

A. BARRY CAPPELLO

April 6, 2007

File No. 06009.001

*Via California Overnight*

The Honorable Edmund G. Brown, Jr.  
Attorney General of the State of California  
1515 Clay Street, 20<sup>th</sup> Floor  
Oakland, California 94612

Re: Yoni Gottesman Drowning

Dear Attorney General Brown:

Thank you for the generous amount of time you gave us in our telephone conversation this week. You requested that we provide you with some examples of other counties in the State that have filed cases for child endangerment or involuntary manslaughter in similar situations. Those are set forth below.

In addition, as we explained in our telephone conversation, Cathedral Oaks Athletic Club's ("COAC") Camp was not a licensed facility. When it was cited by the Department of Social Services for this violation, COAC claimed that it was not required to be licensed. In denying each of COAC's three separate appeals of the citation, the Department of Social Services made it clear that: (1) the Camp was a "day care facility" as defined by Health & Safety Code section 1596.70; (2) that it therefore was required to be licensed; (3) that it was not licensed and therefore COAC violated Health and Security Code sections 1596.80, 1596.805 and California Code of Regulations, Title 22, Division 12, section 101157.<sup>1</sup> Despite this fact, the District Attorney refused to consider COAC's violation of the law and its misrepresentations that it was licensed in his decision not to pursue charges.

A review of the child endangerment and involuntary manslaughter cases prosecuted in California leaves little uncertainty that the death of Yoni Gottesman should have resulted in the

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<sup>1</sup> In fact, it is highly questionable whether COAC could have met licensing requirements given the unqualified personnel hired, the inadequate training of personnel, the lack of required certifications, and poor supervision and unsafe pool conditions.

District Attorney filing criminal negligence charges.<sup>2</sup> A sampling of such cases follows.

In a case with circumstances very similar to those leading up to Yoni's tragic death, the Riverside County District Attorney filed criminal child endangerment charges against the operators of a day care center, when a small child left in their care was not properly supervised and drowned in a hot tub in 2004. While the child care facility was licensed by the state, the facility had been cited in past inspections and ordered to make improvements to the home; these citations included warnings to keep the spa enclosed and covered. The District Attorney filed three counts of child endangerment and one count of child endangerment causing death. The couple pleaded guilty to child endangerment, and were sentenced to six years and two years, respectively, in prison. As a result of this incident, Assemblyman John Benoit, who represents Riverside, introduced AB 633 and AB 617, both of which passed in January 2006. These bills establish a uniform grading system for child care facilities, and require disclosures to parents regarding serious or chronic health and safety violations discovered at child care facilities. (*People v. Gonzales*, Attachment I, pp.1-7.) Given that the COAC never bothered to obtain the required licence, and therefore never submitted to the requisite licensing inspections, it is difficult to say how many unsafe and dangerous conditions existed at the facility. One thing is certain, however: The lifeguards and counselors charged with the care and well-being of innocent children were criminally negligent in the performance of their duties.

Also in 2004, the Sonoma County District Attorney filed charges against a mother who left her children locked in a van; one of the children died. When Rena Corban returned to her home on August 19, 2004, at approximately 10:00 a.m., she left her two young sons locked in a van, with the windows rolled up, on a hot day. While the children were in the closed car, Corban went into the house and passed out drunk. The children's father found the boys in the van when he returned home from work at 6:00 p.m. Corban's two-year-old son, Liam, died from heat exposure in the van, in temperatures estimated in excess of 120 degrees. The District Attorney charged the mother with child endangerment and involuntary manslaughter in the death of her son. Corban pled no contest to involuntary manslaughter and two counts of felony child endangerment; she was sentenced to 7 years, 4 months in prison. The District Attorney had recommended a sentence of 11 years, 4 months. The DA offered no plea to Corban other than allowing her to admit all charges and face the maximum prison time at sentencing. (*People v. Corban*, Attachment I, pp. 8-10.)

