

1761  
District Attorney

RP 11-7-95

# Frey files second suit against District Attorney Art Danner

## STAFF REPORT

SANTA CRUZ — Ed Frey, who already has one lawsuit against District Attorney Art Danner, has filed another.

In the latest suit, Frey, who lost bids to unseat Danner in 1990 and 1994, accuses Danner of threatening to prosecute him over statements he (Frey) made a year ago.

Frey, who has repeatedly accused Danner of abuse of power, said he was concerned Danner might "misuse his power" in an "unwarranted

criminal prosecution." Frey said Danner should know that criminal libel laws have been repealed.

Frey said Danner made the statements in an Nov. 3, 1994 interview on KSCO radio. Frey's suit, filed a day before the one-year deadline, said his civil rights were denied by Danner's alleged statements.

Yesterday, Danner called Frey's action "a nonsense lawsuit bordering on harassment."

"I never said I was going to prosecute," Danner said. He said he re-

called saying some of Frey's statements could be the subject of a civil lawsuit, depending on how far they went. Danner has not sued Frey.

Frey has a suit pending that charges Danner with making an illegal gift of public funds to attorney Catherine Gardner last year. Gardner was kept on the payroll for four months, without being required to work, before her dismissal. No decisions have been made on whether the case will go to trial.