

ATTORNEY NOTES . . .

THE NEWSLETTER OF THE ASSOCIATION OF DEPUTY



DISTRICT ATTORNEYS OF LOS ANGELES COUNTY

JANUARY 2007

VOLUME II, ISSUE I

IN THIS ISSUE

PRESIDENT'S MESSAGE 1
By ADDA President Steve Ipsen

Gov. Schwarzenegger 1
Receives the 'Pursuit of Justice' Award

VOLUNTEERS NEEDED FOR BAKER to VEGAS 1

Richard Hirsch and Mike Jesic 2
win DDA of the Month Honors

Minutes of the December 2006 ADDA Board of Directors meeting 3

PRESIDENT'S MESSAGE: THE BATTLE FOR OUR FUTURES!

By ADDA PRESIDENT STEVE IPSEN

In March of this year a hearing officer will decide whether the ADDA, composed of DDAs, is an appropriate bargaining unit. Last month *ATTORNEY NOTES* reprinted a letter sent to the head of ERCOM (the Employee Relations Commission) demanding action in response to the ADDA submitting "blue cards" seeking certification. *These cards were submitted more than a year ago!* Subject to the availability of the ALADS attorneys who has offered to represent the ADDA, we are tentatively scheduled for **March 16, 2007**.

What does this mean? If the hearing officer finds that DDAs are an "appropriate bargaining group,"

we have a right to a vote by all DDAs, Grades 1-4, on whether to become a bargaining unit. That vote would occur within 60 days of the hearing officer's decision. If that happens, the ADDA Board is committed to fully inform you of both the potential benefits and risks of certification. This will be your decision.

RISKS: Two years ago it appeared that unrepresented employees who certify as a bargaining unit would pay a price. When the County doctors certified, joining the Union of American Physicians & Dentists (UAPD), the County retaliated, taking away their 3% 401k match and changing their benefit plans. The

(Continued on page 3)

Gov. Schwarzenegger Receives the 'Pursuit of Justice' Award

On Wednesday January 24, 2007, a delegation from LA County met with Governor Arnold Schwarzenegger. Below is the Governor's press release regarding this event.

Today, Governor Schwarzenegger was presented with the "Pursuit of Justice" award for his unparalleled work and leadership on behalf of children and those victimized by sexual predators, as well as those vul-

(Continued on page 2)



From left to right: Senator George C. Runner (R-Antelope Valley); Assembly member Sharon Runner (R-Lancaster); Governor Arnold Schwarzenegger; Steve Ipsen, president of the Los Angeles County Association of Deputy District Attorneys and Steve Remige, president of the Association for Los Angeles Deputy Sheriffs

RUNNERS AND SUPPORT VOLUNTEERS NEEDED FOR BAKER to VEGAS! Get Acquainted Run: FEB 17, Runoff: MARCH 17, Race: APRIL 21

Every year members of our office compete in the annual Challenge Cup Relay Race commonly known as the "Baker to Vegas Race". Interested runners are encouraged to participate in a team get acquainted and fun run to be held on Saturday, February 17,

2007 at 8:00 a.m., at the LAPD Academy in Elysian Park. Also, an official team run-off for the starting 20 spots will be held on Saturday, March 17th, 2007 at the same location.

(Continued on page 3)

RICHARD HIRSCH EARNS DDA OF THE MONTH FOR JULY 2006 FOR JAPAN PRESENTATION

Rick is receiving the DDA of the Month for his exceptional presentation in Tokyo, Japan to the Ministry of Justice. The Ministry handles all of the country's criminal prosecutions. In 2009, the Japanese government will take the historic step of converting from a three judge panel system to a modified jury system for serious crimes. Japanese officials are concerned because of negative experiences with juries in post World War II Japan.

Coordinated by DDA Ann Huntsman, Japanese officials visited our office to gain a better understanding on how to select and try a case before a jury. They were so impressed with Rick's knowledge and presentation that he was invited to Tokyo to teach their prosecutors about our jury system and jury selection. This was a surprising event for Rick because he had never traveled outside of North America. He was accompanied by Ron Bowers (ADDA Career Prosecutor Award Recipient for 2005), who had also been invited to instruct prosecutors in creating compelling power point presentations for a jury. Not only does this selection speak very highly of Rick, it also illustrates the leadership role that the LA DA's

Office has in legal training.

