

FILED
SANTA BARBARA
SUPERIOR COURT

APR 21 2004

GARY M. BLAIR, EXEC. OFFICER

By Kristi L. Russell
KRISTI L. RUSSELL, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA DIVISION

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

MICHAEL JOE JACKSON,

Defendant.

No. 1133603

INDICTMENT

Count 1 Violation of Penal Code
§ 182

Counts 2-5 Violation of Penal Code
§ 288(a)

Count 6 Violation of Penal Code
§§ 664/288(a)

Counts 7-10 Violation of Penal Code
§ 222

COUNT ONE

The Grand Jury of the County of Santa Barbara, State of California, by this Indictment, hereby accuses MICHAEL JOE JACKSON of a felony, to wit: a violation of Penal Code section 182, subdivision (a)(1) (CONSPIRACY), in that on or about and between February 1, 2003 and March 31, 2003, in the County of Santa Barbara, State of California, he did conspire with RONALD KONITZER, DIETER WEIZNER, FRANK CASCIO, aka FRANK TYSON, VINNIE AMEN, FREDRIC MARC SCHAFFEL and other uncharged co-conspirators and co-conspirators whose identities are unknown, to commit the crimes of:

1 Found Not Found

2 ✓ a violation of Penal Code Section 278 (CHILD ABDUCTION), a
3 felony;

4 Found Not Found

5 ✓ a violation of Penal Code Section 236 (FALSE IMPRISONMENT), a
6 felony;

7 Found Not Found

8 / a violation of Penal Code section 518 (EXTORTION), a felony
9

10 and that pursuant to and for the purpose of carrying out the objectives and purposes of the
11 aforesaid conspiracy, to wit: unlawfully controlling, withholding, isolating, concealing,
12 enticing and threatening John Doe, James Doe, Judy Doe, all minor children, and Jane Doe, an
13 adult, did commit one or more of the following overt acts in the State of California, at least one
14 of them in the County of Santa Barbara:

15
16 OVERT ACT NUMBER 1

17 On or about February 4, 2003, MICHAEL JOE JACKSON told Jane Doe that the
18 lives of her children, John, James and Judy Doe, were in danger due to the recent broadcast on
19 British television of the documentary Living with Michael Jackson, in which John Doe appears
20 with MICHAEL JOE JACKSON. MICHAEL JOE JACKSON did tell Jane Doe that she and
21 her three children would be flown to Miami to participate in a press conference, which press
22 conference never took place.

23
24 OVERT ACT NUMBER 2

25 On and between February 4, 2003 and February 5, 2003, the documentary Living
26 with Michael Jackson, in which John Doe appears, was broadcast in the United States.
27 MICHAEL JOE JACKSON did personally prevent the Doe family from viewing the program,
28 while at the Turnberry Resort Hotel in Miami, Florida.

1 OVERT ACT NUMBER 3

2 On and between February 7, 2003 and February 8, 2003, MICHAEL JOE
3 JACKSON did return the Doe family to Santa Barbara in a private jet. On the flight,
4 MICHAEL JOE JACKSON did sit with John Doe and did give him an alcoholic beverage,
5 concealed in a soft drink can. MICHAEL JOE JACKSON did then present John Doe with a
6 wristwatch. MICHAEL JOE JACKSON did tell John Doe that the watch was worth \$75,000.
7 MICHAEL JOE JACKSON did tell John Doe not to tell anyone about them drinking alcoholic
8 beverages together.

9
10 OVERT ACT NUMBER 4

11 On or about February 8, 2003, MICHAEL JOE JACKSON brought the Doe family
12 to JACKSON'S Neverland Ranch, where John, James, Judy and Jane Doe remained for
13 approximately five days.

14
15 OVERT ACT NUMBER 5

16 On and between February 6, 2003 and February 12, 2003, in both Miami, Florida
17 and at Neverland Ranch in Santa Barbara County, RONALD KONITZER and DEITER
18 WEIZNER did tell Jane Doe that there were death threats made against her and her children by
19 unknown individuals. They did further tell Jane Doe that the only way to assure the safety of
20 her family was for the Does to participate in the making of a "rebuttal" video favorable to
21 MICHAEL JOE JACKSON.

