



PI Lic. #16671

GERALD R. THOMPSON & ASSOCIATES

Certified Legal Investigation and Consulting

INVESTIGATION REPORT

In Re: People v. Kevin Black

Case No. 01-79557

**Prepared by:
GERALD R. THOMPSON
Certified Legal Investigator**

June 25, 2002

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8 TULARE COUNTY SUPERIOR COURT - TULARE DIVISION
9 COUNTY OF TULARE, STATE OF CALIFORNIA

10
11 PEOPLE OF THE STATE OF)
12 CALIFORNIA,)
13 Plaintiff)

14 vs.)

15 KEVIN MICHAEL BLACK,)
16 Defendant)

CASE NO. 01-79557

DECLARATION OF GERALD THOMPSON

17 I, GERALD THOMPSON, declare: that I am a licensed Private Investigator and a credentialed,
18 Certified Legal Investigator, one of eight in the state of California. I have nearly twenty years
19 of investigation experience and am a retired Los Angeles County Sheriff's Detective. I spent
20 five years working the Juvenile Investigations Unit for the Los Angeles Sheriff's Department.
21 In that capacity, I have had occasion to investigate hundreds of cases involving child
22 molestation and child abuse. I have testified regarding these cases in California Superior and
23 Municipal Court. I have been a licensed Private Investigator for ten years. I have investigated
24 more than two hundred cases involving child molestation, child neglect and child abuse. I
25 have testified in California Superior Family Court and Criminal Court. I have attended formal
26 classes and seminars totaling more than one hundred hours of education related to child
27 molestation, child abuse and child neglect. The Attorney for the Defendant retained me in this
28

1 matter and could competently testify to the following facts that are within my own knowledge
2 and belief.

3 1. The purpose of my retention was to review all the materials provided by the Prosecution
4 through discovery. I was to render an opinion regarding the adequacy of the investigation, any
5 lack of probable cause and to determine if a viable defense existed. The records I reviewed
6 consisted of Tulare Police Department reports, transcribed recorded statements of witnesses
7 and the victim, past Tulare Police reports involving this victim and a transcript of the
8 Preliminary Hearing held on January 9, 2002.

9 2. Because of my investigation, I have learned the victim has been exposed to an individual
10 named Baldemar Sanchez a.k.a. "Blondie" throughout her life and continuing to this day. This
11 victim has accused Sanchez of molesting her at age two and one half. The police report
12 alleged Mr. Sanchez touched the victim in her vagina area and used the word "pussy" while
13 speaking to the two and one-half year old victim. He also referred to her buttocks as "Fat Butt."
14 Tulare Police Department interviewed Mr. Sanchez in the presence of his Attorney after his
15 was Mirandized. Mr. Sanchez admitted to touching the victim during "potty training" and
16 admitted to using the term "pussy." In his statement he seemed to divert responsibility for this
17 conduct to the parents of the victim. In his statement he admits telling the parents the victim
18 some how hurt her vagina possibly by falling out of a shopping cart. A true copy of Tulare
19 Police Department Number DR 410929 is attached hereto as **Exhibit A** and is hereby
20 incorporated by that reference.

21 3. After reading this report, I was alarmed that there was not any follow-up done by Tulare
22 Police Department to determine if this individual continued to have contact with the victim
23 since this incident and throughout her life and during the period of these allegations. My
24 investigation has revealed the Tulare Police Department did not advise the victim's parents
25 of their findings and his admissions. Therefore, both Melanie Black, the victim's mother, and
26 Ricky Richardson, the victim's father, have continued allowing the victim to be alone with Mr.
27 Sanchez since these allegations and continuing to this date. Based on my past training
28 experience, this raised a great concern to me. My investigation revealed Mr. Sanchez has

1 surrounded himself with prepubescent girls for more than twenty years. He was previously
2 employed as a janitor at Kohn Elementary School. He lives one block from Kohn Elementary
3 School. The relevancy of these facts will become clear later in this Declaration.

4 4. My investigation revealed several other victims that Mr. Sanchez has molested. I was
5 able to locate these victims by determining the prepubescent girls Mr. Sanchez befriended
6 throughout the past twenty or more years. One of these victims is a twenty-nine year old
7 woman identified as Christina Lynn Schoenauer.

