

# THEIR. LIVES. MATTERED.

By Roberto "Rob" Camacho

It's been just over a month since a Navy petty officer was sentenced for killing four people and seriously injuring seven others in Chicano Park after running his pickup truck off the side the Coronado Bridge into a group of park-goers gathered at the annual La Raza Run motorcycle festival on October 15, 2016. However, following the trial's conclusion, after a two-and-a-half-year long ordeal, little closure has come to the families of the victims and the community of Barrio Logan.

The Killer initially faced more than two decades behind bars, had he been convicted of gross vehicular manslaughter while intoxicated by the jury. However, the jury acquitted him of four counts of gross vehicular manslaughter while intoxicated, seven counts of reckless driving and one count of driving over the legal alcohol limit and causing injury.

Superior Court Judge Charles G. Rogers later dismissed great bodily injury, allegations which further lowered the maximum prison term. The Killer was eventually convicted of four counts of vehicular manslaughter while intoxicated, one count of DUI causing injury and sentenced to the maximum prison term of 9 years, 8 months.

Because the convictions stem from a serious felony, rather than a violent felony; under California's sentencing guidelines he automatically earns fifty percent custody credits, meaning despite the sentence he will, at most, only serve four years and ten months in prison.

For family members of the victims, punishment for his crimes falls painfully short and hardly feel like justice. To think that he will serve less than half his prison sentence after taking the lives of four innocent people flies



in the face the victims and their families who have fought for justice.

Due to a fundamental failure in California State law, a technicality exists in regard to the state's DUI sentencing guidelines. California law stipulates that while ordinary negligence causing death is only considered a serious felony; driving under the influence causing injury is considered both a serious and a violent felony under state law.

Whether or not a felony is considered violent/serious comes down to malice and intent; and if a prosecutor can prove a person acted with both. In essence, because of these discrepancies often times drunk and impaired drivers who accidentally injure people can actually end up receiving a harsher punishment than

# Justice for the victims and families falls miserably short of expectations

drivers who actually kill people.

At The Killer's sentencing friends, family, and supporters of those killed lamented the sympathetic bias many felt Judge Rogers showed towards him. MaryAnne, one of Cruz and AnnaMarie's daughters even said, "Every time we come to this courtroom we haven't felt like victims, we've felt like the bad guys. We've gone through a lot and I don't always feel like this justice system has treated us with respect."

In fact, from judge Rogers own words you'd think that The Killer was the true victim of this years long ordeal. Even going as far to bring in extra security at the sentencing citing a "lynch mob mentality," Judge Rogers also constantly reiterated that he was "not a monster."

Understandably, many feared that The Killer very well could avoid prison time altogether and be sentenced to probation. In fact, Judge Rogers said at his sentencing, "If the consequences in this case were not so devastating, there would not be a better candidate for probation than this man."

Only the fact that he killed four people and severely injured seven others swayed the judge to hand down the maximum sentence. It begs the question, had he instead of killing his victims just maimed or injured them would he then be worthier of a sentence of just probation in the judge's eyes? Receiving only a mere slap on the wrist, even after his irresponsible and negligent behavior?

Judge Rogers begrudgingly sentenced him to the longest sentence the state would allow; not because of any fault or defect in The Killer's judgement or character, but because anything else would be a mockery of the U.S. criminal

justice system.

Judge Rogers also seemed to suggest that structural deficiencies of the Coronado Bridge were responsible for the crash rather than The Killer's actions driving between 81-87 MPH, while under the influence, and on the phone. Even going as far to say, "If there were bridge barriers the defendants' car would have never gone off the bridge!"

The Killer didn't plunge his vehicle off the side of the Coronado Bridge because of some structural defect or deficiency. These deaths are the result of his own selfish, negligent actions that he chose and that alone.

Lastly, Judge Rogers scoffed at the notion that families and community could hold skepticism of judges and U.S. criminal justice system saying, "Many of you don't trust and don't like people in black robes including me, but our constitution takes care of that."

Blasé, dismissive attitudes like this are why so many have little confidence in the criminal justice system. The distrust that exists did not simply manifest itself out of thin air. Especially when all across the nation thousands of men and women, many from communities of color are serving more time for non-violent, victimless crimes than The Killer will ever serve.

Julie DeLaTorre, a witness who narrowly escaped the crash said at Sepolio's sentencing, "If this would have happened anywhere else but Chicano Park, the verdict would have been different. This case has been about race since day one, somehow the court feels that you (The Killer) are the victim."

It's a sentiment many from the community

## ***It will be a lifetime, if ever, before the deep and painful wounds that the families are left with ever heal as they mourn loved ones who will never return.***

share. Had a barrio resident drunkenly plowed their vehicle into a crowd in Point Loma, La Jolla Shores, or even on the other side of the Coronado Bridge; would Judge Rogers show the same sympathy, and unending compassion he continuously showed The Killer? Of course not, they would not only be made an example of, they would likely feel the full unbridled, weight of the criminal justice system.

Unfortunately, one aspect that was absent from the trial were profiles of the victims.

Andre Banks, 49, and Francine Jimenez, 46, of Hacienda Heights in Los Angeles had been dating a year when they were killed in the crash. Banks was remembered as a loving son and godfather, while Jimenez both a mother and grandmother worked for Child Social Services in LA.

The victims also included Cruz Elias Contreras, 52, and AnnaMarie Contreras, 50, a couple from Chandler, Arizona. It's an understatement to say that the Contreras were beautiful, loving people. They weren't just advocates in their community; they were pillars of it. Touching countless people's lives; many of who gave tearful, testimonials of amazing people that had changed their lives.

Friends, family and their children described them as "amazing people who loved everybody" and "angels on earth." Over the thirty-six years of marriage the Contreras raised three beautiful daughters and opened their home up to dozens of foster children.

Cruz Contreras worked as a social worker, mentoring troubled teenage boys; while AnnaMarie worked with special needs children, having such a way with children that at her

school she was nicknamed the 'child whisperer' building relationships through trust and respect.

At a time where criminal justice reforms are being implemented throughout the country, it seems only fitting that California, a trailblazer of progressive initiatives work to amend these ambiguous, complicated technicalities showing leniency negligent, irresponsible drivers that drive recklessly, under the influence, killing innocent people.

The Killer will be released from prison and return to normal society before his newborn child is even old enough to attend elementary school. Even if he were to serve the maximum sentence in its entirety, he'd still have his entire life ahead of him to live out with his family; a fate he cruelly robbed of his victims.

It will be a lifetime, if ever, before the deep and painful wounds that the families are left with ever heal as they mourn loved ones who will never return. We cannot pretend that the families of the victims should take solace in the fact that The Killer is even serving time. As if the absolute bare minimum of justice for the victims and their families is some sort of consolation prize.

The state owes it to Barrio Logan, the patrons of Chicano Park, and above all it owes to the survivors of the crash and the families of Cruz, AnnMarie, Francine and Andre to right these wrongs. Their lives mattered, and it's time we demanded the system respect our communities, and value the sanctity of our lives.

In the words of Cruz and AnnaMarie daughter Mia Contreras, "anything less would be an insult to the lives lost."