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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES  
DEPARTMENT NO. 109 HON. KATHLEEN KENNEDY-POWELL, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA, ) NO. BA322128-02  
)  
)  
PLAINTIFF, )  
)  
VS. )  
)  
)  
BRANDON CRANDALL, )  
)  
)  
DEFENDANT. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
THURSDAY, MAY 10, 2007  
-000-

APPEARANCES:

FOR THE PEOPLE: RENEE ROSE,  
DEPUTY DISTRICT ATTORNEY

FOR THE DEFENDANT: RONALD RICHARDS,  
ATTORNEY AT LAW

LAURIE A. SMALL  
C.S.R. NO. 4654  
OFFICIAL COURT REPORTER

1 CASE NUMBER: BA322128-02  
2 CASE NAME: PEOPLE VERSUS BRANDON CRANDALL  
3 LOS ANGELES, CA THURSDAY, MAY 10, 2007  
4 DEPARTMENT 109 HON. KATHLEEN KENNEDY-POWELL, JUDGE  
5 REPORTER: LAURIE A. SMALL, CSR NO. 4654  
6 TIME: AFTERNOON SESSION

7  
8 APPEARANCES:

9 DEFENDANT BRANDON CRANDALL, PRESENT WITH COUNSEL,  
10 RONALD RICHARDS, ATTORNEY AT LAW;  
11 RENEE ROSE, DEPUTY DISTRICT ATTORNEY, REPRESENTING THE  
12 PEOPLE OF THE STATE OF CALIFORNIA.

13  
14 THE COURT: ALL RIGHT. WE ARE ONCE AGAIN ON THE RECORD  
15 IN THE CASE OF PEOPLE VERSUS -- IS THIS MR. VOLZ OR  
16 MR. CRANDALL?

17 MR. RICHARDS: MR. CRANDALL, YOUR HONOR. MR. VOLZ IS  
18 OUT OF CUSTODY.

19 THE COURT: ALL RIGHT.

20 AND WE ARE HERE TODAY TO CONSIDER ANOTHER  
21 PROFFERED SOURCE OF BAIL?

22 MR. RICHARDS: YES, YOUR HONOR.

23 RONALD RICHARDS APPEARING WITH MR. CRANDALL WHO  
24 IS PRESENT.

25 MR. COLE: AND ALSO DANA COLE. I ACTUALLY REPRESENT  
26 MR. VOLZ. AND MR. RICHARDS HAS ASKED ME TO COME DOWN TO  
27 ASSIST HIM IN THIS EFFORT AS WELL.

28 THE COURT: OKAY.

1 MR. COLE: THANK YOU.

2 MR. RICHARDS: BEFORE COURT TODAY, YOUR HONOR, I SHOWED  
3 THE PEOPLE TWO YEARS OF MY JOINT TAX RETURNS WITH MY  
4 SPOUSE, THE CURRENT BANK STATEMENTS FROM MY -- ONE OF MY  
5 BANK ACCOUNTS, MY CREDIT CARD STATEMENT THAT I AM USING FOR  
6 THE BAIL PREMIUM FOR THE LAST THREE MONTHS, AND --

7 THE COURT: NOW DOES MONTANA BAIL BONDS ACTUALLY ACCEPT  
8 A CREDIT CARD FOR THE PAYMENT OF THE BOND PREMIUM?

9 MR. RICHARDS: YES, YOUR HONOR. ALL BAIL BOND  
10 COMPANIES THAT WANT TO STAY IN BUSINESS ACCEPT CREDIT  
11 CARDS. THAT WOULD BE ACTUALLY FOOLISH IF THEY DIDN'T.

12 IN FACT, MR. COLE AND MY FIRM BOTH ACCEPT CREDIT  
13 CARDS. IT IS A VERY COMMON BUSINESS TOOL.

14 THE COURT: OKAY.

15 MR. RICHARDS: AND SO I ALSO SHOWED COUNSEL THREE  
16 MONTHS OF MY DEPOSITS AND WITHDRAWALS FROM MY BUSINESS  
17 CHECKING ACCOUNT. AND SO WE HAVE ALREADY HANDLED THAT  
18 OUTSIDE.

19 AND THE ONLY ISSUE REMAINING IS THE COURT BEING  
20 SATISFIED THAT MY CREDIT CARD FROM CITIBANK IS FROM A  
21 LEGITIMATE SOURCE.

22 THE COURT: MISS -- IS YOUR NAME MECKLER OR ROSE?

23 MS. ROSE: IT IS ROSE NOW.

24 THE COURT: OKAY. MISS ROSE.

25 YOU HAVE REVIEWED THESE ITEMS?

26 MS. ROSE: I HAVE.

27 THE COURT: AND DO YOU HAVE ANY OBJECTION TO THE SOURCE  
28 OF BAIL AT THIS TIME?

1 MS. ROSE: I BELIEVE THAT MR. RICHARDS HAS SUFFICIENT  
2 FUNDS TO COVER THE \$10,200 PREMIUM. MY CONCERN BECOMES  
3 REPAYMENT OF THE PREMIUM AND FROM WHAT SOURCE REPAYMENT IS  
4 DERIVED FROM.