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<sup>2</sup> In California criminal negligence is described as "conduct that is such a departure from what would be conduct of an ordinarily prudent or careful person under the same circumstances as to be incompatible with a proper regard for human life or an indifference to consequences." *People v. Valdez* (2002) 27 Cal 4<sup>th</sup> 778 (mother convicted of child endangerment by leaving child with boyfriend whose abuse caused child's death).

In 2005, the San Jose District Attorney charged a third-party caretaker with child endangerment in the death of a toddler. On November 21, 2005, Katrina Hatton was caring for two brothers, Alexander and Elijah, ages two and four. She was on her way to a restaurant where she wanted to apply for a job. On the way, she led the brothers across railroad tracks, and then returned to bring across a stroller carrying her own infant daughter. When Hatton turned her back on the boys, Alexander followed her and was struck and killed by a speeding Amtrak train. Hatton simply had been asked to take care of the brothers by her roommate, who had been babysitting for Nicole Wilson, the boys' mother. Hatton had never met Wilson. Hatton pled no contest to one count of felony child endangerment, and was sentenced to four years of probation. (*People v. Hatton*, Attachment I, pp. 11-13.)<sup>3</sup>

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<sup>3</sup> District Attorneys in other states repeatedly have charged third-party child care providers with child endangerment in the drowning deaths of toddlers or young children left in their care.

- Ohio: A certified child care provider was charged with and found guilty of involuntary manslaughter and child endangerment in the drowning death of a two-year-old boy; she was sentenced to three years in jail, as well as 5 years probation. (*People v. Hillman*, Attachment I, pp. 14-16.)
- Pennsylvania: A woman was charged with and found guilty of child endangerment when her boyfriend's son fell into a creek and drowned. The woman, who previously had taken the boy away from the creek and told her boyfriend that he should not be near the water, did not go into the creek to save him because she could not swim. (*People v. Newkirk*, Attachment I, pp. 17-19.)

Some states also aggressively pursue criminal charges against parents who failed to supervise their own children, allowing them to drown in pools and bathtubs.

- Arizona: The Maricopa County Attorney filed negligent homicide charges against two mothers who allowed their children to drown in two separate incidents in 2000. These cases were the first time in state history that a parent or caretaker had been charged with responsibility for the unintentional drowning death of a child. (*People v. Rico*, Attachment I, pp. 20-32; *People v. Perry*, Attachment I, pp. 28-32.) In 2003, the Maricopa County Attorney filed charges against a mother in the drowning death of her son. (*People v. Dauberman*, Attachment I, pp. 33-40.) The Maricopa County Attorney has been quoted as saying that his prosecutors will file charges against any caretakers deemed criminally negligent in caring for children, whether the deaths or injuries were "accidental" or not. (Attachment I, pp. 28-29.)
- Utah: In 2006, the District Attorney in Provo, Utah, charged a mother with reckless endangerment and/or negligent homicide in the bathtub drowning of her son. In that instance, the mother had closed the door to the bathroom while she went to get some

The Honorable Edmund G. Brown, Jr.  
April 6, 2007  
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COAC demonstrated a callous indifference toward the safety of the children left in its care. The facts supporting this include past incidents of near drowning, numerous complaints of inattentive lifeguards, non-responsiveness to complaints, and lack of licensing. The latter deprived the parents of children left in COAC's care of Department of Social Welfare oversight regarding safety; appropriate credentials and facilities; and the propriety of young, untrained and unsupervised counselors. COAC's indifference rose to the level of criminal negligence when its conduct resulted in the death of a 4-year-old child – a little boy who repeatedly was dunked by a large male counselor who then swam away leaving him to drown in plain view of two lifeguards and three counselors.

The continuing indifference to what occurred is evident in COAC's large-display, color advertisements that appear almost daily in local newspapers. Among other things, these ads depict young children in the club's pool and reference "outstanding youth programs." (A copy of such an ad is enclosed as Attachment II.)

