Special Online Clinic Provides Easier, Faster Expungement

By Carlos Villatoro
Public Affairs and Media Officer

Anyone who has ever been convicted of a crime in California can attest that the road to a clear criminal record has roadblocks that must be overcome if that record is to be expunged.

Luckily, the Napa County District Attorney’s Office has removed one of those barriers by offering a one-stop online portal for those seeking expungement – made possible through a collaboration between the Napa DA’s Office, the Napa County Probation Department, and the Napa Superior Court.

The DA’s Online Expungement Clinic is a service that Napa Deputy District Attorney Kecia Lind says is designed to expedite the expungement process for individuals who have met specific eligibility requirements.

“Not all convictions are eligible to be expunged,” explains DDA Lind.
I attended the Association of Government Attorneys in Capital Litigation’s 43rd Annual Conference in August.

This national conference brings together homicide and post-conviction prosecutors from across the nation to train on topics such as ethics, effective oral argument and navigating both state and federal appellate review.

Changes in California law have meant that our office is revisiting more cases than we had ever anticipated as defendants, whose cases we once thought were settled, are now allowed to petition the court for resentencings and other post-conviction relief.

This means reacquainting ourselves with cases closed decades ago for procedural and factual review.

Further, more prison inmates are eligible for parole putting more demand on our senior attorneys and victim witness team to lead victims’ families and other survivors through these unique and oftentimes painful hearings.

Those survivors are deserving of dignity, agency and assurance that they will be guided through the system with compassion and professionalism.

I am a District Attorney who believes that our obligation as prosecutors to victims and their families extends beyond the Superior Court conviction.

Victims depend on our representatives to make their voices heard to parole boards, appellate courts, superior courts and legislators.
“There’s a lot of different convictions that can be expunged but there are things that need to be done in order for you to qualify, for example, you need to have completed all the terms of your probation, you have to have been off probation for a certain amount of time, you need to fill out an application for the court and Probation weighs in, the District Attorney’s Office weighs in, and ultimately it’s the judge’s decision to decide whether or not you qualify for an expungement.”

As part of the clinic, the application process is free of charge and the DA's Office pays for all the associated court costs with seized Asset Forfeiture funds.

“A lot of times what prohibits people from getting their records expunged is they think it’s going to cost a lot of money to hire an attorney to fill out the forms for them, and the process is actually pretty simple, no attorney is required,” DDA Lind said. “A lot of the time it doesn’t even require a court appearance. If you have gone through everything you need to, and everything that the law says you need to do to qualify, there’s nothing to discuss.”

Such expungement forms are received and reviewed at the Napa DA’s Office by DDA Veronica Vo, who after reviewing the application, and perhaps more importantly, the actions taken by the petitioner, makes a recommendation to the court. The recommendation is then forwarded to the court, along with the Napa Probation Department’s recommendation and the court makes the final decision on the expungement.

“The expungement clinic is a simple means by which a rehabilitated person can seek closure for past crimes,” DDA Vo said. “It is an opportunity to efficiently process applications through the court system. However, it is imperative the applicant complete the forms thoroughly and accurately. Once they do so, they can receive a decision within two months.”

**What is Expungement?**

An expungement is a pathway for individuals who are convicted of a crime to remove the conviction from their criminal record. The expungement allows for the crime that the person is convicted of to show up as ‘dismissed’ from a person’s record and make it easier for people to obtain employment or housing if the entity does a background check.

DDA Lind points out that the expungement does not make the crime invisible to law enforcement, reinstate firearm rights if those rights were removed as part of a conviction, remove the requirement to register as a sex or arson offender if the person is required to do so, or nullify a strike offense. In addition, the conviction can still be used during immigration proceedings, will also not remove any limitations or suspensions on driving privileges due to the conviction, or meet professional licensing requirements.

To learn more about the Napa DA’s Online Expungement Clinic, please visit the DA’s website.
Strategic Planning Takes Flight at the Monarch Justice Center

By: Carlos Villatoro
Public Affairs & Media Officer

It’s often said that to get anywhere in life you need a plan, and it’s with that same spirit that leadership at the Monarch Justice Center gathered in north Napa in mid-August to do some strategic planning.

