

**Civil rights plaintiff told to “stop making trouble for himself” by Riverside County District Attorney’s Office is now being held indefinitely, without bail, in the Southwest Detention Center**

Saturday, September 5, 2015

Dr. Dortch, a longtime resident and business owner in Murrieta, California is currently being held in the Southwest Detention Center **without bail, in a suspended criminal case, because of political views** he voiced to the Riverside County Superior Court. Dr. Dortch has not been convicted of a crime and has never shown to be any type of danger to himself or his community, and has also appeared for every court hearing he has been ordered to attend. The underlying criminal case in which this order was issued has been unconstitutionally maintained, in violation of Dr. Dortch’s right to a speedy trial, since June 9, 2015, and was initiated in retaliation for a civil rights lawsuit Dr. Dortch filed against local law enforcement and prosecutors in May 2013.

As reflected in court records, Riverside County Deputy District Attorney Paul Svitenko left a voicemail message for Dr. Dortch’s attorney on July 30, 2014 in the context of plea negotiations, stating that Dr. Dortch should dismiss his civil lawsuit against the Murrieta Police Department because “Murrieta is a nice town” and said he should “stop making trouble for himself.”

The order to hold Dr. Dortch without bail was issued September 3, 2015 by Riverside Superior Court Judge Judith Clark citing a document filed in pro per by Dr. Dortch after he had dismissed his defense counsel on April 10, 2015, a document citing political beliefs regarding the authority of the judicial system. This was also after the Court, without his consent and over Dr. Dortch’s objection, appointed public defender Richard Briones-Colman to “defend” him. Briones-Colman threatened Dr. Dortch, via email, that if he did not cooperate with him, he would file a motion with the court questioning his (Dr. Dortch’s) mental competence. Briones-Colman carried out this threat, and on August 27, 2015 argued that Dr. Dortch should be evaluated for mental competence to preserve any subsequent criminal conviction from being overturned on appeal (a remarkably pro-prosecution argument under the circumstances). **Judge Clark thus suspended the criminal case at the same time she ordered Dr. Dortch held without bail.**

Judge Clark had issued an arrest warrant on August 27, 2015 after Dr. Dortch, who has been on bail while he has fought criminal charges against him since November 2013, left the courtroom before she told him he was free to go. Riverside County Sheriff’s Department Fugitive Warrant Enforcement Team later executed a forceful takedown arrest of Dr. Dortch outside of his business, claiming that Dr. Dortch resisted arrest, even though video capturing the arrest shows Dr. Dortch being compliant.

Melody A. Kramer, Kramer Law Office, Inc., Dr. Dortch’s attorney of record in the pending civil rights case in federal court, made repeated efforts after his arrest to contact Dr. Dortch and speak with him. She was repeatedly rebuffed and then outright banned from communicating with Dr. Dortch in any fashion, over and over again on September 3, 2015. In front of numerous witnesses, Ms. Kramer was advised by Riverside County Sheriff’s Office Sgt. Jeremy Harding that she could not speak with Dr. Dortch during any breaks or waiting time around court proceedings “because of the nature of this case.” She was also physically confronted and banned from observing a court hearing involving Dr. Dortch’s

continued objection to Mr. Briones-Colman acting as though he “represented” him. Finally, by late afternoon on September 3, 2015, Ms. Kramer was able to make visual contact with Dr. Dortch as he awaited one of several hearings and observed him trying to communicate with her to ask for her renewed representation in the criminal case. Riverside County Sheriff’s officers continued to refuse to allow Ms. Kramer, Dr. Dortch’s attorney, from even speaking with him briefly to confirm what his requests were, thus denying him right to counsel. Finally, several hours later, Ms. Kramer was allowed to come into the courtroom and speak with Dr. Dortch and then enter her appearance on behalf of Dr. Dortch.

This latest action is part of a string of retaliation against the Dortch family after they filed a civil rights case in May 2013 against the Murrieta Police Department, Riverside County Sheriff’s Office, Riverside County District Attorney’s Office, and others relating to a day-long raid on the Dortch home in April 2013 and related actions. As reflected in court records, in June 2013, a Murrieta police sergeant sent an email to Riverside County employees claiming that Dr. Dortch held certain political beliefs that made him a danger to the community.

In November 2013, Dr. Dortch was subjected to a warrantless arrest executed by one of the named defendant officers in the lawsuit. As reflected in court records for the subsequent criminal case, documents and information disclosed during the subsequent criminal prosecution have revealed falsified police reports and official documents reflecting official actions being requested “because” a civil lawsuit had been filed.

Furthermore, also has reflected in court records, Riverside County Deputy District Attorney Jade Holder has disclosed that her office knows of exculpatory evidence (referred to as “Brady materials”) in the case against Dr. Dortch that she refuses to turn over to Dr. Dortch or his counsel, even though required by the United States Supreme Court without a special type of motion for law enforcement records (referred to as a “Pitchess Motion.”). A Pitchess motion has been filed with the Riverside County Superior Court twice. The first filing was filed-stamped by a clerk and stuffed in a drawer, not being entered into the official court file. Judge McConaghy, in whose courtroom Dr. Dortch’s case had been assigned at the time, told Dr. Dortch’s counsel, Ms. Kramer, in the presence of Ms. Holder that he “never reads discovery motions” including the discovery/Pitchess motion that had been filed. The Pitchess motion was refiled, then on the subsequent date of hearing, was kicked to another department where Judge Gallon would not hear the motion because he had not had an opportunity to read it. The outstanding issue has never been resolved.

On September 4, 2015, Ms. Kramer filed a motion for dismissal of criminal case and immediate release of Dr. Dortch on constitutional grounds and the matter is set for hearing before Judge Clark on September 8, 2015.

For more information, contact Melody A. Kramer, Kramer Law Office, Inc. at [melody@legalgreenhouse.com](mailto:melody@legalgreenhouse.com) or 855-835-5520.