

# Judge bars O.C. lawsuit in Rubino case

**COURT:** Legal arguments in bankruptcy case can't be used as evidence, judge rules.

**By CHRIS KNAP**  
The Orange County Register

The defense team for Ronald S. Rubino was handed a setback Tuesday when a Superior Court judge ruled that the former budget director cannot use the county's lawsuit against Merrill Lynch as evidence.

Rubino is charged with helping former Treasurer Robert L. Citron divert \$93 million in interest from the county investment pool into the county general fund.

Rubino denies aiding Citron in

any crime. But as an additional defense strategy, attorney Rodney Perlman argues that the diversion of funds may not have been a crime in the first place.

In U.S. Bankruptcy Court, Orange County maintains that it owned the securities in the investment pool and thus has standing to sue Citron's largest broker, Merrill Lynch, and other Wall Street firms that helped the treasurer pursue his disastrous strategy. That, Perlman argues, conflicts with prosecution theories that Citron and Rubino took money from cities and schools.

"If the county owned the securities, it can't steal its own money," Perlman told Judge J. Stephen Cauleger. "(The lawsuit) is a critical piece of evidence. (Ru-

bin) is being accused of stealing money that already belongs to the county."

But Cauleger ruled that the pleadings in the bankruptcy case cannot be evidence in Rubino's criminal trial.

"The opinion of counsel for Orange County is irrelevant," Cauleger said. "It creates a danger of undue prejudice. ... It confuses the issues rather than makes them clear."

Cauleger said Perlman can use expert witnesses to show that the securities belonged to Orange County. But he prohibited Perlman from trying to extract the information from county counsel Laurence M. Watson, called Tuesday as a defense witness.

Perlman called seven witnesses to the stand Tuesday, and all were very brief.

County Clerk-Recorder Gary Granville and two other county employees testified that Rubino has an outstanding reputation for honesty and integrity.

Former county counsel Terry Andrus testified that he never warned the Board of Supervisors after the Securities and Exchange Commission inquired about risk in Citron's pool. And deputy county counsel Robert Austin testified that the auditor's office prepared the paperwork by which the Board of Supervisors approved the transfer of the extra interest into an "Economic Uncertainty Fund."

But Perlman ran out of defense witnesses an hour before lunch and presented less than an hour of testimony after the break.

Perlman said he is wrestling with whether to put Rubino on the stand; whether to call his experts; or even whether to recall Citron.

"We're at the 'fish or cut bait' time," Cauleger admonished Perlman after the jury was sent home early. "We're down to the last couple of defense witnesses and you're still saying, 'I don't know who I'm going to call.'"

The defense is expected to wrap up its case by Thursday. Closing arguments are tentatively set for Tuesday.

# '3 strikes' sentence for sex offender

**CRIME:** A woman convicted of torturing two children faces 25 years to life after failing to register when she moved to Lake Forest.

**By STUART PFEIFER**  
The Orange County Register

A woman who spent five years in prison in the 1980s for sexually torturing her niece and nephew in Santa Ana now faces a 25-year-to-life sentence for failing to register as a sex offender.

Ginger Bartolon, paroled in 1985, was convicted Tuesday under the state's "three strikes, you're out" law for failing to notify sheriff's deputies after she moved to Lake Forest. Bartolon is scheduled to be sentenced Oct. 7 by Judge Gary P. Ryan.

Bartolon, then known as Ginger Castle, was convicted in 1984 of two counts of child molestation and two counts of child endangerment for helping her husband abuse the 4-year-old boy and 3-year-old girl. The children said they were forced to eat human waste, drink urine and have sex with a dog, Deputy District Attorney Chuck Middleton said.

After her release from prison, Bartolon registered as a sex offender with the city of Santa Ana. She was arrested in April 1995 after sheriff's deputies discovered she had moved to Lake Forest without informing them.

In January 1995 it became a felony for a sex offender to fail to register with authorities.

Before her arrest, Bartolon had remarried and given birth to a girl who is now 3, Middleton said.

"She hasn't taken very seriously the fact that she was convicted of sexually molesting children and abusing their physically," Middleton said.

