

## Long-Delayed Colonies \$102M Settlement Political Corruption Trial Begins

By Ruth Musser-Lopez and Mark Gutglueck

This week, the long awaited Colonies Lawsuit Settlement Public Corruption Trial got underway in earnest, with the jury previously selected to pass judgment in the case against defendant Jim Erwin hearing opening statements from both the prosecution and the defense.



Lewis Cope

Erwin is one of four remaining defendants of the five who have been

charged in the case.

In February 2010, charges were first filed against Erwin, a one-time sheriff's deputy who was the elected treasurer and later the president of the union representing San Bernardino County's sheriff's deputies, and a once-powerful county politician, Bill Postmus, who was both chairman of the board of supervi-



Raj Maline

sors, the chairman of the San Bernardino County Republican Party appa-

ratus and later county assessor. Those charges came more than three years after Postmus vacated his position as supervisor when he was elected assessor in November 2006, shortly after which he hired Erwin to serve in the capacity of assistant assessor. The February 2010 criminal charges alleged that Postmus and Erwin were intertwined in See P 2

## Appellate Court Upholds Finding Apple Valley Town Council Breached Brown Act

APPLE VALLEY—The Fourth District Court of Appeal has in essence substantiated a lower court ruling that Apple Valley's 2013 ballot measure that passed and authorized the project processing and construction of a Wal-Mart Supercenter in Apple Valley was contrary to the law.

The decision renders

inapplicable the town's Measure D — which came to be referred to as the "Walmart Initiative Measure." That measure was voted upon in a special election held November 19, 2013 and passed by 6,230 votes, or 58.59 percent, to 4,403 votes opposed, or 41.41 percent.

While the court invalidated the vote, it

stopped short of upholding the totality of the previous ruling, which held the initiative violated the California Constitution.

In reaction, the town offered a terse statement that its officials are "not able to offer comment at this time, but will be glad to do so once we have time to fully review the ruling."

At the heart of the

matter was the town council's violation of the Ralph M. Brown Act, the state's open meeting law. The Brown Act violation occurred at the town council's August 13, 2013 meeting when it ratified a memorandum of understanding between the town and Wal-Mart. A three member panel of the 4th District Court of Appeal

opined the vote was a clear violation of the rule that states such action must be clearly noticed at least 72 hours ahead of the vote and that the vote must be carried on in public.

While town officials are enthusiastic about welcoming a Wal-Mart to Apple Valley because of the boost in sales tax it would rep- See P 3

## DA's Office Blocks Immediate Placement Of Rapist Locally

By Christopher Lee

Due to the efforts of the district attorney's office, a man deemed a violent sexual predator will not be placed in San Bernardino County at this time.

For the last six months, prosecutors assigned to the district attorney's sexually violent predator (SVP) and appellate services units have fought efforts to have convicted sexually violent predator

Luther B. Evan placed in San Bernardino County.

"So far we have extended every resource at our disposal to stop this predator from entering our community," district attorney Mike Ramos said. "San Bernardino County will not be used as a dumping ground for sexually violent predators."

In this particular case, the proposed area of release included See P 3

## Appeal For Help In Finding Sadistic Killers And Torturers Of Lucerne Valley Dogs

The district attorney's animal cruelty prosecution unit and the sheriff's rural crimes task force have been investigating and will continue to investigate the death of two pit bulls in Lucerne Valley.

In August 2016, the dogs were found deceased, tied up and mangled. One had a rope around its neck and the other had a chain. The dogs have since been

identified as Diamond and Sophia, two pit bulls previously reported missing by a Lucerne Valley resident.

"This vicious crime along with the gruesome photos circulating on social media have generated understandable public outrage," according to a statement from the district attorney's office. "We are committed to gaining the evidence needed to hold any and

all perpetrators responsible for this act."

"At this time, we are seeking the public's help," a press release from the district attorney's office announced. "If you have any additional information that would help identify who is responsible for this crime, please contact our animal cruelty prosecution unit at (909) 945-4400."

## Love Is In The Air Above Chino & In Philatelists' Hearts All Over The USA

Chino and the Chino Airport brought themselves some attention this week, as the U.S. Postal Service has selected the Planes of Fame Air Museum to host the unveiling of the newest addition to the service's "Love Stamps," in this case the forever stamp, "Love Skywriting."

The sky-blue stamp is to be issued at the "forever" price of 47 cents,

Postal Service officials said, meaning it will cover the cost of sending a letter now and into the future, even if postal rates increase. It will go on sale at noon tomorrow at post offices across America, all 32,000 of them. Some quarter of a billion of the stamps are being printed.

As part of the christening of the stamp, the Postal Service contract-



ed with the Las Vegas-based company Skytyp-

ers, which flies out of Chino Airport, to repro-

duce what is depicted on the stamp: the word Love in white skywriting against a blue sky background.

That display, which was done a day early because of anticipated clouds and rain tomorrow, raised heads all over the greater Chino Valley. The event has attracted people, including philatelists who have come to Chino, arriving See P 3

## Murder Tally For 2016 In San Bernardino Reaches 62

SAN BERNARDINO—2016 ended with the dubious distinction of being the most murderous year not only during the ongoing five year period in which there has been a serious uptick in homicides in the county seat but the most deadly 12 months in San Bernardino since the beginning of the millennium. Between January 1, 2012 and December 31, 2016 inclusive, there have been 241 homicides in San Bernardino, an average of 48.2 annually. 2016 closed out with 62 killings, significantly more than the average over the last five years and well above the 47 in 2012, 45 in 2013, 43 in 2014 and the 44 in 2015. Indeed, that number eclipsed the 58 murders recorded in the city in 2005, which city officials were until recently hopeful would be the high water mark for mayhem in San Bernardino this century.

San Bernardino's murder rate had crept up to 58 in 2005 after a gradual but steady climb from 42 in 2002, to 48 in 2003, 50 in 2004. After 2005, homicides seemed to be trending downward — 46 in 2006, 45 in 2007, 32 in both 2008 and 2009, another drop off to 31 in 2010 and then 30 in 2011. But San Bernardino's curse of violence again took hold in 2012, including a wave of carnage that took place in the final days of April and the first week of May in 2012, when, between April 28 and May 7, a period of nine days, eight people were murdered in the city. In May 2012, 12 people were murdered in San Bernardino. The pace of killing was nearly as bad in See P 6

**Opening Statements  
In Colonies Trial**  
*from front page*

an extortion and bribery circumstance relating to one of Postmus's last acts as supervisor, when he and then-supervisors Paul Biane and Gary Ovitt approved the \$102 million settling of a lawsuit brought by the Colonies Partners development consortium against the county and its flood control district over drainage issues. Those drainage issues existed at the Colonies at San Antonio residential and Colonies Crossroads commercial subdivisions in northeast Upland.

Both Postmus and Erwin pleaded not guilty to those charges in the immediate aftermath of that original criminal filing. Thirteen months later, however, Postmus in March 2011, pleaded guilty to 10 felonies and other misdemeanors in connection with the Colonies case as well as allegations of abusing his elected office as county assessor to bolster his political career, and drug use/possession.

He agreed to turn state's evidence and testify against the four defendants at trial in exchange for leniency.

Postmus then served as the star witness before a grand jury, which heard the testimony of more than 40 witnesses and then in May 2011 handed down a 29-count indictment naming Biane, who had been voted out of office as the county's Second District supervisor in 2010; Mark Kirk, who had been the chief of staff to Gary Ovitt; Jeff Burum, one of the Colonies Partners' two managing principals; and Erwin. The charges



**Jim Erwin**

in the indictment superseded those filed against Erwin in the criminal case leveled against him 15 months previously. The indictment essentially rehashed the

charges contained in the February 2010 criminal complaint, but enlarged upon the action of Biane, Kirk and Burum, and included them as defendants.

According to the indictment, Burum, seeking to profiteer from an excessive legal settlement, utilized a public relations consultant, Patrick O'Reilly, and Erwin to threaten and extort Postmus and Biane with exposure of issues relating to their respective lifestyles to convince them to settle the lawsuit the Colonies Partners had lodged against the county. Ultimately that information was withheld in conjunction with Postmus, Biane and Ovitt approving the settlement of the lawsuit for a \$102 million payout, according to the indictment, and Burum then rewarded Erwin, Postmus, Biane and Kirk with the provision of \$100,000 kickbacks to each of them disguised as political contributions to political action committees each of them had set up or in some fashion controlled. The indictment alleged that the

\$100,000 paid to Kirk was provided to him for delivering then-supervisor Ovitt's vote in support of the settlement.

In his opening statement on Wednesday, San Bernardino County Deputy District Attorney R. Lewis Cope described the alleged unlawful extraction of a wrongful settlement as a "carrot and stick" scheme plotted by Burum and carried out largely with the assistance of Erwin. The prosecution team consists of members of the San Bernardino County District Attorney's Office and the California Attorney General's Office, most notably Cope and Supervising California Deputy Attorney Melissa Mandel.

Two juries have been impaneled for the trial - one for Erwin and the other for his three codefendants. That arrangement has been made because the prosecution wants to use certain statements Erwin made as evidence against him but are legally inadmissible against his codefendants. The jury impaneled to decide Erwin's fate was pres-

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ent in the courtroom on Wednesday January 4 and Thursday January 5, while the jury for the



**Jeff Burum**

He is particularly well known by those who are politically inclined. He is a power broker, someone they want to see if they want to gain office, particularly if you are a Republican. There were politicians who felt they needed his endorsement if they are going to advance in their careers. He was a very important person in that realm and people sought him out."

other three defendants was not present. Both juries are to be present on Monday January 9 to hear opening statements with regard to the other three remaining defendants.

While it was anticipated that in his opening argument given on Wednesday Cope would dwell in almost total measure with regard to the action of Erwin, as it turned out his presentation focused nearly as much on the action of the other defendants as it did on Erwin. To the extent that Cope made allegations against Erwin, he did so within the greater context of the action of what he essentially described as a criminal enterprise by all four of the defendants and Postmus. That enterprise, Cope averred, revolved around Burum.

Cope said Burum used a "carrot and stick" approach to get the board of supervisors to approve a settlement favorable to his company, and that Erwin was instrumental in the application of the stick. "Mr. Burum," Cope said, "is a well known developer with great resources.

Referencing the county government center, located "less than a block away from here, the county and its representatives entered into a dirty deal, a deal that was born of greed and corruption and bribery, knowing it was a bad deal, knowing they would profit from it, knowing it was bad for the county," Cope said. "All of the county's attorneys recommended against it."

Burum's company, the Colonies Partners had "filed a lawsuit against the county," and "wanted that lawsuit settled," Cope said. "He wanted it settled because he wanted the money and the land that was part of the deal."

Cope continued, "Mr. Erwin had a very interesting role and the evidence will show that at one time he was in charge of SEBA [the Safety Employees Benefit Association], the police union. Being in charge of that he had access to their resources. He was powerful but he wanted more. He wanted a greater political career. He wanted more power.

*Continued on Page 4*

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**Appellate Court Rules Apple Valley Violated Brown Act** *from front page*

resent, many residents are not pleased with the company on a number of grounds and some feel that it is not compatible with Apple Valley's efforts to stay a cut above other desert communities.

Leading the legal charge against the super-

center was attorney Cory Briggs, who has offices in Upland and San Diego. He has made a point of challenging Wal-Mart construction proposals on a number of grounds in nearly a dozen Southern California cities, including Hesperia and Ontario. Briggs filed the instant case on behalf of Apple Valley resident Gabriel Hernandez, who had standing to sue.

The memorandum of

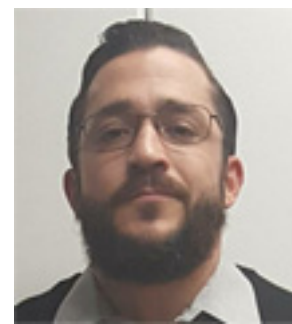
understanding called for the town's acceptance of Wal-Mart's offer to pay for the special election. The item was not placed on the agenda ahead of time. The city was up against a deadline to get the matter scheduled for an election by November at that point. Delaying it would have moved the election well into 2014.

According to a court document filed by Briggs, "In none of the

documents was the 'item of business' that town council was going to accept a gift from Walmart in order to pay for a special election to pass the Initiative." Briggs estimated the contribution of Wal-Mart to the city at one quarter of a million dollars.

The court held that the memorandum was a critical indicator of the Brown Act violation.

