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Saturday, July 30, 2011

NEWS

UPDATED WITH PHOTO: Preliminary Hearing for Former LBPB Detective Arrested on Child Sex Charges Postponed to June 9

by Allison Jean Eaton | Long Beach News | 06.01.11 |

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UPDATED Wednesday, June 1, 3:01am | Erik Alvarez is seen at right in his April 27 booking photo, which was taken shortly after his arrest.

UPDATE Monday, May 30, 4:56pm | A former Long Beach Police Department detective charged with having sex with a teenage relative appeared in court last Wednesday, when a judge was expected to set a date for a preliminary hearing but instead postponed doing so until next week.

Erik Alvarez, 42, of Upland, is facing one felony count of lewd or lascivious acts with a child 14 or 15 years old and two felony counts of unlawful sexual intercourse with a minor under 18, San Bernardino Deputy District Attorney Karen Schmauss said.

Alvarez was arrested on April 27 and has remained in jail ever since. His bail was set at \$250,000.

The LBPB had placed the detective on unpaid administrative leave pending the outcome of the criminal charges and the city's own internal investigation, but Alvarez soon after his arraignment resigned from his position with the department.

He pleaded not guilty to the charges against him at his arraignment hearing at the beginning of the month in Rancho Cucamonga Superior Court. Just days later, the [Press-Telegram](#) reported that Alvarez had dismissed his public defender and hired private criminal defense attorney Brian Skibby.

Schmauss said following the arraignment hearing that victim was 15 when alleged sex crimes began, resulting in first charge of lewd and lascivious acts with a child 14 or 15. Those took place between Jan. 1, 2009, and Dec. 31, 2009. The final two criminal counts stem from years 2010 and 2011, when the victim was 16 and 17, she said.

If Alvarez is convicted on all counts, he faces a maximum of four years and four months in state prison.

The former LBPB detective is allegedly in the midst of a divorce, sources said, and the charges against him stem from accusations made by his soon-to-be ex-wife that he was having sexual relations with her daughter, who is his step-daughter.

Alvarez is scheduled to return to court on June 9, when a preliminary hearing date will be set.

May 4, 9:01am | A Long Beach police detective charged with having a sexual relationship with a female juvenile relative has pleaded not guilty.

Long Beach Police Department Detective Erik Alvarez, 42, entered his plea Monday during an arraignment hearing in San Bernardino County court, San Bernardino County Deputy District Attorney Karen Schmauss told the [Press-Telegram](#).

He is charged with one felony count of lewd or lascivious acts with a child 14 or 15 years old and two felony counts of unlawful sexual intercourse with a minor under 18, Schmauss reportedly said.

The Upland resident was arrested April 27. He reportedly remains in jail with a set bail amount of \$250,000.

The PT reports that the first charge against the police detective stems from alleged crimes that allegedly occurred between Jan. 1, 2009 and Dec. 31, 2009, when the victim was 15. The final two charges stem from crimes that allegedly occurred in 2010 and 2011.

While it was confirmed that Alvarez is on unpaid leave from his LBPB job, he reportedly may have already been terminated.

The LBPB issued the following statement to the PT:

The Long Beach Police Department has been informed of the arrest of a LBPB employee and we are taking this matter, as well as any matter of this nature, very seriously. We will work with the Upland Police Department as they are the agency handling the criminal investigation while the Long Beach Police Department will handle the administrative investigation. The employee is currently on unpaid administrative leave, pending the outcome of these investigations.

But prosecutors reportedly said that the LBPB has already fired Alvarez, and an LBPB employee with the Youth Services Section told the PT that Alvarez was no longer with the department.



Long Beach News

Allison Jean Eaton has worked as a journalist for the past six-and-a-half years, serving in various writing and editing capacities for several weekly community newspapers. She specializes in both community-based and investigative reporting.



Eaton began her professional career as a staff writer and assistant editor at the *Signal Tribune*. Most recently, she headed up *The Compton Bulletin* as its editor-in-chief and main staff writer for just under five years. She concurrently served as associate editor of *The Inglewood Tribune* and editor-in-chief of the Colorado-based *Huerfano County World News*, two additional newspapers formerly published by *The Bulletin's* parent company, *American Print Media Inc.* Eaton, who has resided in Long Beach since early 2003, studied mass communications at OCC in Costa Mesa before transferring to Cal State Long Beach, where she earned her bachelor's degree in print journalism with a minor focus in black studies in 2004.

