

Update – March 6, 2022

A lot has happened since my last post to this section of my website. First, after weeks of filing pleadings, the sheriff, after being ordered to do so, admitted that approximately **25 pages** of emails existed between Hernandez and Finstad for the period November 10, 2015, through October 8, 2020. However, Hernandez's lawyers persist in saying the emails are not disclosable under the CPRA. So, the judge ordered the emails be presented to him on March 22, 2022, for review *in camera*.

However, before we got to that point, we chased Elaine Finstad, Suzanne Finstad's mother, around Houston, Texas, to serve her with a deposition subpoena. After she refused to answer the door, it took nearly three months to serve her. She even denied being Elaine Finstad to one of the process servers. But we finally took her deposition on December 3, 2021, and while her memory failed her on many points, she did back up her daughter's statements by testifying she went with her to the sheriff's office where they were presented with Natalie's file.

We also deposed Detective Hernandez and Albert Grotefend, a former detective. Grotefend admitted he checked out Natalie's file on November 15, 2007, and thereafter kept it at his home for three and a half months. The file entry records we were given also indicated that a person named Luke Scott also accessed Natalie's file on March 11, 2010, and kept it for 12 days. Why? Who knows? Scott was never assigned to Natalie's case. But we could not locate him to serve him with a subpoena to testify.

Finally, we deposed Detective Hernandez on October 10, 2021, and he was no more forthcoming than he was when I deposed him twice in 2016. But Hernandez did state a few things of relevance under oath. First, he testified he had not read Finstad's books. In fact, he said, "I hate reading books." (See page 16 of Hernandez deposition under "Author's 2020 CPRA Lawsuit Against Sheriff" heading.) Then he said, contradicting Finstad's assertion that Hernandez gave her Vidal Herrera's sworn statement, that he "absolutely" had given "nothing" to Finstad from the file. (See page 42, lines 16-17, of Hernandez deposition.) In fact, even though, according to Finstad, Herrera was such a significant a witness, Hernandez "didn't recall Vidal Herrera." (See page 41, lines 17-19, of Hernandez deposition.) Finally, when asked about an alleged conversation Finstad said she had with Hernandez about "troubling" head wounds, Hernandez testified that he did not "use the word troubling" and did not recall describing bruises to Finstad "or any other witnesses." (See page 43, lines 5-8, and page 44, lines 16-25, of Hernandez deposition).

Judge Chalfant set my "trial" in this case for February 22, 2022. On the day of the hearing, he provided us with his so-called "Tentative Order." I call it "so-called" because it's never "tentative" in his court when it comes to my CPRA issues. So, like my first case, my "trial" turned into an exercise of trying to talk him out of a decision he had already made. Of

course, it did not happen in my first case, and it did not happen in this case. However, in his “tentative” order, he said the following about Finstad’s claim that she was given access to Natalie’s “murder book,” as Finstad put it, “the file of all the evidence in a homicide investigation:”

1. “As the County argues (Opp. at 17), the evidence raises plenty of doubt that Finstad had access to a murder book or the entire Wood file.” (See page 18, fifth paragraph, of judge’s tentative decision under “Author’s 2020 CPRA Lawsuit Against Sheriff” heading.)
2. “Danoff disputes that he ever gave Finstad access to the Wood file.” (See page 18, sixth paragraph, of judge’s tentative decision.)
3. “Finstad claimed access in 2000 when the investigation was closed. Even for a closed death investigation, it would be unprofessional for law enforcement to allow a civilian access to an entire investigation file, and certainly not unsupervised access. This would be particularly true for photos of a deceased’s remains.” (See page 19, third paragraph, of judge’s tentative decision.)
4. “But her [Finstad’s] view that she was given access to a murder book or other complete file, as opposed to select documents, is not supported.” (See page 19, fourth paragraph, of judge’s tentative decision.)
5. “In this regard, the court does not find Finstad’s testimony credible...” (See page 19, fifth paragraph, of judge’s tentative decision.)
6. “Finstad’s perception of what she received is undermined by her lack of knowledge of how LASD operates, what records are included in a murder book, and what records are included in an investigative file. ***Finstad also had an interest in writing her book to aggrandize the access she received over and above that which a normal member of the public would receive.***” (See page 19, fifth paragraph, of judge’s tentative decision; emphasis added.)

Couple Chalfant’s legal comments and conclusions of six years ago that there was “no ongoing investigation” (a claim made by the sheriff) of Natalie’s death, you can reasonably conclude that the judge felt Hernandez’s and Finstad’s veracity were tainted with mendacity.