CLAIM FOR MONEY OR DAMAGES
AGAINST THE COUNTY OF ORANGE
(Pursuant to Govt. Code section 910 et seq.)

Completed and signed forms must be mailed or delivered to:
Clerk of the Board of Supervisors
333 W. Santa Ana Blvd., Suite 465
Santa Ana, CA 92701

(Unsigned claim forms cannot be processed)

CLAIMANT INFORMATION

1. Claimant's Name: PAUL EUGENE WILSON
2. Date of Birth: [BLANK]

3. Claimant's Address:
   Street (or P.O. Box) [BLANK]
   City [BLANK]
   State [BLANK]
   Zip Code [BLANK]

4. Phone Number: [BLANK]
   Home [BLANK]
   Work [BLANK]
   Other [BLANK]

5. Name and address where correspondence should be sent (if different from above):

<table>
<thead>
<tr>
<th>Name</th>
<th>Street (or P.O. Box)</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
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CLAIM INFORMATION

6. Exact date (including year) of the occurrence or transaction which gave rise to the claim asserted: AUGUST 17, 2020

7. Exact location of the occurrence or transaction which gave rise to the claim asserted: 401 CIVIC CENTER DR SANTA ANA CA 92701

8. Describe the circumstances of the occurrence or transaction which you claim caused the damage/injury/loss: DEFAMATION AND SLANDEROUS ACCUSATIONS ABOUT ME THAT WERE GIVEN TO THE PRESS AND RELEASED TO THE PUBLIC.


10. Provide a description of the damage/injury/loss incurred so far as is known as of the time of this claim: [BLANK]
11. Name(s) of County employee(s) causing damage/injury/loss, if known: KIMBERLY EDOS - TODD SPITZER

12. License number of County vehicle (if applicable): N/A

13. Name, address and phone number of any and all witnesses known: ____________________________

14. Any additional information that may assist us in evaluating your claim: 

   PLEASE SEE ATTACHED.

   ____________________________________________

   DAMAGES CLAIMED

15. a. If the amount claimed is less than $10,000:
   Amount claimed to present: $ __________
   Estimated amount of any prospective damage/injury/loss: $ 2,500,000.00
   TOTAL AMOUNT CLAIMED: $ 2,500,000.00

   b. If the amount claimed exceeds $10,000, would the case be a limited civil case ($25,000 or less)?
      Yes _____ No X

   c. Basis of computation of the amount of damages (Please attach any estimates and/or receipts):
      PLEASE SEE ATTACHED.

   ____________________________________________

   WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM
   Section 72 of the Penal Code states: "Every person who, with intent to defraud, presents for
   allowance or for payment to any state board or officer, or to any county, city, or district
   board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill,
   account, voucher, or writing, is punishable either by imprisonment in the county jail for a
   period of not more than one year, by a fine of not exceeding one thousand dollars ($1,000), or
   by both such imprisonment or fine, or by imprisonment in the state prison, by a fine of not
   exceeding ten thousand dollars ($10,000), or by both such imprisonment and fine."

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3rd day of FEB 2021 at ROSSMOOR CA 90720

   You Must Present Your Claim Within The Time Prescribed By Govt. Code Section 911.2
FOR IMMEDIATE RELEASE

Date: August 12, 2020

PRESS RELEASE

Kimberly Edds
Public Information Officer
Office: 714-347-8405, Cell: 714-504-1917
media@da.ocgov.com

Statement on Rally Held Outside District Attorney's Office

SANTA ANA, Calif. – Orange County District Attorney Public Information Officer Kimberly Edds issued the following statement regarding a rally held outside of the District Attorney’s Office this morning:

We can’t explain Mr. Wilson’s behavior or why he’s become best friends with the attorney who defended his wife’s killer.

The prosecutors in Orange County’s worst mass murder committed prosecutorial misconduct and prevented the victims’ families from having the killer sentenced to death. Mr. Wilson has every right to be upset about that. But that frustration has morphed into an unrelenting scorched earth campaign against the Orange County District Attorney’s Office and demands to fire people who have already left the office or were never even involved in that prosecution.

That is completely unreasonable.

Mr. Wilson and the man who defended his wife’s killer have not been shy about their campaign to turn Orange County into the next San Francisco by putting the rights of criminals over the rights of victims and replacing prosecutors with anti-incarceration advocates.