Allison's Community



Children today



Allison's Favorite Links

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Allison's Archives

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- 07.29.11 UPDATE: Suspicious Devices Discovered at Scene of Fire that Left Long Beach Family Homeless
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- 07.28.11 JetBlue Offering All-you-can-fly Pass
- 07.28.11 Fire Damages Roof of Bixby Knolls Apartment Building
- 07.27.11 YMCA Youth Institute to Showcase Long Beach Teens' Short Films at Annual Youth Film Fest
- 07.27.11 Long Beach Police Bust Marijuana Grow Operation Next Door to School's Main Office in Bixby Knolls
- 07.27.11 UPDATE: Long Beach Man Struck by SUV Near Courthouse Dies
- 07.27.11 710 Freeway to Be Fully Closed Between 105 Freeway, Atlantic Blvd. Exit on Weekends in August, September, October
- 07.27.11 Rowing Teams Gearing Up for Weekend Dragon Boat Festival Races
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Comments

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40 Comments so far.

Angel

This is very Sad! These are law enforcement professionals that we need to trust and have complete confidence to protect us!

Sander

Why does the gender of the alleged victim matter? Just curious...

Belmont Heights Resident

"female juvenile relative" This person was a family member? That just makes this even more sick. How does an individual like this get hired with the PD in the first place? I was under the impression applicants go through an exhaustive vetting process including a polygraph and psych exam.

Brian

@ Belmont Heights Resident, psych examines for potential police officers are no where near as in depth as what people think they are. They are more or less to see if you are sane.

Flawed system

"I was under the impression applicants go through an exhaustive vetting process including a polygraph and psych exam."

The psych exam is ridiculous and easy. (would you purposely make yourself sound like a nut??) Everybody lies on the test. And during the interview with the doctor, all you have to do is sound happy and well-adjusted and you pass.

And if you have no previous criminal history, you easily pass the polygraph.

Curious

Is this the same guy that killed the drunk passed out guy a few months ago?

Anonymous

There are bad people in every part of life... Bad parents.. Bad teachers.. Bad clergy.. Bad priests.. Our children need to be taught to speak up and that sick individuals come in all shapes colors and sizes!!

John B. Greet

@ Flawed system: Many, many police officer applicants fail either their polygraphs or their psychiatric tests or both. That said, no such screening process is completely foolproof. Nor were those who pass them and later commit misconduct necessarily prone to such actions when they began their careers. People change. Even, and some might say, especially, cops. But when a cop changes to the degree that intentional misconduct becomes an acceptable course of action, whether on-duty or off, then such a person should resign from the force rather than bring disrepute upon his or her chosen profession, department, and the vast majority of good cops who, although they themselves may change in many ways, remain professional in their conduct and worthy of the public's trust.

Tom M

Where is the meat of the story, we have an officer in Jail because he can not make bail, where did he meet the teenager, who filed the complaint, in other words who went to the police making the claim of sexual abuse, what was their motivation, is it a ex wife claiming this? it this a open and shut case or a case in which the officer can win, and then sue the city for wrongful termination because the city fired him before a verdict of guilty or a guilty plea came in. \$250,000 bail is very low so is the evidence so weak that a million dollar bail was not obtainable by the DA?

RW Crum

@Tom M- a quarter million dollar bail is low?? You ever try raising that much?

Johnny Utah

Tom, I agree. There definitely needs to be more detective work on this pos detective.

LBPD Reform

So not only does the LBPD hire trigger-happy murderers, they hire child molesters as well. That's lovely.

Determined

I am betting if someone were to take a much closer look at the Long Beach Police Department, they would discover all kinds of shit like this. Long Beach police are flat out dirty. I don't care what anyone says no matter how you look at it, they stink of corruption.

richfonda

The victim was one of my loved ones and was a family member of the officer. What he has taken away from her and the rest of her family is terrible...justice will be served when he goes to jail..

Mike Ruehle

Just one more indication Long Beach Police Chief McDonnell's Department is out of control. From shooting

