

1 BARRY J. PORTMAN
 Federal Public Defender
 2 LARA S. VINNARD
 Assistant Federal Public Defender
 3 160 West Santa Clara Street, Suite 575
 San Jose, CA 95113
 4 Telephone: (408) 291-7753
 5 Counsel for Defendant SACROSANTE

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 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 05-0639 RMW /HL
)	
12 Plaintiff,)	DECLARATION OF LARA VINNARD
)	IN SUPPORT OF DEFENDANT'S
13 v.)	MOTION FOR PRETRIAL RELEASE
)	ON CONDITIONS
14 JOHN STEPHEN SACROSANTE,)	
)	
15 Defendant.)	
16)	

17 I, Lara Vinnard, declare:


- 18 1. I am an Assistant Federal Public Defender, and I was provisionally appointed on
 19 December 19, 2005, to represent defendant John Stephen Sacrosante, pending the
 20 submission of his financial declaration to the Court.
- 21 2. Mr. Sacrosante was previously represented by Jerome Mullins, Esq. With respect to bail,
 22 Mr. Sacrosante was released on conditions including a \$5,000 PR bond. He was
 23 permitted to live in Utah while on pretrial release.
- 24 3. Mr. Sacrosante failed to appear before the Honorable Ronald M. Whyte on November 14,
 25 2005.
- 26 4. Mr. Sacrosante was recently arrested in Utah in connection with his failure to appear.

- 1 5. I have spoken with Mr. Sacrosante's prior attorney, Jerome Mullins, regarding Mr.
2 Sacrosante. He indicated that he and Mr. Sacrosante exchanged voicemail messages prior
3 to the hearing on November 14, 2005, regarding Mr. Sacrosante's appearance. Mr.
4 Mullins understood that Mr. Sacrosante was in the San Jose area and intended to be
5 present at the hearing.
- 6 6. An investigator in my office, Catherine Ward-Neece, has confirmed that Mr. Sacrosante
7 was in the San Jose area prior to his court appearance. He checked himself into a Sober
8 Living Environment ("SLE") run by Support Systems Homes, located in San Jose on
9 Thorton Avenue near Valley Medical Center, where he resided from November 10 to
10 November 13. A copy of a letter from Support Systems Homes is attached hereto.
- 11 7. I am informed that Mr. Sacrosante attempted to turn himself in to the main police station
12 in Campbell, California, on November 15, 2005, the day after his court appearance. Mr.
13 Sacrosante was apparently told that there was no warrant for his arrest, and was allowed
14 to leave. To attempt to verify this information, Investigator Catherine Ward-Neece
15 visited the main police station in Campbell, located at 70 N. First Street, Campbell, CA,
16 on December 20, 2005.
- 17 8. Records Specialist Kelly Terrones, who works at the front desk in the Campbell police
18 station, recalled a man who attempted to turn himself in recently. She could not recall the
19 exact date, but she stated that there had only been one such occurrence in recent months.
20 She stated that it could have occurred approximately one month ago. She stated that her
21 agency does not keep written records of individuals who attempt to turn themselves in.
- 22 9. Ms. Terrones stated in this incident, the man stated that he had missed his court date the
23 day before in federal court. She thought the court appearance may have been in San
24 Francisco. She attempted to check for a warrant for this person, but she found no record.
25 She told the person that there was no warrant, and that it was probably not in the system
26 yet if he had just missed his court date the day before.

- 1 10. She told the man that she did not know who he should call or where he should go.
- 2 11. Investigator Ward-Neece showed Ms. Terrones a DMV photo of Mr. Sacrosante from
- 3 1999. In the photo, Mr. Sacrosante's hair was darker and his face was fuller than it now
- 4 appears. Ms. Terrones did not have a specific recollection of the person's face, and was
- 5 not able to recall if the person in the photograph was the same person who had attempted
- 6 to turn himself in.

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8 I declare under penalty of perjury that the foregoing is true and correct, and as to matters
9 stated on information and belief, I am informed and therefore believe them to be true.

10 Signed December 20, 2005, in San Jose, California.

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12 LARA S. VINNARD
13 Assistant Federal Public Defender

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