



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA
TODD SPITZER

FOR IMMEDIATE RELEASE

PRESS RELEASE

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**30-year-old Fontana Man Charged with Murder, DUI for Hitting,
Killing 14-year-old Girl who was Walking Across Street in Newport Beach**
***Twice previously convicted DUI driver was driving with a blood alcohol level twice the legal
limit with his 8-year-old daughter in the car in the Memorial Day weekend collision.***

SANTA ANA, Calif. – A 30-year-old twice previously convicted drunk driver has been charged with murder for driving under the influence and hitting and killing a 14-year-old girl walking across the street in Newport Beach while spending a day at the beach Memorial Day weekend. The driver had his 8-year-old daughter in the car when he hit and killed the teenage girl and running over a 13-year-old girl's foot while driving with a blood alcohol level twice the legal limit.

Joseph Alcazar, 30, of Fontana, was charged with one felony count of murder, one felony count of driving under the influence of alcohol causing great bodily injury with two previous prior convictions, one felony count of driving under the influence of alcohol with a BAC of .08 or higher with two previous prior convictions, and one misdemeanor count of willful endangerment of a child.

He faces a maximum sentence of 15 years to life plus six years if convicted on all counts. Alcazar is scheduled to be arraigned in CJ 1 this afternoon.

On Saturday, May 25, at approximately, 6:49 p.m., 14-year-old Rosenda Elizabeth Smiley, of Rialto, was crossing E. Balboa Boulevard west of Palm Street with two other people against the don't walk sign. A driver stopped to let the group of pedestrians, including Smiley, cross the street, but another driver, later identified as Alcazar, is accused of going around the stopped car and hitting Smiley, who died at the scene of the collision, and running over the foot of a 13-year-old girl.

Alcazar is accused of stopping a short time later after hitting Smiley. His 8-year-old daughter and another man were inside the vehicle at the time of the deadly collision. Alcazar was arrested on suspicion of homicide and cruelty to a child.

Alcazar has two previous out-of-county driving under the influence convictions, including one related to a single vehicle collision which left him seriously injured.

Drivers convicted of driving under the influence in California are required to be given what is known as a Watson advisement that informs them that if they kill someone while driving under the influence they can be charged with murder.

“A 14-year-old girl living the California dream enjoying a day of sun and sand at the beach with friends to kick off the beginning of summer is dead because of the selfish decision of a stranger,” said Orange County District Attorney Todd Spitzer. “A repeat drunk driver not only took the life of a little girl, but he also endangered the life of his own daughter by getting behind the wheel after drinking and traumatized her and the other young girls who witnessed him hitting and killing a teenager. Instead of a summer of memories with their daughter, the family of Rosenda Smiley is now forced to live with the harsh reality that there will be no more memories to make of California sunshine and sandy days at the beach and that the only memories they will ever have were what could fit into the short fourteen years of her young life.”

Senior Deputy District Attorney Brian Orue of the Homicide Unit is prosecuting this case.

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