- 07.26.11 Alan Davidson Named Executive Director of Community Hospital Long Beach Foundation
- 07.25.11 UPDATE: Police Release Photo of Suspect Vehicle in Hit-and-run That Left Woman Critically Injured
- 07.25.11 Credit-rating Agency Affirms AA-Rating for Long Beach Lease Revenue Bonds
- 07.25.11 UPDATE: Jenni Rivera to Receive Poly Walk of Fame Star During Tuesday Event at High School
- 07.25.11 City Urging Residents to Vote for Local Park in 2nd Annual Favorite Park Competition
- 07.25.11 County Arts Commission Awards Long Beach Chorale \$16K
- 07.25.11 Long Beach Neighborhoods to Celebrate National Night Out
- 07.25.11 Long Beach Credit Union Collecting School Supply Donations
- 07.25.11 Long Beach Lakes, Ponds and Wetlands Taskforce Meet Scheduled for next Wednesday
- 07.25.11 Got Problems in Your Neighborhood? Then Don't Miss this Workshop!
- 07.22.11 Long Beach Officials Lambast State Legislature for Failing to Support Redevelopment
- 07.22.11 UPDATE: Court Affirms City's Right to Prosecute Med-pot Dispensaries
- 07.22.11 West East Side Community Association, City of Long Beach Hosting Neighborhood Cleanup, BBQ Saturday
- 07.22.11 Scheduled Tree-trimming Shutting Down Metro Blue Line Through Much of Long Beach This Weekend

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unarmed residents and raping young women, to embezzlement, DUI's, stealing from the police evidence room, fabricating evidence, threatening witnesses and lying in court under oath, all in the last two years.

Spike Fuehle

Gee Mike, and all you've got is a lousy DUI.

John B. Greet

As serious as the charges against Erik Alvarez are, I think it is important to acknowledge that he has not yet been convicted of any crime, "raping young women" or otherwise. In this context, Mr. Ruehle's inference that LBPD employees are "raping young women" is a false, fraudulent, and potentially libelous statement.

Mike Ruehle

Greet, tell that to the young woman, her mother and the rest of her family and let's see how much sympathy you get.

Eagle Eye

Excellent points Tom, and I'm also sick of the selective moral outrage, that always comes when a female teen is involved in something. None of you phonies are anywhere to be found the rest of the time, when it comes to sexual morality in society. Just look-up "schoolgirl" in Google images, and see what kind of images pop up. THIS is the product of our society, and the hypocrisy of those of you pointing fingers, as though you are morally superior is glaring.

To quote Scarface - *you want to point your filthy fingers and say there is the bad guy... are you good? I don't think so. You just know how to hide.*

If you REALLY care about having some sort of "pure" society when it comes to sex, perhaps you should open your eyes and look in the mirror. Otherwise just shut the heck up. I don't wanna hear it.

John B. Greet

Mr. Ruehle seems to have overlooked my earlier comment in which I stated quite clearly that these charges are tragic and, if true, acts that are utterly despicable when committed by anyone, let alone a person who had once sworn an oath to keep his "private life unsullied as an example to all." He also seems to have forgotten another comment in which I stated, quite clearly (and to which he has since responded), that "the information in (his) link was false, at least as compared with the information readily available on the SB County Superior Court's own website. *Not that this makes the allegations any less distressing or, if proven true, any less tragic for all concerned.*" (emphasis added)

Mr. Ruehle seems to enjoy posting false, fraudulent, and potentially libelous statements on sites like this. This is a reasonable conclusion since he has been doing so more and more often lately. His doing so does not one-single-thing to assist the victim of the crimes that have been alleged here or to assist her mother or the rest of her family in dealing with it.

All Mr. Ruehle's habit of posting false, fraudulent, and potentially libelous statements accomplishes here is to serve to deflect from the true focus of this terrible story; that a minor female may have been despicably victimized and that a former LBPD officer has been charged with sex crimes, that he has separated from employment, and is currently incarcerated.

Bill of Rights

@Tom M. Strong points, sir. These days, I am always suspicious of accusations of this nature. Too many have proven to be false. I'm sure we all recall a certain well-regarded LB fire fighter who was victimized by such lies. He was placed on leave. After he was cleared they let him return to LBFD, but he never got his former position back.

In this instance, the accuser is the officer's wife and they are going through divorce proceedings. Officer Alvarez is accused of sexual involvement with his step-daughter. We shall see what the investigation reveals. It does look bad, however, that LBPD terminated his employment.

Bill of Rights

Regarding bail being too low: The purpose of bail is to ensure the defendant will show up for trial. In this instance, it would seem to be more than ample, because Alvarez has not posted either bail or bond (usually 10% of the bail). Assuming Alvarez would post if he could, it would seem that this bail is set rather high, if anything.

LB Lover

A child molester police officer from Upland, an alcoholic Fire Chief from Huntington Beach... When are we going to start hiring some Beachers into civic duty?

John B. Greet

Today's (5/6) PT reports that Alvarez has dismissed his public defender and retained a private defense attorney. The story also states that he is "still an employee of the city and police department pending the outcome of the criminal charge and Long Beach's own internal review of the alleged incidents department employee, but on unpaid leave."

