

Idaho . . .

(Continued from B-1)

decision had been a "realistic possibility."

Smith handled the case against Michael Iwakiri and is prosecuting Summers as well.

"It's clear from all the evidence she had the kids," he said. "She ought to be punished . . . and the punishment ought to be prison. It's just like nothing ever happened."

During Iwakiri's 20-minute hearing in Boise, John Dutcher, who prosecuted the case, reminded the judge that the county prosecutor's office had originally wanted Iwakiri to serve time with the hope that she would reveal information about the missing children.

Iwakiri told the court that she would tell where the girls were if she knew.

But the judge said he had never conditioned Iwakiri's eligibility for parole on whether she would reveal information about the girls.

In a telephone interview after the hearing, Iwakiri's attorney, David Nevin, chief appellate deputy public defender for Ada County, said he was not surprised by the judge's ruling, adding, "she's (Iwakiri) obviously not a member of the criminal milieu."

The report on her progress at Cottonwood, he said, "was one of the best I've ever seen on anyone."

He said a notice of appeal of Iwakiri's conviction has been filed with the Idaho Supreme Court.

Of the others charged in the case, a plea bargain disposition last year in San Bernardino Superior Court ended the prosecution of Lee Casner of Grass Valley, Calif.

Casner pleaded guilty to one count of concealing a minor, then charges of accessory to murder and kidnapping were dropped. He was placed on three years' probation.

Summers' sister, Karen Carino, who lives in Virginia, has also been charged with accessory to kidnapping and murder but has never been extradited to San Bernardino. It is not known whether she will ever be brought to trial.