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July 12, 2002

Office of the Attorney General, State of California
Department of Justice
Public Inquiry Unit
P.O. Box 944255
Sacramento, CA 94244-2550

Re: *Conflict of Interest and Personal Involvement of District Attorney Norman Vroman Leading to Failure to Investigate and Prosecute Mendocino County Sheriff Case 1-02-002158 and Animal Control Case 060102-01*

Dear Sir or Madam:

This is a formal request pursuant to California Government Code § 12550, on behalf of my client Mary Geddry, that the Office of the Attorney General take full charge of the investigation and prosecution of Donald Iversen, and any accomplices or conspirators, in the above-referenced matter.

It is undisputed that on June 1, 2002, Donald Iversen and his brother, John Iversen, mistakenly and vengefully killed Ms. Geddry's dog with a shotgun, firing from a public roadway, and struck her dog in her front yard.

Deputy District Attorney Mark Kalina, Ms. Geddry's neighbor, also wished the dog dead because he was afraid of it. Mr. Kalina immediately intervened in the investigation, secretly discussed the matter with the Deputy in charge, and vindictively suggested charges be brought against the victim for maintaining a public nuisance. The investigation, as indicated by the Sheriff's Report, and confirmed by Animal Control, was improperly and shoddily conducted. On the next business morning following the shooting, District Attorney Vroman called Animal Control and instructed them not to investigate the shooting. Animal Control nevertheless did so because it is its duty to investigate such crimes.

Animal Control's investigation resulted in significantly different findings than those that came of the Sheriff's Department and District Attorney's white-wash. Charges of animal cruelty and firing from a public roadway were suggested for both Don and John Iversen. Mr. Vroman immediately used his influence to have charges of insubordination brought against the Animal Control officer filing the complaint, forcing that officer, Lieutenant Robert Arbayo, to resign his post.

Although the so-called “special investigation” ordered by District Attorney in response to public pressure has been concluded, the District Attorney has not brought charges against the Iversens. My client has met with only delay and obfuscation by the District Attorney. She believes he is holding open the “investigation” to make this appeal appear premature. He also refuses to cooperate in providing any information to the victim.

The District Attorney, acting as a state official, is forbidden from utilizing his discretion to investigate and/or prosecute crimes based on personal or political views. The United States Supreme Court made this clear in *Blackledge v. Perry*, 417 U.S. 21, 25-29 (1974). The evidence I hereby provide to you indicates that the District Attorney of Mendocino County, Norman Vroman, must be relieved of his powers of investigation and prosecution in this matter for three reasons:

1. Deputy District Attorney Mark Kalina is a neighbor of the victim of the crime who harbors great ill-will and animosity toward the victim and Mr. Kalina’s direct and continued involvement in the investigation of this matter creates an irreparable conflict-of-interest in the District Attorney’s office;
2. District Attorney Norman Vroman has a policy of failing to enforce California law concerning animal cruelty; and
3. District Attorney Norman Vroman is involved in a personal vendetta against the Field Manager of Mendocino Animal Control, coloring his view of this incident.

I enclose for your review the following documents that support the obvious conflict of interest and abuse of discretion:

1. Sheriff’s Report;
2. Animal Control Report;
3. Letters to Norman Vroman dated June 17, June 24, June 26, July 10 and July 11;
4. Civil Subpoena for Records and Testimony;
5. Letter from Norman Vroman dated July 1;
6. Letter from County Counsel dated July 9;
7. Transcript of interview with Lieutenant Robert Arbayo from July 9.

We have significant additional information and would be pleased to forward any information that would help your office in making the decision to take full charge of this investigation and prosecution.

At best, this matter evidences the “back door” method of obtaining or preventing justice in Mendocino County. At worst, a criminal conspiracy between certain Sheriff’s Deputies, the District Attorney and the Iversen family for “vigilante justice” will be uncovered.

Ms. Geddry implores your office to provide a fair and impartial investigation and prosecution into this matter. As Justice Stewart wrote in 1972:

When people begin to believe that organized society is unwilling or unable to impose upon criminal offenders the punishment they 'deserve,' then there are sown the seeds of anarchy – of self-help, vigilante justice and lynch law.

Furman v. Georgia, 408 U.S. 238, 308.

I look forward to your response.

Very truly yours,

Andrew S. Mansfield

cc: Ms. Mary Geddry
Assemblymember Virginia Strom-Martin
Mr. Norm Vroman, Esq. and Frank Zotter Jr., Esq.
Mendocino County Board of Supervisors
Ukiah Daily Journal, Santa Rosa Press Democrat, Fort-Bragg Advocate News /
Mendocino Beacon, Anderson Valley Advertiser
Greg Petersen, Esq.
Mark Kalina, Esq.