Designed to guide Monarch Justice Center’s activities, the Strategic Plan will address everything from the Center’s operational needs, to the funding sources that are critical to meeting its mission of being a one-stop place where victims of crimes can go to obtain critical services.

With various partners involved in the strategic planning process — including the Napa County District Attorney’s Office, the Napa Police Department, and NEWS — the Strategic Planning Committee expects to complete its plan soon. Alliance for Hope staff facilitated the strategic planning session for Monarch Justice Center leadership.

For more information about the Monarch Justice Center, visit www.monarchjusticecenter.org
DA Staff Updates

Lindsey Foster, Investigative Technician

Lindsey Foster joined the Napa County DA’s Office in late August. She comes to the DA’s Office from the American Canyon Police Department, where she served as a Police Technician. As a member of the DA’s Investigations Unit, Lindsey will be part of a two-person team entrusted with subpoena service, transporting witnesses, and providing technical support for the many cases the DA’s Office oversees. Lindsey was born and raised in Napa, and enjoys reading and traveling in her off time.

Max Warren, Law Clerk

Max Warren joined the Napa DA’s Office in late August as a post-bar law clerk for a period of 10 weeks. Max attained his undergraduate degree from Kenyon College, where he played baseball, and his law degree from UC Law SF (formerly UC Hastings).

Max’s passion for criminal justice and willingness to accept guidance from his mentor, DDA Katie Susemihl, make him a welcome addition to the Napa DA’s Office. When he is not arguing in a Napa court or writing motions for the DA’s Office, you can find him fishing in Alaska or riding his Peloton bike. Prior to his arrival in Napa, Max worked as a public relations manager for Hall of Fame boxer Michael Carbajal and occasionally writes for a boxing publication called maxboxing.com.

Lauren Noga, Law Clerk

Lauren Noga joined the Napa DA’s Office in late August as a post-bar law clerk for a period of 10 weeks. Lauren is a graduate of UCLA, where she double majored in History and French. She attained her law degree from UC Law SF. Prior to her arrival in Napa, Lauren worked in the US Attorney’s Office in San Francisco and at the Securities and Exchange Commission. She also spent her spring semester at UC Law SF working for the Alameda County District Attorney’s Office. When she’s not working, Lauren enjoys Pilates, wine, and taking the light of her life, her dog Cooper, to the Lafayette reservoir or to Point Isabel.

Lauren’s passion for studying and practicing law make her a welcome addition to the Office. DDA Agnes Dziadur will mentor Lauren during her time with the Napa DA’s Office.
A Community-Based Approach to Suicide Prevention in Napa

Editor’s Note: On occasion, Newsline will feature articles from our law enforcement partners and other like-minded groups and individuals who share in our goal of keeping the community safe.

By Jeni Olsen
Napa County Suicide Prevention Council chair

The Napa County Suicide Prevention Council was founded in 2017 by a small group of concerned citizens, together with Napa County’s Health and Human Services agency, to raise awareness and break the stigma around suicide. At the time, rates of suicide ideation and completion were on the rise, particularly in youth. Today, the Council continues to support local suicide prevention and stigma reduction efforts, as well as to identify and fill gaps in suicide prevention and postvention approaches across the County.

September is Suicide Prevention Awareness Month, an opportunity to raise awareness, break stigma, spread hope and share information for people impacted by suicide. Suicide can affect anyone regardless of age, gender, ethnicity, ability, socio-economic status, or background. Our goal is to ensure that individuals, friends, families and organizations in all industry sectors have access to the resources they need to support those affected by suicide and to seek help.

The Council has developed a comprehensive 3-year Suicide Prevention plan that has the potential to reduce suicide risk in Napa County, which will be posted on Napa County’s website in September. The plan includes education about warning signs and strategies focused on residents who are at a disproportionate risk of suicide, as well as strategies to provide support and healing to those who are impacted by suicide. Napa County’s plan is in alignment with the State of California’s Suicide Prevention Strategic Plan, Striving for Zero.

The strategic goals outlined in our 3-year plan are to 1. Maintain and strengthen the suicide prevention infrastructure, 2. Enhance prevention to minimize risk for suicidal behavior, 3. Increase early identification of suicide risk and connection to services and 4. Coordinate suicide prevention trainings countywide.

