the same protection from rape by impersonation. This change in law would not have come to pass were it not for the brave actions and tenacity of Courtney Wettach, the rape victim turned survivor who has emerged as an advocate.

Assembly Bill 65
ARSON TASK FORCE

When elected, one of District Attorney Dudley’s first priorities was the creation of an Arson Task Force that is available at all times to respond to, coordinate, and work with all fire agencies throughout the County in the investigation and prosecution of those responsible for unlawful fires.

This task force was created in response to the fires that swept over Santa Barbara County in the mid-2000s. It is comprised of fire officials and investigators from city, county, state, and federal fire agencies, along with law enforcement officers, Deputy District Attorneys and District Attorney Investigators. It is chaired by the District Attorney. The task force focuses on ways to improve the investigation and prosecution of arson fires and arsonists.

HUMAN TRAFFICKING

The multi-disciplinary Human Trafficking Task Force is comprised of local, state and federal law enforcement agencies, non-profit and faith based organizations. The Task Force works together to identify and serve victims of human trafficking, promote greater understanding and awareness of the scope of human trafficking, and coordinate cross training opportunities. This task force is chaired by the District Attorney Victim-Witness Assistance Program Manager.

ENVIRONMENTAL

The Santa Barbara County Environmental Task Force (ETF) consists of participating federal, state, and county environmental enforcement agencies. The goal is to facilitate the sharing and exchange of resources and intelligence between different law enforcement and regulatory entities to help protect the environment, wildlife, and local natural resources. These cooperative partnerships allow task force members to pursue investigations in which no single entity has the resources and information gathering capability to complete individually. The ETF is co-chaired by a Deputy District Attorney and a District Attorney Investigator. Members of the ETF include DA prosecutors, local, state, and federal law enforcement agencies (Sheriff, California Department of Fish and Wildlife, United States Environmental Protection Agency, United States Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration), investigators and technical experts, and local environmental agencies.

ANTI-ANIMAL ABUSE

This task force was formed in an effort to reduce the number of animals being abused, protect those being threatened by animal abuse, and prevent those who are cruel to animals from engaging in other forms of abuse including domestic violence, child, and elder abuse. The task force is engaged in increasing educational opportunities, developing useful protocol for timely and effective responses to allegations of abuse, and strengthening the prosecution of animal cases that are subject to criminal filings. It is chaired by the District Attorney, and its membership includes multiple county and municipal governments, private agencies, and concerned members of the public.
On May 23, 1995, Bob Bryant’s son Danny died of a drug overdose. Like many other parents who have suffered the loss of a child to alcohol and other drugs, Mr. Bryant was determined to turn his tragedy into hope for others by raising funds to create an adolescent treatment center. The Council on Alcoholism and Drug Abuse (CADA) opened the Daniel Bryant Youth and Family Treatment Center on March 22, 2001 using funds raised from local and international Summit for Danny climbs. The Center provides safe, effective outpatient treatment for young people ages 12-18 who are struggling with alcohol, marijuana, and other drug problems. Treatment consists of group counseling, drug testing, and individual crisis counseling. Treatment, brief interventions, and family counseling are provided in English and Spanish under a sliding scale to ensure affordability for all families.

The local Summit for Danny is an annual hike in the Montecito foothills. This office and other community organizations and leaders join the effort to sponsor this event. For more than a decade, the Office of the District Attorney has sponsored teams of over 50 hikers. In addition, a donation of $5,000 is made each year from money seized and forfeited during drug arrests. Staff and their families also raise money and participate in this event. In 2013, the District Attorney team won the award for most team members.

A team of District Attorney staff participates in the United Way Lunch Bunch program. During this time, staff is able to eat lunch and interact with children. This provides a positive demonstration of support for the children in our community beyond that of a parent-child relationship, and offers children the opportunity to learn more about what this office does. Some children have even gone on to become lawyers as a result of their experience.

The Santa Barbara County District Attorney’s Office and the Santa Maria Police Department sponsored the first annual 2013 Traffic Safety and Awareness Memorial Walk in September 2013 in Santa Maria. The event was a one mile walk to honor and remember victims of traffic crimes, while also raising awareness of the risks of dangerous driving as both humans and animals have fallen victim to dangerous drivers. Owners of licensed, leashed, and safe dogs were encouraged to bring their canine companions. Proceeds were donated to the families of traffic casualty victims.

The Santa Barbara County Special Olympics provides sports programs and competitions for local Special Olympians. Along with other law enforcement agencies, this office participates in the Annual Torch Run, and also co-sponsors numerous Tip-a-Cop functions during which the public is invited to order meals and be waited on by volunteer servers from the Office of the District Attorney, Sheriff’s Office, Probation Department, and UCSB Police Department. Tips go directly to the Santa Barbara County Special Olympics. In 2012, these events raised almost $100,000.

Community Outreach & Involvement
COUNTY OF SANTA BARBARA
OFFICE OF THE DISTRICT ATTORNEY

Visit the Office of the District Attorney’s Website
www.countyofsbc.org/da/index.html

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