8 5. On May 16, 2002, I located Ms. Schoenauer. Ms. Schoenauer is now twenty-nine years
9 old, but reports meeting Mr. Sanchez when she was eight or nine years and a student at Kohn
10 Elementary School. She states he was a janitor at Kohn Elementary School and had
11 numerous prepubescent girls whom he had befriended. She reports he would take these girls
12 to the store buying them clothing and other items. Ironically, Melanie Black, T.R. Richardson's
13 mother, was one of these prepubescent girls. Ms. Schoenauer described a pattern of sexual
14 molestation that occurred during this time. She alleges Mr. Sanchez would provide her with
15 cigarettes and would let her drive his car while seated on his lap. During these "driving
16 sessions," Mr. Sanchez would reach between her legs and touch her vagina. She further
17 stated he would ask for kisses on the lips in exchange for the cigarettes. She said Mr.
18 Sanchez referred to her vagina as a "pussy." She recalled he also referred to her buttocks as
19 "Bodinka." Parenthetically, "Bodinka" is a Spanish word describing fatness. This corresponds
20 to the same reference to TR. He also advised her that any injury to her vagina resulted from
21 a fall from a bicycle. Parenthetically, T.R. has also stated she has injured her vagina by falling
22 from a bicycle. Ms. Schoenauer states this molestation continued until she told her cousin,
23 another one of Mr. Sanchez's prepubescent female "friend," of Mr. Sanchez's molestation.
24 This cousin advised her own mother of the incidents. Her mother called Ms. Schoenauer's
25 mother and reported the molestation. Ms. Schoenauer's mother contacted the authorities and
26 Ms. Schoenauer believes a report had been filed. Ms. Schoenauer recalled Mr. Sanchez
27 having an enormous influence on her. She truly loved him as if he were a grandpa. She felt
28 that she betrayed him by reporting the molestation. The basis for these feelings was that the

1 basis for these feelings was that the other prepubescent girls chastised her because they were
2 fearful they would eliminate the "Candy Man" from their lives. She described Mr. Sanchez as
3 mentally controlling and creating an environment that precluded any reporting of his conduct.
4 I obtained a tape-recorded statement from Ms. Schoenauer. Ms. Schoenauer has now filed
5 a Police Report regarding her victimization by Mr. Sanchez. She feels strongly that T.R. has
6 likely been a victim of Mr. Sanchez's molestation. A true copy of this statement is attached
7 hereto as **Exhibit B** and is hereby incorporated by that reference.

8 6. During my interview with Ms. Schoenauer, she advised me that she believed a person
9 named Tara Mullen had experienced similar incidents involving her daughter, Tiffany.

10 7. On May 22, 2002, I located Tara Dawn Mullen and interviewed her. She reports that she
11 came to know Mr. Sanchez at the age of fifteen or sixteen. He befriended her as he did
12 numerous other pubescent and prepubescent girls. She described a pattern of generosity
13 extended by Mr. Sanchez toward herself and these other girls. After reaching the age of
14 majority, she moved from the Tulare area to Bakersfield, CA. After giving birth to her daughter
15 Tiffany, she returned to Tulare. When Tiffany was approximately three and one half years of
16 age, she reconnected with Mr. Sanchez. She describes that Mr. Sanchez would frequently and
17 unexpectedly come by her home in the company of T.R., the victim in this matter. He would
18 request permission from Ms. Mullen to take her daughter with him and T.R. to various
19 shopping excursions. Ms. Mullen did not experience any molestation by Mr. Sanchez and
20 believed he to be like a grandfather to her daughter. This perception drastically changed on
21 one occasion. Ms. Mullen described giving her daughter a bath and walking into the bathroom
22 unexpectedly. She looked at her daughter seated in the bathtub and observed her with her
23 legs spread and a "crayon like toy" inserted in her vagina. When she questioned her daughter
24 about this conduct, her daughter stated, "Papa does this to me with a screwdriver." His
25 prepubescent acquaintances frequently called Mr. Sanchez "Papa." Upon further questioning,
26 Ms. Mullen's daughter advised her that she had also had occasion to jump on "Papa's bed"
27 naked with T.R.. Ms. Mullen was horrified that her daughter would ever have been to Mr.
28 Sanchez's home, let alone be in a situation to be unclothed. She also recalled an incident

