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Press Release

TRIAL SET IN SUIT AGAINST CONTROVERSIAL COUNTY CORONER

A Los Angeles Superior Court judge permitted a case to go to trial against controversial Deputy County Coroner James Ribe alleging Ribe caused husband and wife Rocio and Jose Gonzalez to be falsely imprisoned after Dr. Ribe concluded the Gonzalez's three month old child's death was due to malnourishment and criminal neglect. The finding came under scrutiny amid claims Dr. Ribe failed to review the deceased infant's medical records or otherwise perform an investigation pursuant to County requirements prior to making his findings.

The case began when Jared's mother Rocio Gonzalez woke on the morning of January 11, 2004 to find Jared motionless. Rocio feared Jared was dead and began yelling to her husband Jose. Both Rocio and Jose attempted CPR to no avail.

The Gonzalez's quickly called 911. Paramedics arrived five minutes later and rushed Jared to Long Beach Memorial Medical Center where medical personnel unsuccessfully sought to revive Jared. Dr. Kaji, the emergency room physician labeled the death a "possible SIDS death," a medical term used to describe the sudden and unexpected death of infants.

As is customary with any dead infant, Long Beach Police Department Officer Donahue responded to the hospital and prepared an initial report. Two days later, Detective Conant, a Long Beach Police Department Detective began a routine investigation. Detective Conant's investigation included interviews with the Gonzalez's neighbors, Maria Vasquez and Socorro Solis who, according to Conant's report, described the Gonzalez's as quiet, clean and polite. Both Vasquez and Solis told Conant the Gonzalez children were well cared for and described Rocio as a good mother. Neither neighbor saw anything to indicate the Gonzalez's abuse their children.

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On January 15, 2004, Detective Conant visited with the Gonzalez's at their north Long Beach apartment and interviewed them. During the interview Rocio explained that Jared was born premature. Rocio further related that Jared had been seen by his pediatrician as recently as December 2003, less than a month prior to his death.

While visiting the apartment, which the Gonzalez's insist had been vacated since Jared's death, Detective Conant noted the apartment was clean and well kept. Detective Conant found and photographed Jared's car seats, baby bottles and drop in bags, the diaper bag and a partially filled container of Similac Formula powder. Officer Conant also noticed that Jared had blankets in his crib and Jared had extra cloths in his diaper bag that were clean and possibly unused. Finally, Detective Conant met Jesus Gonzalez, Rocio and Jose's three year old child and noted that Jesus appeared to be a healthy and happy child. Detective Conant reported his findings in a series of reports.

Dr. Ribe never reviewed the reports until after he performed the autopsy. Nor did Dr. Ribe undertake numerous other requirements mandated by the County Coroner's Office. According to Dr. Ribe's sworn deposition testimony, Dr. Ribe admitted he:

1. Failed to obtain pertinent portions of the birth record showing that Jared was born premature;
2. Failed to obtain or review Jared Gonzalez's pediatric records until July 13, 2004, three month after the autopsy. Without the pediatric records Dr. Ribe could not plot a growth chart to ascertain whether Jared's weight gain was appropriate or whether Jared was appropriately nourished;
3. Failed to obtain a legible copy of the paramedic run sheet;
4. Failed to interview or request an investigator interview the parents, or parent's neighbors;
5. Failed to visit the scene or instruct his investigator to visit the scene where Jared died;
6. Failed to take photos of the scene, or instruct his investigators to take photos or even review the photos police investigators took;
7. Failed to obtain Jared's clothing;

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8. Failed to obtain Jared's soiled diaper to weigh it as measure of Jared's stomach contents prior to his death;
9. Failed to consult with a pediatric pathologist as required;
10. Failed to consult with Jared's pediatrician as required despite the fact that the pediatrician's telephone number was in the file.
11. Failed to consult with the Chief Medical Examiner Lakshmanan Sathyavagiswaran.