**From One Reporter's Notebook**



By Carlos Avalos

What started out as an undergraduate paper at my alma mater Cal State San Bernardino has turned into an obsession and quest for the truth. I still remember my professor, Dr Al Mariam, one of the brightest individuals I have ever had the opportunity to meet, tell me, "You should get this published or start your own blog." What Dr. Mariam was referring to was a paper I prepared on the Fontana Police department. The class was Judicial Process and little did I know at the time this paper would transcend the classroom and lead me into me talking about issues that have and continue to impact the people who live in the city where I was raised, and put a spotlight on the corruption, racism, nepotism, and unethical behavior of a police department that has been in place and intact for more than five decades. At the end of 2014 I dug up my ten page paper and decided to adhere to the opinion of my old professor Dr. Mariam.

It is well known in academia that it is relatively hard to get one's work published in a scholarly forum or write a book. I set about fluffing my resumé and taking a crack at trying to add more to my undergraduate paper to see if I could get it published. I had no idea where to start. So I decided that I would write about the Fontana P.D and the Fontana city government, beginning with the Fontana P.D. So I started by requesting the names of all of the police chiefs in Fontana's history.

I started with Henry Youngue. I decided to go online, type in the names of the chiefs and see what popped up. Not real scientific, but I had to start somewhere.

The information I have gathered was astounding. I have come across everything from billboards in Fontana being used to recruit Ku Klux Klan members, killing after killing at the hands of the Fontana P.D being labeled as within policy, blatant racism, and a host of other things. On October 22, 2015, my first letter to the editor at the *Fontana Herald News* was published. It was entitled *Fontana Is Still Affected By Racism*. I put this out because I felt compelled to. I knew it was the right thing to do, and although I knew I was not reinventing the wheel, I felt like I was heading down uncharted territory. In this article I touched on Fontana's KKK history and issues that I had received from my social media acquaintances about people's opinions and or problems with the department. The people responded with accounts of sobriety and insurance check points that are suspected of targeting minorities through racial profiling, corruption, abuse of power, and a history of racism in police department and local city government.

On March 18, 2016, I wrote my second letter to the editor. It was entitled *Police Force Should Resemble Community*. In this article I wrote about the ethnic racial disparity in law enforcement. I looked at the city of Colton, Rialto, San Bernardino, Pomona, and Fontana. I took into account the total number of these cities' minority populations and compared them to the number of minorities working on each specific city's police force. The cities mentioned do not have

*Continued on Page 6*

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**Rapist Turned Away By DA's Action** *from front page*

the communities of Joshua Tree, Yucca Valley and Morongo, as well as neighboring communities of the Morongo Basin.

In Oct. 2003, Evans was committed as a Sexually Violent Predator (SVP) by the San Francisco Superior Court pursuant to Welfare and Institutions Code section 6600.2 His commitment followed 1976 criminal convictions for residential burglary, rape and assault with intent to commit rape, and a second rape in 1980. He further committed a sexual battery while attempting rape in 1991. According

to court records, Evans presented as a "wanton" and "lawless" psychopath.

In August 2015, Evans petitioned the court for conditional release, indicating that San Francisco was both his county of residence and his county of commitment. In November 2015, the court granted Evans's petition, nominally releasing him to outpatient treatment. The SVP law required that Evans be placed in San Francisco County where he committed his crimes, unless it could find extraordinary circumstances, requiring specific notice to the county where he would be released.

Over the course of the next six months, Liberty

Health Care (who was responsible for overseeing the placement) told the San Francisco court that it was unable to find a location in the nine Bay-area counties. Liberty indicated it was similarly unsuccessful when the search was expanded east of Santa Clara County and north to the state line. On May 18, the involved parties and Liberty appeared before the court in San Francisco and a proposed address of placement in San Bernardino County was presented.

Upon receiving notice of the proposed placement, members of the San Bernardino County District Attorney's Office SVP and appellate services units filed multiple opposition briefs and appeared on behalf of the citizens of San Bernardino County in San Francisco Superior Court to successfully halt the release at this time.

During this process, SVP prosecutor Maureen R. O'Connell discovered that the San Francisco Court had never actually had a hearing in which Evans received a civil commitment to the State Mental Hospital as a sexually violent predator, a prerequisite to any outpatient release and

supervision.

"As a result of this discovery, the applicable law provided to the court and our arguments, the San Francisco Superior Court rescinded the outpatient placement order and set the case for trial to determine whether Mr. Evans remained a sexually violent predator, subject to placement at the State Hospital," said O'Connell.

A hearing is scheduled for further proceedings on the case on January 18, 2017 in San Francisco Superior Court.

"While California law permits a court to place an SVP in a remote location that has no connection to that individual, it was important for our office to ensure our citizens had a voice before the San Francisco court," said Supervising Deputy District Attorney Robert Brown, who participated in the San Francisco litigation. "When the safety of the community could be placed at risk, we felt it was important to do all that we could to argue against the placement."

**Stamp Given Debut In Chino** *from front page*

as early as last night, and who will be on hand for the unveiling tomorrow.

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# San Bernardino County *Sentinel*

News of Note  
from Around the  
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The *Sentinel* devotes itself to what is happening in and around San Bernardino County. Social events, political news, issues pertaining to education, medicine, industry, commerce, development, real estate, history, culture and entertainment are of interest to us. Let us help you make our readers aware of what is happening in your corner of the world. Do you have a news tip? Don't hesitate to pick up the phone or drop us a line at [sbcsentinel@yahoo.com](mailto:sbcsentinel@yahoo.com) to alert us to that fascinating tidbit.

### Prosecution & Defense Lay Out Their Respective Pitches In Colonies Criminal Matter *from page 2*

We will explore how he went about gaining that power. He did that by facilitating the settlement. He did that by threatening members of the board of supervisors. He did that by telling them he would expose things about them they didn't want the voters to know, that would damage their careers. He was serving Mr. Burum in moving the settlement along in ways that were not proper, in ways that were dark."

Biane, Cope said, was another cog in the wheel-

house of corruption. Cope said that Biane, who was a real estate professional before he was elected to the board of supervisors, "was one of the supervisors who



Paul Biane

endorsed this settlement with Mr. Burum and the Colonies for \$102 million. He did that against the advice of the best attorneys the county could hire. He did this despite the value of the property

that would be exchanged was far in excess of what was required. The evidence will show he did know that."

Continuing, Cope said, "Mr. Kirk was the chief of staff to Gary Ovitt. Mr. Ovitt relied a lot on Mr. Kirk. Mr. Kirk wanted to see the deal go through from the very beginning because he knew he would profit from it. Another person was Bill Postmus. Mr. Postmus was also a member of the board of supervisors at the time the deal was entered into. He was an individual who also profited from this event. How did they profit? Kirk, Erwin, Biane and Postmus all set up PACs [political action committees]." PACs, Cope said, "are a mechanism whereby people can donate money to serve political purpose. It is perfectly legitimate and legal for a person to donate money to those. But in this case, the donations were essentially payments as bribes. Mr. Burum gave each of them \$100,000 at the end of the settlement. [The money] did not all come at once. We will talk about the time period when the money came into the PACs. It is important for the case to know how significant PACS are to the men

who have power. There are lots of things people can do [with PACS]. If you are clever, there are ways that you can use them to gain power and influence. So this became a very powerful motivator. What can you do with money in a PAC? You can donate to your election process. Mr. Postmus put [the money] into his campaign fund. Then you can go out and use it as political expenditures."

In Erwin's case, Cope said, he used the money to support the supervisory candidacy of San Bernardino City Councilman Neil Derry, who in 2008 ran against supervisor Dennis Hansberger, one of the two supervisors who voted against the \$102 million settlement. Erwin did so at least in part, Cope said, with the expectation Derry would hire him as his chief of staff. When Derry defeated Hansberger, Cope said, Derry indeed hired him.

In similar fashion, the \$100,000 supplied to Kirk's political action committee was part of an illicit manipulation of the political process, Cope said.

"Gary Ovitt was ostensibly Mark Kirk's boss," Cope said. "Mr. Kirk was his chief of staff. It was recognized

that Mr. Kirk was very powerful in that position. You had to go through Mark Kirk to get to Gary Ovitt. Mr. Kirk's word was important. He let it



Mark Kirk

be known to Mr. Burum that he would deliver Gary Ovitt's vote."

Cope said that Burum, in conjunction with Erwin and another individual, Patrick O'Reilly, utilized the political ambitions of Postmus, Biane and Kirk to achieve the settlement on terms favorable to his company.

"These are politicians that wanted to be more than what they were," Cope said. "Mr. Biane wanted to move up. He wanted a further, more important political office. He did not want something that would interfere with that pursuit. Mr. Postmus wanted further political office."

Thus, Cope asserted, they wanted Burum's monetary assistance, but they were wary of the negative publicity they

might get if they came across as openly militating on his company's behalf.

"These men are trying to help Mr. Burum, but at the same time they worried about the voters," Cope said. "They are trying to help Mr. Burum arrive at a settlement but can't, for political reasons, go too far. So, Mr. Burum changed tactics and as the time got closer to where the deal had to be made, he had to get Mr. Erwin to help him. Mr. Erwin worked, under the direction of Mr. Burum, to induce Postmus and Biane to settle."

In this regard, Cope said, Burum had relied upon the advice provided to him by another politician he hired, former California State Senator Jim Brulte, who is now the chairman of the California Republican Party. Cope said that Brulte counseled Burum that "you have to change the narrative of what is in the news space if you want to change the environment in which the politician will settle" the lawsuit. "And by the way," Cope said, "Mr. Burum did listen to Jim Brulte's advice with respect to the media and made an

*Continued on Page 12*

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## Glimpse Of SBC's Past Jedediah Smith



**Jedediah Smith** from a drawing done from memory by one of his mountain men colleagues undertaken after his 1831 death.

By Mark Gutglueck

Jedediah Strong Smith was an early American explorer. He and his party were the first Americans, in 1826, to cross the continent into Southern California and what is now San Bernardino County.

Born in Jericho, now Bainbridge, New York, on January 6, 1799, to Puritan descendants Jedediah, 1st and Sally Strong, Jedediah Smith was relatively well educated, particularly with regard to English and Latin and was averred a good writer. Smith's father owned a general store and in 1810 became involved in a problem involving counterfeit currency, and thereafter moved his family to Erie County, Pennsylvania. At the age of 13, Jedediah Smith worked as a clerk on a Lake Erie freighter, picking up skill in business practices and became acquainted with traders. A friend of the Smith family, Dr. Titus G. V. Simons is believed to have given young Jedediah a copy of Meriwether Lewis's and William Clark's 1814 book recounting their 1804–1806 expedition to the Pacific. Legend has

it that Smith packed this journal along on all of his travels throughout the American West. In 1817, the Smith family moved westward to Ohio, settling Green Township, or what is present-day Ashland County.

The six foot tall, blue-eyed Jedediah in 1822 had moved on his own to St. Louis, where he responded to an advertisement in the Missouri Gazette placed by General William H. Ashley, seeking "enterprising young men" interested in participating in the fur trade as junior partners to General Ashley and Major Andrew Henry, two veterans of the War of 1812. Ashley and Henry dispatched him up the Missouri River on the keelboat Enterprize, which sank three weeks into the journey. Smith and the other men waited at the site of the wreckage for a replacement boat, hunting and foraging for food until Ashley brought up another boat with an additional 46 men. Continuing upriver, Smith encountered Sioux and Arikara during his first foray into the western frontier, reaching the recently-built Fort Henry, named

after his employer, at the mouth of the Yellowstone River on October 1. Smith and some other men continued up the Missouri to the mouth of the Musselshell River in central Montana, establishing a fur trapping camp there.

In the spring of 1823, Major Henry instructed Smith to descend the Missouri to the Grand River and have Ashley buy horses from the Arikaras, who had recently engaged in hostilities with Missouri Fur Company traders, in some measure because they were upset over the white trappers having displaced Indians as fur suppliers, as well as the Anglos' recent intercession on behalf of several Sioux warriors that the Arikara had encircled and were about to annihilate. Smith met Ashley, who was bringing provisions upriver by boat, and some 70 men accompanying him at the Arikara village near Riccaree on May 30. A trade was arranged with the Arikara for a number of horses and 200 buffalo robes. Though both entities were amenable to the trade and the deal was consummated, tension between the red men and the palefaces was high and Ashley's intent of departing at once was delayed by inclement weather. The vulnerable trappers were attacked by a war party of some 600 Arikara Indians. Ashley would later recount that the majority of the Indians were, "armed with London Fuzils [muskets] that carry a ball with great accuracy, and force, and which they use with as much expertness as any men I ever saw handle arms." The remaining Arikara without firearms utilized bows and arrows and war axes. This would become known as the Arikaras Massacre, as the Arikara warriors overwhelmed the mountain men, 12 of whom were killed and many

more wounded. In the face of the attack, Smith stood his ground and burnished his reputation as a courageous mountain man.

