

## Trial in college grade-selling scandal nears jury

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### Document Text

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Darnell Hayes, a marketing instructor at San Diego Mesa College, was an unwitting pawn in a grade-selling scandal that contaminated colleges halfway across the nation, his attorney told a federal court jury yesterday.

The real culprit, said defense lawyer Michael Crowley, was Sam Koutchesfahani, a Rancho Santa Fe man who admitted during Hayes' trial that he took tests for college students from the Middle East, helped them buy grades, and helped falsify immigration documents that kept them in the country.

Crowley told the jury in his closing arguments that Koutchesfahani, the government's star witness against Hayes, is an admitted liar.

Government prosecutor Yesmin Saide explained to the jury that she used Koutchesfahani as her pivotal witness because he was the only one who had personal knowledge of how Hayes was connected to the scandal.

But documents and circumstantial evidence from other witnesses also link him to the crimes, she said.

Hayes is accused of conspiracy, mail fraud and evading taxes by failing to declare money the government said he made selling grades in 1992, 1993 and 1994. The jury is expected to begin deliberations today.

The prosecutor conceded that Koutchesfahani was a problem witness but added: "Sam Koutchesfahani could not have committed this crime without (Hayes') help."

Because of Hayes, she said, schools as far away as the University of Oklahoma and Eastern Kentucky University, as well as the University of California Berkeley and California State University Bakersfield, accepted transfer credits that were fraudulent.

In San Diego County, the grade-selling scandal has engulfed three junior colleges -- Mesa, San Diego City College and Palomar College.

Outside the county, the prosecutor said, several schools are in the process of trying to figure out "how to restore their reputations and their academic integrity."

Several people, including Koutchesfahani, already have pleaded guilty to various charges and are awaiting sentencing.

Koutchesfahani pleaded guilty to tax evasion and fraud, after admitting that he took bribes from Middle Eastern students between 1989 and 1995.

He testified, in the case against Hayes, that for students from the Middle East, a degree from an accredited American college is prestigious. But some who came to him were having trouble because they couldn't speak English. Koutchesfahani, an Iranian, said he'd been "helping" students by taking tests and writing term papers as far back as 1983.

He bragged to the jury, saying he was so smart that when he took qualifying tests for admission into advanced degree programs, his test numbers were so high that he could qualify students for schools like Stanford.

The grade scandal isn't the only time Koutchesfahani's name has been in the news.

Last year, his house was the focus of international horror when 39 members of the Heaven's Gate cult who rented it committed suicide.

Koutchesfahani and his family now live in the house. He told the jury that its carpeting was so plush and expensive that he could walk over it without feeling the money he had hidden underneath.

He estimated that he made between \$2 million and \$3 million giving students fraudulent academic help.

Defense lawyer Crowley told jurors they shouldn't use the testimony of such a man to "destroy the life of a man like Darnell Hayes."

Prosecutor Saide asked jurors to convict Hayes and "send the message" of outrage at the corruption of the education system.

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<b>Abstract</b> (Document Summary)
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