

'Not guilty' and 'innocent' have different ramifications

BY JASON KOTOWSKI
The Bakersfield Californian
jkotowski@bakersfield.com

A Kern County judge on Monday refused to find a Juvenile Hall correctional officer innocent in a sexual abuse case after determining investigators had reasonable cause to believe abuse had occurred, justifying their decision to arrest and charge the officer.

In denying Cesar Nave-

jar's petition to be found factually innocent, Judge Kenneth C. Twisselman II also questioned the believability of the officer's testimony as to why he was in a courtyard at night outside the room of his alleged victim at Juvenile Hall.

Navejar's attorney, Shawn B. Collins, argued no crime occurred, and that his client should be found innocent and his

arrest record sealed.

He said the teenage inmate who accused Navejar of sexually assaulting her is a chronic liar whose statements to investigators included significant contradictions regarding whether Navejar kissed her and what he said during the alleged assaults.

Collins said Navejar should never have been charged.

A jury acquitted Navejar March 9 of crimes including sexual battery and assault by a public officer.

A not guilty verdict, however, is not a finding of innocence, and means only

that the jury did not find the evidence proved beyond a reasonable doubt that Navejar committed the crimes with which he was charged.

Twisselman said that if the case had been decided by him, he may also have found Navejar not guilty.

But the judge said he remained unconvinced by Navejar's testimony that he entered the facility's courtyard and stood outside the alleged victim's room to fix loose bricks.

Navejar's handprint was found on the window of the teen's cell facing the courtyard.

"I do have reasonable doubt as to why Officer Navejar went into the courtyard," Twisselman said.

Navejar remains on paid administrative leave.

His accuser told investigators he touched her inappropriately on several separate occasions in September 2014 while she was in custody at Juvenile Hall, court filings say.

The teen, 17 at the time, said the touching culminated in sexual assault on Sept. 29, 2014.

Attorneys at Chain Cohn Stiles are representing the accuser and another teen

"I do have reasonable doubt as to why Officer Navejar went into the courtyard."

— Judge Kenneth C. Twisselman II

who alleges she was sexually assaulted by a different correctional officer at Juvenile Hall in a lawsuit against the county.

CUT HERE

**QUIT SMOKING
LOSE WEIGHT**

The easy way!

Motivation without Medication™

PATHWAYS HYPNOSIS

Vaughn Barnett
C.Ht., NLP, BA
Alpha Chi Honor Society
American Hypnosis Assoc.

661.322.0077
PathwaysHypnosis.org

Thai House
RESTAURANT

At Colonial Square Shopping Center

5143 Ming Ave.,
Bakersfield, CA 93309
(661) 397-9667

Business Hours
MON-THUR 11 AM - 9 PM
FRI-SAT 11 AM - 10 PM
SUNDAY 12 PM - 9 PMA

Tile From Around The World

Bill Ray
TILE

Ceramic Tile Center, Inc.

BUY DIRECT AND SAVE
WE MAKE CERAMIC TILE AFFORDABLE

JUST ARRIVED!

**NEW
Wood Look
TILE**

• New Colors • New Sizes

6301 E. Brundage Lane
(661) 366-3255 Bakersfield

Public safety

Inmate's cause of death pending further studies

THE BAKERSFIELD CALIFORNIAN

The cause and manner of death for a Lerdo Jail inmate found dead in a shower area Saturday morning are pending further studies.

Paul Vivas, 44, was pronounced dead at the scene after being found at 7:32 a.m., a coroner's office news release said.

A man fatally shot in Bakersfield Saturday afternoon has been identified as 29-year-old Rufino Hernandez, a coroner's office news release said.

Hernandez was shot at 3:16 p.m. in the 700 block of Planz Road and died about an hour later at Kern Medical Center. Bakersfield police are investigating.

Two people were in critical condition following a stabbing Sunday evening southeast of downtown Bakersfield.

Police said they found two males suffering from stab wounds in the 900 block of East California Avenue.

No suspect information was available.

Anyone with information is asked to call the Bakersfield Police Department at 327-7111.

A shooting victim found in an alley in McFarland has been identified as 48-year-old Steven Ramirez.

Ramirez, of Bakersfield, was found by McFarland police March 7 in an east alley in the 200 block of San Lucas Street, according to a coroner's office release.

He died of multiple gunshot wounds.



DreamMaker Bath & Kitchen

WINE, DINE & REMODEL!

Meet YOUR Dream Team of Local Experts at our informational dinner meeting.

Learn more about Bathroom, Kitchen & Whole House Remodeling!

March 17, 2016
5:45-7:45 p.m. at Urner's

\$10 fee, which will be donated to Kern County's Wounded Hero Fund

DreamMakerBakersfield.com

RSVP Online or Call 837-1117

5880 District Blvd. Suite 19 • Insured W.C./Liab. • Lic # 548785

CLASSIC HERITAGE™

BAGGED UPRIGHT

The Oreck Classic Heritage upright vacuum delivers a superb cleaning power backed by Oreck's reputation for durability.

- **Lightweight** weighs about 9 lbs**
- **Powerful** double-helix roller brush whirrs at approx. 6500 RPM for a deep clean.
- **Flexible** enough to lie virtually flat and easily vacuum under furniture.
- **Edge Brushes** helps clean corners and along baseboards.

Now Only
was \$249 **\$199**

*Some limitations apply. For details, see warranty in product user's guide at www.oreck.com. Any commercial use of non-commercial products voids applicable warranties. **Approximate weight without cord.



WE REPAIR ALL BRANDS

ORECK clean home center
835-0333



8200 Stockdale Hwy, Suite D5 | Mon. - Sat. 10am to 6pm