The misconduct engaged in by the Dekraai prosecution team subjected the victims’ families to unnecessary trauma. It is a travesty that Mr. Wilson, who has suffered unimaginable loss at the hands of a criminal, is now campaigning on behalf of an assistant public defender who wants nothing more than to run for District Attorney so that he can throw the jail doors open and release criminals back into the streets without being held accountable.

It is deeply troubling that someone who has been victimized is now standing shoulder to shoulder with social justice reformers who want to defund the police and allow criminals to continue to commit crimes and victimize innocent people.

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NEWS • News

Families of victims killed by mass murderer Scott Dekraai rally against Orange County DA Todd Spitzer

'Todd Spitzer is a parasite that came to decide that he would run on Seal Beach families,' said one relative. Spitzer says politics is at play.

Bethany Webb protests outside the district attorney’s office in Santa Ana, CA on Wednesday, August 12, 2020. Webb’s sister, Laura Webb-Elody, was killed by Scott Dekraai in 2011 and her mother, Hattie Stretz was critically injured but survived. Relatives and friends of the victims killed by Scott Dekraai at a Seal Beach beauty salon in 2011 are calling for Orange County District Attorney Todd Spitzer to step down. The victims gathered for a street protest Wednesday to say Spitzer used them and their loved ones to propel himself into office and then forgot about them. (Photo by Paul Bersebach, Orange County Register/SCNG)
Under a sweltering sun, families of the victims killed by Seal Beach mass murderer Scott Dekraai took aim at another enemy Wednesday: Orange County District Attorney Todd Spitzer.

Some of the families gathered outside the District Attorney’s Office in Santa Ana, accusing Spitzer of using them in his 2018 campaign to unseat former District Attorney Tony Rackauckas and then turning his back on the victims once elected. They carried placards with slogans such as “Victims Aren’t Props” and “Orange County Dishonest Attorney.”

“Todd Spitzer is a parasite that came to decide that he would run on Seal Beach families,” said Bethany Webb, whose sister, Laura Webb-Elody, was among eight killed by Dekraai in October 2011 at the Salon Meritage.

Paul Wilson, whose wife, Christy, was killed, organized the demonstration that attracted about two dozen to the hot street corner.

Wilson repeated his allegation that Spitzer promised before the election to get rid of the two prosecutors who bungled the Dekraai case, Dan Wagner and Scott Simmons. But Spitzer retained the two when he took over the office. Dekraai ended up getting life in prison instead of the death penalty.

Wagner and Simmons “were the ones to use a snitch and to lie to the families at the worst time in our lives,” Wilson said. But on a video that surfaced recently, Spitzer was captured praising the two men at their retirement party — seven months before an internal report accused Wagner and Simmons of malpractice.

Because of the flip-flopping, Wilson and Webb called Tuesday for Spitzer to resign.

Spitzer’s office responded that Wilson and Dekraai’s defense attorney, Scott Sanders, are part of a national effort funded by billionaire George Soros to reform the justice system and replace district attorneys with defense-minded lawyers.
“This is nothing more than bare-bones politics,” said Kimberly Edds, a spokeswoman for Spitzer. “Mr. Wilson and Mr. Sanders are part of a radical left movement to take over district attorney offices across the country. They want to turn Orange County into San Francisco,” where a public defender is now the district attorney.

Edds added that Sanders intends to run for district attorney.

Sanders responded: “This is a truly inappropriate response. Mr. Spitzer gets caught on tape saying the exact opposite of what he said on the campaign trail. And because he has no explanation, he launches an attack on a victim who dares to speak the truth having been personally betrayed.”

He declined to talk about his intentions for the 2022 Orange County election.

In addition to Webb-Elody and Wilson, those killed by Dekraai were Victoria Buzzo, David Caouette, Randy Lee Fannin, Michele Daschbach Fast, Michelle Marie Fournier and Lucia Bernice Kondas. Also shot was Hattie Stretz, 73, who survived.
Orange County District Attorney Todd Spitzer campaigned for office on a call for more ethical prosecutors, spending much of his 2018 battle against incumbent DA Tony Rackauckas publicly criticizing the ethics of prosecutors under fire for their role in a jailhouse snitch scandal.

His campaign ads said prosecutors "abused the law" in the 2011 Seal Beach mass shooting case, which an appeals court kicked the entire DA's office off in 2016 (https://voiceofoc.org/2016/11/appeals-court-upholds-ruling-that-barred-da-office-from-deal-case/), for prosecutorial misconduct, including withholding evidence defendants are entitled to.


Yet after Spitzer took office as DA in January 2019, he took a starkly different approach towards the very same prosecutors he criticized as a candidate.

