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Monday, Sep. 07, 1998

The Bad Samaritan

By Cathy Booth/Berkeley; David Willwerth/Berkeley

He was just an innocent bystander, he says. A bystander who peered over the top of a toilet stall and discovered--in the women's rest room of a casino on the California-Nevada border--his best friend Jeremy Strohmeyer, 18, struggling with a seven-year-old girl. He tapped his friend's head, he says, knocking off his hat, but couldn't get him to stop. So David Cash Jr. decided to take a walk.

The scene in front of him could not have been any clearer: a nearly 6-ft.-tall teenager and a little girl who didn't yet weigh 50 lbs. locked in the stall of the Primadonna Resort casino at 3:47 in the morning. And yet Cash goes for a walk. He says nothing to the security guards. Less than half an hour later, Strohmeyer emerges and tells Cash he has molested and murdered the child. Cash, stunned, does not ask why. According to grand jury testimony obtained by the Las Vegas Review-Journal, Cash does venture one question: Had the little girl been aroused? By the time Sherrice Iverson's broken body is found at 5 a.m., stuffed in a toilet bowl, the two teenagers are already on their way to Las Vegas.

Flash forward 15 months. This week Strohmeyer goes on trial in Las Vegas for the murder, kidnapping and sexual assault of Sherrice Iverson. If convicted, he faces a possible death sentence, but his lawyer, Leslie Abramson, claims his confession was extracted by police while he was drugged. His friend Cash, now 19 and an aspiring nuclear engineer in his sophomore year at Berkeley, is not charged with anything, but he faces a trial of another kind, from angry Californians. The tale of the bad Samaritan has touched a nerve.

They are angry that he told the Los Angeles Times he was not going "to lose sleep over somebody else's problems." Angry that he felt more sorry for Jeremy than for Sherrice because, after all, he had lost his best friend, and he did not know the girl or her family. Angry that he told the Times his notoriety had helped invigorate his social life--a comment he has since denied. And angry simply because he did nothing before or after the carnage. "What have I done?" he defiantly asked radio disk jockey Tim Conway Jr. one night during an impromptu call-in to Los Angeles station KLSX. "I have done nothing wrong." Even the police have told him so, Cash said. "You s.o.b.!" screamed Conway in return. "I hope you burn in hell!"

Technically, Cash is right. In Nevada, California and in fact most of the U.S., doing nothing about a crime is no crime at all. Only a handful of states--including Vermont, Wisconsin and Minnesota--have "duty to assist" laws requiring those who witness a crime to offer aid and report it. Cash's callousness, though, has sparked a movement in both California and Nevada to pass something called "Sherrice's law" to require witnesses to intervene and report cases of sexual assault against children. If necessary, says Najee Ali, spokesman for Sherrice's mother Yolanda Manuel, advocates of the proposed law will go to the federal level to win passage.

Meanwhile, they want revenge on Cash. Last week an unusual coalition of Muslim and Jewish activists, mothers and radio deejays drove 400 miles north from Los Angeles to stage a protest in Berkeley's historic Sproul Plaza in hopes of ostracizing the college sophomore--if not ejecting him altogether from the University of California system. "This isn't a guy who should be going to Berkeley. He should be going to San Quentin," said an irate Conway. "We're going to do everything possible to get his ass kicked out of Berkeley and make his life as miserable as possible."

Yet Berkeley chancellor Robert Berdahl made it clear last week that there would be no expulsion. "The public has been outraged not only by the crime itself but by reports of callous and reprehensible statements attributed to the student. I had the same reaction myself," he said. But rules are rules; Cash violated no law. "Most people seem to be under the impression that I was in a position to stop the heinous crime," Cash wrote in an angry e-mail sent to the San Francisco Chronicle and the Daily Californian. "I did not witness the alleged molestation and murder." Staying mostly out of sight in his dorm room in modernistic Putnam Hall, Cash gave no interviews. His lawyer, Mark Werksman, however, said Cash "regrets" his statements to the Los Angeles Times. Werksman warned that lashing out in frustration to expel Cash is no answer either. Then the lawyer sighed. "What can I say? I can't explain or justify what he said."

In Sproul Plaza, many students were at first horrified, then angry at Cash, and finally resigned to doing nothing. "I personally think he's a psycho, but I'm not sure there's legal ground," said a student. Rajan Bhattacharyya, 19, a sophomore, says he knew Cash in junior high as a "normal bratty kid" and defended his legal right to remain in school: "I don't think this is the first time someone has left a crime victim at a scene or something like that. They can't just kick him out because they don't like him." Masoud Seberi, 22, a junior, agreed: "He's not here to uphold any moral standard or position. He came here to get an education."

A few were angry, however, or disconcerted by his presence. "I'm appalled to be at the same campus with this guy," said sophomore Keith Palfin. "A seven-year-old girl lost her life, and he's bragging about getting chicks?" Young women in the neighboring dorms said Cash gives them the creeps. Candice Blagmon, 17, a freshman, said the baby-faced Cash had been sociable, helping other students in his dorm set up their computers--but now, she said, "the dorm people are outraged." Stacy May, 17, another dorm neighbor, said she and others had decided to snub him. "Everybody I know is not going to say hi to him. He's an awful person." Ethan Berger, 18, had more practical advice: "I'd leave if I were him."

Marc Klaas of Sausalito, Calif., who became an activist against child molesters after his daughter Polly was kidnapped and killed, spoke at the Berkeley protest. "Fate gave David Cash the opportunity to be heroic, and he turned his back on that opportunity," Klaas declared. "He was in the singular position of being able to save a seven-year-old child, and he chose to do nothing. For that, he will have to answer to his own withered soul forever."

--With reporting by David Willwerth/Berkeley



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