"When his party was in danger, Mr. Smith was always among the foremost to meet it, and the last to fly; those who saw him on shore, at the Riccaree fight, in 1823, can attest to the truth of this assertion," one of those who came through the ordeal said. Survivors of the attack included Hugh Glass, Jim Bridger, Thomas Fitzpatrick, and Giles Roberts. Ashley dispatched Smith and another man to return to Fort Henry on foot to inform Major Henry of what had occurred. The remainder of the survivors headed downstream. A less than successful campaign against the Arikaras followed, in which 80 of Ashley and Henry's men, 250 men from Fort Atkinson, 60 men of the Missouri Fur Company and a band of Lakota Sioux warriors, who were dire enemies of the Arikaras, participated. Henry and Ashley elevated Smith to the status of a captain during this effort, a title he would keep thereafter. The Arikaras proved successful in their resistance to the efforts to subdue them and eventually a truce was had under the terms of a negotiated peace treaty.

After the Arikaras campaign, Smith and several other of Ashley's men traveled downriver to Fort Kiowa in the fall of 1823. From there, Smith and at least ten of the men made their way overland to the Rocky Mountains, intent on meeting the Crow tribe, whom they intended to bargain with for fresh mounts and obtain direction on how to make their way further westward. Along the way, Jedediah encountered and was attacked by a large grizzly bear. After the bear knocked Smith to the ground and pounced on

him as horrified members of his party looked on, Smith sought to fight back, whereupon the bear broke Smith's ribs, ripped his side open and clawed his head, which it then took into its mouth. Of a sudden, the bear inexplicably retreated, at which point the men in the party came to his assistance. Smith's scalp and ear were nearly ripped off. Smith impertuned one of the men, Jim Clyman, to loosely sew the mauled piece of flesh back into place. His fellow trappers fetched water and cleaned up his wounds and then bound up his broken ribs. Upon recovery, Smith wore his hair long to cover the large scar from his eyebrow to his ear.

After wintering in the Wind River Valley at the end of 1823 and the beginning of 1824, Smith undertook an exploratory expedition to find a route through the Rocky Mountains. Smith was able to com-

Wyoming. After dividing into separate parties to trap both upstream and downstream on the Green River, the men reunited in July on the Sweetwater River, and Thomas Fitzpatrick and two others traveled back to St. Louis and Ashley, bearing the furs and word of a route through the Rockies. Smith would later inform Secretary of War John Eaton in 1830 of the location and mode of access to the South Pass.

After Fitzpatrick left, Jedediah and his men again passed through South Pass, arriving at Flathead Post in Montana in November 1824. Shortly thereafter Major Henry would retire from the fur trading partnership with Ashley, and Ashley some time later took on Smith as his partner. Ashley left St. Louis late in 1824 and after an exploratory expedition through Wyoming and Utah, met up with Smith on July 1, 1825, offering



Frederic Remington's 1905 imaginative depiction of Jedediah Smith and his men crossing the Mojave Desert in 1826.

municate with the Crow Indians by means of a buffalo hide map on which the natives were able to show Smith and his men a route to the South Pass, a secret passage first encountered in 1812 by Canadian trapper Robert Stuart while traveling overland back from the Pacific Coast while he was working on behalf of John Jacob Astor's fur company. With his men, Jedediah Smith crossed through the pass westward, reaching the Green River near the mouth of the Big Sandy River in what is now

him a full partnership in the company. Smith then returned to St. Louis where he recruited Robert Campbell to serve as the company's clerk.

Smith had a second rendezvous in the summer of 1826 with Ashley, at which time Ashley withdrew from the direct harvesting of furs, agreeing that he would return to St. Louis to broker the sale of furs sent there and to arrange for the delivery of supplies to the fur gatherers. Leaving a cache of furs

*Continued on Page 7*

## Reporter's Notebook

from page 3

police forces that resemble the communities they serve. Even cities with a smaller minority population and sworn police force have more African American officers than Fontana and, with the exception of Colton, more Hispanic officers. The end result of my findings was that Fontana had fewer minorities by percentage working on its police force than any other city mentioned, despite the fact it boasts a larger minority population overall.

Before I put out this second article I came in contact with current and retired people in law enforcement, specifically the San Bernardino County Sheriff and the Fontana P.D.

I told them that I was researching and planning on publishing something hopefully about Fontana and its police department, and they responded that they could help me. I told them cops do not tell on cops, and inquired as to what was really going on. They said we are on the same mission that you're on. "What is that?" I asked. As one put it, "To reveal the true nature of the Fontana Police Department." At this very moment I was reminded of that scene in the Matrix where Morpheus asked the Keanu Reeves character Noyo, "Do you want to know the truth?" Morpheus gave Noyo the option to take the blue pill and the story ends and he believes whatever he wanted to believe, or if he takes the red pill he stays in never land and he gets shown how deep the rabbit hole goes. Without hesitation I took the red pill.

My third letter to the editor came out on April 28 2016; it was entitled Back at The Lion's Den, 13 years Later. This article was a little more personal because it had to do with my own personal encounter with the Fontana P.D. In 2003 I was a senior at Henry J. Kaiser High School. That same year a South

Fontana native named Jose Galvez was murdered at an ATM on Cherry Avenue and Live Oak. For weeks after the murder of this man there were no suspects or leads in finding the person or persons responsible for this murder. About one month after the killing of Jose Galvez, I had a knock on my door. The Fontana P.D. wanted to question me about something at the station. They did not give me a reason or say I was under arrest, but they did want to speak to me. Being young and naïve, I accompanied and accommodated them when I shouldn't have. During the interview it became apparent to me that the investigators were trying to frame me for the murder of Jose Galvez. They told me they had my finger prints at the scene of the crime. I was interrogated and bullied for hours and eventually let go because one of my friends corroborated my story and timeline.

There was a four month gap between my previous article and my next one which was published by the San Bernardino County *Sentinel* on August 22, 2016. The reason for this was because the two outlets I was using to publish my work stopped accommodating me. Inland Empire Politics, I.E Politics is an online type newspaper/blog that was run and created by a woman named Sharon Gilbert. I had contacted her and told her that I had valuable information I was receiving about the Fontana P.D, and that I wanted to publish the information on her website. She told me sure thing, and for a series of two months I published one article on her website. Gilbert had built a reputation with her website that she was not a person afraid to tell it how it is and put people on blast for their unethical behavior.

I released an article on I.E politics that was entitled "The Fox Is Now Guarding The Hen House." This article was about Robert Ramsey getting a promotion to

become Fontana's chief of police after former chief of police Rodney Jones was forced to resign. This article specifically talked about the off duty behavior of Robert Ramsey. Pictures surfaced of him providing alcohol to women who could have been minors, but Chief Ramsey did not care to find out or even ask the young woman their age, according to sources.

After this article I emailed a submission for another article and she did not respond to me. I went online to the I.E politics website and my article had been taken down and I no longer had access to it or was able to publish like I had previously. I continued emailing her and got no response. Since Gilbert was still allowing other work to be published, in my mind, the only logical explanation is that the Fontana P.D compromised her by threatening her. To this day I no longer speak to her nor have I written anything for her website.

On August 22, 2016 the San Bernardino County *Sentinel* published an article by me entitled 14 Years Later, Questions Remain Over Spate of FPD In-Custody Deaths.

This article was about three deaths in the matter of six months in 2002. Ismael Banda, David Michael Tyler, and Fermin Rincon were the names of the three men who died. My sources strongly conveyed to me that the deaths of these three men were due to unjustifiable use of force; all police reports were withheld from the public's view, and this incident was not investigated by an outside agency. What is odd about the three deaths of these men was that the same three officers were involved in all three deaths; which were Obie Rodriguez, who retired prematurely; William Green, and Robert Ramsey, who was not directly involved in the deaths but did play an advisory or supervisory role.

On September 4, 2016 the *Sentinel* released

an article of mine that was entitled Two Fontana Cops Allege FPD Is Riddled With Racism. This article was about a current lawsuit that is making its way through the San Bernardino Courts. Case number CIVDS1610471 is David J. Moore v Fontana. This particular suit brought forth by two Fontana P.D officers alleges racism, corruption, unfair hiring practices, retaliatory practices by an employer, along with many other disturbing events.

Supposedly there is evidence that shows a Martin Luther King Doll was tied with a noose around its neck and hung from a rafter in the Fontana P.D. This lawsuit makes mention of an African American man who was murdered at a Kentucky Fried Chicken on Sierra Avenue in Fontana. There is supposedly a picture of this man with a partially eaten chicken leg was strategically placed in his hand after he was dead, put there as a joke to make it look like the man was killed but still managed to hold onto a piece of chicken. This picture was supposedly taken by law enforcement and was circulated around the department for years.

The *Sentinel* reached out to David Moore and Andre Anderson, in effort to obtain proof regarding the allegations of their lawsuit, but they refused to produce tangible evidence to support the serious allegations of the lawsuit. Is there any proof that this crime was more than an isolated incident or set of incidents? What would happen if the murder victim family learns that a relative's corpse was desecrated and the crime scene was contaminated by a racist crime? Has the crime of tampering with a corpse ever been properly investigated?

My next article came out on September 17, 2016 and it was titled "Culture Clash Sent Former FPD Officer of the Year Packing." This article was about a Mexican American Iraq war Veteran who was a Fon-

tana P.D officer; who experienced racism at the department and gave an account of the nepotism that characterizes the department.

On November 19th 2016 I wrote an article called "FPD Nepotism: One Third Of Officers Related By Marriage, Blood, or Sex." This article touched on the fact that the Fontana P.D is filled with nepotism, back scratching, and sexual relationships that police departments are not expected to engage in.

All of these articles that I have written are facts that can be confirmed by police officers. These police officers want the truth to be revealed about a corrupt police department and are prepared to engage in the uphill battle to fight against an entity that has never been held accountable for its members' violation of the law.

This behavior that has taken place in the Fontana P.D takes place every day all over the United States in police agencies. What I have uncovered and am still in the process of uncovering is only the tip of the iceberg.

I encourage anybody listening who wants to know more information about what is going on at the Fontana P.D to please contact the San Bernardino County *Sentinel*. I also encourage

news and media outlets to contact the *Sentinel*.

I especially hope and encourage people in Fontana, San Bernardino County, and anyone interested to follow the civil lawsuit against the city of Fontana, David J. Moore v. Fontana, which starts on January 9 in San Bernardino Superior Court. Will Fontana settle the case quickly and make it go away like it has in many other cases? Will the two plaintiffs if they are paid money to keep quiet, take it and run, and forget about the slogan that runs across the Fontana P.D police vehicles – Service With Integrity? Only time will tell. One way or the other the truth will eventually set you free, and the darkness will always come to light.

According to the *Sentinel's* sources the Fontana P.D has engaged in activity that includes but is not limited to murder, falsifying documents, engaging in and promoting racism, unfair hiring practices, retaliatory practices against employees, physical abuse of citizens, racial profiling, falsely accusing citizens of murder, providing alcohol to minors, excessive force, tampering with dead bodies, tampering with evidence, promoting a racist work environment and falsifying evidence.



## Massive Murder Total In SB In 2016

from front page

all of 2014, when 43 occurred, as it had been in 2013, during which there were 45. In 2015, or the first eleven months of it, the city seemed heading in a better direction, on a pace to return to a murder total in the low 30s. But on December 2, 2015 the second deadliest murder rampage in California history took place at the Inland Regional Center in San Bernardino when Syed Rizwan Farook and his wife Tashfeen Malik opened fire on more than 60 of Farook's San Bernardino County Depart-

ment of Public Health colleagues who were gathered for a training event and Christmas party. Fourteen were killed, with all but two dying on the spot. Twenty-two others were seriously wounded but survived. A little over four hours later Farook and Malik were killed in a shootout with the police. Thus, 2015 would end with 44 murders in San Bernardino, or 46, if the deaths of Farook and Malik are added to the total.

Blood continued to be spilled apace in 2016. By the end of June, there had been 32 killings in

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## Jedediah Smith from page 5

near the rendezvous site at what would become known as Cache Valley in northern Utah, Smith and Ashley traveled north to meet David E. Jackson of Virginia and William L. Sublette of Kentucky near present-day Soda Springs, Idaho. Ashley sold his fur gathering position in his and Smith's partnership to the newly created partnership of Smith, Jackson & Sublette.

Fixated on finding the legendary Buenaventura River, reputed to be a navigable waterway to the Pacific Ocean providing an alternative to packing loads of furs back to St. Louis, Smith had searched for rivers flowing to the Pacific west and northwest of the Great Salt Lake. Such a find had been elusive, and he was unable to locate the Humboldt River, the likely source of the legend of the Buenaventura, even after he made it to eastern Nevada. Adducing that the Buenaventura must lie further south if it existed at all, Smith made plans for an exploratory expedition to Alta California, now a state of Mexico following that country's newfound independence from Spain.

