

RP  
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# Defense denied access to CPS file

## Attorney to see police report on alleged molest

By KATHRYN GILLICK  
REGISTER-PAJARONIAN STAFF WRITER

The defense attorney for a local bus driver accused of molesting two Watsonville girls was given access to a police report made by one of the victims Tuesday, but was denied access to a full copy of the Child Protective Services file on the other victim.

The police report handed over Tuesday regards an allegation made by the victim that another teen molested her during the same time period, July 20 to Sept. 20, 2001. She alleges that in the police report the victim never mentioned the molest by the bus driver, 44-year-old Andres Solano.

Assistant District Attorney Kristin Long argued that the defense should not be allowed to question the victim, referred to throughout the hearing by her initials, about the incident.

"The assaults were very different," Long said. "This incident was with a student, a peer. The power difference is very strong."

She argued that because Solano was in a position of power and the perpetrator in the other case was not, so the victim may have felt more comfortable reporting the second case.

Defense Attorney Lisa McCamey said the events are so similar that she should be able to ask the victim about them.

Judge Art Danner disagreed, saying that asking her about her truthfulness in that allegation would create a "trial within a trial" because the attorneys would then need to bring in more witnesses to support or refute the victim's answers.

The juvenile accused in the earlier case pleaded guilty to sexual battery.

# MOLEST

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Judge Danner also ruled on the Child Protective Services file of the second victim, who lived near Solano, also referred to by her initials. That file contains information about an alleged abuse incident by the victim's stepmother, according to McCamey.

According to McCamey, the stepmother and victim gave different stories about what happened, leading her to question either the truthfulness of the stepmother or the victim.

Danner allowed McCamey and Long to view two pages of the file, with the requirement that they destroy the copies as soon as the trial is over.

Witnesses that were scheduled to appear Tuesday were sent home when the attorneys realized the hearing would take all day. They are expected to testify today when the trial starts up again at 1 p.m.

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