5 AND PER THE PENAL CODE SECTION, THAT INDICATES  
6 YOU CAN'T REPAY A LOAN WITH FELONIOUS MONIES. AND I  
7 BELIEVE THAT THIS IS SORT OF MR. RICHARDS' ATTEMPT, SINCE  
8 THE DEFENDANT'S GIRLFRIEND IS UNABLE TO ACCESS HER  
9 LEGITIMATE SETTLEMENT MONEY UNTIL EITHER JUNE OR JULY OF  
10 2007, THAT IF THE COURT IS GOING TO DEEM THAT MR. RICHARDS  
11 CAN BE A SOURCE, THEN I THINK WE NEED TO DEEM WHAT THE  
12 REPAYMENT SOURCE IS GOING TO COME FROM, BECAUSE IT WOULD  
13 SORT OF BE THWARTING THE SITUATION IF THEY COULD USE ANY  
14 SOURCE THAT THE COURT WOULD NOT BE ABLE TO EXAMINE.

15 SO MY SUGGESTION IS, IF MR. RICHARDS IS GOING TO  
16 DO THIS -- AND THE BAIL BONDSMAN IS PRESENT -- THAT THE  
17 BAIL BOND BE -- COMPANY BE ORDERED TO ACCEPT AND TO PROCESS  
18 THE \$10,200 PREMIUM FROM MR. RICHARDS' CREDIT CARD AND TO  
19 NOT CREDIT THAT AMOUNT BACK INTO THE CREDIT CARD UNTIL THE  
20 SETTLEMENT FROM DANIELLE SIDE (PHONETIC) IS THEN GIVEN TO  
21 THE BAIL BONDS COMPANY IN THE AMOUNT OF \$10,200.

22 THE COURT: WELL, I DON'T UNDERSTAND HOW -- IF HE  
23 CHARGES IT ON THE CREDIT CARD, THEN WHY WOULD THE BONDING  
24 COMPANY, AT ANY POINT, CREDIT THAT BACK TO MR. RICHARDS?

25 MS. ROSE: WELL, I ASSUME THAT THIS IS NOT A GIFT THAT  
26 MR. RICHARDS IS GIVING MR. CRANDALL BECAUSE THE PREMIUM IS  
27 NOT REFUNDABLE. THE PREMIUM IS A \$10,200 PROFIT THAT THE  
28 BOND COMPANY IS MAKING FOR TAKING THE RISK THAT NOBODY EVER

1 GETS BACK, UNLESS MR. RICHARDS IS GOING TO SAY THAT \$10,200  
2 IS A GIFT TO MR. CRANDALL AND THAT HE IS NOT INTENDING TO  
3 GET REPAID FROM SOME SOURCE, IN RELATIONSHIP TO  
4 MR. CRANDALL -- I ASSUMED THAT HIS POSITION YESTERDAY WAS,  
5 "I WANT TO GET MY CLIENT OUT OF CUSTODY AS SOON AS I CAN,  
6 SO I AM GOING TO PUT THE PREMIUM DOWN TODAY."

7 AND I EXPECT HE IS FULLY EXPECTING TO BE REPAID  
8 FROM SOME SOURCE.

9 THE COURT: I AM SURE HE EXPECTS TO TO BE REPAID.

10 MR. RICHARDS: YOUR HONOR, I JUST WANT TO ADDRESS THIS.

11 AGAIN, AS I VOICED MY SERIOUS CONCERNS YESTERDAY,  
12 COUNSEL IS TRYING TO EXTEND THE SCOPE OF 1275.1. AND I  
13 DIDN'T WANT TO LABOR THE COURT WITH ANOTHER LENGTHY BRIEF  
14 OF BAIL BOND LAW, BUT THE ISSUE IN THIS PARTICULAR CASE  
15 IS -- WHAT THE PEOPLE ARE INVITING THE COURT TO DO IS NOW  
16 SORT OF GET INVOLVED CONDITIONALLY IN PRIVATE CONTRACTS  
17 THAT ARE COLLATERAL TO THESE PROCEEDINGS.

18 I --

19 THE COURT: YOU KNOW WHAT, MR. RICHARDS? I MEAN, IN  
20 ALL THE YEARS THAT I HAVE BEEN PRACTICING AS -- I HAVE BEEN  
21 A JUDGE FOR EIGHTEEN AND A HALF YEARS, AND I WAS A LAWYER  
22 FOR ELEVEN YEARS BEFORE THAT. AND I WILL TELL YOU THAT IN  
23 ALL THAT TIME, I HAVE NEVER SEEN A CRIMINAL LAWYER PUT UP  
24 THE BOND MONEY FOR THEIR CLIENT. NEVER, EVER.