In any other county in the State, this incident would have resulted in the filing of criminal charges against the COAC corporation and its principals. The result can be no different in Santa Barbara. As Attorney General, we hope you will investigate this case and submit it to a grand jury for an unbiased review so that California's criminal laws are uniformly and fairly enforced.

Very truly yours,

CAPPELLO & NOEL LLP



A. Barry Cappello

Enclosures

cc: Oded and Anat Gottesman

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towels, believing that her sons (ages 2 and 14-months) could not get into the bathroom while the door was latched. (*People v. Krebs*, Attachment I, p. 41-42.)

# EXHIBIT 1



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Thursday, November 9, 2006

Last modified Thursday, January 6, 2005 11:10 PM PST

### Trial ordered for day-care operators in death of child

By: Associated Press

RIVERSIDE -- A couple who ran a day-care center at their home were ordered to trial on child endangerment charges for the death of a toddler who drowned in a spa.

Twenty-month-old Aryanna Sanchez wandered into the spa on March 29, 2004, at the La Sierra-area home of Fernando and Debra Lynn Gonzales, both 30.

At the conclusion of Wednesday's preliminary hearing, Superior Court Judge Carl E. Davis ruled there was enough evidence to order trial.

Deputy District Attorney Carlos Monagas told the judge a toxicologist will testify, if necessary, that the couple were under the influence of a controlled substance at the time of the child's death.

Jacquie Hartigan, a senior investigator for the California Department of Social Services, testified that the couple faced citations and needed to make improvements at their home. Some of those corrections included warnings to keep the spa enclosed and covered.

"These are people who made a business of caring for children," Monagas said. "They solicited parents to bring their children, their most precious possessions, to them. The charges in this case reflect a callous disregard for the safety of the children in their care."



## Bill requires letter grades for state day-care centers

12:17 AM PST on Tuesday, March 29, 2005

By JOHN WELSH and LISA O'NEILL HILL / The Press-Enterprise

An Inland lawmaker wants children's day-care owners to post letter grades similar to those found at restaurants.

Assemblyman John Benoit said he thinks parents should have that upfront rating information available. If a day-care center was not meeting mandated requirements, its letter-grade mark would reflect that.

"When you walk into a restaurant and you see an A or a B or a C, you get an idea of whether it's up to snuff," said the Palm Desert Republican.

Benoit's bills hit the Legislature today on the one-year anniversary of Aryanna Aaliya Sanchez's death. The 20-month-old Riverside girl drowned in a backyard spa while at the house of a couple running a day-care business in Riverside's La Sierra area. A trial against her former providers is scheduled to begin next month. A couple face felony charges of willful child endangerment.

Benoit said he believes his bills could face opposition within the Legislature or, if they do move forward, a state finance committee might put a price tag on them -- and that would essentially hurt their chances of passing in California's financially strapped situation. Plus, some who are day-care center veterans said they believe plenty of rules and regulations are in place already.

"Like so many other things, this is a knee-jerk reaction to a very horrible event," said Dennis Vicars, executive director of the San Francisco-based Professional Association for Childhood Education, a nonprofit, member-based organization that keeps watch of public policy.

### More Inspections Urged

Vicars argued that such legislation usurps a system that needs more funding, not more bureaucracy. He said there are about 14,000 free-standing private preschools and another 45,000 day-care providers in neighborhood houses but the state's Department of Social

### "Aryanna's Law"

Assemblyman John Benoit introduces two child-safety bills today. The bills are named after Aryanna Sanchez, a young child who drowned March 29, 2004, in a partially covered spa at a licensed day-care center in Riverside. State regulators had cited the facility numerous times for violations, including leaving the spa uncovered and having a broken pool-gate latch.

AB 617 would establish a uniform statewide child day-care facility grading system. An A, B, C, D or F grade would be posted at each facility based on the health and safety violations found during the inspections by state regulators.