At their retirement party in December 2019, Spitzer praised them as "honorable men" who care deeply "about the ethics of our profession." He said he reviewed all of the transcripts, and that the pair were "unfairly blamed" for what happened in their case.

Video of Spitzer's speech was recently uploaded to YouTube (https://www.youtube.com/watch?v=YaDr1yUgpBk).

"I have nothing but respect and admiration for them," Spitzer said of Wagner and Simmons at their retirement party (https://www.youtube.com/watch?v=YaDr1yUgpBk) as he stood next to them. 

"I know what honorable men that you are. And I know what great men you are. And I know how much you care about our practice of law. And I know how much you care about the ethics of our profession."

[/Click here for a transcript of what Spitzer said at the retirement party (http://voiceofoc.content/uploads/202003/DA-Spitzer-remarks-at-Dawson-prosecutors-retirement-party.pdf/)]

Spitzer's Speech at Simmons and Wagner retirement party
It was a sharp contrast with what Spitzer previously told voters.

A Spitzer campaign ad in 2017 [https://www.youtube.com/watch?v=pNFO8tOEo88] focused on Seal Beach shooting victims and their families being denied justice because of prosecutors' misconduct in the case — which a Spitzer-commissioned investigation recently found was intentional by Simmons and Wagner.

"We still haven't gotten justice, because prosecutors abused the law" in the Seal Beach case, said Paul Wilson, the husband of Seal Beach shooting victim Christy Wilson, in Spitzer's ad [https://www.youtube.com/watch?v=pNFO8tOEo88].

"I'll restore integrity to Orange County's justice system," Spitzer says at the end of the ad.

In an interview Monday, Wilson said the video of Spitzer's retirement party remarks shows Spitzer betrayed him and the public.

"This guy clearly needs to resign," Wilson said of Spitzer on Monday, after reviewing the video.

"He needs to resign immediately. He's completely destroyed the credibility of that office. I mean, this video and what Todd said back then and what Todd says now is totally hypocritical. And how anybody could ever believe him after seeing this and reading this — I'm appalled," he added.

"This guy came in with just such a promise of making things right," Wilson said. "My anger comes from the betrayal."
Spitzer declined to be interviewed for this article. His spokeswoman said Spitzer is a longtime colleague of Simmons and Wagner's and that his comments at their retirement party "were based on his personal relationship with two prosecutors who spent decades in the office."

"His comments should not be seen as passing judgement on what they did or didn't do, because at the time he didn't know. The independent investigation into [the Seal Beach prosecution], and who was responsible, wasn't completed for another seven months," said Kimberly Edds, the DA's spokeswoman.

"Unlike the prior administration, we don't write our conclusions before we conduct our investigations. And the findings of the independent administrative investigation are, and continue to be, deeply troubling to the district attorney."

Yet the snitch scandal misconduct was already widely known at the time of the retirement party – and Spitzer himself had publicly criticized the prosecutors for during the 2018 election.

Assistant Public Defender Scott Sanders, who originally brought the misconduct in the Seal Beach case to light, said the video shows Spitzer didn't actually care about the informant misconduct.

"Mr. Spitzer constantly railed about the misconduct in [the Seal Beach case] to help get him elected District Attorney. The video offers brutal confirmation it was just all just a series of acts to serve his changing agenda," Sanders said.

"He couldn't care less about the informant issue. Once in office, he tried to win the troops over by promoting Wagner to management. Then he tried to put the election further in the rear view mirror by apologizing and telling Wagner and Simmons it was all a mistake and they were the victims. And, finally once they are out the door, he denounced their misconduct and malpractice so it would look to the outside world like he is a prosecutor who stands up to wrongdoing. No matter where you stand it's awful."

Asked for a response to the criticisms, Spitzer's office said the DA's office sought to hold staff accountable through the administrative investigation Spitzer commissioned in April 2019, while respecting due process for staff, and that it's "unfortunate" the two prosecutors left before the investigation was over.

"It is distressing that there are critics out there who advocate for due process for criminal defendants, but who refuse to accept that due process rights also extend to administrative investigations. Innocent until proven guilty is not just a phrase that is thrown around flippantly in the District Attorney's Office; it actually means what it says," said Edds, Spitzer's spokeswoman, in a statement.

However, in the middle of the administrative investigation, Spitzer declared that the two prosecutors had strong ethics and were being treated unfairly.

