

July 16, 2021

West Covina City Council
1444 West Garvey Ave South
West Covina, CA 91790

Dear Mayor Lopez-Viado & fellow City Council Members,

The Building Industry Association of Southern California Baldy View Chapter (BIA) represents thousands of homebuilding industry leaders, building trades, and associates to advocate for housing of all types to be built in the region. Each time a responsible City Council approves a new residential development proposal, another step is taken towards meeting the increasing demand for new homes. As such, we write to urge you to approve the Meritage Homes application to build 119 homes on Vincent Avenue.

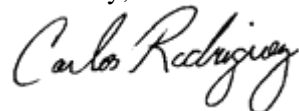
Just as significantly, however, we are watching the Council's consideration of this project because we see it as an outstanding example of a well-planned development proposal with significant public benefits such as the following:

- Close to 4 million dollars will be paid toward City Impact Fees and Building Permit fees including Quimby and LA County Sanitation fees.
- Replacing 1,200 lineal feet of an existing water line in Garvey from Vincent Ave to Morada Ave for the City. The additional cost of this off-site construction will be over \$200,000.
- Addressing all potential environmental impacts through site design and mitigations that reduce all of Meritage's impacts to below CEQA significance thresholds.

We want to express our gratitude for the considerable time and effort dedicated by you, the Planning Commission and staff to analyzing the Meritage proposal. We understand the complexities involved in making your decision such as considering the quality of the proposal, the developer's rights, as well as the positive support and negative concerns expressed by your residents. We also know the considerable pressure you are under from SCAG and the state to approve more units, and ultimately make a supportable decision that is in the city's best interests.

In closing, Meritage fulfills the objectives of the City's General Plan by generating a well-planned, environmentally sensitive development. It also has no unmitigated environmental impacts and offers a truly exceptional level of public benefits. The BIA strongly urges approval of the Meritage development proposal. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Carlos Rodriguez".

Carlos Rodriguez,
Executive Officer

July 16, 2021

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1444 West Garvey Ave South
West Covina, CA 91790

Dear Mayor Lopez-Viado & fellow City Council Members,

The Building Industry Association of Southern California Baldy View Chapter (BIA) represents thousands of homebuilding industry leaders, building trades, and associates to advocate for housing of all types to be built in the region. Each time a responsible City Council approves a new residential development proposal, another step is taken towards meeting the increasing demand for new homes. As such, we write to urge you to approve the Meritage Homes application to build 84 homes on West Cameron Avenue.

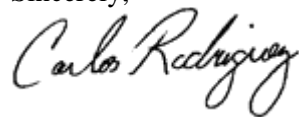
Just as significantly, however, we are watching the Council's consideration of this project because we see it as an outstanding example of a well-planned development proposal with significant public benefits such as the following:

- Over \$2.6 million dollars will be paid toward City Impact Fees and Building Permit fees including Quimby and LA County Sanitation fees.
- Addressing all potential environmental impacts through site design and mitigations that reduce all of Meritage's impacts to below CEQA significance thresholds.

We want to express our gratitude for the considerable time and effort dedicated by you, the Planning Commission and staff to analyzing the Meritage proposal. We understand the complexities involved in making your decision. We also know the considerable pressure you are under from SCAG and the state to approve more units, and ultimately make a supportable decision that is in the city's best interests.

In closing, Meritage fulfills the objectives of the Downtown Plan by generating an urban, well planned, environmentally sensitive development. It also has no unmitigated environmental impacts and offers a truly exceptional level of public benefits. The BIA strongly urges approval of the Meritage development proposal.

Sincerely,

A handwritten signature in black ink that reads "Carlos Rodriguez".

Carlos Rodriguez,
Executive Officer

City Council Speech

Mayor, city council members, thank you for having me. My name is Thea Eskey and I am an investigative reporter currently working on a series of articles about child abuse in Los Angeles. As a journalist, I have an ethical obligation to pursue the truth. It is that duty that compels me to make a statement here tonight.

I don't live here in West Covina, I live in Hollywood, which is 30 miles away, but I firmly believe that what affects one of us affects all of us. Indeed, the vote of no confidence that you have before you really asks a simple question of all of us: what kind of county do we want to live in?

As I mentioned, I have an ethical responsibility to report the truth. The fact is that Los Angeles is in the midst of a child abuse crisis. An audit of the Los Angeles County DCFS showed that from 2013 to 2018, 257 children died from abuse, 69 of whom had type of DCFS supervision in their homes. Also, as a state we spend 12.5 billion annually to combat child abuse. While it may seem like a tangent to bring this up, it is vitally important to understand because while CPS and the social safety net continues to fail vulnerable and abused children it falls more and more on the criminal justice system to pick up the slack. Now, it seems that not even that system can withstand the attacks made by groups of individuals who seek to undermine public safety, justice and accountability for their own ends.

Quite simply council members, George Gascon represents an existential threat to public safety in our county and I use those words intentionally. The speakers who came before me have eloquently shown their proof of that. I want to add to that chorus.

Linking social capital, or how citizens relate to and trust the ones who govern them, is being eroded daily by the unethical and pro-criminal agenda undertaken by this District Attorney and his administration. His actions during his brief tenure demonstrate a clear abrogation of victims rights in favor of those of the criminal defendant. In researching and listening to victims of crime in Los Angeles, I cannot begin to tell you how many of them feel left behind, alienated from a system that they once found refuge in after facing grave injustice. The way they are feeling should worry all of us. If victims of crime, survivors of crime and their families do not feel that they can trust the criminal justice system to fight to make them whole, I fear for the path that leads our county down.

For that reason alone, although you will read many other equally compelling ones tonight, I strongly urge this council to vote no confidence in George Gascon. Thank you.

Mark Perez

From: [REDACTED]
Sent: Tuesday, July 20, 2021 1:14 PM
To: City Clerk
Subject: Oral Communications - 7/20/2021

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My name is Mary Ann Roberts and I live at [REDACTED]

I am in favor of the City Council adopting Resolution No. 2021-62, declaring and affirming a vote of no confidence in Los Angeles District Attorney George Gascon.

Mark Perez

From: POI LI [REDACTED]
Sent: Tuesday, July 20, 2021 11:47 AM
To: City Clerk
Subject: Please vote no confidence in Gacson

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Councils,
Gascon failed his duty to serve the public. Please support "No Confidence in Gascon"!

Thank you..
polly Li

Mark Perez

From: imelda hernandez [REDACTED]
Sent: Tuesday, July 20, 2021 2:17 PM
To: City Clerk
Subject: Public Hearing Item Resolution 20-21 7/20/21

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City Council Members,

I am a member of Parents of Murdered Children both Orange County and Los Angeles County chapters and also with Justice for Murdered Children Los Angeles-

I'm here to support a "YES" for a no confidence vote on George Gascon and for the recall and replacement of George Gascon with a district attorney who supports victims, co-victims and public safety. I'm here for the memory and justice for my son Christian David Silva who was murdered in the streets of Los Angeles County and going through court now. Gascon is doing everything in his power to remove the gun allegations and special circumstances in my son's case who was a complete innocent victim of a violent crime by gang members. Gascon is a health hazard to Los Angeles County communities. Show your beautiful city that you have done your research and to take up a no confidence vote on Gascon for the Public safety of West Covina, thank you.

Gascon does not have any of these victim rights group on his panels nor has he EVER reached out to us. We are extremely disappointed in his directives and treatment on victims, co-victims and families of murdered children.

Sincerely,
Imelda Hernandez

[REDACTED]

Sent from my iPhone

Mark Perez

From: Loretta verdugo [REDACTED]
Sent: Tuesday, July 20, 2021 4:59 PM
To: City Clerk
Subject: Public Hearing 07/20/2021

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Loretta Verdugo
[REDACTED]

Hello, my name is Loretta Verdugo and I am asking to vote a NO CONFIDENCE vote in LA D.A George Gascon.

My sister Robin Shirley & her coworker Lee Thompson were murdered in the city of La Verne at the Target store on October 2nd 1993.

Their murderer, Sergio Nelson, didn't just shoot them, he had painted his bike black and waited in the early morning hours and ambushed them. He shot Lee four times in the back as well my sister but when she had made gurgling sounds, he went back and put the barrel of the gun against her head, shooting her point blank, blowing her brains all over the car, knowing full well she had young children, ages 6 and 10.

In 2016 the Supreme Court overturned the death penalty for retrial and for 5 years we had been preparing. Then on December 7th 2020, a day that will live with me forever, our new DA George Gascon put out his unlawful and dangerous directives.

There was to be no retrial because Gascon does not believe in the death penalty even though we the people voted for Prop 66.

My family and I wanted to meet with DA Gascon so on December 18th 2020, I wanted to voice my concerns to him at the Pomona Courthouse where he was speaking outside.

Another murder victim's mother and I were protesting and shouting when DA Gascon accused us, mainly myself, of being "not educated enough to keep their mouth's shut."

After this fiasco DA Gascon promised to reach out to us which he never did.

Even with our Marsys Law attorney Kathy Cady and former LA D.A Steven Cooley, we could not get a meeting.

Gascon caters to the criminals. He has in fact met with criminals and their families at the Hall of Justice over meeting victims families.

In March after an unsuccessful attempt to meet with Gascon, we found out that the DA had already made a signed deal with the double murderer of my sister Robin and her coworker Lee before letting victim's families know.

My sister Robin Shirley and Lee Thompson deserved justice.

Gascon's directives are illegal and dangerous to our communities and county.

Crime is rising as and as of now a trespasser in your own home does not get arrested, they receive a citation and are released, free to do it again.

A felon with a gun? No arrests, only a ticket.

PLEASE VOTE NO CONFIDENCE IN GEORGE GASCON.