AB 633 would require greater disclosures to parents of serious or chronic health and safety violations discovered at child-care facilities. In addition, AB 633 would ensure that new child-



Special To the Press-Enterprise  
Aryanna Aaliya Sanchez  
drowned a year ago today.

Services downsized roughly 84 positions in 2003.

What's happening now is centers aren't getting annual inspections, Vicars said. Therein lies a major problem, said Vicars, a former owner of 23 centers himself. He suggested Benoit spend more time trying to find the money to hire more social workers to inspect current facilities.

Social workers, for example, cited the La Sierra couple for violations -- including infractions for leaving the spa uncovered or partially covered -- but Aryanna's mother never knew of those offenses.

care directors are familiar with child-care laws and regulations.

### "Kaitlyn's Law"

The law is named after Kaitlyn Russell, the 6-month-old Corona girl who died in August 2000 after being left alone for at least two hours in a vehicle where temperatures topped 130 degrees.

**The law:** Authorizes a \$100 fine to a person responsible for a child 6 years or younger who leaves that child unattended in a vehicle if the child is placed at a significant safety risk, or the vehicle's engine is left running or the vehicle's keys are left in the ignition. The bill sets aside 70 percent of the fines' proceeds for prevention programs.

"It came to our attention, tragic as this death was, there had been a huge problem behind the scenes," Benoit said.

### Remembering

Dozens of photographs celebrate the short life of Aryanna Sanchez inside an apartment in Riverside's Arlington neighborhood. It's the home of Anita Aguilar, the girl's mother.

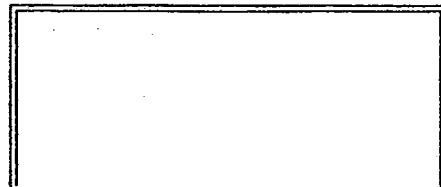
Aguilar is a 24-year-old, soft-spoken, polite woman. But the Riverside native is very capable of boasting about the little girl who was born the day before the Fourth of July with the "perfect, little round head."

"She was just happy to be out," Aguilar said on a recent Monday night after her job as a court clerk in the Riverside County juvenile division. Aguilar, the oldest of seven children, already had the mothering instincts. Now Aguilar has only the photos of the little girl who loved giving everyone kisses when she said "bye."

Aryanna died March 29, 2004 when she wandered to a backyard area that included an uncovered spa, according to authorities. Aguilar visits her daughter's grave at Olivewood Cemetery in Riverside weekly. Aryanna's final resting place can be seen "from a mile away," she said, referring to all the holiday decorations.

Right now the theme is Easter. Stuffed bunnies. Eggs. A bunny-shaped Easter basket with a bunny inside it.

"I can't celebrate the holidays with her like everybody else," said Aguilar on a recent visit. "I call it her garden."





## Benoit's Bills

Benoit crafted two bills he hopes will protect other children in day-care centers. He has dubbed them "Aryanna's Law."

It's not the first time an Inland toddler's death sparked new legislation. Kaitlyn's Law is named after 6-month-old Kaitlyn Marie Russell, the Corona girl who died in August 2000 inside a minivan after her baby sitter forgot about her. The law calls for officers to cite anyone leaving a child under the age of 6 unattended inside a vehicle.

A hearing on Benoit's bills takes place today before the Human Services Committee. One of the bills would require the State Department of Social Services to develop a grading system, much like the grading system in restaurants. The grades would be based on any health and safety violations and would require the centers to post them publicly until a new grade is issued.

The companion bill would require that day-care centers disclose to parents all substantiated complaint investigations. And if the Department of Social Services was in the process of revoking the facility's license, the day-care center would be required to make copies of the accusation for parents, the bill states.

Benoit said his bills will expose day-care facilities with numerous violations, empower parents and encourage high-quality care.

After Aryanna's death, her mother approached Benoit to see what could be done to protect other children. The center had been given citations for drug use in the home, he said.