25 AND I AM NOT GOING TO ENGAGE IN A SHAM WHERE YOU  
26 PUT UP THE BOND MONEY AND THEN YOU GET PAID BACK EITHER  
27 FROM A RETAINER FROM YOUR CLIENT, THE SOURCE OF WHICH THE  
28 COURT IS NOT AWARE OF, OR YOU ARE GOING TO BE REPAID FROM

1 SOME SORT OF FELONIOUS MONEY. THAT WOULD COMPLETELY THWART  
2 AND JUST MAKE THE STATUTE A NULLITY. AND I AM NOT GOING  
3 THERE.

4 MR. RICHARDS: BUT YOUR HONOR, I AM NOT EVEN REMOTELY  
5 THINKING LIKE THIS. I AM JUST TRYING MY BEST TO REFRAIN  
6 MYSELF FROM COUNSEL'S WILD ASPERSIONS AND ALL SORTS OF  
7 ASSUMPTIONS.

8 I PROFFERED MY CREDIT CARD BECAUSE I KNEW THAT  
9 WAS GOING TO BE A SOURCE THAT I COULD PROVE TO COUNSEL WAS  
10 LEGITIMATE AND THAT I HAD LEGITIMATE FUNDS TO PAY IT BACK.  
11 THAT'S WHY I DID THAT, BECAUSE I AM FACED WITH A DILEMMA.  
12 AM I GOING TO SIT HERE AND LEAVE MY CLIENT IN JAIL WHEN  
13 I --

14 THE COURT: THAT'S WHAT 99.999999999 PERCENT OF ALL  
15 CRIMINAL LAWYERS WOULD DO.

16 MR. RICHARDS: AND YOU KNOW WHAT, YOUR HONOR? I HAVE  
17 HEARD THAT MY ENTIRE CAREER.

18 I DON'T THINK -- I RESEARCHED THIS VERY  
19 CAREFULLY. THERE IS NOTHING INAPPROPRIATE ABOUT PUTTING  
20 THE PREMIUM -- I AM NOT HIS INDEMNITOR; I AM MERELY PUTTING  
21 UP THE PREMIUM.

22 NOW COUNSEL KNOWS FROM THE TESTIMONY YESTERDAY  
23 THAT HIS GIRLFRIEND WHO IS ALSO THE MOTHER OF HIS CHILD IS  
24 GETTING BACK A FINANCIAL LOAN FROM HER SETTLEMENT FROM THE  
25 DOG BITE THAT SHE GOT PAID IN STAGES. SHE HAS TOLD ONE OF  
26 THE STAGES. I PROVIDED 56 PAGES OF DOCUMENTATION TO THE  
27 COURT AND TO THE DISTRICT ATTORNEY TO SHOW THE SOURCE OF  
28 THAT MONEY.

1           THE BAIL BONDS COMPANY IS GOING TO CHARGE ME FOR  
2 THE PREMIUM. I AM NOT GOING TO THEN, OUT THE BACK DOOR,  
3 TAKE A SACHEL OF CASH OR DO ANYTHING AS CONTEMPTIBLE AS  
4 COUNSEL IS SUGGESTING.

5           SO I DON'T KNOW WHAT TO SAY.

6           IF THE COURT WANTS TO KNOW HOW I INTEND TO GET  
7 REPAID BACK AND THE COURT FEELS IT IS IMPORTANT TO DELVE  
8 INTO MY CONFIDENTIAL DISCUSSIONS WITH MY CLIENT AND HIS  
9 FAMILY, I AM HAPPY TO GO IN CAMERA, MAKE A COMPLETE PROFFER  
10 TO THE COURT WITH THE UTMOST CANDOR.

11           BUT I DON'T THINK THE PEOPLE ARE ENTITLED TO GET  
12 INTO THOSE CONVERSATIONS BECAUSE NOW YOU ARE DEALING WITH  
13 THE NUCLEUS OF A CLIENT, HIS COMMON-LAW WIFE FOR ALL  
14 PURPOSES, AND HIS MOTHER. AND I AM NOT GOING TO DO THAT.  
15 I DON'T THINK THE PEOPLE HAVE THE RIGHT TO GET INTO THAT  
16 FRAGILE RELATIONSHIP.

17           AND I AM HAPPY TO TELL THE COURT ANYTHING THE  
18 COURT WANTS TO KNOW IN CAMERA ABOUT THIS, WHICH IS WHAT THE  
19 CODE ALLOWS.

20           BUT THE PEOPLE AREN'T GOING TO DISRUPT MY ABILITY  
21 TO DEFEND MY CLIENT OR USE THESE TYPE OF ISSUES AS SOME  
22 SORT OF WAY TO KEEP HIM IN CUSTODY.

23           I AM NOT -- AS I TOLD THE COURT TRUTHFULLY WITH  
24 THE MOST CANDOR YESTERDAY, I AM NOT GOING TO BE ABLE  
25 TO SLEEP AT NIGHT IF I AM KNOWING THAT MY CLIENT IS IN JAIL  
26 FOR \$10,000.