We offer evidence based QPR Suicide Prevention Trainings to the Napa County Community that teach participants how to recognize the warning signs of a suicide or mental health crisis and how
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to help someone who may be thinking about suicide. If you are interested in hosting a Suicide Prevention training in English or Spanish, please contact Ruben Sanchez at rsanchez@mentisnapa.org

We also offer support for survivors of suicide loss with resources, education, and professional support. International Survivors of Suicide Loss Day is an event in which survivors of suicide loss come together to find connection, understanding, and hope through their shared experience. This year, International Survivors of Suicide Loss Day is Saturday, November 18, 2023. More information can be found on our webpage.

The Suicide Prevention Council welcomes all individuals and organizations who want to Strive for Zero suicides in Napa County. Meetings are open to everyone and there are many ways you can get involved. Council meetings are held on Zoom on the first Thursday of every month, from 4-5:30pm. For more information about attending Napa County Suicide Prevention Council meetings, please visit our website: Napa County Suicide Prevention Council.

The following bilingual hotlines are open 24 hours a day, 7 days a week.

- **Napa County Crisis - 707-253-4711**
- **National suicide and crisis Lifeline – call or text 988**
  - Press 1 to be routed to the Veterans Crisis Line
  - Press 2 to be routed to the Spanish Crisis Line
  - Press 3 to be routed to the LGBTQ+ Crisis Line
  - For people who are deaf or hard of hearing, call 800-799-4889

Text “Home” or “Hola” to 741741 to connect with a crisis counselor in English or Spanish.

We hope you will join us in raising awareness, reducing stigma, advocating for resources, and promoting a safe, connected, resilient and inclusive community to reduce the risk of suicide.

For more information, including attending a meeting, accessing crisis resources, and scheduling a suicide prevention training, please visit Napa County Suicide Prevention Council or email Jeni Olsen at jolsen@mentisnapa.org

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**JOIN THE CONVERSATION!**

The Napa County District Attorney’s Office has a new Podcast!

The Sidebar Podcast will encompass everything pertaining to the work the DA’s Office performs on behalf of the People, both in and out of the courtroom. Subscribe to our YouTube channel so you don’t miss an upload!
IN THE COMMUNITY

Snow Cones & Smiles

[Images of people enjoying snow cones and smiling at each other]
Outreach

NAPA TOWN AND COUNTRY FAIR 8/10/2023

Photos: Lauren Weitz & Carlos Villatoro
**People v. Antonio Botello Verdin**

Antonio Botello Verdin, also known as Antonio Botello, age 66, is charged with three counts of oral copulation / sexual penetration / sex / sodomy with a child 10 or under, lewd act upon a child, and felon in possession of a firearm.

Mr. Verdin is also charged with several special allegations of violent sex offenses; violence, cruelty, viciousness or callousness; vulnerable victim; planning, sophistication, professionalism; position of trust; violent conduct; increasing seriousness of priors/sustained petitions; and prior prison term.

The defendant last appeared in court on August 16, 2023, for a plea/setting hearing, where he entered a not guilty plea on all counts and a denial to the special allegations. He is currently in custody with a bail amount set at $2 million and scheduled to appear in court on September 13, 2023, 9 a.m., in Department 1 of the Napa County Superior Court. The case against Mr. Verdin is being prosecuted by DDA Kristen Orlando.

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**People v. Sarah Morrison**

Sarah Morrison, age 41, is charged with attempted murder, assault with a semiautomatic firearm, discharge of a firearm with gross negligence, shooting at an inhabited dwelling, armed criminal action, carrying a loaded firearm - not registered owner, and possession of a firearm - not registered owner.

In addition to the above charges, Ms. Morrison is also charged with the following special allegations: personal and intentional discharge of a firearm; personal use of a firearm; use of a firearm; violence, cruelty, viciousness or callousness; use of weapon; vulnerable victim; position of trust; and violent conduct.