22
23 OVERT ACT NUMBER 6

24 On and between February 12, 2003 and February 15, 2003, after the Doe family had
25 departed Neverland Ranch in the night, FRANK CASCIO, aka FRANK TYSON, did telephone
26 Jane Doe and did urge her to return with her children to Neverland Ranch and did say "...I
27 know Michael would love for you to come back to the ranch ... for the safety of all concerned,"
28 and, "... now is not the right time to be out there alone..." and "never turn your back on

1 Michael” and “Michael wants to see you and the family” and ... “you need to go back up to
2 the ranch and see Michael, because he’s very concerned....” And “... even staying another
3 night alone is not safe.” FRANK CASCIO, aka FRANK TYSON, did tell Jane Doe that “...we
4 would love for you to go on tape and just say something beautiful about Michael....” FRANK
5 CASCIO did assure Jane Doe and John Doe that RONALD KONITZER and DEITER
6 WEIZNER would no longer be present at the Ranch if they returned. He did state...“they are
7 not there; I know that for a fact....”

8
9 OVERT ACT NUMBER 7

10 On and between February, 2003 and March, 2003, at Neverland Ranch, FRANK
11 CASCIO, aka FRANK TYSON, did threaten James Doe that CASCIO did have ways to make
12 James Doe’s grandparents “disappear.” FRANK CASCIO did tell John Doe “I could have your
13 mother killed.”

14
15 OVERT ACT NUMBER 8

16 On or about February 14, 2003 and February 15, 2003, MICHAEL JOE
17 JACKSON’S personal chauffeur, Gary Hearne, did drive to Jane Doe’s Los Angeles residence
18 and did transport her and her children back to Neverland Ranch in Santa Barbara County.

19
20 OVERT ACT NUMBER 9

21 On and between February 14, 2003 and February 15, 2003, upon the Doe family’s
22 return to Neverland Ranch, RONALD KONITZER and DEITER WEIZNER were, in fact,
23 present; whereupon Jane Doe asked to leave with her children. RONALD KONITZER and
24 DEITER WEIZNER did tell Jane Doe that she was free to depart, however her children must
25 remain at the Ranch.

26
27 OVERT ACT NUMBER 10

28 During the month of February, 2003, in Santa Barbara County, California,

1 MICHAEL JOE JACKSON'S personal security staff was directed in writing not to allow John
2 Doe to leave Neverland Ranch.

3
4 OVERT ACT NUMBER 11

5 During the month of February, 2003, FREDRIC MARC SCHAFFEL, Christian
6 Robinson and an unknown attorney did prepare a script of questions to be asked of the Doe
7 family during the filming of the "rebuttal" video by Hamid Moslehi, MICHAEL JOE
8 JACKSON'S personal videographer.

9
10 OVERT ACT NUMBER 12

11 On or about February 19, 2003, the Doe children were transported by Hamid
12 Moslehi from Neverland Ranch to Moslehi's home in the San Fernando Valley, and on the
13 same date, VINNIE AMEN did transport Jane Doe to Hamid Moslehi's residence for the
14 filming of the "rebuttal" video.

15
16 OVERT ACT NUMBER 13

17 On or about February 19, 2003 and February 20, 2003, in Los Angeles County,
18 between 11:00 p.m. and 1:00 a.m., the employees and associates of MICHAEL JOE
19 JACKSON did tape the "rebuttal" video, an interview of the Doe family, in the presence of
20 VINNIE AMEN and Bradley Miller, a licensed private investigator. During the taping,
21 previously scripted questions were asked of the Doe family.

22
23 OVERT ACT NUMBER 14

24 On or about February 20, 2003, VINNIE AMEN did transport Jane Doe to Norwalk,
25 in Los Angeles County, to obtain birth certificates of the Doe family for the purpose of
26 obtaining passports and visas to travel to Brazil.

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1 OVERT ACT NUMBER 15

2 On and between February 25, 2003 and March 2, 2003, VINNIE AMEN did take
3 the Doe family from Neverland Ranch to the Country Inn and Suites in Calabasas, Los Angeles
4 County. VINNIE AMEN did transport Jane Doe to public offices in Los Angeles County
5 where passports showing the destinations of Italy and France and visas for entrance to Brazil
6 for the Doe family were obtained. FREDRIC MARC SCHAFFEL, business partner of
7 MICHAEL JOE JACKSON and president of Neverland Valley Entertainment, did pay
8 expenses in connection with this activity.

