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STEPHEN SHANE STARK, COUNTY COUNSEL  
STEPHEN D. UNDERWOOD, CHIEF ASSISTANT (sbn 063057)  
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Attorneys for Jim Anderson, Sheriff,  
County of Santa Barbara

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

AUG 17 2004

GARY M. BLAIR, Executive Officer  
BY *Garry M. Blair*  
GARRIE L. WAGNER, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SANTA BARBARA  
(COOK DIVISION)

**PEOPLE OF THE STATE OF CALIFORNIA,**

Plaintiffs,

Case No: 1133603

**REPLY OF JIM ANDERSON,  
SANTA BARBARA COUNTY  
SHERIFF TO DEFENDANTS  
OBJECTIONS TO**



**REDACTED VERSION**

vs.

**MICHAEL JOE JACKSON,**

Defendant.

Date: August 19, 2004  
Time: 8:30 a.m.  
Dept: SM 2

Assigned Judge: Hon. Rodney S. Melville

Jim Anderson, Sheriff, Santa Barbara County, submits the following in Reply to the Defendant's Objection and Response to the Sheriff's Request



COUNTY COUNSEL  
of Santa Barbara  
in Anapamu Street  
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The defendant has the facts all wrong here.



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Second, the investigation by the Attorney General is independent of the prosecution of Michael Jackson and relates solely to his claim of mistreatment while in the Santa Barbara County Jail. Third, the manner in which persons who are taken into custody by the Sheriff, and the treatment of persons while in jail are clearly matters of public concern. Finally, the Attorney General is independent of the local prosecutor and local law enforcement.<sup>1</sup>

Mr. Jackson went on national television on one of the most widely viewed television programs, 60 Minutes, and proclaimed to millions of viewers that he was manhandled and mistreated while in the Santa Barbara County Jail. These were serious charges. The Sheriff took them seriously. They could lead to the filing of a civil action. They needed to be investigated. The Sheriff does not need a formal citizens complaint to initiate an investigation, and when, as here, his department and its employees are so maligned, he proceeded to have the claims investigated.

What were his alternatives? He could have ignored the claims, but what does that say to his staff and the citizens of Santa Barbara County. He did respond and say the charges were false, but that still would not have placated many in the community. He could have conducted his own internal investigation. And if his staff were exonerated, many would claim that was simply a "whitewash." He could have asked the District Attorney to conduct the investigation, but of course, in this case

<sup>1</sup> The Attorney General supervises the local District Attorney's Offices [Cal. Const. Art. 5 § 13]. However, prosecutorial decisions are made at the local level and the state's District Attorneys have significant autonomy in the manner in which they conduct their business.

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any exoneration would have been ridiculed, like the "stacked deck" comment made by the defense in their objection. He could ask the highest law enforcement official in the state, the Attorney General, to do it. That is what they do and that is exactly what the Sheriff did.

[REDACTED]

While the defense can characterize the Attorney General's investigation as

[REDACTED]

or whether it falls within the scope of the protective

order.

[REDACTED]

That

of course is ludicrous. Whenever anyone makes a complaint against the Sheriff's

Department,

[REDACTED]

complaining person

[REDACTED]

Rather, Mr. Jackson made a claim - before millions of people, that he was

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1 abused. He showed the world his bruises, and attributed them to the brutal tactics  
2 of Santa Barbara County Sheriff's personnel. [REDACTED]

3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 have nothing to do with the charges against Mr. Jackson.

7 [REDACTED]  
8 That is not connected with the pending child  
9 molestation charges.

10 The Sheriff made the within motion because he did not want to violate this  
11 Court's protective order. [REDACTED]

12 [REDACTED]  
13 [REDACTED]  
14 prosecution. Arguably it does not.

15 [REDACTED] any purported extrajudicial statement of  
16 either the defendant or witnesses "relating to this case." [Protective Order ¶ 1] [REDACTED]

17 [REDACTED] any document, exhibit, photograph or evidence the  
18 admissibility of which may have to be determined by the Court. [¶ 2] [REDACTED]

19 making any statement as to the existence or possible existence of any document,  
20 exhibit, photograph or evidence the admissibility of which may have to be  
21 determined by the Court. [¶ 3] [REDACTED] able to express outside of

22 court an opinion as to the weight, value, or effect of any evidence as tending to  
23 establish guilt or innocence. [¶ 4] [REDACTED] statement outside

24 of court as to the content, nature, substance, or effect of any statements or  
25 testimony that have been given or is expected to be given in any proceeding in or  
26 relating to this matter. [¶ 5] [REDACTED] as to the identity of any

27 prospective witness or a witnesses probably testimony, or the effect thereof. [¶ 6]

28 Finally, [REDACTED] as to the nature,

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source, or effect of any purported evidence alleged to have been accumulated as a result of the investigation of this matter. [¶ 7]

**CONCLUSION**



Dated: Aug 17, 2004

STEPHEN SHANE STARK  
COUNTY COUNSEL

By   
Stephen D. Underwood  
Chief Assistant County Counsel  
Attorneys for Jim Anderson, Sheriff,  
COUNTY OF SANTA BARBARA

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**PROOF OF SERVICE**  
**(C.C.P. §§ 1013(a), 2015.5)**  
**STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA**

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is 105 East Anapamu Street # 201, Santa Barbara, California.

On August 17, 2004 I served a true copy of the **REPLY OF JIM ANDERSON, SANTA BARBARA COUNTY SHERIFF TO DEFENDANTS OBJECTIONS TO AUTHORIZATION TO RELEASE ATTORNEY GENERAL'S CONCLUSIONS REGARDING ITS INVESTIGATION INTO DEFENDANT'S ALLEGATIONS OF MISTREATMENT AT THE SANTA BARBARA COUNTY JAIL [REDACTED]** on the Interested Parties in said action by:

facsimile transmission to the person(s) indicated below:

Thomas A. Mesereau, Jr.  
Collins, Mesereau, Reddock & Yu, LLP  
(310) 861-1007

Steve Cochran, Esq.  
Katten, Muchin, Zavis & Rosenman, Lawyers  
(310) 712-8455

Robert Sanger, Esq.  
Sanger & Swysen, Lawyers  
(805) 963-7311

Thomas W. Sneddon, District Attorney  
Office of the District Attorney  
(805) 568-2398

depositing it in the United States Mail in a sealed envelope with postage thereon fully prepaid to the following:

Brian Oxman, Esq.  
Oxman & Jaroscak, Lawyers  
14126 E. Rosecrans Blvd.  
Santa Fe Springs, CA 90670

(State) I declare, under penalty of perjury, that the above is true and correct.

Executed on August 17, 2004 at Santa Barbara, California.

  
\_\_\_\_\_  
Estella Rios