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## **Police chief: 'Morale low' after officer charged in rape**

By Denisse Salazar & Greg Hardesty

WESTMINSTER – The details of the crime are shocking enough.

A 25-year-old woman, in what authorities are calling a random attack, is kidnapped in daylight after walking to her car and being confronted by two men – one pointing a loaded gun at her.

The woman is ordered to drive to a nearby industrial park with one of the men, who then savagely rapes and beats her at gunpoint, threatening to kill her if she doesn't comply, according to police and prosecutors.

Consider that two off-duty law enforcement officers – including a Westminster detective – are accused as the culprits, and the crime becomes even more difficult to comprehend.

Westminster police continue to reel from the arrest of one of their own following Saturday's attack in Fontana, recoiling at the thought that a man sworn to protect the public could carry out such a crime.

"It caught us all by surprise," said Westminster Police Chief Mitch Waller. "The morale right now is low. We take our position of trust very seriously and our officers are concerned of how the community will view this department."

Waller, who became police chief in January and has been with the department for 26 years, said he has never had to deal with an issue of this magnitude.

"At this point they are allegations, but from what I know, the evidence against our officer is mounting," Waller said.

Anthony Nicholas Orban, 30, a five-year officer with the Westminster police, and Jeff Thomas Jelinek, 30, a state prison guard at the Chino Institute for Men, face life in prison if convicted of the crime that unfolded in the parking lot of the Ontario Mills Mall on Saturday afternoon.

The two close friends, who have known each other since high school, have pleaded not guilty to an 11-count criminal complaint that accuses Jelinek of being the lookout for Orban, who police say carried out the sexual assault.

The two men were arrested after Ontario police traced a gun found in the woman's car to Orban.

Waller said Orban, who has been placed on paid administrative leave, had always been a good officer with an exemplary record who was recently promoted to detective.

"Since we found out about this, we have been compelled to go back to his employment record, background record and polygraph test results," Waller said. "We are checking to see if there were any red flags we missed, and we haven't seen any,"

As part of an internal investigation, Waller said the department is also looking into allegations that Orban had an extramarital affair with a department dispatcher. Waller said the department learned about the possible affair from Ontario police.

Orban and Jelinek are being held at the West Valley Detention Center in Rancho Cucamonga in lieu of \$2 million bail.

Waller said that the department hired a consulting firm to conduct intensive training on policing ethics after a Westminster sergeant was terminated in September 2009 for using a state database to look up names and license plates for his personal use.

Last month, the former sergeant, William Arganda, pleaded guilty to misdemeanor unlawful disclosure of DMV records and domestic violence.

Waller said the rape accusation against Orban has left officers feeling betrayed by one of their own and concerned about the victim. "If the allegations are true, no woman should ever be subjected to such brutality," he said.

Crimes of random violence by police officers are unusual, an expert said.

"It's statistically bizarre to have an officer assault a woman in broad daylight and rape her like this case alleges," said Ronald Huff, a criminologist at UC Irvine. "This is really rare."

Huff said that if you hear about a cop sexually assaulting a woman, it's usually involves a prostitute or a traffic stop in a remote location.

"The crime is a random act of violence that could have happened to anyone, which is scary enough, but the fact it was committed by an off-duty officer, whose job it is to protect the public from crimes, makes this case especially horrific," said San Bernardino County Deputy District Attorney Deborah Ploghaus, who is prosecuting the case.

Both Orban and Jelinek had been drinking throughout the day, Ploghaus said. Results of intoxication tests still are pending.

"You can't take one instance and say all cops are like that," said Jim Amormino, spokesman for the Orange County Sheriff's Department. "Every walk of life has a bad apple. Every profession has a bad apple and unfortunately there is no foolproof system to weed out the bad ones."

"If the allegations are true, they are totally disgusting," Amormino said. "Anyone who tarnished the badge ... should be punished even more."

In an interview, Orban's attorney, James E. Blatt, hinted that a possible defense he will build for his client is that the alleged crime was an "aberration," but he declined to elaborate.

Huff said police officers have stressful jobs and have higher incidences of alcohol abuse, domestic problems and divorce.

"That has to do with the hours they work and the stress they are under, but that doesn't justify raping a woman," Huff said. "If the allegations are true, I don't know what could explain it unless his judgment was severely impaired by alcohol or drugs or both."

Blatt said Orban's wife and other relatives, colleagues and friends are shocked at the charges filed against the former Marine and Iraq War veteran.

Jelinek's court-appointed attorney, San Bernardino County Deputy Public Defender Renae Carpenter, could not be reached for comment.

Three other recent cases with Orange County connections involve law enforcement officers charged with violent crimes.

Huntington Beach police officer James Roberts III, 33, is charged with 20 counts of sexually and physically assaulting his former wife and a former girlfriend. He was initially charged in September 2009 and is awaiting trial.

In December 2008, Long Beach police officer Orlando Mendez, 26, of Anaheim was charged with assaulting his ex-girlfriend and two of her friends after chasing them in his car and firing shots into the air while off-duty. He pleaded guilty in 2009 and was sentenced to six months in jail.

In October 2008, Los Angeles Sheriff's deputy Robert Avery McClain, 34, was accused of sexually assaulting his wife and savagely torturing another man at the man's Irvine apartment after his wife announced she was leaving him. He is still awaiting trial.

Ontario detectives are concerned that there may be other victims. They are asking that anyone who has information to contact the Ontario Police Department at 909-395-2908.

The investigation is still pending and no other possible victims have been identified, said Ontario police spokesman Sgt. David McBride.

Register News Researcher Michael Doss contributed to this story.