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Documents can shed light on Aguirre probe

UNION-TRIBUNE

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Did City Attorney Mike Aguirre engineer a criminal investigation of an innocent executive of Sunroad Enterprises in order to discredit the firm in its civil dispute with Aguirre? The likely answer to this question is hidden in sealed court documents submitted by Aguirre in his pursuit of a search warrant for the offices of Sunroad Vice President Tom Story.

Superior Court Judge George "Woody" Clarke issued the warrant on the basis of a 12-page affidavit, or sworn statement, submitted by the City Attorney's Office claiming wrongdoing by Story. But Police Chief William Lansdowne refused to carry out the search, asserting the affidavit lacked substantiation to show that any crime had been committed.

With Chief Lansdowne standing firmly on principle and refusing to execute a groundless search, Aguirre reached a deal with Sunroad to abandon the search. In its place, the developer agreed voluntarily to turn over a voluminous list of documents sought by Aguirre. The city attorney is locked in a bitter confrontation with Sunroad over a 12-story office tower it is building near Montgomery Field. The Federal Aviation Administration has declared the structure to be a hazard. On Friday Sunroad turned over a raft of material to the City Attorney's Office, and the delivery of documents was continuing yesterday. In short, there no longer is any need for the search warrant issued by Judge Clarke.

Accordingly, if there ever was a valid reason to seal the dubious affidavit filed by Aguirre, that reason no longer exists. The public should not be kept in the dark one minute longer. We urge Judge Clarke to unseal the affidavit and the search warrant so that San Diegans can see for themselves what prompted Chief Lansdowne, an official of unquestioned integrity, to put an end to Aguirre's planned police search of Sunroad's offices.

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