9
10 OVERT ACT NUMBER 16

11 On or about February 25, 2003, FREDRIC MARC SCHAFFEL did make airline
12 reservations for the Doe family to travel to Brazil on March 3, 2003.

13
14 OVERT ACT NUMBER 17

15 On or about February 26, 2003, FREDRIC MARC SCHAFFEL paid FRANK
16 CASCIO, aka FRANK TYSON, \$1,000 in connection with "vacation" expenses of the Doe
17 family.

18
19 OVERT ACT NUMBER 18

20 On or about February 27, 2003, FREDRIC MARC SCHAFFEL, did pay VINNIE
21 AMEN the sum of \$500 cash for costs related to the Brazilian visas of the Doe family.

22
23 OVERT ACT NUMBER 19

24 On and between February, 2003 and March 2003, at Neverland Ranch, MICHAEL
25 JOE JACKSON did have John Doe sleep in his bedroom and in his bed.

26
27 OVERT ACT NUMBER 20

28 On and between February, 2003 and March 2003, at Neverland Ranch, MICHAEL

1 JOE JACKSON did house Jane and Judy Doe in a guest cottage on Neverland Ranch, where
2 Jane and Judy Doe slept.

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4 OVERT ACT NUMBER 21

5 On and between February, 2003 and March 2003, at Neverland Ranch, MICHAEL
6 JOE JACKSON, did show sexually explicit materials to John and James Doe.

7
8 OVERT ACT NUMBER 22

9 On and between February, 2003 and March 2003, at Neverland Ranch, MICHAEL
10 JOE JACKSON did drink alcoholic beverages in the presence of John and James Doe and
11 provided alcoholic beverages to them.

12
13 OVERT ACT NUMBER 23

14 On and between February, 2003 and March, 2003, MICHAEL JOE JACKSON did
15 monitor and maintain control over the activities at Neverland Ranch by means of multiple
16 interior door locks, proximity sensor alarm devices, and a keypad combination lock, as well as
17 video and telephone surveillance equipment. MICHAEL JOE JACKSON did personally
18 monitor telephone conversations of Jane Doe, without her knowledge or permission.

19
20 OVERT ACT NUMBER 24

21 On or about March 1, 2003, VINNIE AMEN did pay the rent on the residence of the
22 Doe family in Los Angeles County and moved their belongings into storage.

23
24 OVERT ACT NUMBER 25

25 On or about March 6, 2003, VINNIE AMEN did go to John Burroughs Middle
26 School in Los Angeles County and he did withdraw John and James Doe from their enrollment
27 there, telling school authorities that the children were relocating to Phoenix, Arizona.

1 OVERT ACT NUMBER 26

2 On or about March 9, 2003, MICHAEL JOE JACKSON was told by John Doe that
3 John Doe had a medical appointment the following day, at which time he was to give the
4 medical staff a 24-hour long urine collection specimen for laboratory analysis. MICHAEL
5 JOE JACKSON, in Santa Barbara County, did tell John Doe to cancel the appointment,
6 because the sample would reveal that John Doe had been consuming alcoholic beverages while
7 staying at Neverland Ranch. On or about March 10, 2003, in Los Angeles County, after Jane
8 Doe refused to cancel the medical appointment and while on the way to the medical
9 appointment, VINNIE AMEN did destroy most of John Doe's collected urine specimen,
10 intended for laboratory analysis in connection with John Doe's follow-up treatment for the
11 disease of cancer.

12
13 OVERT ACT NUMBER 27

14 On and between February, 2003 and March, 2003, in Los Angeles County, and as
15 revealed by a surveillance videotape located on November 18, 2003 in the office of Private
16 Investigator Bradley Miller, an unknown co-conspirator conducted video surveillance of John
17 Doe and various members of John Doe's family, including his grandmother and grandfather,
18 his mother, his mother's boyfriend, his brother and his sister, at and near their respective
19 residences and elsewhere.

20
21 OVERT ACT NUMBER 28

22 On or about March 31, 2003, MICHAEL JOE JACKSON did direct FREDRIC
23 MARC SCHAFFEL to pay FRANK CASCIO, aka FRANK TYSON, the sum of one million
24 dollars, from "Petty Cash" of Neverland Valley Entertainment on behalf of MICHAEL JOE
25 JACKSON.

