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At Justice, life-and-death frictions

Fired U.S. attorneys in California, Michigan and Arizona shared reluctance to pursue capital punishment.

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MATT BAYDOLFF/Grand Rapids Press



PAUL DAZUMA/Associated Press



CHRY DOMODIVILLA/Getty Images

DISMISSED: The Justice Department did not cite the death penalty reservations of, from left, Margaret Chiara, Kevin Ryan and Paul Charlton in their dismissals. But the White House has made it clear it wants prosecutors to toe the line.

In Phoenix, prosecutor Paul Charlton was told repeatedly, despite his resistance, to file capital murder charges in a case where the victim's body has not been recovered. The woman's remains are believed buried deep in an Arizona landfill, but the Justice Department refused Charlton's request to shoulder the cost — up to \$1 million — to retrieve the corpse.

No body

In the Rios Rico case, the dispute centered on the Justice Department's refusal to look for Pinkerton's body, according to people familiar with the matter. Informants, who apparently were granted plea deals in the case, had tipped federal prosecutors that her body was buried in a Waste Management Inc. landfill in Mobile, Ariz. It would cost \$500,000 to \$1 million to find it, however.

Federal prosecutors "told us they knew where she was buried," said Annette Grzybowski, Pinkerton's sister. But she said Washington officials would not approve the expenditure. "I was extremely upset," Grzybowski said.

"It all took too long. It's been four years and we still haven't had a trial."

Grzybowski's account was confirmed by an attorney knowledgeable about the details of the case.

"As a matter of policy, we don't comment on pending litigation," said Erik Ablin, a Justice spokesman.

Rios Rico's defense lawyer Thomas Gorman, said: "If this woman's death merits a death prosecution, then her body should be found and returned to her family. The idea that they could leave it in a garbage dump is pretty disturbing."

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