Mark Perez

From: Alicia Oran [REDACTED]
Sent: Tuesday, July 20, 2021 4:04 PM
To: City Clerk
Subject: Resolution No 2021-62

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

My name is Alicia Oran and I live on [REDACTED]

I would like to ask to give DA Gascon a No Confidence Vote.

Mr. Gascon's failure to try juveniles as adults and his elimination of all special enhancements jeopardize the safety of our community.

By the way, I am a minority and an immigrant and I do not support Mr. Gascon's personal beliefs and my main concern is the safety of my family, my neighbors and my community.

Thank you,

Alicia Oran

[Sent from Yahoo Mail on Android](#)

Mark Perez

From: Emma Rivas [REDACTED]
Sent: Tuesday, July 20, 2021 1:45 PM
To: City Clerk

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am a mom to a MURDERED son.
Please vote no CONFIDENCE GEORGE GASCON
The gang member killed my son who also was a PAROLE when he killed my son. Gascon is not charging gang enhancement or gun enhancement
If it was your child you would want full JUSTICE. Emma Rivas
[REDACTED]
Please vote no confidence and join the OTHER 24 CITIES who voted no confidence. Thank you

Mark Perez

From: Emma Rivas [REDACTED]
Sent: Tuesday, July 20, 2021 1:49 PM
To: City Clerk

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Emma Rivas
[REDACTED]

PLEASE vote no CONFIDENCE GEORGE GASCON.

He is not charging the gang enhancement and gun enhancements for my MURDERED son killed 5 yrs ago and i am still in the beginning of my son's murdered case. If it was your child you would want 100% JUSTICE. I am a parent to a MURDERED son. No THERAPY in the world can fix my brokenheart.

I have 2 sons who witnessed the MURDERED who now live in fear and PTS. THANK YOU EMMA RIVAS
[REDACTED]

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 115

HON. MARK S. ARNOLD, JUDGE

PEOPLE OF THE STATE OF CALIFORNIA,)
)
PLAINTIFF,)
)
VS.)
)
RUDY DOMINGUEZ,)
)
DEFENDANT.)
)

SUPERIOR COURT
NO. BA466952-01

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, DECEMBER 15, 2020

FOR THE PLAINTIFF: OFFICE OF THE DISTRICT ATTORNEY
BY: JEFFREY HERRING, DEPUTY
211 WEST TEMPLE STREET
SUITE 200
LOS ANGELES, CALIFORNIA 90012

FOR THE DEFENDANT: OFFICE OF THE PUBLIC DEFENDER
BY: TRACI BLACKBURN, DEPUTY
19-513 CRIMINAL COURTS BUILDING
210 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

CATHERINE A. ZINK, #9242
OFFICIAL REPORTER

1 CASE NUMBER: BA466952-01
2 CASE NAME: PEOPLE VS. RUDY DOMINGUEZ
3 LOS ANGELES, CALIFORNIA TUESDAY, DECEMBER 15, 2020
4 DEPARTMENT 115 HON. MARK S. ARNOLD, JUDGE
5 REPORTER: CATHERINE A. ZINK, CSR #9242
6 TIME: 2:50 P.M.

7
8 APPEARANCES:

9 THE DEFENDANT IS PRESENT IN COURT WITH COUNSEL,
10 TRACI BLACKBURN, BAR PANEL ATTORNEY,
11 THE PEOPLE ARE REPRESENTED BY
12 JEFFREY HERRING, DEPUTY DISTRICT ATTORNEY.

13
14 THE COURT: WE'LL GO ON THE RECORD IN RUDY
15 DOMINGUEZ, BA466952.

16 WE HAVE A NEW DEFENSE COUNSEL?

17 MS. BLACKBURN: YES. TRACI BLACKBURN, DEPUTY
18 PUBLIC DEFENDER, ON BEHALF OF MR. DOMINGUEZ. HE'S
19 PRESENT IN CUSTODY.

20 THE COURT: MR. HERRING IS HERE FOR THE PEOPLE.

21 WE'RE AT ZERO OF 60 TODAY.

22 MR. HERRING: YES, YOUR HONOR. THE PEOPLE HAVE A
23 MOTION.

24 THE COURT: WHAT'S THAT?

25 MR. HERRING: CONSISTENT -- EXCUSE ME. AT THE
26 DIRECTION OF THE LOS ANGELES COUNTY DISTRICT ATTORNEY, IN
27 ACCORDANCE WITH SPECIAL DIRECTIVE 20-08 CONCERNING
28 ENHANCEMENTS AND ALLEGATIONS, AND IN THE INTEREST OF

1 JUSTICE, THE PEOPLE HEREBY MOVE TO DISMISS ALL ALLEGED
2 SENTENCING ENHANCEMENTS NAMED IN THE INFORMATION --
3 EXCUSE ME -- IN THE INFORMATION FOR ALL COUNTS. IN
4 ADDITION, WE MOVE TO DISMISS ANY SPECIAL CIRCUMSTANCES
5 NAMED IN THE INFORMATION AT THIS POINT, IN THE INTEREST
6 OF JUSTICE, YOUR HONOR.

7 THE COURT: AND THE INTEREST OF JUSTICE IS MET HOW?

8 MR. HERRING: YOUR HONOR, I BELIEVE IT'S THE NEW
9 D.A.'S POSITION -- THE D.A.'S OFFICE POSITION THAT
10 EXTENDED PRISON SENTENCES IN LOS ANGELES COUNTY ARE FAR
11 TOO LONG; THAT THEY ARE COSTLY AND INEFFECTIVE AND HARM
12 PEOPLE IN UNDERSERVED COMMUNITIES.

13 THE COURT: HAVE YOU CONSULTED WITH THE VICTIM'S
14 FAMILY ON THIS?

15 MR. HERRING: I HAVE DISCUSSED WHAT THE D.A.'S
16 POSITION IS WITH THE FAMILY, YES.

17 THE COURT: AND WHAT DO THEY SAY -- ARE THEY
18 PRESENT IN COURT?

19 MR. HERRING: THEY ARE PRESENT IN COURT.

20 THE COURT: ARE ALL THESE FOUR PEOPLE -- ARE THEY
21 ALL --

22 MR. HERRING: THEY'RE THE VICTIM'S FAMILY, YES,
23 YOUR HONOR.

24 THE COURT: WHAT IS YOUR NAME, SIR?

25 THE WITNESS: HERNAN ROJO.

26 THE COURT: SPELL YOUR NAME.

27 THE WITNESS: HERNAN ROJO.

28 THE COURT: MR. ROJO?

1 HERNAN ROJO: YES.

2 THE COURT: DID MR. HERRING TELL YOU WHAT THE
3 PEOPLE ARE ASKING, TO DISMISS THE SPECIAL CIRCUMSTANCES
4 AND DISMISS ALL OF THESE SENTENCING ALLEGATIONS?

5 HERNAN ROJO: YES.

6 THE COURT: HOW DO YOU FEEL ABOUT THAT?

7 HERNAN ROJO: I DON'T KNOW.

8 THE COURT: YOU DON'T KNOW?

9 HERNAN ROJO: WELL...

10 THE COURT: WHAT'S THIS MAN'S NAME IN THE FRONT
11 ROW?

12 FERNANDO ROJO: FERNANDO ROJO.

13 MR. HERRING: SENIOR.

14 THE COURT: THIS IS THE VICTIM'S FATHER?

15 MR. HERRING: YES.

16 THE COURT: MR. ROJO, DID MR. HERRING DISCUSS WITH
17 YOU WHAT THEIR INTENT IS TODAY?

18 FERNANDO ROJO: WHAT DID YOU SAY?

19 THE COURT: DID YOU SPEAK WITH MR. HERRING TODAY?

20 FERNANDO ROJO: YES.

21 THE COURT: DO YOU NEED TO SPEAK WITH AN
22 INTERPRETER?

23 FERNANDO ROJO: YES.

24 THE COURT: I'M SORRY, I DIDN'T KNOW THAT.

25 DID MR. HERRING TELL YOU THAT HE WANTS TO
26 COME INTO THE COURTROOM AND DISMISS THE FIREARM
27 ALLEGATIONS AND THE SPECIAL CIRCUMSTANCES ALLEGATIONS AS
28 TO THE MAN WHO IS ACCUSED OF KILLING YOUR SON?

1 FERNANDO ROJO: THIS IS FOR ME?

2 THE COURT: YES.

3 FERNANDO ROJO: I DIDN'T UNDERSTAND VERY WELL.

4 THE COURT: WHAT'S THE YOUNG GIRL'S NAME, THE LADY
5 IN THE FRONT ROW -- OR SECOND ROW?

6 AMERICA ROJO: AMERICA ROJO.

7 THE COURT: DID YOU NEED THE INTERPRETER, MS. ROJO?

8 ARE YOU RELATED TO THE DECEASED?

9 AMERICA ROJO: YES.

10 THE COURT: HOW?

11 AMERICA ROJO: HE'S MY BROTHER. HE'S MY BROTHER.

12 THE COURT: DID MR. HERRING ADVISE YOU OF WHAT HE'S
13 SEEKING TODAY?

14 AMERICA ROJO: YES.

15 THE COURT: WHAT DO YOU THINK ABOUT THAT?

16 AMERICA ROJO: ABOUT THE GUN, RIGHT?

17 THE COURT: I CAN'T HEAR YOU.

18 AMERICA ROJO: ABOUT THE GUN?

19 THE COURT: ABOUT DISMISSING THE FIREARM
20 ALLEGATIONS, DISMISSING THE SPECIAL CIRCUMSTANCES, AND
21 DISMISSING THE GANG ALLEGATIONS AS WELL.

