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# Accused police officers to face trial Feb. 14

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A trial date of Feb. 14 was set this morning for the five current or former Santa Cruz police officers charged with felony brutality, assault with a deadly weapon and conspiracy to "punish" persons they deemed to be undesirable.

Superior Court Judge Rollie Hall set the trial date, even though he granted the five defendants a delay until Dec. 3 to enter pleas.

They had been due to enter pleas at this morning's arraignment.

Each of the five defendants — Joe Sanchez, Ed Chevalier, Rick Le Marquand, Don Holland and Mike Redus — is charged with the conspiracy, plus varying counts of brutality and assault with a deadly weapon.

The charges were filed late Friday and were based on findings by Municipal Court Judge Richard Kessell, who conducted a preliminary hearing on the original counts filed against the officers.

Defense attorneys argued this morning they would need until after the first of the year to file motions challenging some or all of the charges because transcripts from the preliminary hearing fill 12 volumes.

Hall denied that request, ordering motions be filed by or at the time the defendants enter their pleas.

Assistant District Attorney Ralph Boroff argued that pleas should be entered this morning as scheduled so the case could proceed without delay. Boroff called

the request for motions after the first of the year a "preposterous" and a "stalling tactic." He told Hall "We have a right to a speedy trial."

The only "surprise" in the charges filed Friday was the re-filing of conspiracy against Hollen.

Kessell did not order Hollen to stand trial on that charge, saying there was insufficient evidence presented at the preliminary hearing.

Boroff's re-filing of the charge amounts to a challenge of that decision. Phil Liberty, Hollen's attorney, this morning said the re-filing of conspiracy was "not totally unexpected."

"I felt it was likely we'd have to get a second opinion at this (Superior Court) level," he said.

Liberty said he will challenge the charge on grounds of insufficient evidence and said he "expects again to get a favorable decision."

If the conspiracy charge dismissed, Liberty said he will move to separate Hollen's trial from the others. The former police lieutenant is charged with only one count of brutality.

Chevalier and Le Marquand each are charged with six counts of brutality and three counts of assault, Sanchez is charged with seven counts of brutality and

two counts of assault, and Redus is charged with eight counts of brutality and four counts of assault.

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