Mike Ruehle

If you think rape by Long Beach Police Officers is an anomaly, don't forget about Long Beach Police Lt. Robert Padilla who pleaded innocent to charges of unlawful sexual intercourse and oral copulation with a minor on two occasions that he met while on the job. In a plea bargain that kept him out of prison, Padilla, pleaded no contest to one felony count of having sex with a 16-year-old girl.

http://articles.latimes.com/1987-06-11/news/hl-6574_1_long-beach-police-department

Mike Ruehle

And don't forget about LONG BEACH Police Sgt. Robert L. Ballew who was arrested by the LA Police Department for rapes on two different women.

http://articles.latimes.com/1992-08-14/local/me-5195_1_long-beach-police

Though Ballew was acquitted on rape and attempted rape charges, jurors said they did not necessarily believe Ballew is innocent. In interviews, a majority of the eight-woman, four-man jury said they felt Ballew is probably guilty but there was insufficient evidence to prove it.

Interesting how the Long Beach Police Department never seems to arrest one of their own. It always takes a police department outside of Long Beach to make the arrest and prosecute.

Mike Ruehle

And more recently, Long Beach Police Officer David Frazier, who was fired for having sex with a 17-year old Explorer Scout he met on the job.

<http://webcache.googleusercontent.com/search?q=cache:alyRHyOUvkJ:www.longbeachcomber.com/story.aspx%3FartID%3D1552+%22David+Frazier+%22+%22Explo>

In fact, Los Angeles considered disbanding their Explorer Scout program due to repeated problems experienced with their association with the Long Beach Police Department.

@LB Lover

Very good point. I too would like to see more LB police and fire live in LB. For one it would align our police and fire with the interests of residents. This may help solve part of the union/pension problem. The excess costs are only a problem if you live in the city and care about things like roads, parks, greater numbers of police/fire and other quality of life issues.

John B. Greet

Mr. Ruehle can be an "excellent" researcher. But he often researches until he finds information that seems to support his predetermined conclusions, looks no further, and then gleefully posts his often incomplete information as proof positive of his allegations. This tactic of discussion and debate is as fraudulent as it is disingenuous, and no wisdom is gained from it. There may very well be more involved in these cases than the information in the links Mr. Ruehle provides. Were these cases ever appealed? If so, what was the result of the appeals? If it was definitively -and finally- proven (in court) that the officers lied under oath, and still retained their positions, how did that happen? As I have mentioned elsewhere, sometimes the Civil Service Commission reverses disciplinary decisions the police chief makes. Did that happen in these cases? If so, then 'the department' did "not" allow these officers to keep their jobs, the Civil Service Commission did. If we can agree to define 'anomaly' as: 'an abnormal deviation from the characteristic form of a group' or 'a deviation from the common rule' then, yes, criminal charges like these among police officers in general and Long Beach Police Officers specifically, are most definitely an anomaly. Not that even one such incident is not despicable and tragic. If these charges against Alvarez prove true, in my opinion there is no prison cell dark or dank enough in which the defendant should spend the rest of his natural life! let alone the 'four years and four months' the PT is reporting to be possible upon conviction. There remain, however, questions of evidence for a jury to evaluate and of law for a judge to consider. In my view, criminal sentences, in general, are far too lenient, particularly since the primary purpose of imprisonment for crime is 'punishment', and not 'rehabilitation.' [PC 1170(a)(1)] As to Ballew, apparently Mr. Ruehle feels that our current system of jurisprudence should be changed. In place of inconvenient courts, judges, juries, rules of evidence, vigorous prosecutions and active defenses, Mr. Ruehle would prefer that criminal guilt or innocence be determined through disingenuous and unscientific surveys conducted on local news and information sites that have publishers with great big axes of their own to grind against the city and LBPD. All Long Beach Police Officers take an Oath of Office at least once, and sometimes several times, during their careers. They are also expected to learn and aspire to meet the professional conduct ideals set forth in the Law Enforcement Code of Ethics. As I have said repeatedly, here and elsewhere, police officers should be held to a higher standard of professionalism and conduct -both on and off duty- than that of the average citizen. When they commit misconduct it should be investigated thoroughly and, if proven true, punished quickly and severely. No public safety employee, and particularly no police officer, who is convicted of a misdemeanor or felony crime should retain his or her position of public trust. Mr. Ruehle has said that "Los Angeles considered disbanding their Explorer Scout program due to repeated problems experienced with their association with the Long Beach Police Department." He should cite his source for this information so that others can determine whether he has or has not posted yet another in a lengthening list of false and fraudulent comments here.