22 AMERICA ROJO: IS THAT WHERE THEY -- IS THAT LIKE
23 THEY TAKE YEARS AWAY FROM US?

24 THE COURT: I JUST CAN'T HEAR HER.

25 MR. HERRING: SHE'S ASKING IF THEY TAKE YEARS AWAY
26 FROM HIM.

27 THE COURT: IF HE'S FOUND GUILTY AND THOSE
28 ALLEGATIONS WERE TRUE, YES. IT WOULD REDUCE HIS SENTENCE

1 SIGNIFICANTLY. A LOT. BY A LOT OF YEARS.

2 AMERICA ROJO: WELL, I FEEL LIKE -- WELL, I FEEL
3 LIKE IT'S NOT FAIR IF HE DOESN'T -- I THINK IT'S NOT FAIR
4 IF HE DOESN'T SERVE AS MUCH YEARS.

5 THE COURT: I CAN'T HEAR YOU. CAN YOU SPEAK
6 LOUDER?

7 SO WHAT DO YOU THINK ABOUT ELIMINATING ALL
8 OF THESE ALLEGATIONS THAT MR. HERRING'S OFFICE IS LOOKING
9 TO ELIMINATE?

10 AMERICA ROJO: I'M SORRY, I DON'T THINK IT'S FAIR.

11 THE COURT: DO YOU UNDERSTAND WHAT I'M ASKING YOU?

12 AMERICA ROJO: YEAH.

13 THE COURT: ARE YOU ABLE TO TELL ME?

14 ARE YOU CRYING?

15 WHY ARE YOU CRYING?

16 I'M GOING TO MAKE THIS EASIER, I'M GOING TO
17 COME DOWN.

18 WHY ARE YOU CRYING?

19 AMERICA ROJO: BECAUSE...

20 THE COURT: WHY ARE YOU CRYING?

21 AMERICA ROJO: I JUST FEEL THAT WE NEED JUSTICE AND
22 HE NEEDS -- IT'S JUST NOT FAIR THAT HE -- IF HE DOESN'T
23 GET AS MUCH YEARS.

24 THE COURT: SO YOU DON'T WANT TO SEE THESE THINGS
25 GET DISMISSED?

26 AMERICA ROJO: NO.

27 THE COURT: OKAY. THANK YOU.

28 WHO'S THE LADY?

1 AMERICA ROJO: THAT'S MY MOM.

2 MR. HERRING: DOES YOUR MOM NEED THE INTERPRETER?

3 THE COURT: MA'AM, CAN YOU COME UP HERE JUST SO
4 EVERYONE DOESN'T HAVE TO YELL?

5 WHAT'S YOUR NAME?

6 TERESA ROJO: TERESA ROJO.

7 THE COURT: MRS. ROJO, DID MR. HERRING, THE D.A.,
8 DID HE TELL YOU TODAY WHAT HE IS LOOKING TO DO BY
9 DISMISSING THE GUN ALLEGATIONS AND THE GANG ALLEGATIONS
10 AND THE SPECIAL CIRCUMSTANCES ALLEGATION?

11 TERESA ROJO: YES.

12 THE COURT: WHAT DO YOU THINK ABOUT THAT? HOW DO
13 YOU FEEL ABOUT THAT?

14 TERESA ROJO: WELL, IT'S NOT FAIR THAT THEY WOULD
15 LOWER MANY YEARS. TO ME IT DOESN'T SEEM FAIR BECAUSE --
16 BECAUSE SOMEBODY WHO IS DOING HARM TO PEOPLE, THEY SHOULD
17 PAY.

18 THE COURT: THANK YOU FOR COMING IN TODAY.

19 ALL RIGHT. DO YOU HAVE ANYTHING ELSE TO
20 ADD, MR. HERRING?

21 MR. HERRING: NO.

22 THE COURT: ALL RIGHT.

23 I'VE GOT A DEFINITION OF WHAT THE INTEREST
24 OF JUSTICE MEANS PURSUANT TO PENAL CODE SECTION 1385.
25 AND THE CASE OF *PEOPLE VERSUS ORIN*, O-R-I-N, IS A 1975
26 CASE, 13 CAL.3D. 937. AT 945 THE COURT SAYS "IN
27 FURTHERANCE OF JUSTICE" MEANS, AT THE VERY LEAST, THE
28 REASON FOR DISMISSAL MUST MOTIVATE A REASONABLE JUDGE.

1 ORIN SAYS, AT PAGE 945, WHEN DETERMINING IF
2 A DISMISSAL FURTHERS THE INTEREST OF JUSTICE, THE COURT
3 MUST CONSIDER THE INTERESTS OF SOCIETY, AS WELL AS THE
4 DEFENDANT'S CONSTITUTIONAL RIGHTS. SOCIETY HAS AN
5 INTEREST IN THE FAIR PROSECUTION OF PROPERLY ALLEGED
6 CRIMES AND ENHANCEMENTS. GENERALLY, IF COURTS TERMINATED
7 PROSECUTIONS OF CRIMES OR ENHANCEMENTS UNDER PENAL CODE
8 SECTION 1385 WITHOUT ADEQUATE REASON, IT WOULD FRUSTRATE
9 THE ORDERLY AND EFFECTIVE OPERATION OF OUR CRIMINAL
10 JUSTICE PROCEDURE AS ENVISIONED BY THE LEGISLATURE.

11 AND THAT QUOTE IS FROM PAGE 947 OF ORIN.

12 THE PEOPLE ARE REQUIRED TO COMPLY WITH
13 MARSY'S LAW. THEY APPARENTLY HAVE. I HAVE LISTENED TO
14 THE DECEASED'S MOTHER AND SISTER.

15 IS THERE ANY REASON, OTHER THAN THIS SPECIAL
16 DIRECTIVE, THAT IS THE GENESIS OF YOUR MOTION?

17 IS THERE ANYTHING ELSE, ANY PROOF PROBLEMS
18 OR EVIDENCE ISSUES, ANYTHING LIKE THAT?

19 MR. HERRING: THERE ARE NO PROBLEMS WITH PROOF WITH
20 THIS CASE, YOUR HONOR. THERE ARE LEGALLY COGNIZABLE
21 MITIGATING FACTORS THAT INCLUDE LACK OF A CRIMINAL RECORD
22 AND YOUNG AGE FOR THE DEFENDANT. ASIDE FROM THAT, I
23 BELIEVE THAT IT IS MY DUTY TO PUT FORTH THE POLICIES THAT
24 ARE IN THE SPECIAL DIRECTIVE.

25 THE COURT: ALL RIGHT.

26 WELL, I HAVEN'T HEARD -- I DON'T BELIEVE
27 THAT YOUR STATED REASONS JUSTIFY DISMISSAL IN THE
28 INTEREST OF JUSTICE.

1 MS. BLACKBURN: MAY I BE HEARD?

2 THE COURT: JUST A MINUTE.

3 FIRST OF ALL, THE DEFENSE DOESN'T HAVE A
4 VOICE IN PENAL CODE SECTION 1385, IT'S MADE BY THE COURT
5 OR IT'S MADE BY THE PEOPLE. I WILL GIVE YOU A CHANCE.

6 SENTENCING ENHANCEMENTS CAN BE DISMISSED
7 WHEN THEY ARE FIREARM ALLEGATIONS UNDER PENAL CODE
8 SECTION 12022.5 SUBDIVISION (C), AND IN THIS CASE I THINK
9 IT WOULD BE PENAL CODE SECTION 12022.53 SUBDIVISION (H).
10 BUT BOTH OF THOSE SUBSECTIONS SAY THEY ALLOW FOR SUCH
11 DISMISSALS AT THE TIME OF SENTENCING.

12 IT MAY VERY WELL BE THAT THE LACK OF RECORD
13 AND THE YOUNG AGE, THAT MIGHT BE, AT THE TIME OF
14 SENTENCING, JUSTIFICATION FOR STRIKING AN ENHANCEMENT.

15 WHAT WOULD YOU LIKE TO SAY, MS. BLACKBURN?

16 MS. BLACKBURN: I WOULD LIKE TO SAY THAT THE
17 DISTRICT ATTORNEY IN THIS CASE HAS INDICATED THAT THERE
18 AREN'T ANY PROOF PROBLEMS, BUT I WOULD ARGUE THE NATURAL
19 AND PROBABLE CONSEQUENCES THEORY OF AIDING AND ABETTING A
20 GANG MURDER IS NOT HERE, SIGNIFICANTLY HAMPERS THE
21 PEOPLE'S ABILITY IT PROVE --

22 THE COURT: THEY'RE NOT GOING TO GET THAT
23 INSTRUCTION.

24 MS. BLACKBURN: I THINK THERE ARE ISSUES IN THAT
25 FIRST DEGREE MURDER INSTRUCTION. I THINK THAT THERE ARE
26 ISSUES WITH THE CASE THAT I THINK HE HAS BROUGHT UP: MY
27 CLIENT'S YOUTH, HIS COMPLETE LACK OF RECORD, HIS FAMILY
28 HISTORY, AND THOSE ARE THINGS THAT I THINK HE COULD

1 ARTICULATE.

2 BUT MORE IMPORTANTLY, EVEN IN THE CITE THAT
3 THIS COURT HAS INDICATED IS THAT THE COURT CANNOT STRIKE
4 THESE IN THE INTEREST OF JUSTICE, BUT THE DISTRICT
5 ATTORNEY'S OFFICE IS THE CHARGING AGENCY.

