

## Subject of controversial ad in Fresno County DA race gets 10 years in prison

By Pablo Lopez



An image from a campaign media ad released by District Attorney Elizabeth Egan during her re-election race against Lisa Sodergaard Smittcamp. The ad asserted Smittcamp wanted a plea deal for Rojas that allowed him to be released on probation. While on probation, a drunken Rojas was involved in a collision that resulted in a woman's death. Court records, however, showed Smittcamp sought a prison sentence for Rojas.

### ELIZABETH EGAN CAMPAIGN

A Fresno County Jail inmate who was injected into last year's nasty District Attorney's Office election was sentenced Friday to 10 years in prison after pleading no contest to felony vehicular manslaughter while intoxicated in connection with a drunken-driving collision that killed a Clovis woman in November 2013.

Ricardo Rojas was treated fairly by the criminal justice system except when former District Attorney Elizabeth Egan splashed Rojas' name and photograph in television ads and in mailers in an attempt to discredit her opponent, Lisa Smittcamp, his lawyer said.

The contentious campaign tactic became a flash point in the heated election battle between Egan, who was seeking a fourth term in office, and Smittcamp, who scored a convincing victory over her former boss last June.

That's because Egan wrongly contended that Smittcamp, who prosecuted Rojas in 2011 for assaulting his girlfriend, was soft on crime and irresponsible for giving Rojas a plea deal that allowed him to be released on probation. While on probation, a drunken Rojas was involved in a collision at Cedar and Bullard avenues in Fresno that resulted in the death of 39-year-old Jodi Ward.

Court records, however, showed that Smittcamp sought a prison sentence for Rojas. Judge Kristi Culver Kapetan sentenced him to time served in jail and felony probation.

Having his client become part of a political campaign startled Rojas' attorney, Jack Revvill. "We were shocked when it happened," Revvill said Friday.

Now that Rojas is sentenced, "he's glad it's over," Revvill said. Rojas has been in jail since the Nov. 3, 2013, fatal collision.

The smear campaign was so intense, Revvill tried to get Egan's office removed from the case.

In his legal arguments in Superior Court last August, Revvill likened Egan's campaign tactic to that of the infamous Willie Horton 1988 presidential campaign ad by then Vice President George H.W. Bush, who was running against Democratic candidate Gov. Michael Dukakis of Massachusetts. In the TV commercial, Horton — a black man serving a life sentence without parole for murder — was released as part of a Massachusetts weekend furlough program. While on furlough, Horton committed armed robbery and rape.

"It was totally irresponsible for Egan to talk about a pending case," Revvill told Judge Jonathan Skiles then. "She used Rojas as a poster child for the potential perils of a plea bargain."

But Skiles ruled there was no evidence that prosecutor Dennis Verzosa had been unfair to Rojas.

Friday, Ward's family and friends told Skiles of their grief, while Rojas stood in shackles.

Revvill said he read a letter Rojas had written to the judge, saying he was sorry for killing Ward and that he accepts full responsibility.

"He wishes he could take it back, but he knows he can't," Revvill said.

Because of time served in jail, Rojas will be released from jail in seven years, his lawyer said.

Contact Pablo Lopez: [plopez@fresnobee.com](mailto:plopez@fresnobee.com), (559) 441-6434 or [@beecourts](https://twitter.com/beecourts) on Twitter.