27           AND I AM HAPPY TO GO INTO ANY ISSUE RELATED  
28 TO WHY I BELIEVE THAT, BUT THAT WOULD IMPINGE ON

1 ATTORNEY/CLIENT WORK PRODUCT, ON PRIVACY UNDER THE 6TH  
2 AMENDMENT, DEALING WITH MY RELATIONSHIP HERE, AND UNDER  
3 OTHER VARIOUS STATE LAWS RELATING TO FEE AGREEMENTS.

4 AND I AM HAPPY TO DISCUSS ALL THAT WITH THE  
5 COURT.

6 NO ONE IS TRYING TO HIDE ANYTHING.

7 COUNSEL HAS HAD ADEQUATE TIME TO LOOK AT THIS.  
8 WE KNOW THERE IS A LEGITIMATE ELEMENT. THERE IS A LAWYER  
9 THAT FILED A MOTION THAT'S BEING HEARD JUNE 7 TO APPROVE  
10 THE SETTLEMENT. HE REPRESENTS THE FINANCE COMPANY, BECAUSE  
11 IT IS LIKE A MINOR'S COMPROMISE.

12 AND I HAVE BEEN IN FRONT OF THIS COURT ON VERY  
13 SERIOUS NARCOTICS CASES IN THE PAST, AND I HAVE -- YOU  
14 KNOW, THIS IS -- I COULDN'T THINK OF A BETTER PLACE TO BE  
15 THAN THIS COURT. SO I AM NOT TRYING TO DO ANYTHING FOR  
16 THIS ONE CASE -- AND I HAVE HAD THOUSANDS IN MY CAREER --  
17 TO RUIN ANY ASSESSMENT OF ME AS A LAWYER OR AN OFFICER OF  
18 THIS COURT.

19 BUT THIS IS THE SITUATION WHERE I FELT THAT THE  
20 RIGHT THING TO DO IN THIS CASE, BECAUSE OF THE FACT THAT  
21 HIS GIRLFRIEND IS GETTING THIS MONEY, WAS TO SIMPLY PROVIDE  
22 A BRIDGE FOR ME TO OFFER MY CREDIT CARD. THAT'S WHAT I  
23 BELIEVE THE LAW ALLOWS.

24 AND I THINK THAT COUNSEL REPEATEDLY YESTERDAY --  
25 AND THE COURT SUSTAINED A LOT OF MY OBJECTIONS -- TRIED TO  
26 PROBE INTO THE BUSINESS PRACTICES OF THE BAIL AGENCY. AND  
27 AS -- AND COUNSEL ALSO CONTACTED MY SURETY OF MONTANA BAIL  
28 BONDS. THEY BOTH TOLD HER THAT THIS IS A GOOD COMPANY.



1 COUNSEL FOUND NO PROBLEMS WITH THIS COMPANY.  
2 THIS IS AN ARM'S LENGTH TRANSACTION. AND THEY HAPPEN TO DO  
3 A LOT OF BONDS, AND THIS IS NOT A BIG DEAL IN THE BOND  
4 BUSINESS.

5 IF WE WERE HERE ON \$1 MILLION, YOUR HONOR, AND  
6 THERE WAS NO COLLATERAL, I WOULD UNDERSTAND A LITTLE BIT  
7 MORE ANXIETY.

8 BUT THIS IS A \$100,000 BOND. AND THE REASON WHY  
9 POOR PEOPLE USE A BAIL BONDSMAN AND WHY THEY ARE PROVIDING  
10 A SERVICE IS, ABSENT THEM WILLING TO PLEDGE THE SURETY  
11 PROMISE OF \$100,000 WITH AN ADMITTED SURETY, HE WOULD BE  
12 SITTING IN CUSTODY.

13 AND WE HAVE A SYSTEM TO ALLOW THEM TO GET OUT OF  
14 CUSTODY, AND THAT'S IF THEY CAN COME UP WITH THE BAIL  
15 PREMIUM, WHICH IS A SUBSTANTIAL PREMIUM. IF THE CASE IS  
16 RESOLVED IN THREE MONTHS, THEY JUST MADE \$10,000 FOR ONLY  
17 THREE MONTHS AT RISK. THAT'S A 40 PERCENT RETURN ON YOUR  
18 MONEY. THAT'S PRETTY GOOD.

19 AND THEY DON'T EVEN HAVE TO POST THE REAL  
20 HUNDRED; THEY JUST HAVE TO POST A GUARANTEED SURETY WITH  
21 THE COURT THAT IS ADMITTED THAT HAS AT LEAST  
22 \$4 MILLION OF ASSETS.

