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LOCAL

Wednesday, Feb. 20, 2008

Stanislaus deputy waives his right to hearing in rape, embezzlement case

Man suspected of pocketing drugs, money, raping woman

By SUSAN HERENDEEN
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A former school resource officer who is accused of rape and misappropriation of public funds waived his right to a preliminary hearing Tuesday, setting the stage for a trial or plea deal.

Sheriff's Deputy Michael Galvan, 31, of Turlock will be arraigned on five felony charges March 6 in Stanislaus County Superior Court. He has been on unpaid leave since he was arrested, on the job, on Dec. 1, 2006.

The hearing, which was needed so a judge could determine if Galvan should be held for trial, had been set and reset numerous times in the past year.

Defense attorney Robert Forkner said he opted against the hearing because the defense would have had no chance to cross-examine a woman who says the deputy forced her to have sex with him.

Chief Deputy District Attorney Dave Harris planned to have an FBI agent testify on the woman's behalf. Those who say they've been raped must testify at trial, but law enforcement officials can speak on their behalf during pretrial proceedings.

Galvan has pleaded not guilty and is free on \$350,000 bail. Settlement negotiations are under way, Forkner said.

The authorities have been tight-lipped in Galvan's case, declining to outline their suspicions, but an affidavit supporting an arrest warrant said Galvan was the subject of an FBI sting because a gang task force received complaints about him.

The deputy worked as a school resource officer at Hanshaw Middle School and was suspected of pocketing money and drugs, including steroids, cocaine and marijuana, during his investigations.

An undercover agent approached Galvan in the school parking lot on Nov. 17, 2006, handing him a blue fanny pack containing \$1,149 in cash, according to court records. Twelve days later, the money had not been entered into evidence.

After Galvan was in custody, the district attorney's office added rape and assault charges stemming from a Dec. 15, 2005, incident.

In legal papers, the woman said Galvan threatened to have her children taken away if she complained about him. The Bee has a policy of not naming potential victims of sexual abuse.

Bee staff writer Susan Herendeen can be reached at sherendeen@modbee.com or 578-2338.

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