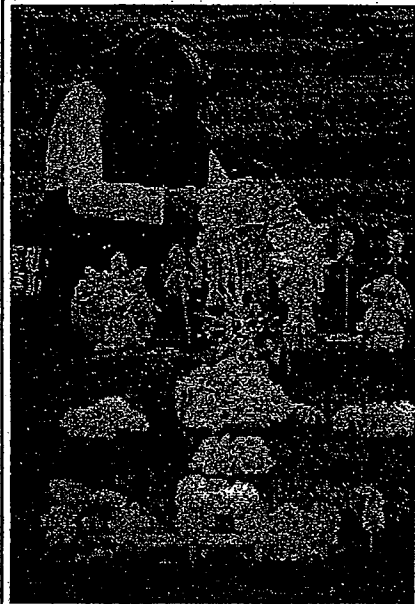
One of the bills also would create an 800 number so people could call with questions about specific day-care providers or facilities.

"It would allow anybody who hasn't had formal complaints to get an A rating," he said. "If there's been some kind of serious complaint, then they would just have to show a B or a C until those things have been addressed."

Gwenda Ridgeway is a director at University Children's Center and Preschool near UC Riverside where she's worked since 1979. The day-care facility has been owned by one person -- Margaret Lais -- for 37 years, she said.

She said she appreciated Benoit's bills for their ideas, but believes they would "overload an already overloaded system." Plus she said it's up to parents to visit a day-care center and make up their own minds.

"Your reputation will speak for itself," Ridgeway said.



Mark Zaleski / the Press-Enterprise

Anita Aguilar visits her daughter's gravesite weekly. "I call it her garden," Aguilar says. She approached Assemblyman John Benoit, R-Palm Desert, to see what could be done to protect other children.

## **Trial Pending**

A trial looms for the day-care couple charged with multiple felony counts of willful child endangerment. The couple, Debra Lynn and Fernando Gonzales, have pleaded not guilty to the charges. An attorney for Debra Lynn Gonzales, Warren Small, was unavailable Monday but previously described Aryanna's death as "a horrible accident. But certainly not criminal."

Fernando Gonzales' San Bernardino attorney, David Call, echoed that sentiment in a telephone interview Monday. The Gonzaleses both are punishing themselves. He was not familiar with Benoit's bills but he said he hoped people would recognize there's already a great deal of legislation about day-care facilities.

"We all know you have to be very careful," Call said. "For a moment, he wasn't."

If and when a trial begins, Aguilar will be there for each day's hearing. She said she tries to distance herself from "that day." She said she does not want to be bitter. She said the proposed legislation is one way she knows her daughter will make a difference.

"All I can be is thankful for having her and getting that time I did," Aguilar said. "She'll forever be an angel."

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Thursday, September 7, 2006

# California Assembly Approves Childcare Safety Measure in Memory of Aryanna Sanchez

California Political Desk  
January 23, 2006



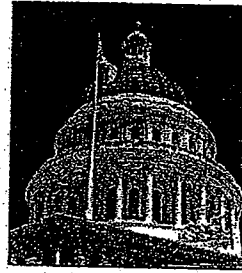
Assemblyman  
John J. Benoit



Assemblyman  
John J. Benoit

SACRAMENTO  
- The State Assembly by a vote of 67-0 today approved Assembly Bill 633, a measure authored by Assemblyman John J. Benoit (R-Palm Desert) in response

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to the March 2004 drowning death of Aryanna Sanchez at a licensed childcare home in Riverside.

Assemblyman Benoit said, "Aryanna's tragic death occurred even though state regulators had already cited the facility numerous times for violations, including the spa cover being left off and the pool gate latch not working properly. It's time to stop keeping parents in the dark when their kid's safety is at stake."

