

Prison time for disgraced Oak Harbor attorney

By JESSIE STENSLAND
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Former attorney Doug Saar tries to hold back tears as he apologizes for stealing from his clients. He received a 17-month sentence.

— *image credit: Jessie Stensland/Whidbey News-Times*

Doug Saar, a formerly prominent Oak Harbor attorney, was shackled and dressed in orange jail garb as he stood in front of a packed courtroom and a TV camera Friday morning in Island County Superior Court.

He sat through nearly two and a half hours of emotionally charged speeches and arguments over how much time he deserves behind bars for stealing more than \$200,000 from two clients, including money that was supposed to go to Whidbey Animals' Improvement Foundation.

Saar, formerly a partner with the Law Offices of Skinner and Saar, finally got the chance to speak before he was sentenced. He apologized to his victims, to his colleagues at his former law firm and to his family.

"I stand here humbled, your honor," he said tearfully. "I have appeared in this courtroom hundreds of times as a lawyer, wearing a suit. I brought my kids to this courtroom so they could see what I did, so they could see what lawyers did. Now I stand here with an orange jail suit."

Skagit County Judge Susan Cook filled in for the Island County judges who recused themselves from the sentencing hearing. She didn't offer Saar much mercy but went along with the prosecutor's sentencing recommendation and sent him to prison for a year and five months.

Saar will have to pay restitution in an amount that will be decided at a later date.

Cook contradicted the defense sentencing memorandum, which she said attempted to characterize Saar's crimes as excessive billing during a time when he was under financial stress. She emphasized that Saar did "a great deal more" than over-bill.

"I do think there was a certain sense of entitlement on the part of Mr. Saar here," she said, "thinking that his lifestyle justified taking the property of others to support it."

Saar was sentenced under a unique plea bargain in which he pleaded guilty to one count of first-degree theft in one case and agreed to a three-month jail sentence, which he began serving last month.

In the other case, he pleaded guilty to two counts of theft in the first degree and one count of money laundering. Both sides argued the sentence for those charges at the hearing Friday.

Saar previously pleaded guilty to first-degree theft for stealing \$100,000 from a client in a San Juan County case. He was sentenced to electronic home monitoring and community service.

Island County Prosecutor Greg Banks argued that Saar deserves the 15-month prison sentence. He emphasized that Saar had plenty of opportunities to "fess up" but instead continued to steal in an effort to hide his previous thefts. He said Saar stole 32 different times and even took cash from a dead woman's purse.

"He just took it," Banks said. "And he took it over and over and over again."

Banks said Saar's entire motive was to keep up a lifestyle that was beyond his means. He said tax returns show that Saar made more than \$200,000 a year and owned a \$1-million home, but his wife wrote in a letter to the court that they had more than \$28,000 a month in bills.

Several people affected by the crimes spoke at the hearing and urged the judge to send Saar to prison.

Kevin Upton spoke in a raised voice, admitting he was very angry. Saar stole from a trust his parents had set up for him and his brother. He claimed that Saar convinced his father to name Saar as trustee while his father was suffering from dementia and on his death bed; then Saar looted the fund.

Both Upton and attorney Carolyn Cliff described how they uncovered the theft, which Upton said has cost him both emotionally and financially.

Cliff told a detailed story about how what she thought was a run-of-the-mill case unraveled into a complicated deception. She said Saar lied to her and cost the Uptons a lot of money by fighting them at every step.

She said Saar apparently has access to “a river of money,” which he is spending on attorneys in an attempt to protect himself instead of repaying the victims.

Christon Skinner, Saar’s former partner, described how an attorney at the firm discovered Saar’s theft in the San Juan County case; he said he had to report Saar to the sheriff’s office and the bar association, which caused him many sleepless nights. He said the crimes cost his firm in reputation and financially.

Skinner said Saar’s lack of jail time in the San Juan County case caused “a ripple through the legal community.” But he said his biggest concern is that Saar doesn’t seem to take responsibility for his actions.

“My former friend Doug is blaming his behavior on everyone else,” he said.

Cindy Wilbert, treasurer for WAIF, said the animal welfare organization has felt the absence of funds it was promised. She said the members of the organization feel that the crime was especially egregious because Saar is an attorney and in a position of trust.

On the other hand, Saar’s attorney, James Frush of Seattle, asked that Saar be sentenced under a Parenting Sentencing Alternative, which could allow him to avoid imprisonment beyond the three months he is currently serving.

Frush pointed to all the heartfelt letters of support that his client’s family and friends wrote. Frush and the letter-writers emphasized that Saar is a devoted father who has two teenagers and two babies to care for.

Saar and his wife moved to another community where he started a thriving landscaping business by going door to door. He hopes to take classes in viticulture this fall, his attorney said.

Saar's wife and many others argued in their letters that sending Saar to prison for a longer term would unjustly punish his young children more than anyone else.

Frush said Saar's actions were out of character but were the result of financial stress that he felt beginning when the economy tanked in 2008.

He also argued that the public anger against Saar is out of proportion for what he did. He said he's never seen such animosity or "desire for punishment" in a case before.

"When you strip away the rhetoric and you strip away this cry for vengeance," he said, "and you look at what you have before you, you have a situation that is a tragedy for everybody."

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