Smith, in a party totaling 16 men, left the Bear River on August 7, 1826, and after retrieving the cache he had left earlier, headed south through present-day Utah. The party left northern Utah on August 22, 1826 and continued southerly into Nevada and on to the Colorado River, encountering extremely forbidding territory and harsh traveling conditions. Upon crossing into California near present-day Needles, Smith and his men were able to take temporary refuge in a friendly Mojave village while they and their horses recuperated. While there, Smith met two runaway Indians from the Spanish missions in California and persuaded them to guide him and his men west. After leaving the river,

Smith's party and the two guides pressed out into the Mojave Desert, moving along the Mohave Trail, what would later become known as the Old Spanish Trail's western portion, including passing by Soda Lake at the terminus of the Mojave River. They reached the San Bernardino Valley in November of 1826. Among Smith's party was Abraham LaPlant, who spoke a smattering of Spanish. They were able to get a loan of some horses from a rancher in San Bernardino and rode to the San Gabriel Mission on November 27, 1826, presenting themselves to the pastor at the mission, Father José Bernardo Sánchez. Bernardo Sanchez was very hospitable. The next day, when the rest of Smith's men arrived at the mission, the head of the garrison at the mission confiscated all the Smith party's guns.

Smith's men were obliged to remain at Mission San Gabriel for seven weeks while Governor José María Echeandía satisfied himself as to the reason for the arrival of these foreigners into his state. On December 8, Smith was summoned to San Diego for an interview with Governor Echeandía regarding his party's status in the country. LaPlant accompanied Smith south while the rest of the party remained at the mission. Echeandía detained Smith in San Diego until December 22, during which time he had Smith turn over his journal and maps. Smith asked for permission to travel northward through California on El Camino Real so he could eventually reach the Columbia River, where a route back to United States territory existed. The wary Echeandía forbade Smith traveling up the coast to Bodega, and ordered him and his men to exit California by the same route by which they had come in, but he did grant Smith permission to purchase or trade for needed supplies for that overland return journey. It so happened that an American sea captain, W.H. Cun-

ningham of Boston, had put into San Diego at that time on the ship Courier. Cunningham convinced Echeandía to release Smith and LaPlant to him, and he ferried the pair from San Diego to San Pedro.

On January 17, 1827 the party was given permission to depart Mission San Gabriel. Over the next few days, Smith's men packed up and headed back to the San Bernardino Valley. There they laid over for more than a week, camping at "Jumuba", an Indian village located a few miles west of San Gabriel Mission's Rancho San Bernardino, in the vicinity of what is today's Mission Road in Loma Linda.

Smith and his men would use their time in San Bernardino to store up on provisions and break wild horses, which they would need for their continuing journey. Among those in Smith's expedition was Harrison G. Rogers, who kept a journal of the sojourn. Rogers thus became the first American to describe the San Bernardino Valley in writing, offering an account of the weather and climate in general, and chronicling the travails of breaking wild horses, keeping them corralled without a proper corral and encounters with local Indians.

Some passages from Rogers' journal touching on San Bernardino include:

"Sunday 21st--"All hands were up early and getting their horses packed, we were under way in pretty good season, in the morning, and had an Ind (Indian) boy as a pilot, we started and traveled, a N.E. and By East course, 25 or 30 m and reached an Ind (Indian) farm house, about 4 m. distant from San Bernardo (Bernardino), where we have an order from old Father Joseph Sanchus (Sanchez), at the mission of San Gabriel, for all the supplies we stand in need of the country quit (quite) mountainous and stony.

"Monday 22nd--Mr. S (Smith) and the In-

terpreter started early this morning up to San Bernardino for to see the Steward, and get supplies we intend killing some beef here and drying meat. I expect we shall remain here two or three days --all hands get milk this morning-- "

We have killed two Beeves and cut the meat, and drying it. Mr. S. has got corn, peas, parched meal, Sanchus has been the greatest friend that I ever met in all my travels, he is worthy of being called a Christian as he possesses charity in the highest degree--and a friend to the poor and distressed. I ever shall hold him as a man of God", taking us when in distress feeding and clothing us --and may god prosper him and all such men, when we left the mission, he gave Mr. S and order to get everything he wanted for the use of his company, as San Burnaindino --the Steward complying with the order so soon as it was presented by Mr. S."

"Tuesday 23rd--Still at the Ind. farm 3 m from San Burnandeino some of the men are employed in braking Horses, and others making pack saddles and rigging them, mr. S sent a letter back this morning to old Father Sanchius concerning the horses we lossed at Saint Ann (Santa Ana del Chino), six in number, he will wait the result of his answer.

"Wednesday 24th-- We are still remaining at the Ind. farm waiting the result of the Priests answer, and drying meat, and repairing saddles for our journey. Some of the men we kept employed braking wild Horses, Daniel Ferguson one of our men, when leaving the mission on the 18th Inst. hid himself and we could not find him, the corporal who commands at the mission promised to find him, and send him on to us, but I suspect we shall not see him again, the weather continues fine.

"Thursday 25th--No answer from the priest this morning, and we are obliged to remain here another day. The men will keep at work,

braking young Horses, Mr. S discharged one of the men John Wilson, on the 17th Inst., and he could not get per-mission to stay in the country, therefor we obliged to let him come back to us, he remains with the company but not under pay as yet. I expect he will go on with us--The weather still continues beautiful--things about our camp as usual. Inds (Indi-ans) traveling back and forward from the mission steady the Inds here call themselves the Farrahoots.

"Friday 26th--Early this morning we collected our Horses-- and counted them and two was missing -- Mr. S sent a man in search of them, he returned with them about 10 o'clock, we are still at the Ind-farm house, waiting an answer from the priest--at San Gabriel. I expect we shall remain here to-day--if the courier does not arrive, In the Evening James Reed and myself concluded we could go into the cowpen and rope some cows, and milk them, after the Ind-fashion, and accordingly we made ready our rope, and haltered four cows, and tied their heads up to a steak (stake), and made fast their hind feet and milked them, but did not get much milk on account of not letting their calves to them. So soon as we were done Capt Smith and Silas Gobel followed our Example, this country in many respects is the most desirable part of the world I ever was in, the climate so regular and beautiful, the thermometer stands daily from 65 to 70 degrees--and I am told it is about the same in the summer.

"Saturday 27th--Still at the Ind farm House waiting the answer from the priest 2 of our horses missing this morning--and four men sent in search of them. Mr. S and Lapoint is gone up to San burnondeino to see the old steward on the business--"

Smith's party left the mission communities of California in mid-February 1827. The party headed out the way it

had come, but once outside the Mexican settlements, Smith liberally construed Echeandía's order to leave by the same route he had entered, following a portion of the Old Spanish Trail and then heading north into the Central Valley. Ultimately, they made their way to the Kings River on February 28 and set about at once trapping beaver. The party kept working its way north, encountering hostile Maudus. By early May 1827, Smith and his men had traveled 350 miles north, ever on the lookout for the elusive Buenaventura River, but found no water passage through the Sierra Nevada range that might have originated in the Rocky Mountains. On December 16, 1826, Smith had written in a letter to the United State ambassador plenipotentiary to Mexico his plans to "follow up on of the largest Riv(ers) that emptied into the (San Francisco) Bay cross the mon (mountains) at its head and from thence to our deposit on the Great Salt Lake." He made good on that stated intention. His men followed the Cosumnes River (the northernmost tributary of the San Joaquin River) upstream, but veered off it to the north and crossed over to the American River, a tributary of the Sacramento that flowed into San Francisco Bay. They gamely attempted to go up the canyon of the South Fork of the American to traverse the Sierra Nevada, but bogged down in snow that was too deep. Unable to get to Nevada and faced with the prospect of encountering the Mexican authorities, whom he had defied, by heading south again, and knowing he would be unable to reach the rendezvous destination at the appointed time by traveling north to the Columbia, Smith backtracked to the Stanislaus River, setting up a trapping camp there for the majority of his party. With two men, Robert Evans and Silas Gobel, and some extra horses,

*Continued on Page 17*











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FBN 20160013767  
 The following person is doing business as: INDIA NAAN CAFE, 700 EAST REDLANDS BLVD SUITE R3 REDLANDS, CA 92373, JAL HOLDINGS GROUP, INC. 700 EAST REDLANDS BLVD SUITE R3 REDLANDS, CA92373  
 This business is conducted by an: CORPORATION  
 The registrant commenced to transact business under the fictitious business name or names listed above on: 02/22/2012  
 By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing.  
 s/ JESSE SINGH  
 Statement filed with the County Clerk of San Bernardino on 12/20/2016  
 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy  
 Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code).  
 Published in the San Bernardino County 12/30/2016, 1/06, 1/13, 1/20, 2017.

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FBN 20160013797  
 The following person is doing business as: LOPEZ TRANSPORT, 17410 CERES DR FONTANA, CA 92335, JOSE G LOPEZ, 17410 CERES DR FONTANA, CA 92335  
 This business is conducted by an: INDIVIDUAL  
 The registrant commenced to transact business under the fictitious business name or names listed above on: N/A  
 By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing.  
 s/ JOSE G LOPEZ  
 Statement filed with the County Clerk of San Bernardino on 12/21/2016  
 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy  
 Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code).  
 Published in the San Bernardino County Sentinel 12/30/2016, 1/06, 1/13, 1/20, 2017.

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FBN 20160013796  
 The following person is doing business as: SABAJAN'S TRUCKING, 8640 PECAN AVE RANCHO CUCAMONGA, CA 91739, NESTOR G SABAJAN, 8640 PECAN AVE RANCHO CUCAMONGA, CA91736  
 This business is conducted by an: INDIVIDUAL  
 The registrant commenced to transact business under the fictitious business name or names listed above on: N/A  
 By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing.  
 s/ NESTOR G SABAJAN  
 Statement filed with the County Clerk of San Bernardino on 12/19/2016  
 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy  
 Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code).  
 Published in the San Bernardino County Sentinel 12/30/2016, 1/06,

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1/13, 1/20, 2017.  
 FBN 20160013750  
 The following person is doing business as: LEARN TO LOVE TODAY,[AND] SOUL FED, [AND] HOUSE ACTION, 2618 COPPER LN APT.7, JAZMIN L HARRIS, 2618 COPPER LN. APT. 7 SAN BERNARDINO, CA 92408  
 This business is conducted by an: INDIVIDUAL  
 The registrant commenced to transact business under the fictitious business name or names listed above on: N/A  
 By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing.  
 s/ JAZMINE L HARRIS  
 Statement filed with the County Clerk of San Bernardino on 12/20/2016  
 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy  
 Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et

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seq., Business and Professions Code).  
 Published in the San Bernardino County Sentinel 12/30/2016, 1/06, 1/13, 1/20, 2017.  
 ABANDONMENT OF USE OF FICTITIOUS BUSINESS NAME  
 The registered FBN No. 20160013789 was filed in San Bernardino County on 02/19/2013. The following entity has abandoned the business name of: CAST CARE SOLUTIONS, 26749 9TH ST HIGHLAND, CA 92346, MARIA R CASTANEDA, 26749 9TH ST HIGHLAND, CA 92346, [AND] GIOVANNI R CASTILLO, 26749 9TH ST HIGHLAND, CA 92346  
 BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913). I am also aware that all information on this statement becomes public record upon filing.  
 s/ MARIA R CASTANEDA  
 This business was conducted by: GENERAL PARTNERSHIP  
 Related FBN No. 20130001786 was filed in San Bernardino County on 2/19/2013  
 Published in the San Bernardino County Sentinel 12/30/2016, 1/06, 1/13, 1/20, 2017.  
 FBN 20160013798  
 The following person is doing business as: RAPID REGISTRATION SERVICE, 165 W HOSPITALITY LN STE 7 SAN BERNARDINO, CA 92408, JERAMY T PEREZ,

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13949 CAMEO DR FONTANA, CA 992337 [AND] JANNET B PEREZ, 13949 CAMEO DR FONTANA, CA 92337  
 This business is conducted by an: GENERAL PARTNERSHIP  
 The registrant commenced to transact business under the fictitious business name or names listed above on: 11/20/2012  
 By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing.  
 s/ JANNET B. PEREZ  
 Statement filed with the County Clerk of San Bernardino on 12/21/2016  
 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy  
 Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code).  
 Published in the San Bernardino County Sentinel 12/30/2016, 1/06, 1/13, 1/20, 2017.  
 ABANDONMENT OF USE OF