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Under AB 633's provisions, each licensed child daycare facility must provide parents of children currently enrolled in that facility notice of serious substantiated violations, non-compliance conferences, and, any actions by the Department of Social Services to revoke that facility's license. Childcare facilities must also disclose this

information for a one-year time period to parents newly enrolling their children at the facility. Finally, new facility directors would be required to complete an orientation given by the Department of Social Services.

AB 633 now awaits consideration by the State Senate. The measure is supported by the California District Attorneys Association, the Riverside County District Attorney, the Junior Leagues of California, the Inland Empire Safe Kids Coalition, and the Riverside County Sheriff's Department.



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Press Release  
**FOR IMMEDIATE RELEASE**  
Date: 12/03/04

Contact person(s): Media Coordinator, Donna Edwards - 565-3099  
Media Spokesperson, Chief Deputy Larry Scoufos  
Deputy District Attorney: William J. Brockley

Santa Rosa, Sonoma County, California

**No Contest Pleas Entered By Mother of Toddlers**

Sonoma County District Attorney Stephan Passalacqua announced today that Réna Corban, 35, entered no contest pleas to involuntary manslaughter, two counts of child endangerment, and admitted an enhancement for inflicting great bodily injury. Her maximum prison exposure is thirteen (13) years and four (4) months. Corban will be sentenced by Superior Court Judge Elaine Rushing on January 19, 2005.

On August 19, 2004 at approximately 10:00 a.m., Corban, who began drinking wine earlier in the morning, returned to her Healdsburg home in her Toyota minivan with her two sons, Liam, age 2 and Jayden, age 4. Corban entered her home and left the two boys in the driveway inside the minivan with the windows rolled up. The father of the children found the boys in the van when he returned from work at approximately 6:00 p.m. Corban was found passed out in the home. Her blood alcohol level was later determined to be .28%, more than three times the legal limit for driving a vehicle.

It was estimated that the temperature inside the van exceeded 120 degrees. Paramedics arrived but were unsuccessful in reviving the two year old boy. The child was pronounced dead at Healdsburg District Hospital. Jayden was later released that evening from the hospital to his father.

Prosecutor William Brockley said, "The District Attorney's Office did not offer anything to the defendant other than to admit all charges and face the maximum prison time at sentencing."

This page was last updated on October 21, 2005 by [webmaster](#)

# KTVU.com

## Mother Given Prison Sentence In Healdsburg Child's Death

POSTED: 7:59 am PDT May 4, 2005  
UPDATED: 10:03 pm PDT May 4, 2005

**SANTA ROSA** — "You'll just never know how sorry I am," Rena Corban said shortly before she was sentenced this afternoon in Sonoma County to more than seven years in prison for child endangerment that took away her two-year-old son Liam.



The incident, in which the children were locked inside the family's van last summer, nearly killed Liam's older brother Jaden.

"I will do the best I can to come out of this for Jaden," Corban said.

It was the first time the 36-year-old Healdsburg mother had spoken about the horror of last Aug. 19. On that day, Corban passed out from alcohol and Vicodin in her home while her children baked in 120-degree heat inside her locked Toyota van in the driveway of their Hummingbird Court home.

Her heartache, she said, was "indescribable," and her grief was "relentless."

"Life and my family as I know it is gone forever," Corban sobbed.

Looking vaguely perplexed but mostly emotionless, she listened while her estranged and grieving husband Justin Paulsen read a lengthy statement that left nothing to the imagination before Superior Court Judge Elaine Rushing.

Paulsen's mother, sister and a family friend also addressed the court. Deranged, disturbed, delusional, callous, un-remorseful and liar are the words they used to describe Rena Corban.

"I wasn't prepared for what was said about me today," Corban said later.

Paulsen recounted finding his sons in the van when he returned home from work around 6 p.m. They had been there for eight hours and Paulsen said he told Rena Corban, "Get up damn you! Liam's dead!" when he shook her from the stupor of a three-day drinking binge.

Paulsen said his wife is a "master manipulator and a pathological liar." Liam "died at the hands of a selfish and careless alcoholic," Paulsen said struggling to maintain his composure.

