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**For Immediate Release**

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## **Sexually Violent Predator Will Not be Placed in Mt. Helix Home Following Judge's Ruling**

### *Placement of Merle Wakefield, 64, was Opposed by DA and the Community*

Following arguments by the San Diego County District Attorney's Office to keep a sexually violent predator (SVP) from being placed in a Mt. Helix neighborhood, a San Diego Superior Court Judge today denied a court continuance in the matter and also denied placement for the SVP at the Horizon Hills address, effectively stopping the placement of this SVP at this Mt. Helix location.

Liberty Healthcare, which operates the conditional release program (CONREP), had been seeking a 90-day continuance to address a code violation at the Mt. Helix home proposed to house Merle Wakefield, 64. Judge Albert Hartunian denied the continuance, effectively denying placement at 10957 Horizon Hills Drive near El Cajon. Judge Hartunian noted that the proposed structure was not code compliant and not suitable for placement. Further proceedings are scheduled for May 24 at 1:30 p.m., to determine the status of the next proposed placement for SVP Wakefield. The same property is also being considered as a placement for 78-year-old Douglas Badger. A judge has yet to make a ruling in that case. District Attorney Summer Stephan's Office opposed placing Wakefield and Badger at the Mt. Helix address.

"The public's safety is always our priority, which is why we contest and scrutinize every petition for conditional release under the law, including those of Mr. Wakefield and Mr. Badger," DA Stephan said. "The Mt. Helix home is near a music academy and a childcare site, which is clearly not an appropriate placement site for these sexual predators."

The [Department of State Hospitals](#) (DHS) is the agency responsible for locating and recommending housing for SVPs who have been ordered into our community for ongoing treatment. The District Attorney's Office is not involved in this process other than notifying the public once a proposal has been made and ensuring the DA's and the public's concerns and objections are brought to the court's attention before there is a ruling on a proposed location.

Currently, three sexually violent predators have been ordered into the San Diego County community for supervised outpatient treatment, which is considered the final phase of the Department of State Hospital's (DHS) Sex Offender Treatment Program. The SVPs ordered to

be released are Wakefield, Douglas Badger and William Stafford. Read about each SVP, [here](#) and find more information about SVPs in the community, [here](#).

In addition, there are two SVPs whose revocations were denied but will also need to be returned to the community from the state hospital--Michael Martinez, 68 and Herman Smith, 74.



Wakefield was convicted in 1981 of committing lewd acts with a child under 14 years of age and sentenced to state prison. In 1990, he was convicted of rape by means of force, violence or fear and again sentenced to state prison. On November 23, 1998, the San Diego Superior Court found Wakefield to be a sexually violent predator within the meaning of WIC 6604, and Wakefield was committed to DSH for sex offender treatment and confinement. In February 2020, a DSH Evaluator indicated her belief Wakefield could be safely released into the community through the supervision of the CONREP. Wakefield filed a petition with the San Diego Superior Court requesting his conditional release pursuant to WIC 6608. In September 2020, a Sex Offender Treatment Program advancement panel report confirmed Wakefield was suitable for conditional release through the CONREP program. On December 17, 2020, Judge Harutunian granted the petitioner's request for conditional release under the supervision of CONREP program.

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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.*

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