

Deputy Trades Sheriff's Green for Jailhouse Orange

The Orange County sheriff's deputy arrested in March after two DUI crashes in just 33 minutes is no longer with the department. But the story gets more interesting.

The Watchdog has learned that as soon as he turned in his department gear Wednesday, **Deputy Allan James Waters** was arrested by his former department on a warrant for the DUI and on suspicion of being a drug dealer who traded fake drugs and cash in exchange for prescription drugs.

According to the **District Attorney's** Office, he tried to pull a fast one by using a white powder instead of cocaine.

He traded in a green deputy uniform for an orange jail jumpsuit.

The Watchdog isn't easily left speechless, but the tale of Deputy Waters did the trick.

Apparently, the D.A.'s Office says, Waters, a 13-year department veteran, wasn't even on the straight side of crooked. Not only did his off-the-clock activities tarnish the badge of the **Sheriff's Department**, he wasn't up-front with his customers, prosecutors believe.

People who know him say he is a nice guy and a good deputy with an addiction to prescription drugs. That addiction apparently led him down the wrong path – on the wrong side of the law he was sworn to uphold. He already lost the fight for his job.

The downfall of Waters, 36, began in January when he was placed on paid administrative leave – for exactly what, sheriff's officials aren't saying. They'd like to, but police officer rights built into the law prohibit it.

While he was off on paid leave, Waters found himself in a new heap of trouble.

The Watchdog first reported that on March 5, Waters was the driver in two DUI crashes just 33 minutes apart.

According to a CHP report, Waters was driving under the influence when he crashed his 2008 Mercedes in to a Toyota, sending the couple inside into a tree.

About half-a-mile away, and half-an-hour earlier, deputies were called to a wreck outside Dana Point City Hall between Waters' Mercedes and a Lexus. Deputies took a traffic report, Assistant Sheriff **Mike James** confirmed. When the drivers were sent on their way, Waters drove off. The woman he hit went to the hospital.

Minutes later, Waters crashed again, the **California Highway Patrol** investigated, and this time Waters was sent to county jail, accused of driving under the influence.

What Deputy Waters may not have known that night is that he was being followed by a citizen so

concerned about his erratic driving that she called 911 and tailed him until help arrived.

Unfortunately for **Benjamin** and **Dolores Molina**, that help arrived too late. According to the CHP report, the second accident on the Street of the Golden Lantern began when “due to Waters’ level of intoxication, he unsafely turned his Mercedes to the right.”

That turn set off a chain of events that sent the Mercedes ricocheting off curbs and into the Molinas’ Toyota. The Toyota ended up crashing into a tree, and Dolores Molina went to a hospital. Witnesses said Waters told authorities it was Benjamin Molina who hit him. Not so fast, according to the CHP report.

Benjamin Molina said officers told him Waters had confided that he was taking medication for a back injury. According to prosecutors, Waters was under the influence of zolpidem and hydrocodone.

This isn’t the first time accusations of driving under the influence have put the Sheriff’s Department in an awkward situation. The sheriff’s harbormaster was reassigned in April 2009 after she was arrested on suspicion of driving under the influence and slamming into the back of another vehicle stopped at a stoplight – in an unmarked Sheriff’s Department vehicle. Luckily, no one was hurt.

Two hours after her arrest, Lt. **Erin Lorraine Giudice** registered a blood-alcohol level of 0.14, authorities said, nearly double the legal limit of .08. She pleaded no contest to driving under the influence of alcohol and was sentenced to three years probation. Her probation is up in 2012. Giudice is now assigned to jail operations.

Waters, who was assigned to the department’s South Operations, spent two nights in the county jail, held on suspicion of felony driving under the influence and causing injury, according to county records.

After his release, prosecutors say, he hooked up with someone at least twice in April to trade money and cocaine for the prescription drugs Opanas and Oxycontin. His friend got the short end of that deal, prosecutors say. The “cocaine” turned out to be nothing more than a white powdery substance.

Sheriff **Sandra Hutchens** is aware that law enforcement officers can struggle with substance abuse. She told us she has created a new division that will help identify problem officers and quickly correct problems before they cost employees their jobs.

After Waters’ arrest in March, James pledged a thorough investigation.

That investigation is done. Unfortunately for Waters, he wasn’t one of the ones who was saved.

Case closed – at least for the Sheriff’s Department.

Now it’s the prosecutors’ turn.

Waters has been charged with one felony count of driving under the influence causing bodily injury and two felony counts of selling a substance in lieu of cocaine with a sentencing

enhancement for causing great bodily injury. If convicted, he faces up to seven years and four months in state prison. Waters is being held on \$100,000 bail.

He is expected to be arraigned Friday.

When Waters was booked into the Orange County jail Wednesday, he listed his occupation as retired