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Drifter Jailed on Girls' Lies Set Course of Desperation

By H.G. Reza, Christine Hanley and James Ricci, Times Staff Writers

Demoralized by 251 days in Orange County Jail, where he was wrongfully imprisoned by the lies of three girls, Eric Nordmark resolved to take matters into his own hands if convicted of assault and child molestation.

As his trial began last month, the 36-year-old drifter devised a plan, he said in telephone interviews over the past week: He would smuggle a razor blade stuck to his skin with bar-code labels from the jail commissary. Then, awaiting sentencing in the courthouse holding cell, he'd slice open his carotid artery.

Better that end, he decided, than a long stretch in the company of inmates notoriously brutal toward child molesters, followed by a lifetime of stigma if he survived incarceration. "My mind was made up," he said.

Fortunately for Nordmark, two days into his trial, the 12-year-old girl who was his principal accuser admitted the wanton attack never occurred. The girl said the entire story about the attack in a Garden Grove park on May 15, 2003, was a hoax concocted by her and two friends of similar age as an excuse for getting home late from school.

On Jan. 26, the defendant's waking bad dream abruptly ended. Nordmark, a college dropout, psychologist's son and former U.S. Army mortar man from Wisconsin, was set free. He departed for Seattle, where, he said, he hoped "to get back on my feet ... [to] find some menial work and start paying rent."

Blending In

An itinerant laborer who follows the weather, Nordmark had spent much of last winter in San Diego County, where he readily blended in with Ocean Beach's melange of bohemians, bikers and faded hippies. The place was friendly territory for an aimless man with self-admitted "esteem issues," a taste for drink and a strong desire for anonymity.

By May 2003, he was ready to go to the Pacific Northwest. Three days after departing, Nordmark spent a night in jail for public drunkenness in Anaheim, where he had hoped to meet a friend for the journey north. He was

Photos



Freed
(Christine Cotter / LAT)

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released Thursday, May 15.

Late the following afternoon, he was searching for cigarette butts in neighboring Garden Grove when he was approached by a police officer. The next thing he knew, he was handcuffed and made to sit on a curb. "I asked if I was being arrested, or what?" he said. "He said I was being detained — that I matched a description."

A police car cruised by twice, stopping each time about 50 feet away, while its occupants looked him over. The officer, he said, threatened to arrest him on suspicion of public drunkenness if he did not come to the Garden Grove police station to be photographed. He complied, and was released.

Later that day, he happened on the site of the annual Garden Grove Strawberry Festival. He was promised work setting up carnival rides the following Tuesday, May 20. He wanted "a pocketful of cash" for a bus ticket to the Northwest.

On the 20th, Nordmark said, he put in 13 hours of work at the festival. He had just returned to the festival grounds after buying beer and tobacco when police arrived. He said he heard someone call his name, and when he turned in response, he was handcuffed.

"They're high-fiving each other," Nordmark recalled of two officers. "As the handcuffs were being placed, they said, 'You're under arrest for assault with a deadly weapon. The weapon is your hands.' I said, 'These hands are deadly if you're a mosquito. That's about it.' It's not in my nature to be violent."

Not until his arraignment a few days later did he fully realize the nature of the seven charges against him. He was shackled with other defendants, but his charges weren't read aloud, apparently for his protection. A public defender confided to him: "You've got child molestation charges, pretty much."

The 'Attack'

The tale told by the three girls was shocking and vividly detailed:

Walking home from Woodbury Elementary School on May 15, they passed a man lounging in Woodbury Park. As they left the park, the man suddenly appeared behind them. He grabbed one of them, pushed her onto her back and began pulling her hair and tearing at her shirt.

When a second girl went to her friend's aid, the man grabbed her, pulled her hair and tried to strangle her.

The first girl kicked the man in the groin, freeing the second, and the three girls ran to the safety of her gated Cynthia Circle apartment complex, the attacker calling after them, "It's not over!"

Later, police interviewed the visibly shaken girls as a group. The girl who said she was attacked second, according to an officer who was present, kept rubbing her neck and spitting — the aftereffects, she said, of her near-strangling. They described the man as white, about 6 feet tall and wearing a dark, hooded sweatshirt. The description was similar to one given by two boys from the same apartment complex, who said a stranger in the same park had approached them menacingly two days before.

Nordmark's defense attorney, David Swanson of Irvine, contends this was one of the first opportunities police had to uncover the girls' lie: Interviewing them in a group may have allowed them to coordinate their stories more easily and deliver a consistent description of their fictional attacker, he said.



The girls' relatives have declined to discuss the case in recent weeks. But two women who live in the second girl's apartment complex said she took four people to the site of the alleged attack a few days later, and vividly recounted the details, grabbing her neck and pulling her hair to demonstrate.