1 where her daughter arrived home from shopping with Mr. Sanchez. When she changed her
2 daughter's clothing, she noticed baby powder spread all over her entire body, including her
3 genitalia. At the time she dismissed this as a "wetting accident." However, after hearing about
4 the naked dancing and the screwdriver incident, she believed her daughter was a victim of
5 molestation at the hands of Mr. Sanchez. She described confronting Mr. Sanchez and telling
6 him to keep his hands off her daughter, stating, "just because you do things for me doesn't
7 mean you can touch my daughter." She ceased all future contact with Mr. Sanchez. She feels
8 strongly that T.R. has likely been a victim of Mr. Sanchez's molestation. Ms. Mullen was
9 reluctant and continues to be reluctant to report the molestation of her daughter to the
10 authorities. She fears the adverse impact of the legal process would be too emotionally
11 detrimental to Tiffany. Ms. Mullen is a licensed Nurse and has received formal education
12 regarding patterns of sexual abuse and is positive Mr. Sanchez engaged in the molestation
13 of her daughter. A true copy of this statement is attached hereto as **Exhibit C** and is hereby
14 incorporated by that reference.

15 8. Neither of the above witnesses has had any contact with any immediate family members
16 of T.R. nor The Defendant prior to my interviews. Ms. Schoenauer has not been in contact
17 with Melanie Black for approximately twelve years. Ms. Mullen has not been in contact with
18 Melanie Black for four and one half years. Neither witness has any previous friendship of
19 connection to the Defendant. It took me considerable effort to "skip trace" and locate these
20 individuals. Based upon the information I obtained from these witnesses and a review of the
21 People's file, I immediately formed the opinion Mr. Sanchez fit the classic profile of a
22 Pedophile. Below is a discussion of those characteristics. These characteristics are a
23 compilation of my own experience, education and reference materials outlined in the
24 Bibliography.

Pedophiles and Child Molesters:

Pedophile Characteristics:

27 A pedophile will usually exhibit a series of personality characteristics that are common in this
28 type of offender. Understanding that these characteristics alone do not conclusively determine

1 that a person is a pedophile is important. Nevertheless, if these indicators, combined with a
2 pattern of behavior that arouses suspicion, are present then there may be enough probable
3 cause to believe that the person is a pedophile.

4 **A.** He carries on what can be termed "a special relationship" with a wife. Often pedophiles
5 have failed marriages due to their sexual interests, but remain in the marriage to mask their
6 true intentions. Sadly, the wife sometimes knows about her husband's preference, but prefers
7 to keep quiet to avoid social stigma and disgrace.

8 **B.** He displays a fascination or unusual interest in children. If an adult has an inordinate
9 amount of interest in prepubescent children, it does not confirm he is a pedophile, but it should
10 at least arouse suspicion.

11 **C.** He makes frequent references to children in exalted or exaggerated terms such as
12 "pure," "innocent," "God sent," "blissful" and other descriptive labels that seem inappropriate
13 and excessive. Remember that a pedophile cannot help the way he behaves and therefore
14 will inadvertently reveal aspects about himself during speech.

15 **D.** He has hobbies or interests that commonly belong in the realm of a child's world such
16 as toy collecting, building models of cars or planes. His home or room is decorated in a child's
17 theme. And often, that theme will reflect the age bracket of his preferred victim.

18 **E.** He is more than 30 years of age, single and has few or no friends his own age. He may
19 also have frequent and unexplained changes of residence. He may be unable or unwilling to
20 discuss why he lost his last job. He may have a military discharge that he cannot explain and
21 a past that he cannot easily talk about.

22 **F.** He has systematic and prolonged access to children. Pedophiles, because of the wide
23 age disparity between themselves and their victims, cannot just hang around children. The
24 pedophile has to find a way to legitimize his contact with kids. He usually accomplishes this
25 by obtaining employment in a field where he is forced to deal with children on a daily basis.
26 Jobs like schoolteachers, bus drivers, camp counselors, photographers and sports coaching⁽¹⁴⁾
27 serve their needs perfectly. They will always volunteer for activities in which they are left alone
28 with children with no parental supervision (Lanning, p. 19).