"There was evidence, in their case that they were responsible for, that came to light that had nothing to do with them. And they were really unfairly blamed," Spitzer said at the retirement party, about seven months before the administrative investigation was over.

"I know how much you care about the ethics of our profession," he added later.

The Seal Beach shooting case was the highest-profile scandal in the Orange County DA's office in at least a decade.

After he was sworn in, Spitzer kept both of the lead prosecutors in their positions, and promoted one of them into overseeing the DA's offices at the Fullerton courthouse. And despite now saying they engaged in intentional misconduct to deprive defendants of their constitutional rights, Spitzer levied strong praise for their ethics when he spoke at their retirement party in December 2019.

"I have nothing but respect and admiration for them," Spitzer told Wagner and Simmons as he stood next to them at their retirement party, video of which was quietly posted on YouTube last week.

"I want to thank you, okay? Because I know what honorable men that you are. And I know what great men you are. And I know how much you care about our practice of law. And I know how much you care about the ethics of our profession. And so, I apologize," Spitzer added.

"I have read the transcripts of all these interviews, and I've read their transcripts, and it broke my heart when these discussions occurred about how all of this came to light."

"There was evidence, in their case that they were responsible for, that came to light that had nothing to do with them. And they were really unfairly blamed. And they took a lot of responsibility on their shoulders that was completely inappropriate," Spitzer added.

"The office let you down. The office let you down at a time when you needed the support of the office most."

"On behalf of the Orange County District Attorney's Office, and both of your phenomenal careers, and everything you laid on the table for our office – your blood, sweat, and tears; the cost to your families and your friends over time – I just want to thank you. I want to thank you for everything you've done for us."

[Click here to read a transcript of what Spitzer said.](https://arsenic.our-ep.com/upload/20200900/DA_Spitzer_rumpus_at_Dobbs_May_1-2020.pdf)
Last week, Spitzer’s office declared in a news release that a probe he commissioned in April 2019 into the Seal Beach case found that Wagner and Simmons “exhibited prosecutorial misconduct in the performance of their duties and there is clear and convincing evidence that they also committed malpractice due to intentional negligence.”

The findings largely confirmed a high-profile 2016 ruling by a state appeals court that found prosecutors in the Seal Beach case engaged in “intentional or negligent participation in a covert [Informant] program to obtain statements from represented defendants in violation of their constitutional rights, and to withhold that information from those defendants in violation of their constitutional and statutory rights.”

“This guy is a real politician. He’s trying to walk on both sides of the fence, and he’s getting caught,” Wilson said of Spitzer.

“I’m a victim of the largest mass murder in Orange County history. And this guy took me and used me, and then has the guts to get up with these two guys that put my life through so much hell, and to say these things about them – I mean, I’m just disgusted,” he added.

“I’m really hurt by it, because… the guy used my late wife’s name so many times. He would say to me, ‘Paul we’re gonna fight this, we’re gonna fix this, we’re gonna fix it for Christy.’”

“And for him to betray me, using her name… Todd really needs to look in the mirror and look at himself,” Wilson added. “It’s sickening.”

Edds, Spitzer’s spokeswoman, said when Spitzer said the DA’s office let the two prosecutors down, he was saying the prior administration should have defended them if it truly thought they didn’t do anything wrong.

“They’re not at odds, because one of the criticisms District Attorney Spitzer had of the prior administration, is that if Mr. Simmons and Mr. Wagner didn’t do anything wrong, as the prior district attorney said, then the office had an absolute duty to defend them, and it didn’t do that. So that’s what he was referring to,” Edds said.

The Spitzer-commissioned investigation last week found the prosecutors had “trampled defendant rights” and denied justice for victims.

“This investigation finds that there is clear and convincing evidence that to a reasonable certainty that indicates Dekraai prosecutors committed malpractice due to intentional negligence,” the Spitzer-commissioned report states, referring to the Seal Beach case.

“This finding necessitates the imposition of severe disciplinary action against the prosecutors. However, before the completion of this internal investigation, both Dekraai prosecutors resigned their employment with OCDA and are now outside the administrative purview of OCDA,” it adds.

“The prosecutorial team whose responsibility it is to ensure fidelity to the law, ethical conduct in prosecutions, maintenance of defendant rights, and pursuit of justice for victims, were the very ones who violated informant/discovery law, obfuscated and failed to accept responsibility for their lapses, trampled defendant rights, and denied the full imposition of justice for victims and their families.”

Nick Gerda covers county government for Voice of OC. You can contact him at nick@ocregister.com (mailto:nick@ocregister.com).