

The Bakersfield Californian

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TBC
MEDIA



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Jeffery Wilson surveys his surroundings and begins to clean up his campsite off the Calloway Canal near Riverview Park and Community Center. Wilson says it's cold at night and has experienced a bit of bad luck recently. He hopes to find a place to stay soon.

'SEVERE HOMELESS CRISIS'

Kern officials expect to see increase in homelessness after completing count of people without homes; preliminary figures indicate that number has risen for second year in a row **LOCAL | 2**

ALEX HORVATH / THE CALIFORNIAN

LAWSUIT

Alleging sexual abuse, former student sues KHSB, ex-administrator

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WINTER WEATHER

Polar blast envelops Midwest, leaving at least 8 people dead

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VALENTINE'S DAY

Don't procrastinate; get a head start on planning your romantic evening

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Ryan Reed, returning to his roots, will compete in Showdown at KCRP

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LOCAL

Lawsuit alleges sexual abuse at hands of former assistant principal

BY JOSEPH LUIZ
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A former Highland High School student is suing the Kern High School District and former Assistant Principal Mark Weir, claiming Weir sexually abused him.

Attorneys Paul Mones, Dave Ring and Natalie Weatherford, with the Manhattan Beach law firm Taylor & Ring, filed the lawsuit in Kern County Superior Court on Monday. According to the lawsuit, the victim was a homeless student who entered Highland High in 2009 as part of a school-sponsored homeless assistance program.

The lawsuit says Weir invited the student to participate in the program and, shortly after the plaintiff enrolled, Weir began sexually abusing him. The abuse lasted until after the victim left the school in 2011, according to the lawsuit.

"This young man suffered great pain and emotional distress for many years at the hands of Weir, who exploited his authority over a vulnerable student," Mones said.

The lawsuit also faults the district for failing to notice obvious signs of abuse and strange behavior from Weir.

"Despite Weir's repeated flirtation, overly friendly and inappropriate behavior, and repeatedly driving minor students in his personal car, no one at Highland High School questioned Weir's actions," the firm said.

Taylor & Ring said it's suing the district because it failed in its respon-

“My client has no criminal responsibility in this. ... The way this reads to me is, ‘we’re suing a guy and we want money.’ Somebody wants money from the school district because it has deep pockets.”

— **Kyle Humphrey**, attorney representing former Assistant Principal Mark Weir

sibility to ensure student safety. "As a direct result of the school's negligence, this victim will forever suffer from this trauma and may never be able to conduct a normal, productive life," Ring said. "We are determined to hold Weir and the district responsible."

KHSD, however, said it became aware of the allegations last year when Weir was still employed with the district. He was placed on administrative leave last July while the Bakersfield Police Department conducted an investigation. He retired on Sept. 1 after working in the district since 1994.

"The allegations made in the lawsuit are very troubling and the alleged behavior, if true, is reprehensible and goes against our core values as educators," the district said. "KHSD and its schools remain committed to

the safety and well-being of students, staff, and the Kern High School District community."

BPD recommended charges, but the case was dropped by the Kern County District Attorney's office due to insufficient evidence, according to the department.

The lawsuit alleges that shortly after the victim came to the school, Weir began paying special attention to him, giving the student frequent compliments and offering additional financial support.

In fall 2009, the lawsuit alleges, Weir set up a meeting with the student in the parking lot of a Fosters Freeze fast-food restaurant, where the sexual abuse began. The law firm declined to provide details of how the alleged abuse came about.

Afterward, attorneys say, Weir would frequently call the student to his office during school hours. Behind locked doors, Weir allegedly touched the student inappropriately and engaged him in oral sex. The lawsuit says Weir also attempted anal sex.

The firm said these encounters would also occur off-campus after school hours.

"Weir exercised highly manipulative tactics to take advantage of his position as school administrator and supervisor of the homeless student assistance program to maintain a measure of control over (the student), leaving him fearful and uncertain how

Please see **LAWSUIT** | 5

Can teacher who allegedly appeared in porn keep her job? Attorneys weigh in

BY JASON KOTOWSKI
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Based on the allegations, it appears the Frontier High School teacher believed to have appeared in pornographic online videos did nothing illegal.