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FICTITIOUS BUSINESS NAME  
 The registered FBN No. 20160013727 was filed in San Bernardino County on 01/12/2015. The following entity has abandoned the business name of: DIJA BEAUTY SALON, 9950 FOOTHILL BLVD STE J RANCHO CUCAMONGA, CA 91730, KHADIJA OFIR, P.O. BOX 3281 ONTARIO, CA 91761  
 BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913). I am also aware that all information on this statement becomes public record upon filing.  
 s/ KHADIJA OFIR  
 This business was conducted by: INDIVIDUAL  
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**Opening Statements In Colonies Trial from 4**

active effort to change where the media would begin to move toward their position. Mr. Brulte worked on press releases, op eds, a sophisticated, well considered effort to change the narrative.” But, according to Cope, “That by itself was not sufficient, so Mr. Burum had to change the position.” To do this, Cope said, Burum employed “Patrick O’Reilly, an excellent media specialist in Riverside. He helped as well with the media narrative... to justify what they were going to do. Mr. Brulte and Mr. O’Reilly received good money from Mr. Burum for what they did.”  
 Cope said “Mr. Brulte was a very powerful man. He led our state legislature. He is currently the head of the Republican Party in California. He is a strategist with an understanding of how Sacramento works. Mr. Burum employed him. The reason he employed him was to obtain a settlement. Mr. Brulte helped him in many different ways. He helped fine tune the message Mr. Burum would give.”  
 In contrast to Brulte and O’Reilly being paid for their services directly, Cope said, “Mr. Erwin

was more on a success fee arrangement. You bring me the settlement and you’ll be rewarded. We will talk about how that reward occurred. He [Erwin] gave him [Postmus] a vision of what his possibilities were. He introduced Mr. Postmus to Mr. Burum’s



**Bill Postmus**

lifestyle. Mr. Postmus will tell you he explored the possibility of going for higher office.” Cope then quoted Postmus’s statements to the FBI to the effect that “Jeff [Burum] was very clear. If I was to ever leave office, he would take care of me, in helping me to get a job, but we have to get all of this behind us first before I can. If it is settled, afterwards there will be contributions.” Cope then told the jury, “He said that to the FBI, to the investigators. He said it to friends and associates. That FBI interview will be interesting for you to look at. Look at it carefully.”  
 Cope said that initially, Postmus did not

seem to understand the term quid pro quo, which is Latin for ‘something for something.’ “Read it from beginning to end, because in the beginning he [Postmus] was confused and then it becomes clearer what he actually means,” Cope said. “Mr. Burum was offering him a future, but he had to come through with the settlement. If that didn’t happen, there would be no help. Mr. Kirk was going to bring in Mr. Ovitt’s vote and he got rewarded.” Furthermore, Cope said, Erwin served as “a secret intermediary” between Burum and Postmus. Cope said he would be able to establish his assertions because Postmus will testify. “Mr. Postmus has pled guilty to all the charges filed on him,” Cope said. “He was previously charged and pled guilty. There is a possibility he will spend as long as five years in prison for the things he has done.”  
 Cope said there were two pieces of land involved in the case, one being the 434 acres the Colonies Partners purchased in 1997 for 16 million and the other being undeveloped property in Rancho Cucamonga. The Upland property had formerly been owned by the San Antonio Water Company

and contained within it flood control easements recorded in 1933, 1934 and 1939 on 67 of those acres. Those easements allowed the county flood control district to vector storm water running off of the nearby mountains and foothills there, Cope said. Meanwhile, Cope said, the California Department of Transportation, known by its acronym Caltrans, had pushed ahead with its plans to complete the 210 Freeway, also known as the Foothill Freeway. The freeway project was undertaken in conjunction with a joint powers agency, SANBAG, an acronym for San Bernardino Associated Governments, which involves all 24 of the county’s cities and the county, and serves as the region’s transportation agency. To accommodate the freeway project, the Colonies Partners sold a swathe of some 43 acres of its land across which the freeway would span, for which Caltrans paid \$17 million, Cope said. Additionally, Cope said, the City of Upland successfully requested that the freeway be completed below grade. This created a situation in which a tremendous amount of water would flow onto the freeway during storms, Cope said, and the county’s flood con-

trol district took charge of the situation by completing the 20th Street Storm Drain, a 72 inch diameter pipe to whisk that water away and then vector it into the 67 acre flood control basin on the Colonies property. Cope said the 1933, 1934 and 1939 easements gave



**Jim Brulte**

the county the right to do that. The county and its flood control district, Cope acknowledged, were obliged to construct the basin to handle that flow. The county maintained, he said, that the basin could be built for \$3 million, while the Colonies Partners insisted the price of the basin’s construction would be considerably higher, as much as \$23.5 million. It was this dispute over the continuing use of the 67 acres on the Colonies property for flood control purposes and the cost of the flood control basin that served as the basis for the Colonies Partners’ lawsuit against the county to extract an unnecessary settlement,

Cope said.  
 According to Cope, the county was represented in that lawsuit by two very capable law firms, the first being Munger Tolles & Olsen and the second being the firm of Jones Day. In waging its defense of that suit, Cope said, the county had the 1933, 1934 and 1939 easements in its favor. Additionally, Cope said, the county could marshal to its defense that CalTrans, SANBAG and the City of Upland shared whatever conceivable liability the situation entailed, since those entities were responsible for the creation of the circumstances that led to the issues the Colonies Partners were contesting in the lawsuit. Thus, Cope said, the county’s financial responsibility amounted to perhaps ten percent and certainly no more than 20 percent of whatever damages the Colonies Partners might demonstrate that the company had suffered.  
 The county suffered a setback when the judge hearing the matter, Peter Norell, ruled that the county had abandoned the easements, thus eradicating its right to channel the water onto the Colonies Property. The county did not accept that ruling, however,  
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Cope said, and appealed it to the Fourth District Court of Appeal. While that appeal was pending, during a negotiating conference in March 2005 involving on one side Burum and Colonies co-managing principal Dan Richards, Jim Brulte and the Colonies Partners' lawyers and, on the other side, Postmus, Biane and the county's attorneys, Postmus and Biane ordered all of the attorneys representing both sides to leave the room. About 90 minutes later, Postmus and Biane announced to those waiting outside that they had come to an accommodation with Burum and Richards. The suit would be settled, Biane said, by the county paying the Colonies Partners \$77.5 million.

"This shocked and dumbfounded the attorneys because just a few weeks prior they had informed the board of supervisors that the value of the settlement was a very much lower price than what Mr. Biane and Mr. Postmus had arrived at. This created

a big problem because the attorneys could see through it. They felt it was too much." Despite instructions not to do so, Paul Watford and Stephen Kristovich, the attorneys from the Munger Tolles & Olsen law firm representing the county, wrote a memorandum to the board of supervisors on April 4, 2005 decrying the proposed settlement and soon thereafter resigned. "Biane and Postmus did not want a written record of what they did. They did not want it circulated. We don't know how it happened, but this memo somehow got out to the public," Cope said, creating "big problems" for Postmus and Biane. Ultimately, that settlement proposal was withdrawn. This was frustrating for Burum, Cope said, who "had it [the settlement he wanted] within his grasp," only to see the prospect for it dashed by the revelation.

At one point, while the members of the board of supervisors were engaged in a closed session discussion of the Colonies matter, according to Cope, Postmus was using his blackberry to inform Erwin of what was being said in that

supposedly confidential forum, and Erwin was relaying the information to Burum.

As much as Burum was interested in a generous cash settlement of the lawsuit, Cope said, more desirable was another settlement proposal involving the conveyance of property the county owned but no longer needed in Deer Canyon at the north end of Rancho Cucamonga. If the Colonies Partners could get that land, Cope said, the company could develop it and make hundreds of millions of more dollars. A land transfer would have required the approval of four members of the board of supervisors, Cope said, and the votes to do so never lined up or stayed in place long enough to effectuate that.

Burum continued to both pressure and charm Postmus, Cope said. "One of the things he did was to set up a meet and greet event for Mr. Postmus at the Redhill Country Club," Cope said, and Burum also accompanied Postmus overseas. "In September 2005 Mr. Postmus went on a trip to China with other delegates from the county and Mr. Burum," Cope

said. "Mr. Postmus will tell you he went to Hong Kong where he bought for himself a couple of suits. Everything else was paid for by Mr. Burum." Upon returning to San Bernardino, Cope said, Postmus aggressively stormed into the county chief administrator's office, stating that the lawsuit with the Colonies partners had to be settled at once. "When Mr. Postmus came back from China, he was insistent, saying 'We've got to get this Colonies thing done,'" Cope said, quoting him.

Cope said that "eventually the case went to a judge, Judge Christopher Warner." At that point, Munger, Tolles and Olsen had been replaced as the county's attorneys by the law firm of Jones Day. "Judge Warner's ruling was not a good one for the county," Cope acknowledged. Nevertheless he said, the county's attorneys were confident they could get, as they had with the ruling by Judge Norell, a reversal. Jones Day felt there were issues that would vindicate the county upon appeal, including, according to Cope, that the flood control easements yet existed and that the

\$17 million paid out to the Colonies Partners through the previous CalTrans "settlement was intended to take care of all future damages" as a result of the construction of the 210 Freeway. Moreover, according to Cope, the county had yet to explore wringing from the City of Upland and SANBAG their fair share of any conceivable liability that grew out of the situation. "The county did not seek settlement from SANBAG or the City of Upland or Caltrans," Cope said. "It was only San Bernardino County that was on the hook and Jones Day was telling the board of supervisors you don't want to settle, leaving yourself on the hook when you have other parties responsible. In a lawsuit like this when you settle for more than you should, you might create problems in the future in getting money from the other side. How are you going to get money out of SANBAG, Upland and Caltrans?"

At that point, the November 2006 election was approaching, in which Postmus was running for assessor and on the ballot was Measure P, an initiative sponsored by Paul Biane to raise the compensation of the members of the board of supervisors from \$99,000 in salary plus benefits per year to \$151,000 in salary plus benefits annually. Because both supervisors had something riding on the election, that left them vulnerable to Burum and Erwin, Cope said. At that point, it was conveyed to Postmus and Biane that Burum and Erwin had prepared political hit pieces – that is, mailers, handbills or fliers – with derogatory information about them – the two highest ranking members of the county Republican Central Committee, namely that Postmus was a drug addicted homosexual and Biane was a homosexual who was teetering on the brink of bankruptcy. What was conveyed to them was that a private investigator had been going over

their affairs with a fine-toothed comb, including digging through their garbage.

"Postmus is a clean cut guy, upstanding, he's young and somebody people from the desert would like to vote for. He comes from a religious family. His father was in law enforcement. Mr. Erwin knows that he's a homosexual. At that time in this county if you were Republican, that was the kiss of death. If that was made public, that would be the death of his political career. He also knew Mr. Postmus was a drug addict. He started with doctor-prescribed medications and then methamphetamine he was introduced to by one of the people he met for sexual liaisons. Yet, he was able to still do his job, still get elected to the assessor's office. Now, in terms of what is happening and where we are at with the settlement, it is very important. Erwin wants the settlement to happen because he knows it is going to benefit him as well. What will Bill Postmus' dad or family think? There is the threat the fliers will be sent out over the election in 2006." Ultimately, the hit pieces did not go out, Cope said. Three weeks after the election, a grateful Postmus and Biane voted to approve the \$102 million settlement.

"Mr. Erwin talked about the mailers that were going to be sent," said Cope. "He had mock ups and showed them. This was an arrangement of great benefit to Mr. Burum and Mr. Erwin. He provided a role that was beneficial to Mr. Burum. He knew they would not agree to the settlement without an incentive. Mr. Erwin was perfectly situated for that role."

Less than two months after the settlement was voted upon, Burum used a private jet to fly Erwin and O'Reilly to New York, where they stayed at a luxury condominium and went to an off-Broadway show and then to an upscale jew-

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**Jury Hears Opening Statements In Colonies Criminal Case**

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elry store where Burum purchased both men a watch, including a Rolex for Erwin that cost more than \$12,000. They then flew to Washington, D.C., where they spent the night at the Mandarin Hotel in separate \$400 per night rooms and met with Congressman Kevin McCarthy for lunch.

“After a night in the Mandarin, they flew back,” said Cope. “It was a nice, short, extravagant thank you for helping Mr. Burum get \$102 million.”

Mr. Erwin had hired on to the assessor's office and, according to Cope, in filling out his statements of economic interest, Erwin omitted mentioning the trip, the accommodations or the watch.

“If you don't disclose those things, it's a crime,” said Cope. “He didn't report the watch [and] he didn't report the airplane trip because to do so would show his direct connection to Mr. Burum. That was something he did not want to do.”

In 2007, between March and the end of June, the Colonies Partners issued separate \$100,000 checks to political action committees prosecutors say were controlled by Biane, Erwin and Kirk, and two \$50,000 checks to each of two political action committees controlled by Postmus.

According to Cope, Erwin “took money out of his PAC so he could pay his legal bills.” He also falsified a document with the falsified signature of Steve Hauer, believed to be an unwitting principal in Erwin's PAC.

“Steve Hauer will come in here and will be asked if his signature is on that letter,” said Cope. “His answer will be ‘No.’ That was a method by which Mr. Erwin would hide the source this PACs money was coming from. Evidence will show Mr. Erwin was involved in doing things in a way to keep the public from noticing.”