6 THE COURT: RIGHT.

7 MS. BLACKBURN: SO WHEN THE COURT HAS THE CASE
8 BEFORE IT, THE COURT CAN'T DISMISS THESE --

9 THE COURT: THE COURT WHAT?

10 MS. BLACKBURN: THE COURT CANNOT, OR SHOULD NOT
11 EVEN, ACCORDING TO THIS CASE, DISMISS ANY ALLEGATIONS
12 UNLESS THEY FIND IT IN THE INTEREST OF JUSTICE. BUT I
13 DON'T THINK THE COURT IS HAMPERED BY THE ORIGINAL
14 CHARGING DECISIONS OF THE DISTRICT ATTORNEY'S OFFICE.

15 IT'S BEEN MY EXPERIENCE, AND I'M SURE YOURS,
16 OVER 25 YEARS, THAT EVEN AS CASES ARE CHARGED ORIGINALLY,
17 THERE ARE ALWAYS ALTERATIONS. HAVING THE COURT DECIDE
18 THAT THE PEOPLE OF THE STATE OF CALIFORNIA CANNOT CHANGE
19 THE CHARGING DOCUMENT IS NOT WHAT THAT CASE HOLDS. IT
20 HOLDS THAT ONCE THEY ARE CHARGED, THE COURT CANNOT STEP
21 IN AND INTERPRET THAT THERE IS NO -- AND CHANGE THOSE
22 WITHOUT THE INTEREST OF JUSTICE BEING SERVED.

23 I UNDERSTAND THAT THE FAMILY IS VERY UPSET,
24 AND I UNDERSTAND AND I BELIEVE THAT THEY SHOULD BE. BUT
25 I DON'T THINK THAT THAT'S THE END OF THE INQUIRY, AND I
26 DON'T THINK THAT'S WHAT THE COURT'S BEING ASKED TO DO.

27 THE CHARGING ORGANIZATION -- THE CHARGING
28 AGENCY HAS DECIDED NOT TO CHARGE THIS CASE THIS WAY.

1 THEY'VE CHARGED CASES FOR MANY YEARS IN WHATEVER WAY THEY
2 DECIDED AND NOW THEIR POLICIES HAVE CHANGED. AND FOR THE
3 COURT TO STEP IN, I DON'T THINK THAT'S WHAT THAT CASE
4 STANDS FOR. IF AT THE END OF THE CASE THE CHARGING
5 AGENCY -- JUST AS THE COURT CAN'T ADD CHARGES --

6 THE COURT: RIGHT.

7 MS. BLACKBURN: -- RIGHT? IF THE CHARGING AGENCY
8 SAYS THAT THEY WANT TO DELETE THE CHARGES, I THINK THAT'S
9 WITHIN THEIR PURVIEW. FOR THE COURT TO STEP IN AND SAY
10 THEY WON'T DO IT IS SEPARATE AND APART FROM WHAT I THINK
11 THE *ORIN* CASE IS TALKING ABOUT.

12 THE COURT: BUT 1385 SAYS I CAN'T DISMISS UNLESS
13 IT'S IN THE INTEREST OF JUSTICE.

14 MS. BLACKBURN: I THINK THAT CASE IS TALKING ABOUT
15 DURING THE PENDENCY OF THE COURT, NOT SEPARATE AND APART
16 FROM THE CHARGING DECISIONS OF THE PROSECUTING AGENCY.

17 THE COURT: SAY THAT AGAIN.

18 MS. BLACKBURN: I THINK IT'S SEPARATE AND APART
19 FROM THE CHARGING DECISIONS OF THE PROSECUTING AGENCY.
20 THE COURT IS BOUND BY WHAT THE PROSECUTING AGENCY
21 CHARGES, UNLESS IN THE INTEREST OF JUSTICE.

22 THE COURT: RIGHT.

23 MS. BLACKBURN: WE HAVE NOW SEEN CHANGES IN THE
24 LAW. FOR EXAMPLE, FOR MANY YEARS THE D.A. WOULD CHARGE A
25 10, 20, LIFE ALLEGATION UNDER 12022.53 AND THE COURT WAS
26 NOT ABLE TO JUST -- THE COURT WAS UNABLE TO DISMISS.
27 THEY HAD NO AUTHORITY AND THEY HAD NO ABILITY TO DO THAT.
28 THAT HAS NOW CHANGED. THE COURTS HAVE SAID IN THE

1 INTEREST OF JUSTICE, IF THE COURT FINDS THAT TO BE TRUE,
2 THEY CAN DISMISS THE ALLEGATION.

3 BUT THE REVERSE HAS NEVER BEEN TRUE, THAT
4 THE COURT CAN STAND IN THE WAY OF THE CHARGING AGENCY
5 DISMISSING ALLEGATIONS -- NOT ALLEGATIONS THAT HAVE BEEN
6 PROVEN AT TRIAL, BUT DURING THE PENDENCY OF THE CASE --
7 THE COURT CAN SAY I HAVE NOW BECOME THE CHARGING AGENCY
8 AND I'M STANDING IN THEIR STEAD AND OVERRULING THEIR
9 CHARGING DECISIONS. THE INTEREST OF JUSTICE IS FOR
10 DISMISSAL IF THE COURT IS OUTSIDE OF WHAT THE CHARGING
11 AGENCY HAS DECIDED THEY WANT TO DO.

12 I THINK THEY'RE VERY DIFFERENT THINGS. I
13 THINK THE CASE VERY STRONGLY -- OR THE CASE LAW HAS
14 PROVEN THAT.

15 THE COURT: WHAT CASE LAW?

16 MS. BLACKBURN: ANY CASE LAW.

17 THE COURT: TELL ME. TELL ME ANY CASE THAT SAYS IF
18 THE PEOPLE MOVE TO DISMISS AN ALLEGATION, IPSO FACTO THE
19 JUDGE HAS TO DO IT. WHAT CASE STANDS FOR THAT?

20 MS. BLACKBURN: I'LL FIND YOU A CASE, YOUR HONOR.

21 THE COURT: YOU FIND ME A CASE THAT SAYS THAT IF
22 THEY MOVE TO DISMISS AN ALLEGATION OR A CHARGE, THAT THAT
23 IN AND OF ITSELF JUSTIFIES DISMISSAL.

24 MS. BLACKBURN: HOW, SHORT OF A TRIAL, WOULD THE
25 COURT KNOW OR UNDERSTAND THE ORIGINAL CHARGING INTENT OF
26 THE PROSECUTING AGENCY?

27 THE COURT: HOW WHAT?

28 MS. BLACKBURN: HOW, SHORT OF A TRIAL, WOULD THE

1 COURT UNDERSTAND THE ORIGINAL MOTIVATION AND INTENT OF
2 THE PROSECUTING AGENCY, WITHOUT PROOF, THAT THESE ARE
3 THEREFORE JUST AND THAT THEY CAN'T REDUCE -- THEY CAN'T
4 DISMISS THEM WHEN THE CHARGING AGENCY SAYS THAT THEY
5 BELIEVE IT BE TRUE.

6 THE COURT: I'VE LISTENED TO WHAT HIS REASON IS AS
7 TO WHY HE'S COME FORWARD WITH THIS MOTION FOR DISMISSAL.

8 MS. BLACKBURN: BUT HAVE YOU -- HAD THERE EVER BEEN
9 A DETERMINATION THAT THE ORIGINAL REASON FOR CHARGING
10 THIS CASE THE WAY THEY DID WERE VALID?

11 THE COURT: THAT'S FOR A TRIAL. IF YOU THINK THAT
12 THE EVIDENCE WAS INSUFFICIENT, FILE A 995 MOTION.

13 MS. BLACKBURN: IT'S NOT INSUFFICIENT, I'M SAYING
14 WHETHER OR NOT IT'S JUST OR IN THE INTEREST OF JUSTICE.

15 THE COURT: ALL RIGHT.

16 MS. BLACKBURN, YOU ARE VERY ARTICULATE AND I
17 DON'T KNOW YOU, BUT YOU APPEAR TO ME TO BE A VERY, VERY
18 GOOD LAWYER. YOU AND I DON'T SEE IT THE SAME WAY. I
19 DON'T THINK IT RISES TO THE LEVEL OF THE INTEREST OF
20 JUSTICE. AS I SAID BEFORE, IT MAY VERY WELL BECOME
21 RELEVANT AT THE TIME OF SENTENCING.

22 FOR NOW, AT THIS POINT, WITHOUT PREJUDICE,
23 YOUR MOTION, MR. HERRING, IS DENIED.

24 MS. BLACKBURN: YOUR HONOR, CAN WE SET THIS CASE
25 FOR --

26 THE COURT: YES.

27 MS. BLACKBURN: -- THE 28TH?

28 THE COURT: HAVE YOU TALKED NO MR. HERRING ABOUT A

1 FUTURE DATE?

2 MS. BLACKBURN: NO. MR. HERRING IS NOT THE
3 ATTORNEY OF RECORD ON THIS CASE, IT WAS MR. TRUJILLO. WE
4 HAD DISCUSSED DISPOSITION. I THOUGHT THAT'S WHAT WE WERE
5 GOING TO DO TODAY. I WOULD ASK FOR THE 28TH.

6 THE COURT: 28TH OF DECEMBER?

7 MR. HERRING: IT'S NEWS TO ME THAT I'M NOT THE
8 ATTORNEY OF RECORD ON THIS CASE.

9 THE COURT: NO, I THINK SHE MEANS THE DEFENSE
10 ATTORNEY.

11 MR. HERRING: NO.

12 MS. BLACKBURN: NO, NO. I'M THE DEFENSE ATTORNEY.
13 I'M SORRY.

14 THERE'S AN OFFER THAT WAS CONVEYED TO ME,
15 THAT I CONVEYED TO MR. DOMINGUEZ, AND --

16 THE COURT: FROM WHO?

17 MS. BLACKBURN: FROM MR. --

18 MR. HERRING: I BELIEVE IT WAS MARIO TRUJILLO.
19 THAT'S WHAT I'VE BEEN TOLD.

20 I'VE ALSO BEEN TOLD FROM A SEPARATE SET OF
21 SUPERVISORS THERE IS NO OFFER, AND THAT'S WHY WE'RE IN A
22 CONUNDRUM TODAY.