1 Pedophiles are also very adept at finding troubled or withdrawn children. This is a skill they
2 have acquired through years of trial and error. They have come to identify what usually works
3 and what usually does not. The most common technique used by Pedophiles to obtain sex
4 from children is the seduction method. This process is very similar to the classic boy/girl
5 courtship. Though the child might be under 10-years-old, the Pedophile will lavish gifts upon
6 the target, take him or her to amusement parks, museums, restaurants and other places of
7 interest. In one case, the suspect escorted the boy to expensive Broadway plays like *Phantom*
8 *of the Opera* and *Miss Saigon*. Afterwards, they ate in fashionable Manhattan cafes and went
9 sightseeing. The child was just 8- years-old. In another recent case, reported by the *New York*
10 *Times* (February 2, 2000), a Bronx man lured neighborhood children to his apartment with
11 Pokemon cards and Chinese food. He then abused a number of children after giving them
12 marijuana and screening pornographic videos. The abused children later got together and
13 attempted to set fire to the suspect's apartment.

14 **If the target is a troubled child, the Pedophile will comfort and sympathize with**
15 **him or her. Often, over a period of time, the child will develop feelings for the offender**
16 **even though he is being actively abused. The dynamics at work in this type of situation**
17 **are well known to psychologists. This process of sympathizing with the offender has**
18 **been called Stockholm Syndrome.** It was first recognized in 1973 after a notorious bank
19 robbery in Sweden in which the hostages taken by the suspects began to develop feelings of
20 attachment toward their captors. Children who are sexually victimized can feel the same way.
21 This is often the case when the offender happens to be a member of the clergy or another
22 traditional figure of trust. In early 2002, an elementary school bus driver pleaded guilty in
23 Westchester County Court, New York, to abusing 9-year-old children on his bus during the trip
24 home each day. The abuse may have gone on for as long as 15 years with a succession of
25 students. In cases such as this, the events will not be reported because of the emotional
26 attachment between offender and victim. Pedophiles are masters in the manipulation of
27 children. However, as the victim matures into adulthood, these benevolent feelings toward the
28

1 abuser often dissipate and the painful truth of the abuse sets in. In February and March 2002,
2 there were dozens of such cases involving adult men who were sexually molested as children
3 by Catholic priests. These sexual assaults, some of which occurred decades before, are sad
4 testimony to the compulsions of some pedophiles who will molest children for their entire lives
5 until the day they are caught.

6 **G. Signs to Look For:**

7
8 Sometimes people will convince themselves that they are not seeing what they are seeing.
9 Feelings of self-doubt are often supported by the strong denials from the suspect. These
10 denials will be accompanied by expressions of shock, outrage and even indignation that he
11 could even be suspected of such conduct. He will frequently make partial admissions or
12 comments such as: "I was only bathing her!" or "I was just hugging her, I love her you know."
13 The suspect will sometimes enlist the support of friends and colleagues who will attest to his
14 sincerity and reputation. This pattern is typical especially among preferential child molesters.
15 If you think an adult, friend or relative, is paying an excessive amount of attention on your
16 young child or any child, be cautious. Some of the signs of molestation an investigator or
17 parent should look for are:

- 18 (a) Any sudden and unexpected change in a child's traditional behavior.
19 (b) He or she complains of frequent nightmares.
20 (c) A new fear of a place where the child has visited before or a new fear of a person that
21 he knows and has been in contact with. Be very suspicious if your child demonstrates
22 this behavior.
23 (d) A new awareness of sex related words, genitals or drawings of sexual themes.