Cope said, “Mr. Burum knew the public servants he was dealing with were flawed people. That worked to his benefit. He was able to capitalize on those flaws and motivate them to do what he wanted them to do. Mr. Erwin played a

very important role in that. It was a very savvy, very well coordinated dance, this conspiracy to achieve this goal. There are people who will testify, people you perhaps will not like very much. Test what they say in light of all of the evidence. They were targeted because they had those flaws. Certainly, Mr. Erwin was very familiar with those flaws. He knew he would be successful and these other men would also benefit if he was successful. His work helped lay the groundwork for the bribery. He was excited about this. He went about his work with great relish. He profited by it. He did it by capitalizing on the weakness of others and by corrupt means that have brought us all here.”

Immediately following the conclusion of Cope's presentation on Wednesday afternoon, Raj Maline, Erwin's attorney, offered his opening statement, which served as both a rebuttal of most if not all of Cope's assertions as well as an exploration of further territory. When his remarks were not concluded in the late afternoon of Wednesday January 4, he returned to the courtroom the follow-

ing day to finish. Like Cope's prosecutorial-angled diatribe that sought to orient Erwin's jury to the overarching context of the theory of criminal collusion involving all four current defendants, Maline's remarks went beyond a straightforward defense of his own client and in several specific instances appeared calculated to refute the characterization of guilt lodged against Kirk, Biane and more expansively, Burum.

Saying he was “proud to be representing Jim Erwin, Maline asserted that the prosecution had engaged in a selective presentation of fact, conjecture and misrepresentation, which he likened to his own experience attending a Lakers game when he was inadvertently caught on the Staple Center's “Kiss Cam” seated next to a woman who was not his wife, which implied he and she were a couple. “That was the picture painted of me in a snapshot. But if you go outside of the frame, that has nothing to do with reality. The story you just heard has no basis in reality,” Maline said.

It was the county and county officials who abused the defendants in the case his client is

caught up in, Maline said, not the other way around.

Maline said, “I do agree with Mr. Cope that there was a dirty deal. There were corrupt county officials, but not the county officials he said. It was the county officials that did corrupt things and pulled dirty deals on Jeff Burum.”

According to Maline's narrative, the property purchased in northeast Upland by the Colonies Partners for development was indeed once a flood drainage area, but was no longer one during the time the lawsuit was launched. He said massive scale flooding that occurred in the region in 1969 resulted in the Army Corps of Engineers having “constructed a channel that went alongside [the property] that sent [the floodwaters] down to Prado Dam,” rendering the huge flood basin there obsolete and eradicating the need for the flood water spreading grounds. “It was a natural kind of flood control system. The natural habitat allows water to stop going forward and instead it seeps into the ground. When the Army Corp built this channel, all of sudden he channel took care of all the wa-

ter. That archaic flood control area could be developed for other purposes.” After other “developers took a shot at using that property” but did not progress along that track, Maline said the “growing population of the area” and “transportation needs and plans underway for development of 210 extension through Upland that would bring more cars and people to the area” inspired a young developer, to take a chance at transforming the property. “That young developer was Jeff Burum,” Maline said. “He got in. He saw an opportunity. He pooled his money with 23 other people called the Colony Partners, which included a U.S. senator, doctors and lawyers, and he took a chance.”

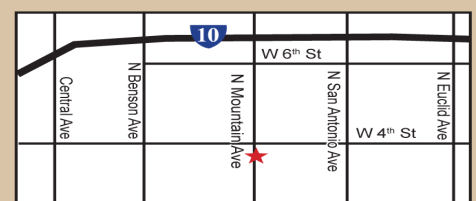
The Colonies Partners, Maline said, paid \$16 million for the land in 1997. “This property was a wasteland for many years. No one would touch it. It had been used for years for natural flood control. A lot of developers passed. Mr. Burum had a vision.” Maline said that Cope's insinuation that the Colonies Partners investment entailed just

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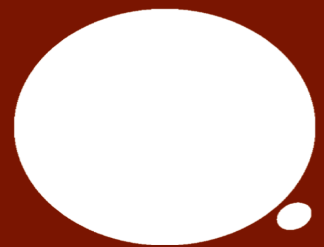
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**Jury Hears Opening Statements**  
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\$16 million was far off. "They needed \$100 million to build the infrastructure before anyone could build on it, just to get things going," Maline said.

As the company started to develop the property, Maline asserted, the county interfered with its plans. During phase one of the project, Maline said, "Mr. Burum learned that the county flood control district is contemplating diverting excess water from the 210 Freeway extension. There are three square miles of a watershed area northwest of the Colonies. The county has to deal with water and storm water and what to do with it. The county comes up with a plan to build the storm drain and dump the water onto the Colonies property. At that point the developer who had the property cannot use the property for what it was bought for."

Maline continued, "In 1998, discussions began as to what to do with the water. It is not an option for Mr. Burum to have the water all dumped on his land. That is the county's responsibility. That is not fair. A series of discussions are held." During those discussions, Maline said, the county, in the personage of flood control director Ken Miller offered the Colonies Partners an assurance that if the county were to be allowed to use the property for storm water runoff, no more than 650 cubic feet of water per second would be conveyed there. Maline said that assurance prompted Burum to go along with the county. He said that Burum's reaction was "Now, if it is only that much you are going to dump, I can build my houses, and I will even pay to divert your water. I will do it myself and I will build the connection to the storm drain." Thus, Maline said, "They made a deal." But

there was a catch, Erwin's lawyer said. "Mr. Miller knew that he was lying. He knew as early as 1997 that the water discharge rates would be in excess of 650 cubic feet per second. He misrepresented."

Maline asserted, "Private land owners are not responsible for water. Government has a responsibility for flood water. That is the reason why the county has [a]

flood control [division]. Mr. Burum does not want the storm drain [to empty] onto his property. He will not be able to use 70 acres, and then what will have to happen is the bulk of his property [will need to] be used to convey water over to that channel. That is 70 acres that he would not be able to use and he bought it for development, fair and square."

When Burum raised

that issue, Maline said, the county's response eventually became "We have an easement that allows us to use it as a flood control system."

The county was bullying Burum, Maline said.

"So when Mr. Burum signed that agreement, he [Miller] knew that they were going to dump in excess [of 650 cubic feet of water per second]. Mr. Burum said, 'Hold on. I already

have plans [to develop] in place.' The county did something else. The further evidence of corruption is that the county said [as of] stage two and stage three of your development, you are not going to be able to do it unless we can turn on that storm drain. Who was going to pay for that kind of flood control? Mr. Burum was to pay. In secret, the storm drain got turned on."

Maline said Miller and the county engaged in "a shakedown of Mr. Burum. The county would not approve future phases unless he allowed the storm drain. Mr. Burum had no choice. He had to file the lawsuit. They [the Colonies Partners] simply asked the judge to make a finding, a ruling of what the county has and what he had. He did not ask for

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## Opening Statements

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one dime.”

Thus, Maline said, Cope’s characterization of Burum being motivated by greed was absolutely false.

Maline said that both Judge Peter Norell and Judge Christopher Warner made the determination that the county had misapplied its easements.

Ultimately, Maline said, Warner made a determination that the county’s flood control authority on the Colonies property did not go beyond the scope of what was spelled out in the 1933, 1934 and 1939 easements and that by the county substantially overusing those easements, they had been extinguished, that is, were no longer applicable.

According to Maline, “Judge Warner ruled the Colonies has fully performed under the 1999 agreement; that the Colonies designed, constructed and paid for basin B and the design for basin A, despite no requirement to do so because of the county’s breach; that the county failed and refused to negotiate in good faith with the Colonies despite a contractual obligation to do so; and the county held the Colonies property hostage.”

Basin A was the facility that would hold the water coming in from off the site; Basin B was to hold the drainage generated on the site.

Furthermore, according to Maline, Warner stated, “The court found Mr. Burum to be a very credible witness. He answered questions without hesitation or equivocation. The court does not find Mr. Miller to be a credible witness because he did not appear to be forthright in his responses.”

After Warner entered a tentative ruling in favor of the Colonies Partners on the lawsuit, he encouraged both the county and the Colonies Partners to enter into a mediation to head off the need for him to enter a

final judgment and then make a determination as to monetary damages.

Maline said that the county, at the urging of its law firm, Jones Day, did not seriously negotiate but instead seemed purposed to allow the judge to finalize his rulings so the county could again appeal the matter to the appellate court.

Given the nature of Warner’s rulings, Maline said the county’s prospects at the appellate level were dim, and that Burum was not pushing for a settlement, as Cope maintained in his opening statement.

“Mr. Cope is telling you something, but it wasn’t right, because the county needed to settle,” Maline said. “Judge Warner strongly directed both parties to settle before his statement of intended decision became a final judgment in 30 days. Mr. Burum did not want to settle. It is the county who wanted to settle. At that point the bargaining power is now with the Colonies.” Maline said the Colonies Partners stood to gain as much as or more than \$300 million by not settling the lawsuit and instead waiting to let Warner make a final ruling.

Maline said Postmus had become hopelessly addicted to drugs by the time he was assessor. He related several instances when that drug use manifested in erratic or untoward behavior on Postmus’ part. He said his client, Erwin, at one point intervened and checked Postmus into a rehab center in Lucerne Valley. When Postmus again began using drugs, Maline said, Erwin resigned from his post as assistant assessor. He said his client was later summoned to testify about the situation at the assessor’s office and that he told the truth in that forum, angering both Postmus and Aleman. He said Postmus’s drug use has rendered his word and recollection unreliable.

Maline dwelled at length on Adam Aleman, upon whose representations, he maintained, the bulk of the prosecution’s

case relies.

He said that the two major prongs of the case – the extortion of Bill Postmus and Paul Biane before the settlement and the provision of bribes to Postmus, Biane, Kirk and Erwin after the settlement – were fabrications put forth by Aleman. Noting that Cope had referenced “threats, mailers, flyers, drug use, those types of things,” Maline said, “I can assure you, ladies and gentleman, that most of these things that he intends to show as evidence is Mr. Aleman’s statements over a period of time. Mr. Aleman got into a position where he was involved with the district attorney’s office. In 2007 Mr. Postmus won the election for county assessor and he picked two assistant assessors, Mr. Erwin, my client, and Mr. Aleman, who had been an assistant of his when he was on the board of supervisors. When he was brought over to the assessor’s office, he [Aleman] was number two in command. Adam Aleman and Bill Postmus defrauded the assessor’s office and the county from 2007 to 2008.”

Aleman is, Maline said, “a self-admitted and convicted liar, a master manipulator [who had] a unique relationship with his boss, Bill Postmus. He started working with Mr. Postmus at 20-years-old at the board of supervisors. Postmus was running his political machine, raising money, supporting candidates, enhancing his Republican status and power under the cover of the assessor’s office. Setting up a political base is legal if you are doing it on your own time. He also brought over staff who had nothing to do with assessors business, brought over [others engaged with] political activity. His friends, lovers and political cronies were brought over to the assessor’s office. They had nothing to do with land appraising or assessing. This had to do with the political operation.”

Maline continued,

“Mr. Erwin was running the assessor’s office, making sure the work was done. In secret, the other half of the assessor’s office was the political operation. Mr. Aleman was heading that up. He was 23 or 24 years old. He had no experience, no college education. He was not even an appraiser. So he was definitely not qualified for the job. Eventually, with their political ac-



Adam Aleman

tivities they got caught. This is how they got caught. The grand jury reconvened to investigate the assessor’s office. The grand jury asked for documents because there were secret meetings on political strategy and who they can support politically. A female staff member is reporting, writing down all minutes about political activity. Their cover would be blown if they turned over the minutes. So Aleman’s job was to change minutes, to substitute words to make it seem like it was assessor’s business. Mr. Aleman did not count on the staff member keeping the original. She had a hunch that is what they were going to do, so she kept the original, and she turned it over and they got caught.”

Maline said, “That is where the legal odyssey of Adam Aleman began. Of course, he did much more than just that. Aleman was Postmus’s fixer. He literally covered up for Postmus on a full time basis because Postmus was not able to go to meetings. Aleman would lie for him. Postmus would end up in places, passed out with strange people. He would dust Postmus off, cover for him.”

When the district attorney’s office investigators showed up, they

wanted Aleman’s computer, but, according to Maline, Aleman “knew there was damaging material on the computer. So he destroyed the computer and removed the hard drive. When he was questioned regarding the hard drive, he said he didn’t have it anymore. The hard drive in the computer he literally destroyed with a screwdriver and other tools. They investigated the extent of his malfeasance in his office. On June 30, 2008 Mr. Aleman was arrested.”