23 THE COURT: WELL, THEN EVERYBODY NEEDS TO BE HERE
24 ON THE NEXT DAY BECAUSE AS FAR AS I KNOW, YOU'RE THE
25 REPRESENTATIVE OF THE PEOPLE. I'VE NEVER SEEN -- WHO DID
26 THE OFFER COME FROM?

27 MS. BLACKBURN: MR. TRUJILLO.

28 THE COURT: TRUJILLO? I DON'T KNOW WHO THAT IS.

1 MS. BLACKBURN: HE'S IN CHARGE OF SPECIAL
2 CIRCUMSTANCES. AT LEAST WAS IN CONTACT WITH
3 MS. BLACKNELL PRIOR TO THIS DATE AND CONVEYED AN OFFER,
4 WHICH I CONVEYED TO MY CLIENT. SO IT'S NEWS TO ME
5 THAT --

6 THE COURT: WHAT WAS THE OFFER?

7 MS. BLACKBURN: SEVEN YEARS.

8 IT'S NEWS TO ME THAT WE DIDN'T HAVE AN
9 OFFER, BUT I THINK WE DO NEED TO GET ON THE SAME PAGE.

10 THE COURT: ALL RIGHT. AND SO YOU'RE ASKING FOR
11 12-28?

12 MS. BLACKBURN: YES, PLEASE.

13 THE COURT: IS THAT OKAY?

14 THE CLERK: YES, YOUR HONOR.

15 THE COURT: DO WE WANT TO TRAIL WITHIN THE PERIOD
16 OR DO YOU WANT TO MAKE IT ANOTHER ZERO OF 60?

17 MS. BLACKBURN: TRAIL WITHIN THE PERIOD FOR NOW.

18 THE COURT: SO THAT'S GOING TO BE 13 OF 60.

19 MS. BLACKBURN: THANK YOU.

20 THE COURT: ALL RIGHT. ANYTHING ELSE?

21 DOES HE NEED ANY MEDICAL ORDERS, ANYTHING
22 ELSE WE NEED TO DO, MR. BLACKBURN?

23 MS. BLACKBURN: NO, I THINK WE'RE DONE.

24 THE COURT: ANYTHING ELSE TO TODAY, MR. HERRING?

25 MR. HERRING: NO, THANK YOU.

26 THE COURT: SEE YOU ON THE 28TH.

27 (PROCEEDINGS IN THE ABOVE-ENTITLED
28 MATTER WERE CONCLUDED.)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 115

HON. MARK S. ARNOLD, JUDGE

PEOPLE OF THE STATE OF CALIFORNIA,)	
)	
)	PLAINTIFF,) NO. BA466952-01
)	
VS.)	REPORTER'S
)	CERTIFICATE
RUDY DOMINGUEZ,)	
)	
)	DEFENDANT.)
)	

STATE OF CALIFORNIA)
) SS
 COUNTY OF LOS ANGELES)

I, CATHERINE A. ZINK, CSR #9242, OFFICIAL REPORTER FOR THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE FORGOING PAGES 1 THROUGH 14 COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE PROCEEDINGS AND TESTIMONY TAKEN IN THE ABOVE-ENTITLED MATTER ON DECEMBER 15, 2020.

DATED THIS 21ST DAY OF DECEMBER, 2020.

_____, CSR #9242
 CATHERINE ZINK, OFFICIAL REPORTER

George Gascón's radical pro-criminal policies are the gold standard for rogue prosecutors all across our Nation. His directives and policies include mass de-incarceration and reckless social experiments disguised as reforms. If not stopped this will impact public safety in our communities for decades to come. As of 6/25/21 22 cities have voted "No Confidence" in George Gascón and his policies and directives.

Skyrocketing crime since LA District Attorney George Gascón took office in December:

Homicides: UP 95.2%

Grand Theft Auto: UP 40.1%

Arson: UP 22.4%

Aggravated Assault: UP 12.9%

Rape: UP 7.8%

**LASD As of June 2, 2021 – Compared to 2020*

Homicides: UP 22%

Gang Homicides: UP 37%

Shooting Victims: UP 59%

**LAPD As of June 8, 2021 – Compared to 2020*

Since taking office in December George Gascón has:

- *Implemented \$0 bail for all misdemeanors and many nonviolent felonies, including child abuse and domestic violence.*
- *Banned the death penalty in ALL cases regardless of evidence - even if previously voted on and approved by the committee. The Death Penalty can't even be considered in cases of child murder and torture or police killings.*
- *Eliminated most sentencing enhancements, special circumstances and life-without-parole eligible sentences. This includes Gun and Gang enhancements.*
- *Disallowed all transfers of 16 and 17 year-olds to adult court and must remain in juvenile court, even for cases of murder, rape, attempted murder and child molestation. Allowed a 17-year-old who murdered two young mothers and tried to burn their bodies to only be held, at the most, until he is 25.*
- *Prohibited the filing of misdemeanor crimes such as criminal threats, trespass, disturbing the peace and resisting arrest.*
- *Barred Deputy District Attorneys from attending parole hearings. One of the most important reasons for a DDA to be present at a parole hearing is the ability to contradict an inmate's version of the crime.*
- *Created a resentencing unit to resentencing convicted criminals who have currently served 15 years – this includes violent offenders. This will amount to 20-30,000 potential criminals being released into our communities.*
- *Slashed Gang and Narcotics units in half. This will lead to more violence on our streets and more victims in our communities. And it puts public safety at greater risk.*

“Colleagues,

You need to lead.

This is a call to do the right thing.

We have strength in numbers - it is time to employ that strength...

...His personal affront to the law, to victims, to your sense of self-respect, to decency and to the respect that your colleagues deserve should call you to action.

Per the Supreme Court, the nature and duties of a public prosecutor are inherently incompatible with the obligations of criminal defense counsel. When one adversarial interest is subsumed by the other, the smooth functioning of the criminal justice system suffers. Public confidence in the integrity of the criminal justice system is irreparably damaged by the appearance of impropriety when a public prosecutor privately represents a criminal defendant, or, conversely, when a public defender represents the People's interests.

He installed a cadre of high-level administrative personnel some formerly, and some currently, employed by the Public Defender's Office. These are people who essentially wrote the nine Special Directives which he issued during his swearing in on December 7, 2020. They did so while still employed by the Public Defender's Office representing defendants, the very defendants that now are benefitting from the policy directives they helped author. Indeed, some even continue to represent criminal defendants. These conflicts are blatant and apparent to any ethical attorney. Conflicts abound in his administration. The improprieties and ethical violations are astounding.

-Alisa Blair. She was a Grade III deputy public defender and employed by the Public Defender's Office for 18 years until he hired her. While employed as a deputy public defender she wrote SD 20-09, his Juvenile policy. She is now a special advisor/DDA handling cases in court where the PD's Office represents the accused. The conflicts are obvious, especially when she acknowledges the accused and not the victims next of kin when in court. Her actions demonstrate that she still represents the interests of the accused, not of the People or the victims who's family she openly disregards and disdains. To her, and per his directives, no case is appropriate for transfer to adult, no matter how egregious the conduct, nor how dangerous the offender. No threat to public safety is sufficient to overcome his misguided policy written by her, a person trained and indoctrinated for her entire career to consider only the interests of the accused and to completely disregard the pain, suffering and devastation of the victims of crime and surviving families. Defense attorneys are trained to do so because it is an ethical requirement for them and to not do so would make the job of such an advocate unbearable. We accept this as part of our adversarial system when an advocate's interests and job align, but the functioning system is adulterated and rendered impotent when the beliefs and interests of one side hold powerful sway over both sides. That is what is happening in Los Angeles County's juvenile justice system. Victims, justice and fair and appropriate outcomes that balance the aggravation, mitigation and interests of all sides are sacrificed. Justice is sacrificed.

As the Supreme Court warned, when one adversarial interest is subsumed by the other, the public's interest in the smooth functioning of the criminal justice system suffers.

-Laurence Middleton. He seeks to hire this man as a special prosecutor, but allows him to continue to represent defendants in criminal cases. He does so with knowing disregard for Government Code 26540, which prohibits any district attorney from defending or acting as counsel for any person accused of any crime. He knowingly and unsuccessfully attempted to overcome this blatant conflict by signing an ineffective waiver, which Superior Court judges rejected by recusing his special prosecutor.

-Diana Teran. She was an employee of the Public Defender's Office until he appointed her as a Grade III prosecutor. She is currently "on loan" to the LADA from the Public Defender's Office. She is actively developing and executing policies regarding resentencing that benefit clients she used to represent. She works closely with Michael Romano, who runs a Stanford based resentencing project, to implement LADA policy even though he represents clients who seek resentencing. He represented clients when he helped write the current LADA policy. When he wrote that policy Mr. Romano had an ethical obligation to advocate for his clients. He honored that ethical obligation to his clients by altering LADA policy in a way that would directly impact his clients. But Teran is now the People's lawyer. Her duty is to the People. She abandons that duty when she seeks advice and counsel from an attorney with adverse interests to the prosecution and formulates it into policy that she dictates to the People's attorneys.

Resentencing Unit DDAs, in an effort to follow direction and still maintain their ethical standards, submitted motions, as directed, seeking resentencing, citing the language of the Special Directive. Teran directed the lawyers not to do so, saying if they cite his Special Directive it looks like they do not believe in what they are arguing in their motions. She, and he, hide behind the good reputations of these prosecutors, disavowing their own policies thereby.

