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## Deputy D.A.'s Daughter Tells of Sex Abuse

**October 31, 1985** | ROBERT W. STEWART | Times Staff Writer

The 21-year-old daughter of a senior Los Angeles County prosecutor told a San Bernardino County jury Wednesday that her father sexually abused her repeatedly when she was a teen-ager, showed her pornographic photographs and begged her to have sexual intercourse with him.

The woman, who has lived out of state since she was graduated from high school in 1982, was the first witness in the sex abuse trial of Deputy Dist. Atty. Harvey W. Harper.

Until his suspension without pay in October, 1984, Harper, a 20-year veteran of the district attorney's office, headed the unit that prosecutes parents who fail to pay child support.

Harper, 50, is charged with six felonies: two counts of attempted incest with the daughter who testified Wednesday and four counts of lewd conduct with a child under 14. Those charges involve Harper's younger daughter, now 15, who has lived in a foster home for the last year. The crimes allegedly occurred at Harper's home in Rancho Cucamonga.

The maximum penalty for lewd conduct, the more serious crime, is eight years in state prison.

In his opening statement in Ontario Superior Court, San Bernardino County Deputy Dist. Atty. Ken Melikian told jurors that they will hear testimony that details "a family tragedy" in which "a dominant, very authoritative figure made a travesty out of the father-daughter relationship. . . ."

Harper's attorney, Philip Kassel, said in his reply that both daughters fabricated their stories. The eldest daughter long resented her father's role as a disciplinarian, Kassel said.

As a deeply religious girl, she was further turned against her father by his excommunication from the Church of Jesus Christ of Latter-day Saints, Kassel said.

In addition, Kassel said, Harper and his daughter repeatedly argued over her desire to attend an expensive eastern college, to have a new car and to avoid part-time work while she was in school.

The younger daughter was led to a lie about the alleged molestations by her stepmother, Harper's second wife, Kassel said. The complaints of abuse were first made a year ago, when Harper and his second wife were separating.

The younger daughter was told that if she did not tell authorities that her father molested her, she would not be allowed to stay with her stepmother, Kassel told the jury.

The stepmother and daughter "were like pals," Kassel said. "They played together." Harper was the one who meted out punishment, he said.

Kassel noted that the younger daughter and the stepmother retracted their allegations only days after they were made but that an Ontario municipal judge ordered Harper to stand trial on those charges anyway, based on earlier statements the girl had made to sheriff's deputies.

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#### Accusation Made

"The evidence will indicate that these things did not happen but arose from the bitterness of a woman," Kassel said.

Melikian, however, said testimony will show that Harper fondled and attempted to have intercourse with his older daughter at least twice, and possibly as many as 15 times, from some time in 1980 until mid-November, 1981.

The incidents occurred during the daughter's visits to the Rancho Cucamonga home that Harper had purchased after he had separated from his first wife, Carol, Melikian said. Carol Harper died in February, 1982.

The abuse stopped, Melikian told the jury, after the daughter confided in a bishop of the Mormon church, to which she then belonged.

Harper had had earlier sexual contact with his oldest daughter, Melikian said, but the statute of limitations has run out on those alleged offenses.

#### Second Wife

Harper's younger daughter will testify that her father molested her at least four times between September, 1982, when she was 11, and May, 1984, Melikian told the jury. In addition, Harper's estranged second wife will testify that she witnessed several of the molestations, Melikian said.

In her testimony Wednesday, Harper's older daughter spoke softly, in sometimes halting words, as her father watched from across the courtroom.

She testified that Harper repeatedly forced her to sleep with him during her visits to his Rancho Cucamonga home. While he fondled her and rubbed his penis against her, she said, she resisted his attempts to have intercourse.

She said Harper begged her to permit it.

"Please, I love you," she testified that her father said. "You're my favorite daughter. I need this. Please let me."

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