

# Ontario Couple Slapped With \$225 Million Bail

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**S**ANTA ANA — An Ontario couple is in San Bernardino jails on what appears to be the highest bail ever imposed: \$225 million — \$150 million for the husband and \$75 million for the wife.

Their crimes? Apparently, they sold all-terrain vehicles without California smog certificates.

The complaint accuses husband Kening Ma and wife Xue-Lei Ji of a conspiracy to sell “vehicles with engines that have never been certified by the California Air Resources Board.” The complaint lists 33 counts of possession of a false certificate under the Vehicle Code. It also charges them with 30 counts of grand theft greater than \$400, totaling \$27,000, all apparently related to sale of the ATVs. *People v. Ma*, FWV1000736

Ma’s defense attorney, Harland

W. Braun of Century City, said the charges would be misdemeanors in many counties.

In a habeas corpus petition he filed late last month, Braun charged that high bail must be because the defendants are from China. “[T]he bails set in this case are breathtaking and can only be reasonably explained by hatred or jealousy of successful people of Chinese descent,” Braun wrote in the petition.

The prosecutor, Deputy District Attorney Douglas S. Poston, flatly rejected the accusation. “I categorically deny that any element of racism exists in this case,” Poston said.

The felony complaint also charges the couple with six counts of money laundering totaling \$440,000.

In addition, federal customs authorities are investigating Ma and Ji. A 2007 suit by the U.S.

attorney’s office to forfeit nearly \$800,000 from the couple’s bank accounts has been stayed repeatedly pending a criminal investigation, federal court records show.

Still, the total bail of \$225 million might well be the highest bail ever set in the nation. News accounts in January described the total \$120 million bail on New York hedge-fund founder Raj Rajaratnam as a U.S. record. Another reputed record-setter, the bail of 100 million Euros imposed on Austrian banker Julius Meinl V last year, would equal about \$135 million currently.

“It’s the highest bail I’ve ever heard of in a California case,” said William Kopeny, a prominent Irvine appellate and criminal lawyer who consulted briefly with the couple’s defense in this case.

Gary W. Schons, a senior assistant state attorney general in San Diego, also said it was the highest

he knows of.

Poston said he would not discuss whether the bail sets a record. “That’s not of interest to me,” Poston said.

Ma and Ji are Chinese immigrants who sell inexpensive ATVs from China to U.S. dealers. They became U.S. citizens about 10 years ago, according to Braun.

The were arrested on a no-bail warrant on March 11, and their bail was imposed during an informal chambers hearing March 18 by San Bernardino Superior Court Judge Michael R. Libutti in Rancho Cucamonga, Braun said.

Libutti was on vacation this week and could not be reached.

No hearing has been set for the habeas petition.

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