-Tiffany Blacknell. A deputy public defender for over 18 years, left the Public Defender's Office so that he could hire her. She has boldly professed beliefs that police are evil, that she hates law enforcement and that all prisons should be abolished. No matter one's beliefs in rational systemic reform, this Office is obliged to and works well with law enforcement agencies. Law enforcement officers are necessary for the functioning of a peaceful society. They are dedicated professionals who do difficult jobs under difficult circumstances, often putting their lives on the line. They also work to prevent human suffering and perpetrate acts of kindness daily. No rational prosecutor could believe that prisons must be abolished. There will always be persons who act so heinously, and pose such a danger to others, that they forfeit the right to walk amongst us, and thus, they must be locked up to protect others. Blacknell's core beliefs about the justice system are beyond extreme and inherently dangerous. She has professed them openly. He hired this person, and entrusted her with a senior level position. Her positions on some of the most fundamental aspects of our justice system are so antithetical and hostile to the basic beliefs and function of our institution, they render her an ineffectual, disrespected outlier, devoid of all credibility. He endorses her beliefs by hiring her and placing her in a high level position. His trust in her stains the institution and taints efforts toward necessary partnerships with justice partners.

-Shelan Joseph. A deputy public defender for 24 years, she is formerly part of the Public Defender's Office's Special Circumstance Committee. She has taken over all LADA capital HABEAS cases, including those cases where defendants have been and are currently represented by the Public Defender's Office. These are THE most serious and egregious acts of criminality. Under prior leadership, cases selected for capital punishment involved the most depraved offenses imaginable. They include cases where a defendant murders multiple people, brazenly, intentionally, cruelly and with no remorse.

In one case, defendant and his brother controlled a large scale cocaine operation and had over 100 "employees," taking in over \$1 million during a three month period in 1988, which they were convicted for. This was only a minor setback. They hired someone to kill a person for failing to pay a \$50 drug debt and to kill another person for vandalizing a van. Charges were dropped after they bribed and threatened witnesses. Taking a dislike to the killer they had hired, they murdered him and three other people in one night, including a woman and her 28 month old daughter. All were shot at close range multiple times. The guilt phase evidence lasted two and a half months, it included the testimony of 121 witnesses. Forty-one witnesses testified in the penalty phase.

In another, a 31 year old man who murdered his 79 and 74 year old neighbors in their home, Elmer and Gladys, who had, out of kindness, loaned him \$100. He stabbed Gladys in the throat, chest and heart. She had defensive wounds, she fought for her life. She died on her kitchen floor. He left her with her nightgown raised up over her waist with her pubic area exposed. He stabbed Elmer in the throat and chest, breaking his ribs. Elmer had defensive wounds, he fought for his life. He died on his living room floor next to his wheelchair.

The People have an interest in these cases, where tremendous resources are spent in obtaining the convictions on extremely violent murderers. Thereafter, years, even decades are spent defending the convictions in post-conviction Habeas proceedings, that have, until now, been handled by an experienced, ethical and committed advocate.

And yet, he unceremoniously relieved LADA's experienced, devoted and brilliant advocate who had shepherded these cases for much of his career, and appointed Shelan Joseph to handle and oversee all of these cases. As a deputy public defender Joseph not only advocated, but lectured to defense attorneys on how to effectively negotiate capital cases. Her immediate past position charged her with undermining the People's position in capital cases. She is now responsible for all the People's capital cases on HABEAS litigation.

As the Supreme Court warned, when one adversarial interest is subsumed by the other, the public's interest in the smooth functioning of the criminal justice system suffers.

He disregards the obvious consequential ethical breaches in hand selecting and employing these people at top level administrative positions where they direct us to do their bidding.

He is dismantling critical institutions within the Office. He devalues and disregards the greatest resources this Office possesses and acts for political reasons, not for reasons in the best interest of the District Attorney's Office, the criminal justice system or public safety. His personnel and policy decisions are sewing chaos. DDAs are transferred from Divisions without regard for the needs of the Office, victims and the cases that need prosecuting, in favor of political agendas. Incompetence reigns.

He has effectively dismantled gang prosecutions and transferred very experienced trial lawyers who were ordered to retain responsibility for those cases to also handle calendar, encumbering them with unmanageable caseloads. New gang cases filed are assigned to inexperienced prosecutors without the expertise to navigate the complexities of gang prosecutions, and who also have very large caseloads. Gang prosecutions will obviously suffer. He does not care, it appears this is by design. He seeks to undermine the expertise of personnel within this office and render the institution ineffective by burying and overburdening elite trial lawyers, who have honed years of special skill in effectively prosecuting the most dangerous offenders. Sex crimes DDAs carry 20 to 30 or more cases because DDA personnel are placed in assignments based on his political agenda, not based upon the need to have sufficient DDAs to prosecute the most serious offenders. In the face of these caseloads and the abdication of all that is right within this office by those charged to lead it, DDAs are quitting the Office to work for other counties.

In the recent "Appellate Day Massacre," he dismantled a team of the most knowledgeable and skilled legal experts in this Office. He did so because they cleaved to their duty of candor, and determined to write the truth, and not what his appointees wanted them to write. These brilliant legal savants who had no agendas except fidelity to the law and their ethics were rendered mute when this institution needs them the most.

Brian Kelberg, likely the most brilliant mind in the Office who has handled post-conviction work on the Office's capital cases for decades - a discipline that has taken a career to hone - a resource unsurpassed in this Office, indeed, in the field, was transferred to Torrance Branch and as a result retired. It is profound that the Office has lost this resource. Kelberg's cases were transferred and he was replaced by the aforementioned Shelan Joseph, an attorney acknowledged to be integral to driving Public Defenders Office's policy in opposing capital cases.

The Appellate team, DDA Matt Brown, AHD John Neidermann and HD Margo Baxter, relied upon for the most challenging and complex legal analyses, who wrote the memorandum that analyzed and deemed his policy to be incongruous with the law were similarly dealt with, on suspicion that they "leaked" the memorandum to a general DA audience. One wonders how unwittingly sharing expert legal analysis with the constituency of this office charged with implementing the policies subject to this analysis warranted punitive transfers.

He seeks to use these punitive transfers to undermine the expertise of the personnel within this office. How is the best use of the unsurpassed skill of DDA Matt Brown being put to use at Airport Branch when this Office needs his skills and those of Neidermann and Baxter the most as it struggles to implement unintelligible, misguided and legally dubious policy?

Many of the most accomplished criminal practitioners within this office continue to be disregarded, disrespected and rendered ineffective to provide for the implementation of a dangerous, incompetent and dubious political agenda. Sixty-one pages of sweeping policies were written by defense attorneys, people with pending cases against this Office, with none of our most knowledgeable subject matter experts even consulted.

He continues to disregard the rights and needs of victims of crime in favor of the interests of those who commit crime and cause harm. He favors a constituency of violent offenders over the constituency of those who are harmed by violent offenders and those that abide by the law.

He tells a grieving mother of a murdered victim, that she “does not have enough education to keep [her] mouth shut.” Even if he misunderstood, he does not apologize. He does not lead, it is clear this is a quality he does not possess, he cowers behind his political agenda.

He forbids DDAs from attending parole hearings, leaving next of kin and victims of the most violent and devastating crimes to face the offender alone. The violent offenders are represented. The offenders have a skilled advocate that sits next to them and who teaches them how to speak the language of the parole board. The victims and surviving families of murdered victims do not. They are left to navigate a system that is wholly foreign and intimidating to them. With no DDA there, there is no advocate with an interest in testing the offender’s representations, which are often lies, because the victims and next of kin are not permitted to do this. DDAs are permitted to do this, but he has ordered that the LADA’s seat at this table is to remain vacant. Critical aspects of the process are left unfulfilled, at the expense of victims, murder victim next of kin and public safety.

The adversarial process is perverted in favor of criminals and violent offenders at every step, by his design. He tells us we cannot call those who commit these crimes “inmates”, “prisoners,” “criminals” or “offenders.” It borders on the ridiculous. It would be humorous if the implications were not so serious, evidencing a perverse need to cleave to the needs of those who harm and a near complete absence of concern for those who survive these crimes, the victims. There is an entire institution devoted to advocate for the rights and needs of the accused, the Public Defender’s Office. This institution, the LADA, is needed to ensure there is strong advocacy for the right of the law abiding citizens of this county to live in a safe environment where people obey the laws because the laws are enforced and to ensure the rights of those harmed by these individuals are advocated for. Who speaks for them now? He surely does not.

A former deputy public defender runs the Juvenile Division of this Office. She disregards the interests of victims, the interests of public safety and, instead, represents the interests of offenders on cases of great consequence, some 70 murder cases.

The cases include multiple murder:

A man, 1 month shy of his 18th birthday, who executed his 16 year old girlfriend and her 27 year old sister and then lit the apartment on fire to cover it up. Dozens more could have been killed. He did not care. This killer will walk free at 25 years old, if not earlier. All allegations were ordered dismissed, including gun allegations. As if the decision to so grossly limit accountability of this sophisticated murderer were not enough, she seeks to even obliterate the record of how heinous the crime was.

A 17 year old gang member who went out “hunting” for other gang members and who shot dead two innocent, non-gang member young men who were childhood friends. One was an astrophysics PhD candidate at UCI who had accepted a job at NASA. He was delivering a baby shower gift to his childhood best friend. Both men were gunned down in the front yard without provocation or justification. A few houses down they shot at a third man who was putting his infant child into the child’s car seat. He

covered the child with his body to protect her and was shot in the back. This killer will walk free at 25 years old, if not earlier.

