

# DA engaged

## in feud with

### new judge

By LANE WALLACE

STAFF WRITER

After just two weeks on the job, Santa Cruz County Juvenile Court Commissioner Charlotte Cloud finds herself in the middle of a controversy.

District Attorney Art Danner has questioned Cloud's willingness to send defendants to the California Youth Authority and has threatened to have her disqualified from serious cases.

In a story in Friday's San Jose Mercury News, Cloud called Danner's remarks "very bizarre behavior" and said, "this is a sexist issue," implying his remarks came because she is a woman.

That prompted a letter from Danner's top four woman attorneys, who called Cloud's statements "unsupported by fact, totally speculative and irresponsible."

Reached this morning at Juvenile Hall, Cloud stood by her statements quoted in the Mercury News, but said the story was incomplete. It did not include all the comments she was responding to, Cloud said.

Cloud was appointed to her \$75,000 a year job by the superior court judges to take most of the juvenile court load off Judge Tom Black.

Cloud's record in handling juvenile cases as a public defender in Santa Cruz County and an assistant district attorney in Santa Clara County prompted Danner's objections.

"Our staff has some serious reservations" about Cloud, Danner said this morning. "It goes beyond the normal commitment to a client" that she had as a defense attorney.

Danner said Cloud has a "strong political bias" against sending defendants to the Youth Authority, the maximum sentence for a juvenile. As a prosecutor in Santa Clara County, Danner said, Cloud asked not to prosecute any cases where a sentence to the Youth Authority was an issue. Her main case load was dependency cases, where the court decides where to place juveniles, many of whom have been victims of abuse or neglect.

Cloud "was limited in her experience in juvenile matters," Danner said.

"This was intended to be a private issue that hopefully would have been resolved" without becoming public, Danner said. He said he has no objection to Cloud handling minor cases or dependency issues.

Danner said he hasn't made a final decision on whether his office will disqualify Cloud, but said, "We will not gamble with the public's right to protection."

In any criminal case, the prosecution or defense gets one "free" disqualification of a judge, without having to give a reason. The side that does the disqualifying then has no choice over which judge gets the case.

If the DA's office disqualifies Cloud in a particular case, it would likely go to Black, who oversees juvenile court. Black is generally seen by prosecutors as too lenient in juvenile cases.

In the case of Aaron Wilson, the 17-year-old accused of murdering a man in La Selva Beach last August, the DA's office disqualified Black. The case then went to Judge Sam Stevens, who ruled in favor of the DA's case that Wilson be tried as an adult.

Danner said women make up 73 percent of his staff, 50 percent of the attorneys, and 46 percent of attorneys with the highest classification in the office.

Black could not be reached for comment this morning.

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