24 Aside from psychological changes, an investigator or professional should look for physical
25 signs of abuse such as anal or genital redness, bleeding or any type of suspicious injury to or
26 near a child's genitals. But keep in mind that the overwhelming majority of child sex abuse
27 cases do not include a visible physical injury. There can be many reasons that an injury will
28

1 not occur in a sex abuse case. There may be no force involved, the abuse may not include the
2 child's genitals or penetration may never have been accomplished. The abuse may be oral or
3 consist of only touching. This is why molesters, when caught, will frequently encourage police
4 to have the victim medically examined. They know there is no visible injury to substantiate the
5 charge. They believe that a medical examination will support their claims of innocence. Never
6 underestimate the cleverness of these people. But the astute investigator knows that the
7 absence of an injury does not settle the matter, nor does it prove conclusively that abuse did
8 not take place. ¹

9 9. Whether it is a result of a lack of training and/or experience or an over overzealousness
10 to validate an arrest, the Tulare Police Department and specifically Detective Gayle Watson,
11 failed to recognize the obvious signs that the perpetrator of this victim is more likely than not
12 Baldemar Sanchez. Mr. Sanchez fits the profile of the classic pedophile.

13 **MOTIVE**

14 _____
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1 10. Sanchez surrounds himself with prepubescent girls for the purpose of sexual
2 gratification.

3 OPPORTUNITY

- 4 **A.** Sanchez has had the opportunity to molest this victim as well as many others.
5 **B.** He had employment as a janitor at an elementary school that gave him access
6 to prepubescent girls.
7 **C.** He surrounds himself with prepubescent girls and has done so for more than
8 twenty years.
9 **D.** He legitimizes these friendships by representing himself as the "grandfather"
10 type as evidenced by his child friends calling him "Papa."
11 **E.** He showers these victims with gifts and other benefits to mentally manipulate
12 them.
13 **F.** His Modus Operandi has remained consistent for more than twenty years. This
14 is evidenced by the use of the word "pussy" with Ms. Shoenauer and T.R., the
15 victim in this matter. It is further evidenced by Ms. Shoenauer relating injury to
16 her vagina by falling off a bike and T.R. Richardson stating she had injured her
17 vagina by falling off a bike.
18 **G.** By his own admission, Sanchez used the word "pussy" in describing T.R.'s
19 vagina and admitted to touching her while "potting training" her.
20 **H.** He has maintained continuous contact with T.R. throughout her entire life and
21 continuing to date. He frequently picks her up from school and she frequently
22 spends the night at his residence. She also refers to him as "Papa."
23 **I.** He lives one block from an elementary school and is surrounded by
24 prepubescent girls.
25 **J.** He continues to this date to not only have access to T.R. Richardson, but picks
26 up other prepubescent girls from school.
27
28

MODUS OPERANDI

- 1
- 2 **A.** Ms. Schoenauer, Ms. Mullen and T.R. Richardson each come from dysfunctional
- 3 families.
- 4 **B.** Sanchez is adept at selecting these sort of children to befriend.
- 5 **C.** This pattern has repeated itself for more than twenty years.
- 6 **D.** Sanchez legitimizes his contact with these victims by playing the role of the
- 7 helpful "Grandpa" when parents are away.
- 8 **E.** Sanchez creates situations allowing himself to legitimize his molestation. In Ms.
- 9 Schoenauers' case he allowed her to drive his vehicle while seated on his lap
- 10 and inserted his fingers in her vagina. In Ms. Mullen's daughters' case he
- 11 placed baby powder on her body and had her unclothed with no legitimate
- 12 reason.
- 13 **F.** Sanchez has prepubescent girls playing at his residence while unclothed.
- 14 **G.** Sanchez legitimizes genital injury by telling the victim or suggesting to parents
- 15 that an injury occurred in some other way. Examples of this are the bike riding
- 16 injury to the vagina as related by Ms. Schoenauer. This is consistent to T.R.'s
- 17 statements to her mother regarding injuring her vagina while falling on a bike.
- 18 **H.** Sanchez's own admission to Tulare Police Department in 1995 that he once
- 19 suggested an injury to T.R. as a result of falling out of a shopping cart.
- 20 **I.** Sanchez showers these prepubescent girls with "gifts" and "favors" as a method
- 21 of manipulation to prevent disclosure of his activities.
- 22 **J.** Sanchez continually calls and stops by unannounced at the victim's homes and
- 23 gains permission from the parents and accesses his victims.
- 24 **K.** Sanchez spends inordinate amounts of time with prepubescent girls.
- 25

ANALYSIS

- 26
- 27 11. Sanchez is 77 year-old male who resides at 726 Mark Street, Tulare, California, which
- 28 is one block from Kohn Elementary School. He has resided at this address for more than