What policy objective is fulfilled when persons committing crimes of this level of depravity are incapacitated only to age 25? Youthful offender parole rules already allow for parole eligibility after 15 years of incarceration. He abdicates his duty, delegating it to a former deputy public defender with her own agenda and objectives, and disregards his solemn oath to protect the public from these offenders, even when the law allows for appropriate systemic discretion for youthful offenders who show they are no longer a public safety risk to release within a reasonable time. He acts on purely political motive when he calls these offenders "children." He refuses to exercise his lawful discretion that allows transferring these murderers for adult prosecution. These laws exist for the very purpose of protecting public safety and ensuring appropriate accountability for these very types of sickening crimes.

Offenders and their families are recorded, giddy at the prospect. They are utterly astounded at their luck that a former deputy public defender holds the reigns and no one in the District Attorney's Office with authority "has their backs." Victims and surviving families are devastated. No one has their backs.

These offenders will walk among our children.

As the Supreme Court warned, when one adversarial interest is subsumed by the other, the public's interest in the smooth functioning of the criminal justice system suffers.

This should call you to action.

You fight every day to do what is right. You should be fighting. If you are not standing up for what is right and getting out and getting signatures to recall him, please examine why that is. If you fear him impacting your career, examine the personnel and policy decisions above and ask yourself, if you think he is really going to promote someone like you anyway? Look at who he hires. Look at what he values. Is the scant chance you might get promoted within the time he has left worth your integrity? In recently examining candidates for promotion, he was interested in what outside activities candidates participated in, not objective criteria negotiated by our union. Why are you afraid to stand up? Examine the reason with candor and face up to your fears. Will you respect yourself, will your colleagues respect you, when he is gone and you did nothing?

You represent this Office. You are a part of this. Do you care enough about what is happening to victims of crime, public safety, your colleagues, your principles, your careers, the institution, the LADA, that you hold so dear, to commit to doing your part?

Stand up for yourself. Stand up for your colleagues. Stand up for this Office you hold so dear, for victims, for public safety. Stand up for its future, for its future is your future and the future of the safety of this County and for what is right and just.

We are together, we believe the same thing. Your colleagues are doing it. Don't be left behind. Stand up. Lead amongst your colleagues. If you lead, if they see you doing it, they will respect and follow you. Be the one to lead. Make it happen. No excuses. Text your most trusted friend in the Office and make your plan to do it. Now."

Los Angeles Times

San Francisco's mayor and city attorney endorse L.A. County Dist Atty. Jackie Lacey, snubbing George Gascón

By MATT HAMILTON | Staff Writer

PUBLISHED: Nov 21, 2019, at 6:53 PM PT

San Francisco's mayor and city attorney waded Thursday into the competitive Los Angeles County district attorney's race, publicly backing incumbent Jackie Lacey over their city's former district attorney, George Gascón.

Lacey has received a litany of endorsements from state and regional politicians as she seeks a third term running the nation's largest local prosecutor's office. But the support of Mayor London Breed and Dennis Herrera, San Francisco's longtime city attorney, is also a tacit rebuke of Gascón, a former San Francisco police chief who gained a national reputation for championing criminal justice reforms.

As San Francisco's top prosecutor, Gascón co-authored Prop. 47, the ballot initiative that lowered punishments for nonviolent crime, tried to curb racial bias by prosecutors evaluating cases, expunged low-level marijuana convictions and pushed to end cash bail.

Yet after Breed was elected mayor in 2018, she blamed Gascón and his posture of reform for the rash of car break-ins and other street problems that have dogged San Francisco, even as the city experienced a sharp drop in violent crime. While naming an interim prosecutor to take over after Gascón stepped down to run in L.A., Breed maintained there was growing frustration for "the endless cycle of people getting arrested for dealing drugs, or breaking into cars, only to be released back out on the streets."

Hamilton, M. (2019, November 21). *San Francisco's mayor and city attorney endorse L.A. County Dist Atty. Jackie Lacey, snubbing George Gascón*. Los Angeles Times.

<https://www.latimes.com/california/story/2019-11-21/san-francisco-mayor-and-city-attorney-endorse-jackie-lacey-snubbing-george-gascon>.

Los Angeles Times

Discussion of 'backdoor offer' extended to murder defendant raises tensions in district attorney's office

By MATTHEW ORMSETH STAFF WRITER

DEC. 30, 2020, 7 AM PT

One Friday night four years ago, Fernando Rojo Jr., 26, was sharing a cooler of beer with friends outside his parents' home in South Los Angeles when a white SUV pulled up in front of them.

"Where you from?" someone in the car called out. Rojo and his five friends, who weren't in a gang, didn't respond. Their silence was met with gunfire. A bullet tore through Rojo's back, piercing his heart.

Two weeks ago, the man who prosecutors say was driving the SUV appeared in court for a hearing. Rudy Dominguez, an admitted member of the 18th Street gang, was charged with Rojo's murder, the attempted murder of Rojo's five friends and six counts of discharging a firearm from a vehicle. If convicted, Dominguez, 24, faced a maximum sentence of life in prison without parole.

As the Dec. 15 hearing wound down, his lawyer, Deputy Public Defender Traci Blackburn, mentioned "an offer that was conveyed to me" — a deal that would send Dominguez to prison for seven years.

"From who?" Judge Mark S. Arnold asked, according to a transcript of the proceeding.

Blackburn said that Mario Trujillo, a newly-elevated member of Dist. Atty. George Gascón's executive staff, had extended the offer to Dominguez's previous attorney, Tiffany Blacknell, a deputy public defender and a member of Gascón's public policy committee during his campaign. Blackburn told the judge that Blacknell, from whom she'd recently inherited Dominguez's case, had relayed Trujillo's offer to her.

The deal's disclosure startled both the judge and the line prosecutor assigned to the case. Blackburn told the judge she believed Trujillo was handling Dominguez's prosecution, prompting the line prosecutor, Jeffrey Herring, to say, "It's news to me that I'm not the attorney of record on this case."

Blackburn emailed Trujillo a week after the hearing. She acknowledged Dominguez's case was "serious and complicated," but given his lack of criminal record and other "defensible issues," she wanted to "explore the possibility of disposition," according to correspondence reviewed by The Times. Trujillo told her to make the request with "the appropriate Head Deputy from our office."

That supervisor, Head Deputy Dist. Atty. Larry Droeger, appeared in court Monday and told Arnold there was no offer on the table. Had Trujillo extended one, Droeger told the court, he did so outside the office's policy of following a chain of command in cutting deals with defendants, a policy he said was important to guard against "improper influence or bias" or the perception of it.

Droeger, who oversees gang homicide prosecutions, said he had not been contacted by Dominguez's lawyers about a potential offer and didn't know of any deal that may have been extended outside his unit's chain of command. "Whatever it was, it was not a valid offer in this case," he said.

The judge seemed relieved.

“It’s a good thing,” Arnold said, “because there’s no way I could look myself in the mirror and live with an offer, a plea bargain, of seven years in this case.”

Though such a deal appears to no longer be in play, a member of Gascón’s executive staff extending what an attorney for Rojo’s family called “a sweetheart deal” to a murder defendant raises questions about the new administration’s willingness to bypass line prosecutors to intervene in individual cases — particularly the case of a defendant who had been represented by one of Gascón’s campaign allies. Blacknell was Dominguez’s attorney of record as recently as Oct. 10, court records show.

The episode underscores the tensions in a district attorney’s office that has seen unprecedented change since Gascón’s swearing-in three weeks ago. His decision to forgo sentencing enhancements and gang allegations drew support from the progressive base that propelled him to office but incensed some rank-and-file prosecutors whose views of their roles in the criminal justice system are fundamentally at odds with those of their new boss.

Max Szabo, a spokesman for Gascón’s transition team, said: “There is no offer in this case, and there has been no plea agreement.” Trujillo, Blacknell and Blackburn did not return messages seeking comment.

The prospect of a seven-year offer contrasts with a probation officer’s recommendation, made in a report filed with the court in 2019, that Dominguez deserved “nothing less than a long-term state prison commitment.” The probation officer described Dominguez as “a serious threat to innocent citizens” who has shown “absolutely no regard for human life,” the report says.

In Dominguez’s defense, Blackburn argued in court that he had no prior criminal history and was just 19 years old at the time of Rojo’s death.

Dominguez confessed to driving the car used in the shooting, according to testimony from a preliminary hearing. While not accused of firing the shots that killed Rojo, Dominguez was charged with his murder and the attempted murders of his five friends under a legal doctrine that holds that people who take an active role in a killing can be guilty of murder even if they do not pull the trigger or inflict the fatal wound themselves. This concept has been criticized by advocates of criminal justice reform.

Samuel Dordulian, a private attorney representing Rojo’s family, had asked the judge to take the case from the district attorney’s office and hand it to the California attorney general’s office. In arguing for why county prosecutors should be recused, Dordulian, a former deputy district attorney, said Trujillo had made a “backdoor offer” to Blacknell, whose proximity to Gascón’s administration amounted to a “clear conflict of interest.”

“She has direct access to George Gascón,” he said “She has direct contact with Mario Trujillo.”

Arnold declined his request for recusal.

The parties had returned to Arnold’s courtroom on Monday, two weeks after Dominguez’s attorney first disclosed the seven-year offer — only this time, neither Blackburn nor Blacknell, the lawyers previously representing Dominguez, were in court. Another deputy public defender, Jimmy Chu, told the judge he’d been asked to stand in. Neither Blackburn nor Blacknell would be representing Dominguez, who at the moment had no trial lawyer, Chu told the court.