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1 COUNT TWO

2 The Grand Jury of the County of Santa Barbara, State of California, by this
3 Indictment, hereby accuses MICHAEL JOE JACKSON of a felony, to wit: a violation of Penal
4 Code section 288, subdivision (a) (LEWD ACT UPON A CHILD), in that on or about and
5 between February 20, 2003 and March 12, 2003, in the County of Santa Barbara, State of
6 California, he did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and
7 with the body and certain parts and members thereof of John Doe, a child under the age of
8 fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and
9 sexual desires of the said defendant and the said child.

10 The further allegation that in the circumstances of the crime alleged in this count the
11 crime constituted substantial sexual conduct with a child under the age of fourteen years,
12 within the meaning of Penal Code section 1203.066, subdivision (a)(8) is

13 Found Not Found

14

16 COUNT THREE

17 The Grand Jury of the County of Santa Barbara, State of California, by this
18 Indictment, hereby accuses MICHAEL JOE JACKSON of a felony, to wit: a violation of Penal
19 Code section 288, subdivision (a) (LEWD ACT UPON A CHILD), in that on or about and
20 between February 20, 2003 and March 12, 2003, in the County of Santa Barbara, State of
21 California, he did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and
22 with the body and certain parts and members thereof of John Doe, a child under the age of
23 fourteen years (the second molestation concerning which John Doe testified), with the intent of
24 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
25 defendant and the said child.

26 The further allegation that in the circumstances of the crime alleged in this count the
27 crime constituted substantial sexual conduct with a child under the age of fourteen years,
28 within the meaning of Penal Code section 1203.066, subdivision (a)(8) is

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COUNT FIVE

The further allegation that in the circumstances of the crime alleged in this count the crime constituted substantial sexual conduct with a child under the age of fourteen years, within the meaning of Penal Code section 1203.066, subdivision (a)(8) is

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defendant and the said child.

The further allegation that in the circumstances of the crime alleged in this count the crime constituted substantial sexual conduct with a child under the age of fourteen years, within the meaning of Penal Code section 1203.066, subdivision (a)(8) is

<u>Found</u>	<u>Not Found</u>
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COUNT SIX

The Grand Jury of the County of Santa Barbara, State of California, by this Indictment, hereby accuses MICHAEL JOE JACKSON of a felony, to wit: a violation of California Penal Code sections 664 and 288, subdivision (a) (ATTEMPT TO COMMIT A LEWD ACT UPON A CHILD), in that on or about and between February 20, 2003 and March 12, 2003, in the County of Santa Barbara, State of California, he did willfully, unlawfully, and lewdly attempt to have John Doe, a child under fourteen years, commit a lewd and lascivious act upon and with Defendant MICHAEL JOE JACKSON'S body and certain parts and members thereof, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant and the said child.

COUNT SEVEN

The Grand Jury of the County of Santa Barbara County, State of California, by this Indictment, hereby accuses MICHAEL JOE JACKSON of a felony, to wit: a violation of Penal Code section 222 (ADMINISTERING AN INTOXICATING AGENT TO ASSIST IN COMMISSION OF A FELONY), in that on or about and between February 20, 2003 and March 12, 2003, in the County of Santa Barbara, State of California, he did unlawfully administer to John Doe an intoxicating agent, to wit: alcohol, with the intent thereby to enable and assist himself to commit a felony, to wit: CHILD MOLESTATION, in violation of Penal Code section 288, subdivision (a).

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1 COUNT EIGHT

2 The Grand Jury of the County of Santa Barbara, State of California, by this
3 Indictment, hereby accuses MICHAEL JOE JACKSON of a felony, to wit: a violation of Penal
4 Code section 222 (ADMINISTERING AN INTOXICATING AGENT TO ASSIST IN
5 COMMISSION OF A FELONY), in that on or about and between February 20, 2003 and
6 March 12, 2003, in the County of Santa Barbara, State of California, he did unlawfully
7 administer to John Doe an intoxicating agent, to wit: alcohol, with the intent thereby to enable
8 and assist himself to commit a felony, to wit: CHILD MOLESTATION, in violation of Penal
9 Code section 288, subdivision (a).

