

## **Spare child killer's life so he can face prisoner justice, defense lawyer asks**

SAN FERNANDO — Convicted child killer Antonio Rodriguez should be sentenced to life in prison, not Death Row, because the way he would be treated behind bars could be a worse punishment than execution, his defense attorney argued Friday.

The prison population especially abhors those convicted of killing or sexually assaulting children, viewing them as "lower than pond scum," said attorney Robert Schwartz. Gang members may put out a "green light," or contract killing, on Rodriguez, 29.

"The extra (stigma) that he's covered with for the rest of his life ... adds to the severity of his punishment," Schwartz said. "For what he did, he's a marked man. He's a dead man walking."

A jury on July 8 found Rodriguez, of Van Nuys, guilty of eight counts in the first-degree murder of his ex-girlfriend's 5-year-old daughter, Desarie Saravia, and the abuse of her brother, 6-year-old Brian. The charges include forcible sexual penetration, torture, child abuse and corporal injury to a child.

Arguments in the penalty phase of his trial wrapped on Friday and the jury is expected to begin deliberating Monday on whether to recommend life in prison without parole or execution.

Desarie Saravia died Nov. 12, 2004, of multiple blunt force injuries to her intestines after being sexually assaulted and beaten in the women's restroom at Hasley Canyon Park in Castaic. Brian was found to have been abused and has since been living in foster homes.

"The murder, the torture, the forcible sexual penetration of 5-year-old Desarie does not just affect Desarie and Brian Saravia," said prosecutor Mary Sedgwick. "It affected the community and society. When somebody goes that far over the line, they deserve the ultimate punishment."

The children's mother, Debby Saravia, will be tried separately on murder and abuse charges.

During the trial, about to enter its fifth week, jurors have heard of a history of violence dating back to March 1997, when Rodriguez made threats to school officials during a pre-expulsion hearing at Littlerock High School in the Antelope Valley.

The most recent of nine incidents was July 9, when Rodriguez, a day after his conviction, attacked the Grim Sleeper serial killer suspect in prison.

That attack likely gave Rodriguez a few credibility points with the other inmates, Schwartz said last week.