1 twenty years. During the 1980's and 1990's he was employed as a janitor for the Tulare
2 School District. In that capacity, he continually surrounded himself with prepubescent girls.
3 His molestation of Ms. Schoenauer dates back twenty years. This molestation is cooberated
4 by T.R.'s allegation in 1994. It is further cooberated by Tara Mullen's observations of her
5 daughter, T.E., in 1996. The fact cannot be ignored that Sanchez fits every aspect and
6 characteristic of a Pedophile. The information from at least three separate and unconnected
7 victims substantiate this. The evidence speaks for itself concerning Sanchez's Modus
8 Operandi. The fact he admittedly referred to a two and one-half year old toddlers' vagina as
9 a "pussy" and that same vernacular was used twenty years earlier with Ms. Schoenauer is not
10 coincidence. Further, the explanation of genital injury by "falling on a bike," "falling out of a
11 shopping cart" is not a coincidence. The showering of gifts and favors and playing "papa" is
12 consistent with emotional manipulation and control over these victims. Based upon my
13 training, education and experience, I believe Sanchez is a pedophile and has engaged in the
14 molestation of prepubescent girls since at least 1980 and continuing to this day. I believe
15 T.R's allegation of 1994 wherein she claimed "Papa touches me on my private and taught me
16 the word pussy" is credible. I further believe that case should be reopened and probable
17 cause exists for an arrest of Sanchez and a Search Warrant be issued for his residence and
18 vehicles.

19 THE EFFECT ON T.R. AND ITS RELEVANCY TO THE DEFENDANT

20 12. The effect of being exposed and molested by Sanchez since infancy must be dramatic.
21 My experience has shown that children will go to great lengths to protect the actual molester.
22 This protection often results in the children displacing the blame for the molestation to other
23 adults in their lives. This is a way for children to explain sexual behaviors and unexplained
24 injuries to various parts of their bodies, including their genitalia. Most often, sexual abuse is
25 detected by a parent observing injuries or behaviors which are questioned by the parent.
26 Usually caught off guard, the child will explain the behaviors or injury in a way that protects the
27 perpetrator. Almost always, the explanation has been coached by the perpetrator. I know this
28 because I have had occasion to interview dozens of suspected and convicted Pedophiles.

1 Pedophiles are generally above-average in intelligence. They realize their actions may result
2 in detectable evidence. They manipulate and brainwash children to prepare for possible
3 discovery of their conduct.

4 13. T.R. has made a sexual molestation allegation against her previous stepfather, Gilbert
5 Zayas. An interview of Mr. Zayas was conducted by another investigator retained by the
6 Chase Law Group. A true copy of this statement is attached hereto as **Exhibit D** as is hereby
7 incorporated by that reference. According to this statement, Mr. Zayas and the victim's mother
8 were having marital difficulties. During these difficulties, T.R. made these allegations. Zayas
9 reports on one occasion observing T.R. in the middle of the night watching sexually explicit
10 programing on cable television.

11 14. Contained in the records provided by the People, were records that Melanie Black and
12 The Defendant were having marital difficulties at the time of the current allegations. The
13 circumstances of the disclosure of molestation are highly suspect in light of her previous
14 allegations of Mr. Zayas. Again, keeping in mind, I believe T.R. has been the victim of
15 molestation at the hands of Baldemar Sanchez. I believe her conduct to allege that other
16 males in her life have molested her is a way to displace anxiety and explain inappropriate
17 behaviors and injuries. One must ask themselves what effect being the victim of molestation
18 since the age of two and one half, at the hands of "papa" would have on a prepubescent girl's
19 perception of the male touch. Further, how the control of the victim by Sanchez might be
20 enough to persuade T.R. to accuse her stepfathers. It is likely these allegations are at his
21 direction.

22 DEFICIENT POLICE INVESTIGATION FOR ARREST OF THE DEFENDANT

23 15. According to Tulare Police Department Report, this case was predicated upon contact
24 by April Richardson, T.R.'s stepmother. The circumstances of the reporting to the police
25 followed disclosure to April Richardson and Ricky Richardson of by Melanie Black and The
26 Defendant of the allegations.