23 SO IT IS INTERESTING THAT COUNSEL HAS TAKEN THIS  
24 TO THIS POINT. AND I HAVE BEEN PROFESSIONAL WITH HER, AND  
25 I HAVE NO PROBLEM WITH HER DOING HER JOB. BUT THE ONLY  
26 THING I CAN'T ALLOW IS HER TO FORCE THE STATUTE BEYOND WHAT  
27 THE LEGISLATURE HAS ENGRAFTED.

28 AS THE COURT POINTED OUT, THE BAIL BOND INDUSTRY

1 HAS A DECENT LOBBY. THESE LAWS HAVE BEEN IN PLACE FOR MANY  
2 YEARS. AND ALL IN ALL, WE DON'T HAVE ABUSES. BETWEEN  
3 MR. COLE AND I COLLECTIVELY, WE CAN COUNT ON LESS THAN ONE  
4 HAND HOW MANY TIMES CLIENTS IN STATE COURT HAVE FAILED TO  
5 APPEAR. IN FACT, I HAVE NEVER HAD A MARIJUANA CASE WHERE  
6 MY CLIENT DIDN'T APPEAR. EVER.

7 I MEAN, HE IS LOOKING AT A THREE-YEAR STATUTORY  
8 MAX, AND THAT'S WITH AGGRAVATED FACTORS.

9 AND UNDER CUNNINGHAM, CALIFORNIA VERSUS  
10 CUNNINGHAM, I DOUBT THAT THE PEOPLE CAN EVEN SEEK AN  
11 AGGRAVATED TERM RIGHT NOW.

12 THE COURT: WELL ACTUALLY, THE PENAL CODE HAS BEEN  
13 AMENDED, AND THE PRESUMPTIVE TERM NOW IS THE HIGH TERM, BY  
14 THE WAY.

15 MR. RICHARDS: WELL, THAT RIGHT NOW IS SORT OF  
16 CIRCULATING THROUGH THE COURTS. AND THERE HAVE BEEN  
17 CHALLENGES. I HAVE A HABEAS CORPUS ON APPEAL RIGHT NOW IN  
18 THE 4TH DISTRICT. AND I THINK THAT THAT'S A FASCINATING  
19 ISSUE. AND, YOUR HONOR, THAT MAY NOT BE APPLICABLE TO MY  
20 CLIENT; THERE IS SOME EX POST FACTO ISSUES AND OTHER  
21 ISSUES.

22 SO I DON'T KNOW.

23 THE PEOPLE HAVE PLED IN THEIR COMPLAINT  
24 CUNNINGHAM FACTORS. I GUESS THERE MAY BE SOME ISSUE  
25 DEALING WITH DEMURRER. BUT THE REALITY IS THAT HE HAS  
26 HIRED COUNSEL, THAT I LIKE TO THINK IS COMPETENT, THAT'S  
27 GOING TO WORK VERY HARD FOR HIM.

28 AND WE ARE GOING TO E.D.P. TOMORROW MORNING. YOU

1 KNOW, THIS CASE COULD EASILY RESOLVE TOMORROW MORNING.

2 I ASKED -- AND MISS MECKLER CAN TELL YOU -- ROSE.  
3 SORRY.

4 I ASKED HER -- THE FIRST DATE WE SPOKE ON THE  
5 PHONE I SAID, "CAN I GET A LOW TERM OFFER ON THIS CASE?"  
6 WITHOUT EVEN SEEING THE DISCOVERY, BECAUSE SHE WAS TELLING  
7 ME A, B AND C. AND I WAS THINKING, YOU KNOW, HEY, CAN I  
8 MAYBE TRY TO RESOLVE THIS CASE EARLY?

9 SO TO SUGGEST THAT MY CLIENT IS GOING TO THROW  
10 OUT HIS MOTHER AND GIRLFRIEND, BECOME A FUGITIVE FOR EIGHT  
11 MONTHS, WHEN THAT WAS THE OFFER I ASKED -- AND THE LOW TERM  
12 ON THIS CASE FOR HIS PARTICIPATION IS NOT -- THAT'S NOT  
13 EVEN A GREAT OFFER -- I MEAN, THERE IS NO EVIDENCE THAT  
14 MR. CRANDALL IS GOING TO DO ANYTHING BUT JUST MAKE HIS  
15 COURT APPEARANCES LIKE EVERY ONE OF OUR OTHER CLIENTS DO.

16 I MEAN, THERE IS JUST NO REASON TO BRING IN  
17 LAWYERS. I HAVEN'T SCARED HIM IN THIS CASE; I HAVEN'T TOLD  
18 HIM HE IS GOING AWAY FOR LIFE. I MEAN, I HAVE TOLD HIM AN  
19 ACCURATE ASSESSMENT.

20 THIS ISN'T SOMEONE WHO JUST WANTS TO THROW HIS  
21 LIFE AWAY. HE HAS ALREADY MADE ONE DUMB MISTAKE BY  
22 EXCEEDING THE SCOPE, POTENTIALLY, OF HIS MEDICAL MARIJUANA  
23 NOTE THAT HE HAD TO PROVIDE CANNIBIS TO THIS CLUB.