In time, Aleman began cooperating with the district attorney’s office. In the course of that cooperation, he provided information which Maline said contradicts the notion that Postmus was being extorted on the basis of his homosexuality.

“Aleman worked for him [Postmus] at the board of supervisors for three to four years,” Maline said. “Strangers would show up there and be demanding money. Mr. Postmus would send Mr. Aleman down to the county building across the street to get money. Postmus had been with these men on previous occasions and had promised them things. Mr. Aleman was very sure that Mr. Postmus had had relationships with those men and they were coming to him for money. They would show up. He would be telling these men where he worked.”

That Postmus was openly involved in these homosexual liaisons belied, Maline suggested, the narrative Cope had put forth to suggest he was being blackmailed over that issue by Burum. “He wasn’t afraid that anyone would expose his being gay because many people knew he was gay,” Maline said.

After his arrest, Aleman was charged with nine felony counts, including three counts of PC 134, false evidence preparation; one count of PC 132, offering false evidence; one count of Government Code Section 6200, relating to the destroying/altering of public records; and one count of PC 594 vandal-

ism.

The legal cloud hanging over Aleman, Maline said, led him into becoming a font of disinformation.

“He was afraid about the criminal charges,” Maline said. “He was looking at 8 years. He was facing multiple felonies. He approached the district attorney’s office and said he wanted to become a snitch if he could get a better deal somehow. He was on an audition for eight months, trying to impress them on all the things he thinks he knows about in the county. At 24-years-old, he doesn’t know much but he’s got to give them something, information about Mr. Postmus. He was setting Mr. Postmus up.”

Maline said he carried a recorder in his pocket with which he audio recorded his boss. “He hoped he would get Mr. Postmus to say some incriminating things,” Maline said. “He would text him. One day in one of the interviews he mentions the Colonies case. The investigators stop. From the way the interview is conducted we know that is an important thing.”

Maline said Aleman suggested the PAC contributions were “done illegally because Mr. Kirk took out \$10,000 from his PAC. He didn’t mention the bribes. He did mention the Colonies and from that point on most of the discussions are regarding the Colonies case. He talked about the mafia in Victorville. He doesn’t mention anything about threats by Mr. Erwin prior to the settlement. Most information he gives the investigators he knows nothing about. He talks about meetings he has had with Jeff Burum. He never met Jeff Burum even once but he talks about Mr. Burum like he’s his old buddy, old pal.”

The two investigators working on Aleman, Maline said, “are a guy named [Hollis] Randles and a guy named [Robert] Schreiber.”

Randles and Sch-

*Continued on Page 18*



## Jedediah Smith from page 7

the three then set out to get to the northern Utah rendezvous point with as much dispatch as they could. Smith's hope was to pick up more men in Utah and then come back to the Stanislaus camp later in the year and then head north to the Columbia.

At first, the three men made excellent progress, despite the forbidding nature of the crossing of the Sierra Nevada near Ebbs Pass they took. Passing around the south end of Walker Lake, they continued on, meeting with the only sporadic Indians, who were not hostile. They continued, making good time across central Nevada. With the advent of summer, however, they had reached the Great Basin Desert. With no food and virtually no water, the horses began to give out. They butchered those beasts for meat. Water was scarce. Evans collapsed after two days without water just as they were nearing the Nevada-Utah border. Some kindly Indians Smith met provided him with food and gave him directions to fresh water. Smith retrieved some water and took it back to Evans, managing to revive him even as the man was at death's doorstep. They were again without water after crossing into Utah. As they were nearing the Great Salt Lake, Evans faltered once more. Smith and Gobel found a spring and again took water back to Evans. When they reached the top of a ridge from which they saw the Great Salt Lake to the north, their beasts of burden numbered a single horse and a single mule. After crossing the Jordan River, some Indians supplied Smith with a loaned fresh mount and he rode ahead of Evans and Gobel, reaching the Bear Lake rendezvous point on July 3. The mountain men trappers there were ecstatic at the sight of Jedediah's arrival, as they had become convinced his entire party had perished.

After making that rendezvous, Smith sent a letter to William Clark, then in the office of the Superintendent of Indian Affairs for the region west of the Mississippi River, describing his experience over the previous year, then departed to rejoin the men he had left in California, taking with him 18 men and two French-Canadian women, essentially retracing the route he had taken the previous year. This time, the Mojave he encountered proved hostile, in large measure because in the interim the Indians had clashed with trappers from Taos. Intent on wreaking revenge against any Anglos, the Mojave attacked Smith's party as they were crossing the river, killing 10 men, including Silas Gobel, and capturing the two women. Jedediah and the eight surviving men were yet armed with guns. After preparing a large shield out of trees and fashioning lances using butcher knives attached to poles, they made a stand on the west bank of the Colorado. Smith gave the command to fire on those within range, killing two of the Mojave and wounding another. The rest of the attackers scattered and retreated. Smith and his party then hastily headed west across the Mojave Desert on the Mohave Trail to the San Bernardino Valley.

Once again, Smith and his men were welcomed in San Bernardino and offered hospitality in San Gabriel. They departed northward, meeting up with the men he had left in the San Joaquin Valley on September 19, 1827. When they went to Mission San José, the priests there, who had already received warning of Smith's renewed presence in the area, were far less accommodating than had been their counterparts at San Gabriel. Smith's party also progressed to the Monterey and Yerba Buena (San Francisco) settlements.

Governor Echeandía, who was at the time in Monterey, ordered

Smith's arrest and that of his men. Echeandía was upset over Smith's defiance, but consented to his release when several Americans in Monterey, including John B. R. Cooper and William Edward Petty Hartnell, vouched for him. A \$30,000 bond was provided for him and his men and Smith received a passport conditioned on his agreement to leave California at once and not to return. Nevertheless, Smith and his party remained in California, hunting and trapping in the Sacramento Valley for several months. At the northern periphery of the valley, the band considered taking a route to the northeast afforded by the Pit River, but determined it to be impassable and instead headed northwest toward the Pacific Coast and then northward to



**Depiction of Jedediah Smith at Mission San Gabriel in 1826 by painter Oscar Carl Borg**

find the Columbia River and return to the Rocky Mountain region. Jedediah and his men became the first to reach the Oregon Country overland by traveling up the California coast.

Upon leaving Alta California and entering into the Oregon Country, Smith became one of the first Americans to test the provisions of the Treaty of 1818, which allowed joint occupation between Britain and the United States. In the Oregon Country, Smith's party, then numbering 19 and over 250 horses, encountered the the Umpqua people. Af-

ter one of the Umpqua stole an ax, Smith's party treated some of the Umpqua very harshly in order to force the axe's return. On July 14, 1828, while Smith, John Turner and Richard Leland were scouting a trail north, his group was attacked in its camp on the Umpqua River. At about eight o'clock on the night of August 8, 1828, Arthur Black arrived at the gate of Hudson's Bay Company compound at Fort Vancouver, badly wounded and nearly unclothed, believing he might be the only survivor of the attack. John McLoughlin, superintendent at the fort, offered a reward to local tribes if they brought Smith and any of his surviving men to the fort unharmed. A search party was organized.

Smith, Turner and Leland had witnessed

28. After burying the dead, they shepherded the horses back to the fort where George Simpson, the governor-in-chief of the Hudsons Bay Company, paid Smith \$2,600 for the horses and furs. Smith told Simpson his American fur trade company would contain its trapping to the area east of the Great Divide. In the spring of 1829, Smith and Black departed Fort Vancouver to return east and again rendezvous with his partners.

Later that year Smith led a furring expedition into the Blackfeet territory, where his party, including Jim Bridger, captured a good cache of beaver before being set upon and driven away by hostile Blackfeet Native Americans. The group navigated the Powder River with Jim Bridger piloting the pelt-laden riverboat. Over the four years they were in business together, Smith Jackson, and Sublette made a substantial profit. At their 1830 rendezvous on the Wind River, they sold their company to Tom Fitzpatrick, Milton Sublette, Jim Bridger, Henry Fraeb, and John Baptiste Gervais, who renamed it the Rocky Mountain Fur Company.

Upon their return to St. Louis in 1830, Smith, Jackson and Sublette wrote a letter on October 29 to Secretary of War John H. Eaton to let him know of the "military implications" of the British allegedly alienating the indigenous population toward any American trappers in the Pacific Northwest. Smith's biographer, Dale L. Morgan, characterized Smith's letter as "a clear sighted statement of the national interest," including a description of Fort Vancouver and described how the British were in the process of making a new fort at the time of Smith's visit in 1829. Smith warned that the British were attempting to establish a permanent settlement in the Oregon Country. The contention over the dual occupancy of the Oregon Country between Britain and the United States would end in 1846, some

15 years after Smith's death, with the signing of the Oregon Treaty.

Having made a substantial profit from the sale of furs – more than \$17,000 in 1830 dollars and roughly \$4 million in 2017 dollars – Smith endowed his family in Green Township with \$1,500 for the purchase of a farm and all needed implements. Smith purchased a home on First Avenue in St. Louis and two African slaves who were enlisted to be caretakers of the property in his absence.

While in St. Louis in 1831, Smith and his partners worked with Samuel Parkman to chart the territory of their explorations. On March 2, 1831, Smith informed Eaton, who was now fully embroiled in the Petticoat Affair which would lead to his resignation as secretary of war a few months later, of the map of his party's western discoveries. Smith requested that the government launch a federally funded exploration expedition similar to the Lewis & Clark expedition. Smith requested that he and Reuben Holmes, a West Point graduate and military officer, lead the expedition.

Smith and his partners were also preparing to join into the supply trade known as the "commerce of the prairies". At the request of William H. Ashley, Smith, Jackson and Sublette received a passport from Senator Thomas Hart Benton on March 3, 1831, the day after Smith wrote his letter to Eaton and they began forming a company of 74 men, twenty-two wagons, and a "six-pounder" artillery cannon for protection.

When he did not hear back from Eaton, Smith joined his partners and left St. Louis for Santa Fe on April 10, 1831. On May 27, 1831, Smith left the caravan he was leading along the Santa Fe Trail to scout for water near the Lower Spring on the Cimmaron River in what is today southwest Kansas. He never returned. The party

*Continued on Page 19*

## San Bernardino County Coroner Reports

Coroner case #701700010 and 701700011 On Sunday, January 1, 2017 at 4:50 AM, a wireless 911 call was received reporting a collision on Interstate 15 south of Mountain Pass. A 2015 Nissan Altima was traveling northbound on Interstate 15 when it was struck from behind by a 2002 Infinity G35. The Infinity spun off into the center divider, the Nissan stopped in the number one lane. The driver, Abraham Jones (age 79) got out of the Nissan and while standing behind it, he and the Nissan were struck again by a 2006 Toyota Corolla. Jones and his two month old grandson Timol Jenkins Jr., a rear seat center passenger in the Nissan Altima, were pronounced dead at the scene. Both Jones and Jenkins were residents of Las Vegas NV. The Barstow Office of the California Highway Patrol is investigating the incident. [01012017 1735 SC]

Coroner case #701609415 On Saturday, December 31, 2016, at 9:16 PM, officers with the California Highway Patrol responded to a single vehicle traffic collision at the intersection of Phelan Road and Wilson Ranch Road in Phelan. The driver 65 year old Edmond Joseph Pare Jr. of Phelan was found unresponsive at the scene. He was transported to Desert Valley Hospital. At 10:25 PM, Edmond was pronounced deceased in the emergency department. The California Highway Patrol is investigating the incident. [01012017 0400 JK]

Coroner case #701609373 On December 30, 2016 at 6:52 AM The California Highway Patrol received a call reporting a collision on Interstate 40 west of Needles. When officers arrived they found Clifton Brickhouse, a 62 year old resident of Escondido CA was driving east when he entered the center divider and rolled his vehicle. Brickhouse was pronounced dead on scene by paramedics with Baker Ambulance at 7:07 AM. The CHP is also investigating the collision. [01012017 0400 JK]

Coroner Case #701609372 On Friday, December 30, 2016, at 6:25 AM officers with the California Highway Patrol were sent to the area of the southbound Interstate 15 near Barstow. They found Darrin A Carr a 54 year old resident of Chatsworth, was driving south when his vehicle left the roadway. Carr was pronounced dead on scene by emergency medical personnel at 6:46 AM. The CHP is also investigating the collision. [01012017 0400 JK]

Coroner Case #701609307: On Wednesday, December 28, 2016, at approximately 2:50 am, Charles Gonzales, a 52 year old resident of Ontario was walking on I-15 southbound near the 4th Street off-ramp when he was struck by multiple vehicles. He was pronounced dead at the scene. The California Highway Patrol is investigating the collision. [12292016 1550GB]

Coroner cases #701608829 and #701608830 On Saturday, December 10, 2016, at approximately 7:30 pm, a 2004 Nissan 350z was traveling westbound on W. 9th Street west of Bobbett Dr. in the city of San Bernardino at an estimated speed at 80 MPH. The Nissan ran off the roadway and collided with a block wall column. Both male occupants in the Nissan were pronounced dead at the scene. Their names will be released once identification and notification to the next of kin is completed. San Bernardino Police Department is investigating. [12112016 0500 JK] Updated information: names released. 1. Juan Otero-Acosta a 34 year-old resident of Moreno Valley. 2. Jose Blas Gonzalez-Torres a 30 year-old resident of San Bernardino. [12122016 1115 SC]

Coroner Case #701608792 On Wednesday, December 9, 2016, at 11:25am, Diane Brayford, a 52 year old resident of Upland, was traveling northbound on Highway 395 approximately 1/2 mile north of Bear Valley Road in Victorville when she, for unknown reasons, lost control of her vehicle and struck a southbound semi-truck. She was airlifted to Loma Linda University Medical Center where she was pronounced dead from her injuries. Victorville City Sheriff's Station is investigating the traffic collision. [12102016 0400 JK]

*The Coroner Reports are reproduced in their original format as authored by department personnel.*

### Murders On The Upswing In SB

from page 6

San Bernardino. Available records show that the greatest number of homicides oc-

curing in the San Bernardino City Limits in one year was in 1995, when 67 people were killed.