Arnold expressed disappointment that Trujillo, Blackburn and Blacknell had not shown up.

“I was hoping [Trujillo] would be here today,” he said. “I’d really like to know what he based that offer on.”

Herring, the deputy district attorney assigned to Dominguez’s prosecution, told the judge that Trujillo had not contacted him about the case or asked to see the police reports that support the charges.

Dominguez was arrested two years after Rojo was killed. After his arrest, Dominguez admitted driving the car used in the shooting and acknowledged belonging to 18th Street’s 54 Tiny Locos set in South L.A., Refugio Garza, a detective with the Los Angeles Police Department, testified during a preliminary hearing last year.

Dominguez’s affiliation with 18th Street, one of the city’s largest gangs, dates to his time in high school, Garza said he was told. Black gang members had been beating up Dominguez until 18th Street gang members stepped in. “As a favor,” he explained to the detective.

The night Rojo was killed, an 18th Street gang member called Dominguez and said “it was time to repay a favor,” according to Garza.

Dominguez told the detective he agreed to drive some 18th Street gang members to seek revenge for an associate who’d been shot in the leg a day earlier. They blamed a rival gang, Playboys. At the time, Garza and another detective testified, Playboys were encroaching on 18th Street territory in the South L.A. neighborhood where Rojo’s family lived. Alleyways and walls were covered with the gangs’ dueling, crossed-out graffiti.

Dominguez drove to Playboys territory with an 18th Street member nicknamed “Psycho,” who was carrying a gun. They spotted a group gathered outside a house; the way the men were dressed — one person was wearing a hat — they thought they might be gang-affiliated, Garza testified.

Rojo’s friends testified that they had gathered outside his parents’ home, as they did every Friday night after getting off work, to split a cooler of beer.

Dominguez told the detective he circled the block and pulled to a stop in front of the group. “Psycho,” he said, stuck his head out of the car and called out: “Where you from?”

Rojo and his friends weren’t gang members. “We were just quiet, stunned,” one testified.

“Psycho” asked the question again, then opened fire, Dominguez said, according to Garza. Rojo was shot in the back and collapsed. One of his friends was shot in the leg. The others took cover behind cars or ran.

After the shooting, Dominguez told the detective, four gang members jumped him into 18th Street. He now has a tattoo of an “18” that extends from his shoulders to his lower back, according to Garza. He said Dominguez told him, “I have my barrio on my back.”

Ormseth, M. (2020, December 30). *Discussion of 'backdoor offer' extended to murder defendant raises tensions in DA's office*. Los Angeles Times. <https://www.latimes.com/california/story/2020-12-30/murder-defendant-backdoor-offer-district-attorneys-office-tensions>.

**ROB BONTA***Attorney General*

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Victims' Bill of Rights

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Marsy's Law significantly expands the rights of victims in California. Under Marsy's Law, the California Constitution article I, § 28, section (b) now provides victims with the following enumerated rights:

1. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. To be reasonably protected from the defendant and persons acting on behalf of the defendant.
3. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

5. To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. To reasonable notice of and to reasonably confer with the prosecuting agency, **upon request**, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, **upon request**, to be notified of and informed before any pretrial disposition of the case.
7. To reasonable notice of all public proceedings, including delinquency proceedings, **upon request**, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. To be heard, **upon request**, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. To receive, **upon request**, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. To be informed, **upon request**, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date

of the defendant, and the release of or the escape by the defendant from custody.

13. To restitution.

- A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
- B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
- C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

14. To the prompt return of property when no longer needed as evidence.

15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, **upon request**, of the parole or other release of the offender.

16. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.

17. To be informed of the rights enumerated in paragraphs (1) through (16).

Mayor Lopez-Viado
Mayor Pro Tem Castellanos
Councilmember Diaz
Councilmember Wu
Councilmember Tabatabai

City Hall Address:

1444 W. Garvey Ave South
West Covina, CA 91790

I write to you as a deeply concerned father, brother, son, and resident.

I hope we can all agree that crime has no boundaries; if a burglary, theft, assault, hate crime, murder, or child abuse act takes place in one of our bordering cities, it affects us all, as do quality of life crimes such as car thefts, catalytic converter thefts, gang tagging, and vandalism.

George Gascon ran his campaign on bringing justice reform to Los Angeles County and yes, reforms are needed, to say otherwise would be naïve; however, reform should not be a blanket policy on ALL cases as every case is unique and should be treated as such.

Reform is not releasing dangerous criminals back into our communities, and it is definitely not, going behind the back of the judicial system and victim families, to secretly make “sweetheart” plea deals of 7 years for gang-related murders. (Please see attached L.A. Superior Court Docket No. BA466952-01; “Peo v. Dominguez”)

George Gascon says he will use divergence programs instead of incarceration. Apparently, the Los Angeles County District Attorney does not know that in order to be eligible for divergence programs, a person must have charges filed. That is how it works, a person gets arrested, charges are filed, they are offered a divergence program which when completed, charges are dismissed.

Per D.A. Gascon, the following offenses should be declined or dismissed before arraignment: Trespassing; disturbing the peace; driving without a license or a suspended license; making criminal threats; drug possession; drinking in public; loitering to commit prostitution; and resisting arrest, among others.

Can you educate me on how human trafficking is combated when George Gascon refuses to file charges for loitering to commit prostitution, keeping any investigations from even take place? What happens when a non-licensed or suspended licensed driver is not charged and decides to get behind the wheel again because there aren't any consequences, and then ends up killing other persons, perhaps a child?

Some will say, “This is what Gascon told the people he would do during his campaign which is why he was elected.” Would it surprise you to know that George Gascon did not make any of his special directives known until the day he took office? Was this action taken due to the immediate and detrimental impact on public safety that his Special Directives would cause?

You may also say, “well George Gascon himself states he is using scientific studies reflecting that his methodology will work.” George Gascon should know that scientific studies for public policy are peer-reviewed in order to back up the study ensuring legitimacy by the majority. His studies are not, they are actually paid for by the same groups that funded his election and who to this day, advise him.

On various occasions, George Gascon has told many local media outlets that those against him are part of a Republican-led Recall. I am not Republican; my family members are all Democrat, and the majority did vote for George Gascon; they have all already signed the Recall petition.

This past election both the Mayor and the Chief of Police of San Francisco did not endorse George Gascon, they endorsed Jackie Lacey. Imagine your former boss not recommending you for a position you have applied for and instead recommending another applicant. It speaks volumes. S.F. Mayor London Breed stated that her reason for endorsing Jackie Lacey over her own prior District Attorney (George Gascon) was that she (Lacey) “effectively navigated the delicate balance between keeping our communities safe and enacting meaningful reform.” Dennis Herrera, the San Francisco City Attorney who also endorsed Jackie Lacey over Gascon said Lacey “knows how to balance reforming the system while ensuring that violent criminals are off the street and neighborhoods are kept safe.”

The District Attorney of the greatest and largest District Attorney’s Office in our country should be able to bring reform to our justice system while maintaining his or her oath that he or she took ensuring public safety. In his now seven (7) months as Los Angeles County District Attorney, George Gascon has shown that he is more focused in his political agenda than he is in keeping the public, neighborhoods, and local cities safe.

As of today, 24 cities have passed a vote of no confidence in George Gascon and he has not once shown up to a City Council meeting to address the concerns of the Council, instead, his response via his spokesperson Max Szabo, “these are little red dots of red in a sea of blue... ultimately, it’s pretty irrelevant.”

Crime does not care if you are in a blue, or a red city. Crime does not care about your sexual orientation. Crime does not care about the color of your skin, your ethnicity, your accent, or your occupation. Crime does not care if you are a father, a mother, a brother, or a sister.

Los Angeles County has seen the below increases:

Homicides: UP 95.2%

Grand Theft Auto: UP 40.1%

Arson: UP 22.4%

Aggravated Assault: UP 12.9%

Rape: UP 7.8%

**LASD As of June 2, 2021 – Compared to 2020*

The City of West Covina needs to be proactive; therefore, I ask the City Council to make our voice heard by APPROVING a Vote of No-Confidence in Los Angeles District Attorney George Gascon because though West Covina is made up of varying ethnic and socio-economic backgrounds, we are not irrelevant.

Please note that along with documentation backing up my statements, I have included an email authored by a current LA County Deputy District Attorney (DDA) which was distributed amongst the LA County DDAs anonymously (for retaliation reasons).

It reflects the current state of the Los Angeles County DA’s Office under George Gascon. Can you imagine putting not only your life’s work but the oath you took at risk as you’re being forced to do the wrong and unethical thing or suffer the (illegal) consequences by being forced out of your career?

Former and current DAs and DDAs from throughout California are reaching out to current LA County DDAs offering advice on both court and administrative actions to navigate their situation while remaining true to the oath they took.

Below is a quote from a former prosecutor from another County in California after reading the attached email.

“I have been a prosecutor for 37 years, 25 of those as an elected DA, this is one of the most hear-rending, powerful things I have ever read.”

Some or all of you may be struggling with supporting a vote of No-Confidence in DA George Gascon because you voted for and/or endorsed him. 2020 was a year of high emotions and anger, and many in Los Angeles, and around our country voted for change, any change; however, we cannot have effective change with a DA who puts you, my, and every resident of West Covina (and all of Los Angeles County's) safety at risk.

“A measured and balanced approach is the most effective way to promote and advance law, justice, and public safety. Extremists on either side, such as the LADA, are not interested in reforms that prove his political agenda wrong.” – Jonathan Hatami

Please take the time to read the attached. I share it with you with the hope that you will come to the decision of discussing, presenting, and supporting a Vote of No-Confidence in DA George Gascon.

Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read 'Christian Garcia', written in a cursive style.

Christian Garcia