24 BUT IT IS A WICKED HYPOCRISY, YOUR HONOR, BECAUSE  
25 THE CITY ALLOWS THESE CLUBS TO SELL MARIJUANA OPENLY. ONE  
26 IS RIGHT DOWN FROM MY OFFICE IN WEST HOLLYWOOD. AND YET  
27 PEOPLE WHO ARE GROWING MARIJUANA ALL IN COMPLIANCE ARE NOW  
28 BEING PROSECUTED BY GLENDALE P.D. BECAUSE WHAT THEY REALLY

1 DO, YOUR HONOR, IS THEY SEIZE THESE ASSETS, AND THEN THERE  
2 ARE THESE HUGE ASSET FORFEITURE CASES THAT COME UP. AND IT  
3 HAS JUST BEEN A TOTAL GRAB ON THE PART OF LAW-ENFORCEMENT.

4 THEY TAKE ALL THEIR MONEY AND ASSETS. AND I HAVE  
5 PLENTY OF FEDERAL CASES WHERE THEY NEVER EVEN CHARGE THEM;  
6 THEY JUST TAKE THE MONEY.

7 SO THERE ARE TWO SIDES OF THESE STORIES IN THE  
8 GUY -- IN THE PANOPLY OF GROW HOUSE CASES. THERE ARE 200  
9 ADULT PLANTS. THAT'S A VERY SMALL NUMBER COMPARED TO --  
10 WITH SIX PEOPLE, 200 PLANTS. IT IS A VERY SMALL NUMBER  
11 COMPARED TO SOME GROW HOUSES WHERE YOU SEE THOUSANDS AND  
12 THOUSANDS OF PLANTS.

13 AND THAT'S WHY THE BAIL SCHEDULE AFTER 50 POUNDS,  
14 OR ON A CULTIVATION CASE AFTER 25 POUNDS, HAS A \$50,000  
15 CAP. AND THAT'S BECAUSE THE JUDGES OF THE COURT TAKE THE  
16 SAME VIEW THE CALIFORNIA LEGISLATURE HAS; IF IT IS  
17 MARIJUANA, YOU KNOW, WE DON'T CARE THAT MUCH.

18 IT IS NOT EVEN ILLEGAL TO BE STONED IN  
19 CALIFORNIA. THERE IS NO CRIME JUST TO SIMPLY BE STONED.  
20 SO TRADITIONALLY, SINCE THE 50'S, THIS STATE HAS TAKEN A  
21 VERY PROGRESSIVE LIBERAL VIEW OF MARIJUANA.

22 AND MY CLIENT DID HAVE A NOTE; HE IS ALLOWED TO  
23 GROW SOME MARIJUANA. THE QUESTION IN THIS CASE, THE  
24 FACTUAL ISSUE WOULD BE, DID HE EXCEED THE SCOPE OF WHAT'S  
25 REASONABLY RELATED TO HIS NEEDS OR SOME OF THE PEOPLE HE  
26 WAS SELLING IT TO OR PROVIDING IT TO OR GETTING REIMBURSED?

27 AND THE COURT KNOWS, FROM THE PEOPLE VERSUS SAUER  
28 CASE TO ALL THE OTHER CASES THAT HAVE FOLLOWED, THIS IS A

1 VERY CONTROVERSIAL AREA, AND THERE ARE ALL SORTS OF  
2 LEGITIMATE, JUSTIFIABLE POSITIONS THE DEFENSE CAN TAKE.

3 SO I AM A LITTLE SURPRISED TO SIMPLY HAVE A GUY  
4 WITH NO PRIOR SALES, NO PRIOR FELONY RECORD, THAT WE HAVE  
5 TO WORK THIS HARD TO GET THE GUY BASICALLY A SCHEDULED  
6 BOND. AND THAT'S ALL I AM TRYING TO DO.

7 I MEAN, YOU KNOW, MISS ROSE DID TRY TO HAVE THE  
8 BOND A LOT HIGHER. THE COMMISSIONER HEARD ALL THE  
9 ARGUMENTS, SAW THE EVIDENCE AND STILL LOWERED THE BAIL TO  
10 THIS SCHEDULE.

11 SO I MEAN, I THINK THAT AT THIS POINT WE ARE ALL  
12 PROCEEDING IN GOOD FAITH. AND IF THE COURT FEELS, FOR ITS  
13 OWN EDIFICATION, THAT MY REPRESENTATIONS ARE NOT ENOUGH, I  
14 AM HAPPY TO GO PRIVATELY AND TELL THE COURT, WITH MY  
15 ATTORNEY, EVERYTHING THAT I HAVE DONE ON THIS CASE WITH  
16 RESPECT TO THE FINANCIAL ISSUES, AND EVERYTHING I EXPECT TO  
17 HAPPEN.