27 16. One of the first things I detected was the overwhelming involvement of the stepmother
28

1 in the gathering of witness and victim statements. Each and every victim and witness
2 statement was shepherded by the person. I am sure the Court recognizes the motivation of
3 a stepmother to allege actions of this nature to facilitate custody of a child. I am informed and
4 believe April Richardson has for quite some time sought increased custody of T.R. The
5 records reflect that simultaneous to these allegations being brought forward, April and Ricky
6 Richardson retained a Family Law Attorney and filed for sole physical and legal custody of
7 T.R. The Temporary Restraining Order and Order to Show Cause in that action is attached
8 hereto as **Exhibit E** and is hereby incorporated by that reference. The overzealous pursuit
9 by a stepparent in any case of this nature warrants close scrutiny by an astute investigator.

10 17. Following the initial arrest of The Defendant predicated by April Richardson's assertions
11 a Criminal Filing was sought, but denied. Afterward several young friends of T.R. were
12 contacted by April Richardson. Those friend's names were provided by April Richardson to
13 Detective Gayle Watson who expanded the investigation. Detective Watson and another
14 person identified as C.C. Anthony tape-recorded and video-recorded statements from each
15 of these produced witnesses and additional victims. These additional victims and witnesses
16 are identified as, L.D., A.T., H.T. and C.Z.. Each of these young girls statements revolved
17 around one night. That night was following a birthday party of T.R. and a sleep over attended
18 by these girls. When I read the recorded statements of each of these girls, not a single
19 statement reflected a consistent version of events describing that night. Further not one
20 statement reflected an allegation that fulfills the elements of the Penal Code Section in which
21 they are the alleged victims. I have attached each recorded statement to this declaration as
22 Exhibits The following is a summary of each witness/victim statement and the inconsistencies
23 contained therein. I have attached each recorded statement to this Declaration the transcribed
24 statement of each of these individuals as **Exhibits F - J)**

25 L.D.

26 18. L.D. is a nine-year old girl and was interviewed C.C. Anthony. The interview took place
27 on August 16, 2001. L.D. is a friend of T.R. and was present at the sleep over in February
28

1 2001. According to L.D. she attended the sleep over at T.R.'s home in February 2001 after
2 T.R.'s birthday party. She describes that earlier that day Melanie and The Defendant were
3 arguing about T.R. cleaning her room. Shortly thereafter, she states that she and T.R. went
4 to WalMart with Papa. She describes that Papa, referring to Baldemar Sanchez, takes her
5 and T.R. to WalMart and the Outlet Mall and buys schools clothes, candy and other stuff. **(See**
6 **page 22 of 23 mid-page of Exhibit F)**. L.D. describes that there was a sleep-over and in
7 attendance was T.R., her two twin friends and T.R.'s little sister C.Z. Beginning on page 7 of
8 **23 of Exhibit F**, L.D. begins relating her version of events. Up to this point in the recorded
9 statement the witness' answers are very brief and non-descriptive consisting of one and two
10 words. As soon as the interviewer (Anthony) asked L.D. what happened she responded with
11 a forty-nine-word answer to the following question:

12 Anthony: "Okay. So what happened when you were over there?"

13 L.D.: "She – it was at night time and me and the twins went into the
14 kitchen to get a glass of water because we were thirsty and when
15 we came back – I came back out and then they were – I mean
16 she had her clothes off and The Defendant was touching her."

17 19. An astute interviewer or investigator would be concerned regarding this response
18 because of the lack of spontaneity and excessive wording without probative questions. This
19 response seemed rehearsed and coached. With no prior probing by Anthony, L.D. jumps right
20 to this issue of The Defendant touching T.R.. The remainder of her statement is ambiguous
21 and unclear about the circumstances of that night. However, L.D. states in her recorded
22 statement that The Defendant never touched her or said anything to make her feel
23 uncomfortable. Her description and observations related to The Defendant and T.R. do not
24 suggest any inappropriate sexual conduct. She merely states that T.R., prior to bedtime, had
25 gotten undressed and The Defendant was touching her on her stomach, butt and legs. She
26 states on page 14 of 23 **(see Exhibit F)** that she describes her impression of the incident as
27 if they were playing. Further description of L.D. describes T.R. of kicking The Defendant and
28 running away. There was no other mention of any other physical contact between The