"Her story was so horrible and sounded so real ... everyone felt so sorry for her," said one of the women, who declined to be identified. "She repeated the story to anyone who would listen."

The girls' story infused Garden Grove police with a sense of urgency. "We thought we had a sexual predator on the loose and we needed to act quickly," said Lt. Mike Handfield. "Who would have expected 11-year-olds to come up with this story?"

On May 16, the day after the reported attack, a Garden Grove officer spotted Nordmark and, based on the girls' description, detained him while two of the girls were driven by separately to look at him. One girl said he was not the attacker, but the girl who said she had been attacked second said she recognized him and began to cry.

It was four days later that a police detective brought six mug shots, including one taken of Nordmark after he had been charged with public drunkenness in Anaheim, to the girls. Two of the three picked out Nordmark's picture. Nordmark was arrested that day.

Swanson has raised many questions about how police handled the identification. For example, by allowing each girl to fetch the next after they had examined the mug shots provided them the opportunity to secretly agree on which one — No. 5 — they should choose.

The defense attorney also criticized police for not shuffling the order of the mug shots before each girl viewed them. At each viewing, Nordmark's picture was the fifth in the series of six. U.S. Department of Justice guidelines for conducting photo lineups encourage police to "consider placing suspects in different positions in each lineup."

City officials have strongly supported police handling of the case. The girls, said Mayor Bruce Broadwater, are "100% to blame."

"Ask the judge what he thought of the witness," he said. The girl who said she was the second attacked by Nordmark, the only one to testify, "was on the stand the whole day. And everyone believed her. She was a very credible witness."

But Broadwater agreed that in presenting the mug shots, officers "made an error. We're well aware of that. It's a minor error, but it's an error. They didn't switch the pictures."

Jail Time

During his eight months in Orange County's Theo Lacy Branch Jail, Nordmark said he passed the time playing chess and doing New York Times crossword puzzles. Other inmates referred to him as "Harry Potter," after the bespectacled English schoolboy of J.K. Rowling's novels.

In an odd coincidence, Nordmark shared a jail cubicle for a time with a man who he figured out during the trial was the older brother of his principal accuser. Nordmark noticed a facial resemblance between the man and the girl testifying against him.

"He was a nice guy," Nordmark recalled. "He said he had a little sister ... whose birthday is in October. He wanted to send [her] a birthday greeting, and he asked me how ... to write a birthday greeting."

In regular telephone calls to his father, Torberg Nordmark, a retired psychologist in Phoenix, Nordmark poured out his anxiety about the fate he feared awaited him.

Both he and Swanson, his lawyer, were convinced the girls had been attacked, and thought there had only been a mistake in identifying a suspect. "I believed her," he said, referring to the only girl to testify. "But she wasn't making eye contact with me. I told Swanson, 'Is she aware that I'm the one charged with attacking her? I don't think she thinks I'm the attacker. I don't think this kid knows I'm the one being charged with that.' "

The following Monday, when the second day of the trial was to take place, Nordmark found himself being treated somewhat more kindly by the court bailiff. The man led him to the courtroom down a hallway where prisoners usually weren't permitted. As soon as he entered the courtroom, he knew something was amiss. "I'm standing there, and I'm thinking, 'Wait a minute. There's nobody here except my attorney, the prosecutor and the child.' "

Then, Deputy Dist. Atty. Heather Brown entered a motion to dismiss the charges.

"Swanson turned to me and said the whole thing was fabricated. He looked at me and smiled. He said, 'Dude, you're going home tonight.' But I said, 'I'm still in Orange County.' "

Nordmark remains bitter at Garden Grove police and has filed a complaint against the department. "They say they're there to serve and protect the public. But that doesn't apply to me," he said. "To me, they pin, nail and degrade."

He is just as contemptuous of their efforts to prosecute the three girls — who have been arrested and face charges of conspiracy and perjury — and possibly their relatives as well for the lie that stole eight months of his life. The girls don't need punishment, he said, but discipline. The police, he said, are "doing to them what they did to me — narrowing their focus on what they think rather than trying to learn the truth."

Since his release, Nordmark said, his fortunes have improved: He has received about \$2,000 in small donations from strangers who read or heard about his case. And two recent developments, he said, have given him new hope for a more stable life.

After arriving in Washington this month, Nordmark had been staying in homeless shelters and seedy motels, but this week obtained an apartment.

And he landed a full-time job sorting clothing from Goodwill collection boxes.

"It's not going to be a career move," he said, "but it's one step on the ladder."

Times staff writers Joel Rubin and Jennifer Mena contributed to this report.

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