John B. Greet

@ LB Lover: I, too, join in the sentiment that I would like to see more LB police and fire live in LB. Unfortunately, as a matter of state constitutional law, the city cannot require that they do so. Thus we are left with incentives. We should design reasonable incentives that will encourage more of our cops and firefighters to reside here. Perhaps low or no-interst home loans or a housing allowance that can be used to offset lease payments for those safety employees who prefer to rent. Since LB owns and operates its own utility company, perhaps fee waivers for monthly gas, water, or refuse service. Perhaps a 5-10% across the board compensation increase, to be used however the employee wants, so long as he or she chooses to reside in the city. These and other incentives might serve to encourage more of our safety personnel to reside in the city they have sworn an oath to protect and serve.

Mike Ruehle

#5: Long Beach Police officer Bryon Ellsberry charged with rape.

http://articles.latimes.com/1994-06-01/local/me-64522_1_long-beach

Bill of Rights

According to today's Press Telegram (Sat. 5-7-11), City Attorney Bob Shannon announced yesterday that Alvarez *resigned* from LBPD. The department had not terminated him, but it had placed him on unpaid administrative leave. Alvarez is still in jail, but would be released if he were to post \$250,000 bail.

Mike Ruehle

Isn't it interesting how NONE of Long Beach's 'community' newspapers reported on the LONG BEACH POLICE OFFICER recently CONVICTED of a DUI, let alone the fact he was given a PALTRY 20 days of community service for being over twice the legal limit. The media just keeps coddling these bad cops.

<http://www.ourweekly.com/los-angeles/long-beach-officer-sentenced-20-days-community-service-dui>

My DUI, that was 2-years old at the time, was reported, with my picture, on the front page of the Sunday edition of the Press Telegram. But not this police officer, who like many others in the Long Beach Police Department, is charged with enforcing the laws he so freely breaks himself.

20 days community service is a joke. Besides being fined, everyone else in the world who is convicted of a DUI is required to take weeks of DUI classes and attend weeks of AA sessions at a minimum. But not this cop who is above the law. One of Long Beach's finest. What a joke.

Mike Ruehle

If you assaulted your girlfriend and two of her friends and took wild shots with a gun, what are the chances you would get let off with a slap on the wrist? Not too high, but often LONG BEACH POLICE OFFICERS who misbehave off-duty get coddled by judges

Read this press release from the OC DA's office about Long Beach Police Officer Orlando Mendez, and read the line where the judge reduced the felonies to misdemeanors over 'the objection of the People.'

<http://orangepunch.ocregister.com/2009/08/17/judge-robert-fitzgerald-coddles-violent-criminal/12047/>

And was this reported in any Long Beach newspapers? The answer is NO.

John B. Greet

What a tragic life one must have to be so bitter, angry and complaining all the time. Being less egocentric, self-serving, and petulant would seem a far more productive and constructive approach to addressing one's various public policy concerns than to constantly bash, belittle, moan, groan, and whine all the time. Public safety personnel should be held to a higher standard of conduct -both on and off duty- than the average citizen. They hold unique positions of public trust in our communities and, as such, they should not be permitted to violate that trust without suffering the loss of the privilege to serve the communities in the way that they have sworn oaths to do. Those are civil remedies to unprofessional conduct and not criminal remedies, however. For good or ill our current system of jurisprudence affords judges and prosecutors considerable latitude in how crimes are prosecuted and how sentences are meted out upon conviction. Such discretion is necessary and reasonable and if a majority of the people dislike the discretion exercised by prosecutors and judges, they are free to remove such public servants from office.

smilee

@ Tom M

The victim is a child he's raised since around kindergarten. I know them, although I didn't know of this... He's a sicko, and I feel bad for the kid.

@Journalist

That's not a grammatical error, that's a technical difficulty. And it's obviously already been fixed.

What's "pathetic" is that someone who calls themselves "Journalist" would malaproposly describe an error in formatting as a "grammatical" error.

Why don't you leave the writing to the writers and the editing to the editors.

Smilee

The child has been in the same home with him since around Kindergarten. The family dynamic is a parental/child one, not a "stranger/date-potential" type. For most of this kid's life, He's been her "dad"! I am suspicious of this beginning in 2009. Most pedo's groom them YOUNG. I'm sick at the sentence only being 4 yrs! He betrayed her in the most ultimate way!

mudd

I've heard that the vast majority of sex abuse is committed by men that identify as heterosexual and that know the victim.

Philip Boyles

Christ!! I hope none of you end up making it through a jury selection on a case where I'm being charged with having ALLEGEDLY done something. Can't you all wait to pass judgement on this guy (and the rest of the police department) until he's actually been found GUILTY of a crime.