18 AND I WILL BE 100 PERCENT TRUTHFUL TO THIS COURT  
19 BECAUSE I HAVE NOTHING TO LOSE. MISS ROSE SAW MY BUSINESS  
20 STATEMENTS. I AM NOT GOING TO THROW AWAY MY LICENSE OR MY  
21 PRACTICE FOR ONE MARIJUANA CASE. I MEAN, THAT'S SILLY. I  
22 MEAN, I LOVE BEING A LAWYER; IT IS MY FAVORITE THING IN THE  
23 WORLD. I MEAN, I DO IT ALL THE TIME. I TAUGHT CRIMINAL  
24 LAW LAST YEAR AT SAN FERNANDO COLLEGE OF LAW.

25 I LOVE PRACTICING LAW, SO I AM NOT GOING TO WASTE  
26 IT FOR ONE CASE. BUT I JUST FELT YESTERDAY, BASED ON  
27 MISS ROSE'S ZEAL, THAT THIS WAS THE RIGHT AND FAIR THING TO  
28 DO, SO THAT'S WHAT PROMPTED ME TO DO THIS.

1 I HAVE NEVER DONE IT BEFORE EITHER, BUT IN THIS  
2 CASE I FEEL IT IS JUSTIFIED.

3 THE COURT: I WILL GO IN CAMERA WITH YOU.

4 MR. RICHARDS: NO PROBLEM.

5

6 (THE PROCEEDINGS IN CAMERA  
7 WERE REPORTED BUT NOT TRANSCRIBED.)

8

9 THE COURT: THE COURT HAS CONDUCTED AN IN CAMERA  
10 EXAMINATION OF MR. RICHARDS, AND THE COURT IS SATISFIED  
11 THAT THE REPAYMENT FOR THE PREMIUM IS NOT FROM A FELONIOUS  
12 SOURCE. AND THE COURT IS GOING TO ORDER THAT THE CHARGE --  
13 THE PREMIUM BE CHARGED FORTHWITH ON MR. RICHARDS' CITIBANK  
14 CARD AS HE HAS REPRESENTED AND THAT THE BONDING COMPANY MAY  
15 ACCEPT THE PREMIUM SOLELY ON THAT CARD. AND ONCE THAT IS  
16 DONE, THEN THE 1275 IS LIFTED, AND THE DEFENDANT CAN BE  
17 RELEASED ON BOND.

18 MS. ROSE: YOUR HONOR, IS THE COURT GOING TO DIRECT THE  
19 SOURCE OF REPAYMENT FOR THE \$10,200 PREMIUM?

20 THE COURT: THE REPAYMENT IS NOT TO COME FROM A  
21 FELONIOUS SOURCE. AND I HAVE BEEN ADVISED, UNDER OATH BY  
22 COUNSEL, FROM WHAT SOURCE THAT IS GOING TO BE REPAID.

23 MS. ROSE: CAN THE COURT GO IN CAMERA THEN WITH  
24 MR. RICHARDS AND ORDER THAT THAT BE THE SOURCE?

25 I MEAN, WE ARE SORT OF MISSING A STEP HERE.

26 MR. RICHARDS SAYS, "I HAVE ANOTHER SOURCE." IF --

27 THE COURT: AND I KNOW WHAT THAT SOURCE IS, AND HE HAS  
28 REPRESENTED THAT THAT SOURCE IS GOING TO BE THE SOURCE OF

1 REPAYMENT OF THE BOND, AND THAT THE COURT IS SATISFIED THAT  
2 IT IS NOT A FELONIOUS SOURCE.

3 MS. ROSE: MY QUESTION THEN TO THE COURT IS,  
4 MR. RICHARDS PRESENTED A SOURCE WHICH WAS THE GIRLFRIEND.

5 THE COURT: RIGHT.

6 MS. ROSE: IS THE COURT NOT GOING TO DIRECT THAT THAT  
7 PARTICULAR SOURCE BE THE SOURCE FROM WHICH THE \$10,200  
8 IS --

9 THE COURT: NO. NO. IT IS NOT COMING FROM THE  
10 GIRLFRIEND NOW.

11 MS. ROSE: THEN MY ONLY OBJECTION WOULD BE -- I DON'T  
12 THINK -- AND I UNDERSTAND THAT THE COURT HAS ALREADY DONE  
13 AN IN CAMERA, BUT I THINK WHAT THE CODE INDICATES -- AND  
14 CERTAINLY IT IS THE COURT'S SATISFACTION; THIS IS YOUR  
15 DETERMINATION TO MAKE. I ONLY AID YOU IN THAT  
16 DETERMINATION BY REVIEWING DOCUMENTATION AND GIVING MY  
17 OPINION.

18 SO WITH THAT BEING SAID, GENERALLY, THE COURT IS  
19 IN A POSITION WHERE IT DOESN'T HAVE ANY TYPE OF  
20 DOCUMENTATION TO REVIEW FROM WHATEVER SOURCE WAS DISCUSSED  
21 IN CAMERA.

