

← Back to Original Article

Ex-Prosecutor, Who Fleed Day of Molestation Conviction, Seized

September 26, 1987 | By JACK JONES | Times Staff Writer

Former Los Angeles County Deputy Dist. Atty. Harvey W. Harper, who vanished from Ontario Superior Court 20 months ago on the day he was convicted of sexually molesting his two teen-age daughters, was captured Friday in Pueblo, Colo., the FBI announced.

Pueblo Police Sgt. Charles Chassels said the 52-year-old Harper was taken into custody by an officer who spotted the license on the red Volkswagen Beetle that the FBI had alerted police to watch for.

"We had information that he was probably in the area," Chassels said.

He added that the fugitive former prosecutor did not resist arrest by Officer Patrick Ausbun.

Pueblo police said Harper had a Colorado driver's license bearing the alias William Howard Boger.

Harper was lodged without bail in Pueblo County Jail on two FBI warrants charging unlawful flight to avoid confinement and failure to appear in court.

Harper, of Rancho Cucamonga, disappeared Jan. 28, 1986, only minutes before an Ontario Superior Court jury found him guilty of attempted incest in 1981 with his older teen-age daughter, now 22, and four charges of molesting his younger daughter, now 16.

He was sentenced in absentia on May 7, 1986, to 14 years and 4 months in prison, the maximum term allowed by law.

Harper was a 20-year veteran of the district attorney's office, and until his arrest in 1984 he headed the unit that prosecutes parents for failing to pay child support. He was suspended without pay while the charges were pending and was formally fired the day he was convicted. By fleeing, he forfeited \$25,000 bail.

When Harper vanished, the district attorney's office conducted an investigation in an effort to learn whether any of its staff had aided his flight. No such aiding and abetting was found.

After Jim Neilson of the FBI office in Los Angeles announced the Colorado capture, district attorney's spokesman Al Albergate said, "We're pleased that justice will be carried out in the case. We're never happy when one of our own gets into trouble, but he received a trial and was convicted by a jury, and just like others he should serve his time."

During Harper's trial, his older daughter told jurors that her father had sexually abused her repeatedly when she was a teen-ager. She said he had shown her pornographic photographs and begged her to have sex with him.

According to the charges originally filed in the case, Harper tried to forcibly rape the older girl four times between February and November, 1981, when she was 17. He was also accused of sexually molesting the younger girl four times between October, 1982, when she was 12, and May, 1983.

Harper's attorney, Philip Kassel, contended that both daughters fabricated their stories. Kassel said the older girl resented her father's role as disciplinarian and that, because she was deeply religious, she was further turned against him because he was excommunicated from his church.

Kassel maintained that the younger daughter's allegations were prompted by her stepmother, Harper's second wife, who was then separating from the defendant.

The attorney noted that the younger girl and the stepmother retracted their statements days after making them but that an Ontario Municipal Court judge ordered Harper to stand trial on those charges anyway based on earlier statements that the girl had made to sheriff's deputies.