A jury deliberated one day in Orange County Superior Court in Santa Ana before convicting Bartolon, 42, of the felony. Her attorney, Donald C. Hall, said authorities waited until the 1995 law took effect to prosecute Bartolon so she could be prosecuted under the "three strikes" law.

Bartolon's former husband, Frank Castle, was sentenced to 26 years in prison in 1984 for abusing the two children. He was murdered in prison, Middleton said.

# Accused rapist faces new charges

**By CANDACE J. SAMOLINSKI**  
The Orange County Register

The Orange County District Attorney's Office has added three charges to those pending against a retiree who allegedly drugged and raped two Orange County women.

Dick Tillman Hunt, 67, was arrested last week after sheriff's detectives found evidence in his Long Beach home linking him to the rapes, Orange County sheriff's Lt. Ron Wilkerson said.

Hunt was charged with the July 18 rape of a 55-year-old Laguna Niguel woman and with raping an Aliso Viejo woman in April. He allegedly met both women through personal newspaper ads that described him as "emotionally and financially stable."

A police search of Hunt's home revealed several drugs that induced unconsciousness, Wilkerson said. Hunt, who was to be arraigned Tuesday, had been charged with one count of rape with the intent of bodily harm, two counts of rape involving a controlled substance and one count of rape while the victim was unconscious.

Deputy District Attorney Dennis Bauer on Tuesday filed three more charges relating to the Laguna Niguel and Aliso Viejo women's alleged unconsciousness. The arraignment was postponed until Sept. 4.

Police found the names of more than 100 women in Hunt's home and more arrests might be made, Wilkerson said.

# Arabs, Jews clash over Odeh-case reward

**CULTURE:** Protesters say \$1 million offered by U.S. officials for clues in the activist's 1985 bombing death slights Jews.

**By JEFF COLLINS**  
The Orange County Register

SANTA ANA — A \$1 million reward for help in finding prominent Arab-American's killer ignited a confrontation Tuesday between Arabs and Jews outside the Santa Ana Central Library.

The U.S. Justice Department and the FBI offered the reward for information leading to the apprehension and conviction of the killer or killers of Alex Odeh, the West Coast regional director of the American-Arab Anti-Discrimination Committee, who was killed in a 1985 bomb blast in Santa Ana.

The reward, announced beside a statue of Odeh, was made possible by anti-terrorism legislation passed in the wake of the Oklahoma City bombing, which also prompted the FBI to review unsolved bombing cases.

At least three protesters complained after the news conference that the reward unfairly focuses attention on Jewish militants. They alleged that Odeh probably was killed by fellow Arabs for taking a moderate position.

"It was wrong 11 years ago to point the finger at Jews. It's just as wrong today," said Irv Rubin, leader of the Los Angeles Jewish Defense League. "It's an ongoing vendetta sponsored by the Arab community to get Jewish people."

Arab-Americans attending the



**WITH TRIBUTE, PAIN:** Norma Odeh, widow of slain Arab-American activist Alex Odeh, who died in a 1985 bombing, pauses to collect her thoughts Tuesday beneath his statue outside the Santa Ana library.



**ALEX ODEH:** He opened his office door, tripping a pipe bomb.

news conference blamed the slaying on Jewish militants they are hiding in Israel.

"Terrorists must be made to pay for their acts, no matter who they are, no matter where they live," said Odeh's brother, Sami. "This reward will not bring Alex back, but our hope is that this reward will help bring his killers to justice."

Another protester, Howard Garber, brought tears to the eyes of Odeh's widow and daughter when he argued that Odeh's statue should be removed from the Santa Ana Civic Center and replaced by one of Richard Nixon or another prominent person who once lived in Orange County.

Odeh was killed when he opened the door to his Santa Ana office, tripping a pipe bomb left on a chair inside, officials said. Odeh had appeared on television the night before praising Palestine Liberation Organization Chairman Yasser Arafat.

Anyone with information about the bombing is encouraged to contact investigators at (800) 705-6539.

Register photographer Jeb Harris contributed to this report.

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