Despite the failures, Dr. Ribe concluded Jared's death was homicide and indicated that Jared was malnourished, dehydrated and suffered from child neglect.

As a result, the Gonzalez's three year old was removed from the home and placed in foster care for eight months pending the outcome of dependency court proceedings.

During the pendency of the dependency court proceedings, the court appointed Dr. Carol Berkowitz to review the Gonzalez matter. Ironically, Dr. Berkowitz is a pediatric consultant to the coroner's office who Coroner officials admit Dr. Ribe should have appointed prior to completion of the autopsy under County Coroner rules.

Dr. Berkowitz reviewed all Jared's birth records, his pediatric records, the Long Beach Memorial Medical Records, Dr. Ribe's autopsy report and the police reports. Following her investigation, Dr. Berkowitz concluded "the evidence as provided to me would NOT support the conclusion that Jared's death was the result of parental neglect or that he was suffering from a failure to thrive." As a result, on August 19, 2004 the dependency court dismissed the matter and restored the Gonzalez's full parental rights.

Unpersuaded, the District Attorney of the County of Los Angeles filed a felony complaint on September 21, 2004 charging the Gonzalez's with manslaughter in connection with Jared's death. The Gonzalez's were arrested on September 24, 2004 and remained in jail for nearly three months.

During the criminal investigation, Dr. Ribe admitted to defense attorneys that the Gonzalez's were "not careless, stupid, negligent or uncaring in their handling of Jared." Dr. Ribe pointed out that the Gonzalez's were not experts. Contradicting his own autopsy report, Dr. Ribe explained that the Gonzalez's mistakes were not "grievous or criminal errors." Instead, the Gonzalez parents missed "subtle hints, not blaring sirens."

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Later a preliminary hearing was set. Prior to the hearing in court, Dr. Ribe told Deputy District Attorney Mary Suzukawa that he concurred with Dr. Berkowitz's findings. Mrs. Suzukawa then dismissed the case because Dr. Ribe changed his opinion from homicide to a possible SIDS death.

Concerned that Dr. Ribe "vacillated" the District Attorney requested Dr. Ribe prepare a supplemental report. Dr. Ribe prepared the report and admitted he "agreed with the general point made in Dr. Berkowitz's letter that Jared grew and gained an approximately normal amount of weight during his lifetime, and the autopsy was consistent with his having been fed at 10:00 on the night of his death." Dr. Ribe added "I should have thought of this possibility earlier."

This is the latest in a series of publicized reports relating to Dr. Ribe's history of medical misjudgments and reversals of opinion. Indeed, in 1996 numerous media outlets reported a District Attorney's Office internal memorandum alleging Dr. Ribe had "serious errors" in his testimony and reliability. In 1995 the *LA TIMES* reported Dr. Ribe performed an autopsy on two-year-old Lance Helms and found that the child died minutes after being beaten. As a result of his findings, Eva Wingfield was sentenced to ten years in prison as a result of the child's death. Later, Ribe disavowed his earlier testimony as "just ridiculous," arguing that he had "zero time to prepare." Eva Wingfield was later released from prison.

As a result of the Wingfield case and others, Honorable Judge Dewey L. Falcone of the Los Angeles Superior Court - Norwalk issued a sweeping order requiring production of all transcripts of Dr. Ribe's testimony dating back to 1990, copies of all of Dr. Ribe's coroner's reports and all internal memoranda relating to Dr. Ribe, finding it relevant to his reliability. The records produced as a result of Judge Falcone's order have become known as the "Ribe Box."

Robin D. Perry, the Gonzalez's attorney, hopes trial in this matter will heighten awareness of what he views as a "public health crisis" in the County. "From the King-Harbor's closing, to the failings of the County Coroner's office, the County has proven unwilling or incapable of holding less competent doctors accountable. Hopefully, a jury, by its verdict will say enough is enough."

Trial is set for September 11, 2007 in downtown Los Angeles.