He said his son's death made him "reclusive and depressed beyond words."

Rena Corban had locked Liam in the car once before in October 2003 when she went into a bead store. She received a warning from a police officer. Although she was sober during that incident, her alcoholism was no secret and Corban refused to take responsibility for it and stick with treatments, Paulsen said.

"I will never volunteer to let her see Jaden ever again. I simply cannot forgive her," Paulsen concluded.

It was Corban's aunt Jan Meli who drew the focus of the two-hour sentencing hearing away from the devastation of losing a child and the anger and bitterness about a failed seven-year marriage to the fate of the survivor of the tragedy.

"How can Jaden thrive in this atmosphere? Hearts are broken and closed tight. The damage of Aug. 19 is done. How heavy the nightmare she awoke to must be. Is there no hope of Jaden to ever see his mother outside of confinement?" Meli said.

She said Paulsen was asking for his "pound of flesh," and she wondered about Jaden Paulsen at age 18.

"Will what he asks for reflect Jaden's future or only Justin's personal conflicts?" Mell asked.

"I don't think there's a heart in this courtroom that isn't broken," Deputy District Attorney William Brockley said.

There was weeping during a four-minute video of Jaden and Liam playing to the song "He Ain't Heavy (He's My Brother)" by the British group The Hollies.

"The case would be different if she hadn't been warned before. She was warned at least twice. I can understand sympathy, but not lenience," Brockley told Rushing.

"What this case is about is putting yourself first before your children," he said.

"We're not asking for state prison because she's an alcoholic. She suffers from a disease. We're asking for punishment based on her sober decisions," Brockley said.

Rushing noted that Corban had pleaded no contest to the manslaughter and child endangerment charges and seemed genuinely remorseful. She has no prior record and she seems willing to comply with terms of probation, Rushing said.

"But her ability to do so is problematic," Rushing said. "I have grave doubts she will succeed."

Corban, the judge said, is "at this moment" a danger to herself, her family and society.

Rushing rejected the county probation department's recommendation of a 13-year, four-month term.

"To do this would equate her with the most hardened of offenders," Rushing said.

Rushing's 7-year, four-month sentence for Corban was the low end of Brockley's request that ranged up to 11 years and four months.

Corban's attorney, Chief Deputy Public Defender Kathleen Pozzi, wanted Corban to receive probation and long-term alcohol and drug treatment. The state Department of Corrections had recommended probation after examining Corban earlier this year.

Pozzi asked, "What could be more devastating than to know you took your own child? She is a kind, loving, generous, wonderful, wonderful mother," Pozzi said before continuing: "No matter what you do to her, she will live in a hell for the rest of her life. Undoubtedly."

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[Print this Article](#)**SAN JOSE****Sitter of boy killed by train pleabargains**- Cicero A. Estrella  
Saturday, April 8, 2006

The babysitter in charge of a toddler who was killed by a train in San Jose last year agreed Friday to a plea bargain that allows her to avoid prison, the Santa Clara district attorney's office said.

The babysitter, Katrina Hatton, pleaded no contest to one felony count of child endangerment in Santa Clara County Superior Court, Deputy District Attorney Dan Nishigaya said.

Judge Jerome Nadler likely will sentence Hatton to four years of probation in June, Nishigaya said.

Hatton was taking care of 2-year-old Alexander Arriaga and his 4-year-old brother on Nov. 21. She brought the boys across railroad tracks to a restaurant where she was going to apply for a job. Hatton then re-crossed the tracks to retrieve her infant daughter, who was in a stroller, but Alexander followed her and was struck by an Amtrak train.

The day Alexander Arriaga was killed, Hatton had been asked to watch him and his brother by her roommate, who needed to take a drug test. The roommate had been babysitting for a friend who was at a job orientation.

Hatton, who planned to apply for a job at McDonald's, had never met the mother of the two boys.

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