22 THE COURT: WELL, I MEAN OBVIOUSLY, IF MR. RICHARDS HAS  
23 LIED UNDER OATH, THEN, YOU KNOW, THAT WOULD BE A PROBLEM.  
24 BUT I PLACED HIM UNDER OATH; I THOROUGHLY EXAMINED HIM.

25 I AM SATISFIED AS TO THE SOURCE NOT BEING FROM A  
26 FELONIOUS SOURCE. AND I AM AUTHORIZING THAT THE BONDING  
27 COMPANY ACCEPT, EXCLUSIVELY, ON THE CREDIT CARD OF  
28 MR. RICHARDS, THE PAYMENT OF THE PREMIUM.

1 MS. ROSE: RIGHT. BUT WHAT I AM INDICATING TO THE  
2 COURT -- AND I KNOW THE COURT HAD THIS CONVERSATION IN  
3 CHAMBERS -- IS JUST THAT WHATEVER SOURCE MR. RICHARDS  
4 REPRESENTED TO YOU THAT WAS GOING TO BE USED AS REPAYMENT  
5 FOR HIS CREDIT CARD, WHATEVER THAT SOURCE IS -- AND I  
6 UNDERSTAND THAT THE COURT HAS DETERMINED IT IS  
7 LEGITIMATE -- THAT YOU GO BACK INTO CHAMBERS IF YOU SO  
8 CHOOSE, OR I WILL LEAVE THE COURTROOM; YOU JUST ORDER  
9 MR. RICHARDS THAT THAT'S THE SOURCE FROM WHICH HE USES FOR  
10 PAYMENT OF HIS CREDIT CARD.

11 THE COURT: OKAY.

12 I WILL JUST -- WITHOUT INDICATING SPECIFICALLY ON  
13 THE RECORD WHAT THAT SOURCE IS, I AM ORDERING THAT THAT'S  
14 THE SOURCE OF REPAYMENT OF THE CREDIT CARD. AND YOU  
15 UNDERSTAND?

16 MR. RICHARDS: YES.

17 MS. ROSE: NOW IS THERE SOME MECHANISM THAT WE HAVE IN  
18 PLACE TO SORT OF ASSURE THAT OCCURRED, OR IS IT  
19 SOMETHING -- ONCE AGAIN, I AM SORT OF OUT OF THIS  
20 DISCUSSION, BUT IS THIS SOMETHING THAT'S SUPPOSED TO HAPPEN  
21 IN THREE MONTHS OR SIX MONTHS OR ONE MONTH?

22 THE COURT: ACTUALLY, I THINK IT HAS ALREADY HAPPENED.

23 MR. RICHARDS: YES, YOUR HONOR, YOU ARE CORRECT.

24 MS. ROSE: THE REPAYMENT HAS ALREADY HAPPENED?

25 THE COURT: RIGHT. SO THE COURT IS SATISFIED.

26 MS. ROSE: OKAY.

27 THE COURT: SO THE 1275 WILL BE LIFTED UPON THE PAYMENT  
28 OF THE PREMIUM FROM THE SOURCE THAT THE COURT HAS APPROVED.



1                   NOW I UNDERSTAND YOU HAVE A HEARING TOMORROW  
2    IN --

3           MR. RICHARDS:  YES, YOUR HONOR.  I WAS GOING TO HAVE  
4    THE BONDSMAN POST THE BOND HERE AT THE CLERK'S OFFICE SO HE  
5    CAN MAKE THE HEARING.  SO IF WE CAN JUST ORDER HIM TO  
6    REMAIN AT THE COURTHOUSE, I WILL HAVE THE BONDS -- I WILL  
7    HAVE THE AGENT POST THE BOND IN THE CLERK'S OFFICE, AND I  
8    WILL GO DO WHAT I SAID I WAS GOING TO DO IN CHAMBERS RIGHT  
9    NOW.

10           THE COURT:  OKAY.  ALL RIGHT, THANK YOU.

11           MR. RICHARDS:  THANK YOU.

12

13                    (THE PROCEEDINGS WERE CONCLUDED AT THIS  
14                    TIME.)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES  
DEPARTMENT 109 HON. KATHLEEN KENNEDY-POWELL, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA, )  
)  
)  
PLAINTIFF, ) BA322128-02  
)  
)  
VS. )  
)  
)  
BRANDON CRANDALL, )  
)  
)  
DEFENDANT. )  
)  
\_\_\_\_\_ )

COUNTY OF LOS ANGELES )  
) SS.  
STATE OF CALIFORNIA )

I, LAURIE A. SMALL, OFFICIAL  
REPORTER OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,  
FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE  
FOREGOING PAGES, 1 THROUGH 16, INCLUSIVE, COMPRISE A FULL,  
TRUE, AND CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD IN THE  
MATTER OF THE ABOVE-ENTITLED CAUSE ON MAY 10, 2007.

DATED THIS 17TH DAY OF MAY, 2007.



LAURIE A. SMALL  
CSR NO. 4654, OFFICIAL REPORTER