

De Mello will be released

By **DARREL W. COLE**
SENTINEL STAFF WRITER

The 71-year-old man who held off police for four hours last month is scheduled to be released from County Jail today, but will be monitored electronically and must have 24-hour care.

Agustin De Mello still faces a May 29 trial on a charge of assault with a deadly weapon, but may return to his rental home on West Cliff Drive. The March 15 standoff at the home ended with one officer wounded and SWAT team members arresting De Mello.

Allegedly suicidal, De Mello held off police and later fired one round from his handgun after officers tried to kick down the door.

Wednesday, Superior Court Judge Michael Barton granted De Mello's release with conditions. One requires De Mello to wear an electronic anklet that will automatically notify a service company if he leaves his home, said court-appointed attorney Bill Weigel.

De Mello, who suffers from bladder cancer, has been confined to the medical unit of County Jail. In court Wednesday, he was in a wheelchair and dressed in a multicolored medical gown over an orange prison jumpsuit. His prescription glasses, broken when SWAT team members subdued him, had one lens frame taped.

He will get 24-hour care from his son, Adragon, 24, of Mountain View, and several friends who have agreed to help, as well as Hospice services, Weigel said.

De Mello, in a previous interview, said he had no intention of killing himself or anyone else that day, and that he only wanted to be left alone. Attorney Weigel had argued for De Mello's conditional release from the beginning.

"I don't think he's suicidal and don't think he ever was," said Weigel. "This (the incident) was 100 percent created by police."

When police arrived, they thought De Mello was suicidal, would hurt someone and might have hostages inside because there were two cars in the driveway that didn't belong to him.

When Sgt. Erik Swannack and another officer tried to kick down the door, De Mello fired a round from his revolver, authorities said, and another officer returned fire.

Police originally said De Mello's bullet hit Swannack in the shoulder, but a subsequent investigation revealed the wound was caused by a fragment from an officer's bullet.

Weigel said De Mello now will get the medical care he needs.

De Mello's son, Adragon, gained national fame when, at the age of 11, he graduated from UC Santa Cruz. As he grew older, he had some resentment toward his father, who pushed him too hard as a child, he said.

Now a computer programmer, Adragon has forgiven his father and has been supportive of him since he was arrested.

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BILL WEIGEL,
LAWYER APPOINTED
BY THE COURT
FOR DE MELLO

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