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'Green Gold' Lures Shadowy Ventura County Thieves

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Ventura County Sheriff's Deputy Kevin Kortlander cut the lights on his black-and-white patrol car and, in the darkness, pulled up alongside a dense grove of avocado trees.

Whispering his location into a walkie-talkie, Kortlander chose a dirt path and, stepping gingerly in heavy police shoes, edged through the rows of pungent ripe fruit.

He paused, listening for the sound of rustling leaves. Then, with a swift snap of the wrist, he shot his high-beam flashlight down the shadowy aisles in hope of surprising a furtive picker.

"If I walk the fields, I can be on top of them before they know what's going on," he said late one Friday night in the Santa Paula grove. "It takes a little extra effort, but the end result is worth it."

Kortlander fights in the trenches in Ventura County's war on fruit theft. Backed by a team of detectives, prosecutors and farmers—known collectively as the Fruit Theft Task Force—he is charged with protecting the fertile Santa Clara Valley from the ravages of midnight rustlers.

County farmers, the state's second most prolific avocado growers, lost an estimated \$100,000 to \$200,000 to thieves in 1986. Avocados accounted for the bulk of the losses, living up to their nickname in agricultural circles as "green gold."

Although most of the county's crops have escaped pilferage so far this winter, damage from recent cold spells has farmers worried about a new wave of thievery in the coming months. County agricultural officials say the bitter winds and freezing temperatures have cost farmers at least \$51 million.

"The more damage, the higher the price. And the higher the price, the more problems we'll have," said Ron Hendren, vice president of Limoneira Associates of Santa Paula, the largest fruit ranch and packing house in the county. "By spring . . . I'm sure we'll start seeing some theft again."

The task force met last week to brace for the expected rise in rustling. It has streamlined the procedure for collecting the perishable evidence, urged judges to mete out stiffer sentences, and directed deputies such as Kortlander to aggressively patrol the county's 16,000 acres of avocado groves.

To help, local growers raised \$8,500 last year and bought the Sheriff's Department a German shepherd named Basko, trained to sniff recalcitrant suspects out of the fields.

Already, the task force has begun to reap the fruits of its labor. Since its inception two years ago, the program has sent more than 20 rustlers to jail, many of them receiving six-month sentences for the felony crime of stealing more than \$100 worth of fruit.

Last fall, a Ventura Superior Court judge sentenced one repeat offender to three years in state prison for his role in a 1,700-pound avocado heist. His cohort, who had pleaded innocent, was convicted last week after a jury trial.

"It would seem kind of unique going to prison and telling the homeboys in the tank that you're in for stealing avocados," said Sheriff's Detective Ken Cozzens, one of the task force leaders. "But doing time is doing time. As far as we're concerned, fruit thieves are just as big crooks as anyone else."

But some defense attorneys question whether the nature of the crime merits such punishment.

Charles L. Cassy, a Ventura attorney whose law firm has a contract with the county to represent indigent defendants, said many of the suspects are undocumented Latinos who are hired by others to pick the fruit without understanding that the operation is illegitimate.

"Many are duped into this," he said. "I don't think most of them have any idea that what they're doing is wrong or illegal."

In addition, Cassy argued, the court judges fruit thieves by a double standard. A rustler can be convicted of a felony for stealing just \$100 worth of a crop, he said, while someone has to steal \$400 worth of any other property to draw a prison term.

"That's a big disparity," Cassy said. "It means you steal anything else that's worth \$100, and you can't possibly go to prison. But a guy steals \$100 of fruit, and it's off to prison, if they want."

Law enforcement officials, however, say many of the thefts are the work of sophisticated crime rings that have thrived because the problem often is not taken seriously enough.

"We've tried to raise some consciousnesses," said Chief Deputy Dist. Atty. Vincent J. O'Neill Jr. "We've tried to bring it up to a par in terms of other theft offenses."

Typically, a team of several fruit rustlers carrying burlap sacks will be dropped off at night at the edge of a grove, officials say. Camouflaged by the bushy crops, they are virtually invisible to lawmen patrolling the roads.

At an agreed-upon time, a driver will arrive, usually in a large, late-model, four-door sedan with the back seat removed. A few hours in the fields can fill the car with more than 3,000 avocados—the equivalent of 1,500 to 2,000 pounds.

Many of the vehicles have been specially equipped with heavy-duty shock absorbers to support that weight. Some thieves even pilfer packing boxes so that the stolen fruit seems legitimate when sold to grocery stores.

When the price of avocados hit a low last fall of about 12 cents a pound, such elaborate measures did not pay off. But when the price peaked at more than \$1 a pound the year before, a night's work meant a booty of a couple of thousand dollars.

"This isn't Aunt Matilda going back to the San Fernando Valley with a bag of fruit after visiting her niece," said Rex Laird, executive director of the Ventura County Farm Bureau. "This is a major organized-crime ring."

When a thief was caught before formation of the task force, the confiscated fruit was simply taken back to the police station and stored. Usually the produce just stayed there until it rotted, which created difficulties for proving its value in court, officials said.

Now, ranch employees and fruit marketers are sometimes called out in the middle of the night to grade and weigh the seized fruit. By having the fruit examined immediately, farmers can sell it before it spoils and appear in court later to testify to its value.

Sheriff's deputies, however, always have to keep five pieces, which are frozen in their crime lab for use as evidence.

A new state law, which took effect Jan. 1, makes the process even simpler. Instead of having half a dozen farmhands grading each piece in a load of seized fruit and then all appearing in court, one expert witness can testify to the value, based on current market prices, of the entire haul.

"We found that when push came to shove, we still needed six or seven witnesses, which we felt was excessive," said O'Neill, who drafted the bill and testified on its behalf in Sacramento last year. "Now there's less emphasis on proving the actual chain of custody."

Farmers, for their part, have taken additional preventive measures. Many have lined their ranches with chain-link fence, installed alarms and even dumped nails to puncture the tires of would-be thieves.

Basko, their gift to the deputies, has also been credited as a significant deterrent.

"Who knows how many thefts have been prevented, just having the dog out there?" said Deputy Mike Horne, who trains Basko. "It's been a psychological factor."

Partly as a result of their efforts, officials say, fruit thefts have plunged dramatically over the last several months. Although they anticipate more problems this spring, police are hopeful that their get-tough approach will nip any filching in the bud.

"People are aware of the fact that we're prosecuting up here, and they're staying away," Cozzens said. "I just wish to God we could do the same to the burglars who are stealing our VCRs."