That may not matter when it comes to whether she keeps her job.

The case of Emily Salazar — the science teacher alleged to appear in the videos — represents something of a gray area, said attorney Matthew C. Clark of Chain Cohn Stiles.



Salazar

The Kern High School District placed Salazar, 36, on paid leave Monday but has declined further comment, citing restrictions on personnel issues. Several anonymous sources have identified the woman in the videos as Salazar.

She has not responded to requests by The Californian seeking comment.

Clark said the allegations make no

mention of sex acts involving students or occurring on school grounds. It wouldn't surprise him if the district fires Salazar, but he said she could decide to fight it with a wrongful termination lawsuit.

"You're on a really slippery slope here because obviously these are sensational circumstances, but where do you draw the line?" Clark said.

The case raises questions as to whether teachers can engage, without repercussions, in activities that some may find unseemly but are perfectly legal. For instance, what if a teacher supplements her income with exotic dancing, or works at a bikini coffee shop? Are those grounds for dismissal?

District officials have some leeway regarding such issues.

One part of the California education code states, "Each city or city and county board of examination may for immoral and unprofessional conduct, profanity, intemperance, or evident unfitness for teaching, recommend to the city or city and county board of education, the revocation of any

certificate previously granted by the board of education in the city or city and county."

Daniel Rodriguez, founder and president of Rodriguez and Associates, said "immoral conduct and evident unfitness for service" are parts of the code that would appear to apply to the allegations in Salazar's case.

In his research on cases where teachers faced allegations of a sexual nature but no crime was committed, Rodriguez found split results on whether the teachers kept their job.

"It's too hard to tell," he said of the possible outcome in Salazar's case.

Rodriguez said it's also possible for teachers to be fired from a school district but keep their teaching credentials.

Sometimes an investigation will find the teacher's actions have caused so much notoriety they're too much of a disruption to the class. Other decisions have found the disruptive aspect alone is not enough to revoke

Please see **VIDEO** | 5

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Highest \$3.89
Lowest \$2.75

For comparison, the avg. price per gallon in:

California \$3.13
West Coast \$2.68
Nation \$2.26

Sources: Local prices from GasBuddy.com; national prices provided by the U.S. Energy Information Administration.

STOCKS OF LOCAL INTEREST

	HIGH	LOW	CLOSE	CHG.
AT&T Inc	30.40	29.01	29.37	-1.33
BkofAm	29.47	28.95	29.07	-0.32
BerryPetr	11.87	11.20	11.70	0.46
CVB Fncl	22.31	21.90	21.95	-0.26
Chevron	113.65	111.98	113.01	1.18
ConocPhil	66.10	65.11	65.69	0.39
ExxonMbl	72.57	71.51	72.29	0.78
GraniteC	43.50	41.83	43.02	-0.02
Hallibrtn	31.79	30.79	31.57	0.72
Kohls	70.00	68.13	69.10	-0.46
Nabors	3.11	2.89	3.08	0.13
CAResources	20.63	19.41	20.60	1.00
PG&E Cp	14.15	13.15	13.67	-0.35
RoyDShIB	61.07	60.43	60.72	0.74
RoyDShIIA	59.81	59.26	59.56	0.72
SierraBc	27.20	26.50	26.63	-0.13
Target	72.65	71.31	72.33	0.63
TejonRnch	18.87	18.55	18.66	-0.01
UnionPac s	161.89	159.44	160.82	0.65
WellsFargo	50.35	49.59	50.09	0.24

NASDAQ BULLETIN BOARD STOCKS

MissionBk	—	—	81.01	0.00
ValleyRepBK	34.00	34.00	34.00	0.00

VIDEO

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credentials.

Teachers in California are subject to a set of guidelines called "Morrison factors" developed by the California Supreme Court to determine whether a person is fit to teach. They include the effect of the notoriety, impairment of teacher-student relationships, disruption of the education process and how recently the conduct occurred.

"You analyze the totality of the circumstances," Clark said.

