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## L.A. Judge Grants DA Stephan's Request, Returns Criminal Cases to San Diego for Prosecution

### *DA's Motion Fought for Victims' Rights in Multiple Armed Robberies*

A Los Angeles Superior Court Judge this morning granted San Diego County District Attorney Summer Stephan's request to revoke authorization for LA County's prosecution of a defendant who committed five San Diego County robberies with a gun before heading to Los Angeles and executing two innocent men, including a Sheriff's Deputy.

In her motion, Stephan cited Los Angeles District Attorney George Gascón's announcement that he was planning to drop the armed robbery charges and move to dismiss the gun allegations and the double murder special circumstance allegation. DA Stephan said doing so would have deprived San Diego County victims their constitutional rights under Marsy's Law and allow the defendant to be eligible for parole in 20 years if convicted of the two murders and five armed robberies.

In today's ruling, Los Angeles Superior Court Judge Jose Sandoval agreed with DA Stephan that the Los Angeles DA's planned changes to his prosecution were "not in the interests of justice."

"Today's ruling will allow us to pursue justice on behalf of multiple armed robbery victims in San Diego County," DA Summer Stephan said. "It's not only a win in this specific case, but also an affirmation of our own independent model in San Diego of implementing balanced and responsible criminal justice reform that addresses inequities in the system, but at the same time safeguards the rights of victims and protects the public from dangerous and violent criminals. Unfortunately, the LA DA's recent legal directives are essentially giving murderers and other violent offenders unlawful favors and are creating a looming public safety disaster for Los Angeles County that tramples on the dignity and safety of vulnerable crime victims. In this particular instance, I could not be an unwilling participant or remain silent in the face of injustice. "

The case ruled on today involves defendant Rhett Nelson, who in 2019 was charged with shooting and killing an innocent skateboarder in downtown Los Angeles. Hours after that murder, Nelson fatally

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shot an off-duty Los Angeles County Sheriff's deputy execution-style while he was standing in line at a Jack in the Box. Before those shootings, Nelson is accused of using a gun to commit five armed robberies at convenience stores in San Diego County.

When Nelson was caught and arrested in Long Beach after the murders, the San Diego District Attorney's Office gave Los Angeles County permission to prosecute Nelson for the San Diego armed robberies. At the time, the previous District Attorney was still in office and there was an understanding that special circumstance allegations that would hold the defendant accountable would be included in the charges.

In a [letter sent to the LA DA](#) last week, DA Stephan suggested Gascón look at criminal justice reforms that are being put in place responsibly, without denying victims' rights and maintaining the public's safety.

“This letter absolutely does not show deviation from my efforts to pursue responsible criminal justice reform and pursuit of justice by reducing incarceration that is not commensurate with the crime. Responsible criminal justice reform is something I fervently believe in and have undertaken in San Diego County with proven results where our DA Community Justice Initiative with an evidence-based diversion program has diverted and cleared records for hundreds of non-violent offenders with a recidivism rate of less than 3 percent,” Stephan writes.

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**About the San Diego County District Attorney's Office**

*The San Diego County DA's Office prosecutes all felony crimes in the county and misdemeanor crimes committed outside the City of San Diego. The office files about 40,000 criminal cases a year and balances prosecution with numerous crime prevention programs. District Attorney Summer Stephan leads the office of more than 1,000 dedicated employees who pursue fair and equal justice, and support victims daily across San Diego County.*