

3 sentenced in grade-selling scandal at colleges | Owner of Heaven's Gate house gets prison

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The Rancho Santa Fe man who owned the house where Heaven's Gate cult members committed suicide last year was sentenced yesterday to federal prison for a college grade-selling scandal that reached from San Diego to Ohio.

Sam Koutchesfahani, 46, received a year in prison and was ordered to pay a \$100,000 fine and more than \$290,000 in back taxes on money he made helping foreign students obtain fraudulent grades.

Also sentenced were Richard Maldonado, 43, a former San Diego City College admissions officer, and Darnell Hayes, 50, a former marketing instructor at Mesa College.

Maldonado had admitted accepting bribes to allow foreign students to enter and remain in the United States on illegally obtained student visas. He was sent to a halfway house for four months, put on five years' probation and ordered to pay back taxes.

Hayes, who was found guilty by a jury of mail fraud, filing false tax returns and conspiracy to defraud the government, was sentenced to 30 months in prison and ordered to pay back taxes and the cost of his jury trial, which amounted to more than \$30,000.

He asserted his innocence again in court yesterday, saying the only thing he was guilty of was placing too much faith in Koutchesfahani.

Hayes' lawyer, Michael Crowley, said the conviction would be appealed.

Steve Nelson, attorney for Koutchesfahani, told the judge his client was not the ringleader of the scams, but only stumbled upon them at a time when he needed money to pay for a bone-marrow transplant for his wife.

"He started out as a mentor (to foreign students), a research analyst and a tutor," Nelson said outside of court. "His wife came down with cancer and (her health-care provider) refused to fund a bone-marrow transplant around the same time students were coming to him saying they'd heard they could buy grades and that there was rampant fraud.

"Unfortunately, Mr. Koutchesfahani became a part of that at a critical time in his life when he was under great financial strain."

Nelson said that from the time he was caught, Koutchesfahani admitted his guilt and tried to help the government.

Koutchesfahani testified before a grand jury, which indicted five people from three local colleges -- San Diego City, Mesa and Palomar. Koutchesfahani also testified against Hayes at his trial.

Nelson argued that because of his help, Koutchesfahani should have been given only probation.

Outside the courtroom, Nelson said that between the Heaven's Gate suicides and the criminal prosecution, Koutchesfahani is financially ruined.

Koutchesfahani rented out the Rancho Santa Fe mansion because he could no longer afford to live there while trying to pay for his wife's treatments, the attorney said. When the 39 cult members living there committed suicide, he said, the property was "rendered worthless."

Now, Nelson said, it's in foreclosure and will probably have to be razed because of its infamous history.

According to prosecutor Yesmin Saide, the grade scandal spread from the local colleges nationwide when Hayes falsely certified that he proctored exams for Ohio University, the University of Oklahoma and Eastern Kentucky University.

At least 34 students received passing grades in 87 correspondence courses, she said.

Other students used grades they bought at community colleges to go on to well-known universities, according to evidence at Hayes' trial.

Nelson filed papers alleging that the government refused to prosecute up to 50 students identified by Koutchesfahani and 10 teachers or administrators at schools ranging from Palomar College to Ohio's Lincoln Trail College and Oxford Academy in Florida.

Prosecutor Saide said outside court that the government had done "what we set out to do -- to rid the colleges in this district of corruption."

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Abstract (Document Summary)

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