One officer said the murderous trend of the 1990s subsided with the

lowering of the popularity of crack cocaine and the aging of baby boomers. But the 62 murders this year is not far off the city's worst annual such circumstance.

Officials are contem-

plating strategies to cut into the mayhem, including something called Operation Ceasefire, which has achieved success in other large multiple cities hit by urban blight. Simultaneously,

the city is looking toward increasing police staffing and improving police technology and equipment under a \$56 million five-year police resources plan. At this point the funding goal

for that approach is below fifty percent.



### Opening Statements

from page 16

reiber were two district attorney's office investigators who were instrumental to what Maline described as a "political prosecution" of Postmus, Biane, Burum, Erwin, and Kirk.

Postmus referred to Randles and Schreiber as "the thug squad," Maline said. "Bill Postmus said the thug squad made him say things he didn't want to say," Maline said. Maline said Randles and Schreiber pounded on both Postmus and Aleman, asking them leading questions

until they elicited the preordained responses they were seeking.

Another sign that the prosecution was political, Maline said, was the manner in which the investigators and eventually the prosecution team utilized deputy county counsel Mitch Norton, who was involved in the Colonies litigation from the beginning until the end. Norton from 2002 until 2006 contended that the Colonies Partners were seeking compensation in the company's lawsuit that was excessive but later asserted the settlement was a just one, Maline said.

Maline charged San

Bernardino County District Attorney with engaging in a political prosecution.

"District attorney is a political office," Maline said. "We will show this was a political decision to prosecute even though there was overwhelming evidence of innocence. This will be shown by the bizarre way the investigators went about not looking for the truth but for a predetermined outcome. Any responsible law enforcement agency would have walked away from this case. We're here because the elected district attorney of this county made a political deci-

sion to go after four innocent men for his own personal agenda when he announced the indictment with great fanfare on television."

At that point, Maline, who was using a projector to display graphics to the jury, had a slide which stated that Ramos and Erwin had once been friends and that Erwin once supported Ramos politically, that Erwin supported Neil Derry, who successfully ran for Third District supervisor in 2008 and that Ramos did not support Derry. On the same slide there was a graphic showing political consultant David El-

lis, who had worked on Ramos's campaigns, as an intermediary between

Ramos and Erwin. As Maline began to further

*Continued on Page 19*

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## Jedediah Smith from page 17

eventually went on to Santa Fe hoping Smith might meet up with them, but he never did. They arrived in Santa Fe on July 4, 1831, and shortly thereafter members of the party encountered a comanchero with some of Smith's personal belongings. It was relayed that Smith had met with a group of comancheros just prior to his approaching a group of Comanche. Smith tried to negotiate with the Comanche, but they surrounded him in preparation for attack.

It is believed death found Jedediah Smith in what was then Northern Mexico Territory, south of present-day Ulysses, Grant County, Kansas. According to Smith's grand-nephew, Ezra DeLos Smith, there were 20 Comanches in the group. Smith attempted to conciliate with them, until the Comanches scared his horse and shot him in the left shoulder, with an arrow. According to this lore, Jedediah fought back, ultimately killing the chief of the warriors and as many as three others. The version written by Austin Smith in letter to his brother Ira four months after Smith's death says that Jedediah killed the "head Chief," but nothing about any other Comanche being wounded or killed. Josiah Gregg wrote in 1844, that Smith "struggled bravely to the last; and, as the Indians themselves have since related, killed two or three of their party before he was overpowered." It is said that the Comanche respected Smith to the point that they did not mutilate his body. Austin Smith, Jedediah's brother, who along with another Smith brother, Peter, was a member of the caravan, was able to retrieve Smith's rifle and pistols that the Indians had taken and traded to the comancheros.

The quintessential mountain man, Jedediah Smith was nevertheless "no ordinary mountain man" in the words of historian Barton H. Bar-

bour, who points out that Smith was not known to use the profanity common to his peers and exhibited discipline in that he did not drink alcohol to excess nor bed Native American women, as was common among some in his walk of life. Though he was a northern Methodist, he was not overtly religious nor the Bible-toter some later claimed, and he was out of step with his religion in that he owned two slaves. He possessed impressive physical strength, was a natural leader, maintained his equanimity under pressure and in the face of danger, and had uncommon, indeed likely unparalleled, skill at surviving in the wild. In dealing with his known or suspected enemies and antagonists, he did not always comport himself honorably.

He strove to remain on good terms with Indians he encountered, and was interested in learning their culture. His experience would put that approach to the test, and in dealing with aggressive and defensive Native Americans, he often responded in kind. Smith's men killed two Mojaves in Southern California, at least seven Maidu in Northern California and two other Native Americans. Of the Maidu, Smith said they were the lowest intermediate link between man and the Brute creation." Of the Indians he encountered in Nevada and Utah, Smith said they were "children of nature [and] unintelligent type of beings [which] form a connecting link between the animal and intellectual creation..."

Historian Maurice S. Sullivan credits Smith with being "the first white man to cross the future state of Nevada, the first to conquer the High Sierra of California, and the first to explore the entire Pacific Slope from Lower California to the banks of the Columbia River." He was a first rate and driven explorer and cartographer, recognized for his systematically recorded observations on nature,

## By Diane Dragotto Williams

A somewhat flat-looking, mop of a mammal, short legged, its body comprised of long, shaggy, brown and gray fur, a triangular head, a pointed, tipped-up nose, with a distinguishing black striped and badger-like white pattern on its



face is *Taxidea taxus*. Primarily found in the Great Plains of North America, the American Badger can be found in Southern California. These hardy animals prefer to live in dry, open grasslands, fields, pastures and high alpine meadows.

Weighing from 8 to 26 pounds, and 20 to 34 inches long, the badger can be a formidable opponent in a creature fight, holding its own against coyote, and, even, bear. Its menacing canine teeth flash dangerously close to its enemy in a scuffle, while the tough, loose skin behind its neck, if grabbed, gives wiggle room to turn around and surprise its attacker! When a badger is threatened, it will hiss, growl, squeal, snarl, and release a pungent musk smell to ward away predators.

This robust animal is an excellent digging machine using its front, big feet with long, backward-curving claws, while the back, short, shovel-like claws take up the rear!

the lay of the land and topography. His expeditions laid to final rest the myth of the legendary Buenaventura River and provided the basis for the first truly accurate Pacific-West maps produced by an American. In its June 1832 edition, Illinois Magazine said of the chart he had constructed with Jackson and Sublette that "This map is now probably the best extant, of

## County Wildlife Corner American Badger

Badgers can tunnel after ground-dwelling rodents with amazing speed for its bulky, broad, ungainly body. A solitary animal with keen scent and hearing, it usually captures its prey by invading burrows of ground squirrels, mice, voles, gophers, rabbits, prairie dogs, and even, burrowing owls. However, birds, like bank swallows, and their eggs, as well as, reptiles, amphibians, insects, bees, fish and hibernating skunks can also be on the menu. Their hunting skills are evident when they outsmart venomous snakes, like rattlers! An unusual hunting technique involves cooperative work with coyotes. Tolerat-



ing each other, though at times, they can be enemies, they've adapted to a helpful relationship. As the badger "ferrets" out a possible contender for a meal from a burrow, the coyote will wait



patiently nearby to catch a fleeing animal from the tunnel. In turn, the coyote will allow the badger to catch the next tasty morsel that tries to

escape the dynamic duo! Galloping at 16 to 19 miles an hour, the badger may escape into a nearby



shelter from the grasp of golden eagles, bobcats, cougars and coyotes, giving the badger a lifespan of 4 to 14 years in the wild! Mainly nocturnal, and remaining underground, mostly, during the day, the American badger is ac-

tive year round. Sleeping several weeks during severe winter weather, it goes into a torpor, lowering its heart rate in half. Mating in late summer and early autumn, the badger breeds once a year, producing a litter of 1 to 5 offspring. Grass-lined dens excavated by the badger are called setts that provide a nursery for birthing, and other burrows used for sleeping, storing food, or escape routes. When prey is scarce, the female must use stored up fat to sustain herself and her growing fetuses (causing much smaller

young as juveniles). On occasion, when it is necessary, some badgers form clans called cetes,

containing two to fifteen animals living in this extensive burrow system. The badger's value to the ecosystem revolves around their powerfully built forelimbs that involve digging activities providing shelter for other species, while improving soil development. Wildhaven Ranch once had an up "close and personal" encounter with a high desert badger that migrated to our mountain elevation. Its presence with us made a long, lasting impression of an animal warrior, moderate in stature, but mighty in spirit!

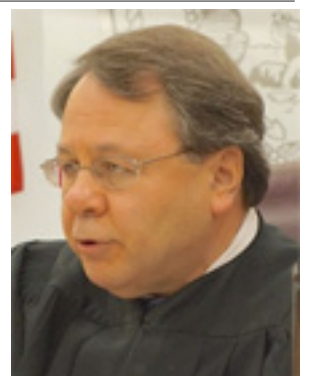


*Wildhaven Ranch is a wildlife sanctuary in the San Bernardino Mountains specializing in educating the public about wildlife in our ecosystem. Visit them at [www.wildhavenranch.org](http://www.wildhavenranch.org) or call for tours at (909) 337-7389.*

Smith and his companions had provided.

## Opening Statements from page 18

expound on the political implication of the one-time Erwin-Ramos alliance, Cope objected, and there followed a several minute side-bar conference at the bench with Judge Michael A. Smith,



**Judge Michael Smith**  
Cope and all of the defense attorneys present.

*Continued on Page 20*

# California Style Flapping

By Grace Bernal



2017 is upon us and we have quite an appetite for fashion trends in California. As always,



we dress according to weather. We have snow in the mountains, and the standout trend is not really new clothes but unbuttoned coats, and jackets in this cold weather.



Yes, the troopers of fashion wear their coats/jackets open in freezing weather. The interesting thing is that when a few



daring people decide on a look, everyone follows. With that said, the coats/jackets are flying open



in cold temperatures and it's a bit like a vintage celebrity wearing a coat over the shoulder. It says something about sophis-



tication! The Hollywood weather with palm trees go great with shredded jeans and open coats. It's all about the attitude this week and people have an open coat about it. So have fun running around with your coats flapping in the winds.



"I love red. Red pants. Red suit. Red coat. Red anything." -Brad Gorski



As always, if there's anything you need, I'd love to hear from you: Greygris@aol.com or visit my page I Love Your Style on Facebook

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## Opening Statements

from page 19

a ruling on a request by the prosecution to quash a defense subpoena for Ramos to testify, Maline concluded his opening statement without any

elaboration or elucidation of the Erwin/Ellis/Ramos connection. He instead alerted the jury

cluded was evidence of a cover-up of payoffs from Burum. Maline told the jury that there was nothing wrong with political contributions and that the trip was made partly to smooth relationships after the settlement battle. Maline's explanation was that Erwin, who considered Ramos a friend, had sought the district attorney's advice as to how to report. Instead, with the implication that Ramos was disgruntled with Erwin for being in league with Derry and because Ramos was politically motivated to obtain a conviction in a highly publicized case, Maline said, Ramos and the district attorney's office, for politically motivated reasons, chose

to torturously mischaracterize the incomplete Form 700 as evidence of the crimes they were wrongfully accusing Erwin of engaging in.

Maline ended the statement by asking the jury to find his client, Jim Erwin, innocent of the charges against him.



Mike Ramos

to a political contribution disclosure statement, Form 700, that would be the subject of examination during the trial. Maline detailed and listed the items that were allegedly not disclosed which the prosecution, he said wrongfully con-



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