Ms. Morrison was last in court on August 14, 2023, for an arraignment hearing and is due back in court for a plea/setting hearing scheduled for September 12, 2023, 8:30 a.m., in Department 1 of the Napa County Superior Court. The case against Ms. Morrison is being overseen by DDA Michelle Roberts.
People v. Fast and Easy Gas Stations

The corporate entities and individuals who own and operate several gas stations branded as Fast and Easy are ordered to pay $1,1 million in civil penalties and investigative costs in the environmental protection action brought upon them by the Napa County District Attorney’s Office in conjunction with the District Attorney’s Offices of Yolo and San Joaquin counties filed with Yolo County Superior Court.

The judgment against the defendants Aasim Corporation, Aasim Enterprises, Inc., Ashraf Ali, Yasmin Ali, Samir Ali, Shafique Bhimani, and Mohammed Bilal also settles allegations that the defendants failed to follow state laws governing the operation of retail gas stations at locations in Napa, Alameda, Lake, San Joaquin, and Yolo counties.

Owners and operators of underground storage tanks (USTs) at retail gas stations in California are subject to fair, yet stringent environmental rules and requirements designed to prevent underground petroleum releases to surface and ground waters. Prosecutors alleged that the Fast and Easy defendants failed to adequately install, monitor, operate, and calibrate important equipment on-site designed to detect leaks at the earliest possible opportunity, and failed to comply with laws regulating hazardous wastes and hazardous materials at the gas stations.

As part of the judgment, the defendants are required to pay $900,000 in civil penalties and $200,000.00 in investigative and enforcement costs. The settlement also includes a permanent statewide injunction, prohibiting the defendants from violating UST and hazardous waste laws, and further requires them to retain an experienced, independent environmental consultant to assist with future compliance at all stations. This case was overseen for the Napa DA by DDA Patrick Collins.

People v. Johnatan Jesus Palacios

Johnatan Jesus Palacios, age 34, was sentenced to three years in jail by Napa County Superior Court Judge Monique Langhorne.

A Napa jury found Mr. Palacios guilty of vehicle theft with a prior conviction of vehicle theft during a trial that took place in early July 2023. The jury trial was presented by DDA Kayla Richeson, with the sentencing portion of the case handled by DDA Katie Gross.

People v. Tuong Nguyen

Tuong Nguyen, age 43, entered a plea of not guilty and a denial to any or all special allegations or enhancements in the case against him. Mr. Nguyen is charged with attempted murder, carjacking special allegation - use of firearm, shooting at occupied motor vehicle, shooting from a motor vehicle, felon in possession of a firearm, possession of ammo by a prohibited person, carrying a loaded firearm, and carrying a loaded firearm - not registered owner.

He is also charged with the special allegations of personal and intentional discharge of a firearm; personal use of a firearm; 2/3 strikes (one prior); great bodily injury; use of a weapon; vulnerable victim; violent conduct; increasing seriousness of priors/sustained petitions, and a prior prison term.

Mr. Nguyen is due in court on September 15, 2023, at 9 a.m., in Department 1 of the Napa County Superior Court. Chief DDA Taryn Hunter is handling this matter.
Sex offenders work hard to deceive adults as they do to seduce victims. Their tactics work so well that only about 3 percent are reported and successfully prosecuted.

By taking time to learn about sex offenders, you will be joining a growing number of parents who are becoming better educated about child molestation and the ways to stop the crime.

Parents will have the opportunity to ask questions from law enforcement experts and victim advocates, the very people on the front lines who combat the problem.

**Understand THE PROBLEM**

Sex offenders work hard to deceive adults as they do to seduce victims. Their tactics work so well that only about 3 percent are reported and successfully prosecuted.

**Obtain TIPS**

By taking time to learn about sex offenders, you will be joining a growing number of parents who are becoming better educated about child molestation and the ways to stop the crime.

**Ask QUESTIONS**

Parents will have the opportunity to ask questions from law enforcement experts and victim advocates, the very people on the front lines who combat the problem.

**Graphic Content Warning:**

Due to the graphic nature of the content, participants with a personal history of abuse are encouraged to attend with a support person.

Childcare and light refreshments will be provided.

**English Workshop:**

September 19, 2023
6-7:30 p.m.
Calistoga High School
Multipurpose Room
1608 Lake St. Calistoga, CA

**Spanish Workshop:**

September 20, 2023
6-7:30 p.m.
Calistoga High School
Multipurpose Room
1608 Lake St. Calistoga, CA

No registration needed
Adults Only | Childcare will be provided