10
11 COUNT NINE

12 The Grand Jury of the County of Santa Barbara, State of California, by this
13 Indictment, hereby accuses MICHAEL JOE JACKSON of a felony, to wit: a violation of Penal
14 Code section 222 (ADMINISTERING AN INTOXICATING AGENT TO ASSIST IN
15 COMMISSION OF A FELONY), in that on or about and between February 20, 2003 and
16 March 12, 2003, in the County of Santa Barbara, State of California, he did unlawfully
17 administer to John Doe an intoxicating agent, to wit: alcohol, with the intent thereby to enable
18 and assist himself to commit a felony, to wit: CHILD MOLESTATION, in violation of Penal
19 Code section 288, subdivision (a).

20
21 COUNT TEN

22 The Grand Jury of the County of Santa Barbara, State of California, by this
23 Indictment, hereby accuses MICHAEL JOE JACKSON of a felony, to wit: a violation of Penal
24 Code section 222 (ADMINISTERING AN INTOXICATING AGENT TO ASSIST IN
25 COMMISSION OF A FELONY), in that on or about and between February 20, 2003 and
26 March 12, 2003, in the County of Santa Barbara, State of California, he did unlawfully
27 administer to John Doe an intoxicating agent, to wit: alcohol, with the intent thereby to enable
28 and assist himself to commit a felony, to wit: CHILD MOLESTATION, in violation of Penal

1 Code section 288, subdivision (a).

2
3 SENTENCING ALLEGATIONS

4 It is further alleged that Counts Two through Five are serious felonies within the
5 meaning of Penal Code section ^{1192.7} ~~1197.7~~, subdivision (c)(6).

6 As to Counts Two through Five, it is further alleged pursuant to Penal Code section
7 1203.066, subdivision (a)(8) that the victim in the above offense, John Doe, was under the age
8 of 14 years and MICHAEL JOE JACKSON had substantial sexual conduct with John Doe.

9
10 NOTICE TO DEFENDANT: Conviction of the offenses alleged in Counts Two
11 through Five will require you to register pursuant to Penal Code section 290. Willful failure to
12 register is a crime.

13
14 NOTICE: Pursuant to the provisions of Penal Code section 293.5 the use of the
15 pseudonym "John Doe," as it appears in the Indictment, is for the purposes of protecting the
16 privacy of the alleged victim.

17
18 THOMAS W. SNEDDON, JR., District Attorney
Santa Barbara County

19
20 By: R. Zonen

21 RONALD K. ZONEN (State Bar No. 85094)
Senior Deputy District Attorney

22
23 By: G. Auchincloss

24 GORDON AUCHINCLOSS (State Bar No. 150251)
Senior Deputy District Attorney

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A TRUE BILL

FOREPERSON OF THE GRAND JURY

DATED: April 21, 2004

NAMES OF WITNESSES EXAMINED BY THE GRAND JURY
ON THE FINDING OF THE FOREGOING INDICTMENT

1. Davellin Arvizo
2. David Arvizo
3. Gavin Arvizo
4. Janet Arvizo
5. Star Arvizo
6. Cynthia Ann Bell
7. Christopher Carter
8. Michael Davy
9. Bill Dickerman
10. Larry Feldman
11. H. Russell Halpern
12. Jennifer Hottenroth
13. Jay Jackson
14. Dr. Stan Katz
15. Ann Marie (Gabriel) Kite
16. Yolanda Lazaldi
17. Jamie Masada
18. Karen Walker Meniky
19. Hamid Moslehi
20. Vicky Podberesky
21. Azja Pryor
22. Christian Robinson
23. Jesus Salazar Salas
24. ~~David Ventura~~ *CR*
25. Maria Ventura
26. Lauren Ann Wallace

Law Enforcement Personnel (Santa Barbara Sheriff's Department, unless otherwise designated)

27. Det. Vic Alvarez
28. Off. Brian Barron (Guadalupe P.D.)
29. Det. Craig Bonner
30. Inv. Jeffrey Ellis (S.B. D.A.)
31. Off. Terry Flaa (Santa Maria P.D.)
32. Det. Rod Fomey
33. Lt. Jeff Klapakis
34. Det. Al Lafferty
35. Det. John McCammon
36. Christopher O'Leary
37. Det. Steve Robel
38. Det. Karen Shepherd
39. Det. Timothy Sutcliffe
40. Det. Mark Ward
41. Det. Courtney Williams
42. Det. Paul Zelis