

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Executive Office

May 3, 2012


SUBJECT: Claim on Reward in San Jacinto Gang Task Force Attacks Investigation/Prosecution

RECOMMENDED MOTION: That the Board of Supervisors: 1) Authorize a \$50,000 payment to Claimant 1 and a \$10,000 payment to Claimant 2 for information and testimony involving the attacks on Hemet-area law enforcement officers in 2009/10; and 2) Approve and direct the Auditor-Controller to make the following budget adjustment.

Decrease Appropriations 10000-1109000000-581000 Contingency \$60,000
Increase Appropriations 10000-1101000000-521180 Witness Misc. \$60,000

BACKGROUND: On March 2, 2010 the Board of Supervisors (Agenda item 3.31) offered a reward of up to \$100,000 for information leading to the arrest and conviction of the person(s) responsible for attacks in the Hemet area on law enforcement officers. Nicholas Smit and Steven Hansen ultimately were charged in the six-month series of attacks, which began in December 2009.

Background: (Continued on Page 2)


Raymond Smith, Public Information Officer

FINANCIAL DATA	Current F.Y. Total Cost:	\$60,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$60,000	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	2011/12

SOURCE OF FUNDS: Contingency	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Christopher M. Hans

County Executive Office Signature

Consent
 Policy
 Consent
 Policy

Dep't Recomm.: Approve
 Per Exec. Ofc.: Approve

Prev. Agn. Ref.: 03/02/10

District: 3

Agenda Number: 3.31

3.3

Departmental Concurrence

Claim on Reward in San Jacinto Gang Task Force Attacks

January 20, 2011

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Background: (Continued)

Smit was convicted on multiple counts of attempted murder of a peace officer and received four consecutive life terms in prison. Hansen admitted to his part in an attack on the Hemet Police Department 2010 and was sentenced to 20 years.

Two witnesses claimed the reward the Board offered. The claimants are not being named to help reduce the chance of retribution against them. Claimant 1 gave investigators information about the attacks and implicated Smit.

About a week later, results from DNA tests linked Smit to a homemade zip gun used in a booby trap attack against police.

Previously, investigators had not identified Smit or Hansen as suspects. But prosecutors believe DNA results and other evidence alone would have yielded convictions.

Around the time of the attacks, investigators contacted Claimant 2, who overheard Smit and Hansen discussing an attempt to launch a WW II-era bazooka rocket at the Hemet Police complex. During the attacks, Smit and Hansen unsuccessfully attempted to fire a World War II-era bazooka rocket at the Hemet Gang Task Force building.

In late March 2012, the Executive Office met with District Attorney Paul Zellerbach, Deputy District Attorney Daniel DeLimon and Hemet Police Chief Dave Brown to discuss claims on the reward and recommendations for disbursement. Mr. Zellerbach suggested a starting point for discussions: a single person should receive the entire reward only if the case hinged solely on that single individual. That was not the situation in this case.

After discussing the value of information and testimony provided, prosecutors and police agreed on a recommended disbursement. Information from Claimant 1 advanced the case beyond where it stood at the time. Testimony from Claimant 1 was not absolutely crucial but helped corroborate other evidence and testimony. For that, Claimant 1 should receive \$50,000, the panel agreed.

Claimant 2 was a strong, believable witness and jurors appeared to have faith in the claimant's testimony. The panel agreed Claimant 2 should receive \$10,000. The Executive Office will provide the claimants' names to the Auditor-Controller confidentially so that the reward money can be disbursed.

As an aside, Mr. Zellerbach's predecessor offered a reward of up to \$10,000 in the case, separate from the Board's offer. Mr. Zellerbach said he intends to disburse that reward, generally, in proportion with the recommendations offered the Board.