The typical cases Clark

handles regarding schools involve incidents where a teacher or other school employee became involved in a sexual relationship with a student. That's clearly illegal, he said, as opposed to what Salazar is alleged to have done.

Still, he said, it shouldn't come as a surprise to a teacher in such a situation for the case to have received intense media scrutiny.

"As a teacher you're kind of a public figure, you're considered a role model," Clark said, "and if you put this type of material in a public forum where it can be found you're kind of asking for trouble."

It doesn't appear any similar situations have occurred in Kern County, but statewide there have been controversies resembling this one.

In 2013, Stacie Halas, an eighth grade science teacher at a school in Oxnard, was fired after administrators were made aware she worked in porn years earlier.

ABC news quoted a school official as saying numerous lies under oath, along with Halas' porn past, led to her firing.

Halas later lost an appeal to keep her job after a three-person panel found she acted immorally, according to Reuters.

LAWSUIT

Continued from PAGE 3

to extricate himself from the situation, as he felt beholden to Weir for his financial well-being," the firm said.

Local defense attorney Kyle Humphrey, who is representing Weir, said the allegations are false and that this is just an attempt to get money from the



CALIFORNIAN FILE

The Kern High School District Offices on Sundale Avenue in Bakersfield.

Kern High School District. "My client has no crim-

inal responsibility in this. He has done nothing criminally wrong," he said. "The way this reads to me is 'we're suing a guy and we want money.' Somebody wants money from the school district because it has deep pockets."

Joseph Luiz can be reached at 395-7368 or by email at jluiz@bakersfield.com. You can also follow him on Twitter @JLuiz_TBC.

PUBLIC SAFETY

2nd person arrested, 3rd at large in connection with body found in yard

THE BAKERSFIELD CALIFORNIAN

Police have arrested a second person and are searching for a third in connection with trying to hide the corpse of a man who allegedly overdosed on drugs.

Kailee Morrison, 22, was arrested Monday, and investigators have obtained an arrest warrant for David Williams, 30, police said.



Williams

The two, along with the previously arrested Dennis Marroquin, 25, face charges including destruction of evidence and concealing an accidental death in the death of 21-year-old Joseph Lara, according to police.

Marroquin told police in court documents Lara died of a drug overdose at another location, and he and another person moved

the body to the Hathaway Avenue residence where they burned and buried it in the backyard.

Marroquin is the brother of one of the residents at the Hathaway Avenue home, according to the documents. The residents contacted police Jan. 23 upon finding a toe in the backyard.

Williams is described as black, 6-foot-3, 220 pounds, black hair and brown eyes.

Anyone with information regarding Williams' whereabouts is asked to call Detective Robles at 326-3953 or the Bakersfield Police Department at 327-7111.

A Lamont teen who died after being struck by gunfire while in a vehicle that hit a fence and water line in Lamont has been identified.

Thomas Noe Romero, 17, died from multiple gunshot wounds early Monday, according to a coroner's release. Another person was injured in the shooting but

survived. Sheriff's investigators said the shooting occurred around 1 a.m. in the 10400 block of Elmco Avenue. The vehicle crashed in the 10400 block of Velma Avenue.

Romero was pronounced dead at the scene.

A Wofford Heights man died Tuesday in a crash on Highway 155 west of Air Force Way, according to coroner's officials.

Vincent Paul Baioni, 55, was the driver of a car that crashed into an SUV around 9:30 a.m., according to the

coroner's office. He died at the scene.

A Kern County jury on Wednesday convicted a man of robbing an internet casino in Bakersfield while armed with a silver revolver early last year.

The jury found Alejandro Javier Gonzalez, 25, guilty of robbery, criminal threats and being a felon in possession of a firearm in the Feb. 2, 2018 robbery.

He faces up to 27 years in prison at his Feb. 27 sentencing.

Gonzalez entered a casino on Niles Street and

demanded cash, according to prosecutors. When the cashier refused, he drew the revolver and pointed it at the cashier while again demanding money.

The cashier gave Gonzalez a small amount of cash, according to prosecutors. Gonzalez was arrested immediately after leaving the business.

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