Over two days, Rick gave a lecture and power point presentation to several high ranking officials including the Vice-Minister of Justice and over one hundred prosecutors. When Rick finished, they only wanted to ask him about one subject - O.J. Simpson. He explained to them that was an unusual case and that thousands of jury trials take place under much more ordinary circumstances without the press and fanfare.

Thanks to Rick's dedication, hard work and exemplary teaching skills, the Japanese government will now have a clear understanding of the American criminal jury system.

The editor wishes to thank ADDA - DA of the Month Committee Member Wendy Segall for this article

DIFFICULT MURDER TRIAL EARNS MIKE JESIC DDA OF THE MONTH FOR SEPTEMBER, 2006

A homicide detective once said, "I'd rather be lucky than good." Luckily for the Homicide Detective on People v. Steele, his case got assigned to Mike Jesic.

In Steele, the victim was shot in the back of his head. Two members of the victim's family identified three rival gang members as the shooters. Detectives filed on the three for murder. Unfortunately, further investigation showed that these defendants were the wrong persons.

After the filing, police received anonymous tips that convinced them that the victim was actually killed by "friendly fire". The three charged suspects were actually the intended victims of a walk-up ambush by the victim, Roy Jackson, and two of his homeboys. Jackson and his associates attempted to ambush three gang rivals in retaliation for a previous murder. As Jackson and his homeboys began shooting, Jackson was struck in the head by a shot fired by one of his associates. There was no cross fire, and the intended victims escaped unharmed.

Ultimately, the investigators tracked down Steele. He admitted being at the scene but

denied he was involved in the shooting; he said he was only there to collect the guns afterward. He admitted the others were there to do the retaliation shooting and that Jackson was killed accidentally. Unfortunately, police lost the tape of this interview, along with six more audiotapes, with no explanation. Each of the missing tapes contained a crucial interview necessary to prove the People's case. The lost tapes helped the defense's "grand conspiracy theory", which asserted fact that the police got it right the first time, that the originally-charged three rivals were the actual shooters, and the cops were just trying to "put a case on" the defendant. The detectives attempted to re-tape Steele's statement, but Steele said, "I don't know what to say. Last time your partner told me what to say."

Mike received this case as a trial hand-off. He realized that he needed to convince the jury that the shooting could not have happened the way the original witnesses said it did and that Steele's original statement was accurate. He also had to prove that Steele knew how it happened because he was there, not that the police planted a story with him after the fact. Mike used the physical evidence from the coroner's description of the victim's death and

the layout of the buildings in the area to show that the victim could not have been running away from the shooter, and that it would have been impossible for the original witnesses to have seen the chase as claimed.

Mike also discovered a very significant piece of physical evidence overlooked by the police. In a perimeter shot of a crime scene photograph, the photographer captured an image of the alley where Steele said he had waited with the victim to ambush the rivals. In the alley dirt was a shoe impression, complete with a distinctive Air Jordan logo. Mike enhanced the photo; sure enough, the shoe print was matched the shoe on the victim's foot as he lay dead at the crime scene.

Mike proved that the murder victim was the unintended target of his fellow gang members' shooting. For his outstanding work in this case, the ADDA is pleased to name Mike Jesic Deputy District Attorney of the Month for September, 2006.

The editor wishes to thank ADDA Board of Directors Member and DA of the Month Committee Member Alan Yochelson for this article

Schwarzenegger Receives the 'Pursuit of Justice' Award

(Continued from page 1)

nerable citizens who will never be victimized because of the implementation of Jessica's Law. Steve Ipsen, president of the Los Angeles County Association of Deputy District Attorneys, presented the governor with the award. Governor Schwarzenegger's leadership in securing the pas-

sage of Jessica's Law, has given California law enforcement the nation's most effective tools for locking-up dangerous sexual predators," said Mr. Ipsen. "In doing so he has protected our state's children, which has earned him the highest civilian award from the Association of Deputy District Attorneys, the Pursuit of Justice Award." This photo was taken today in the Reagan Cabinet Room, State Capitol, Sacramento, CA.

ADDA BOARD MEETING FOR DECEMBER 2006 BRINGS APPOINTMENT OF 2007 BOARD AND DISCUSSION OF ENDORSEMENTS, CDAA AND CERTIFICATION

The meeting was called to order on December 19, 2006.

Attending were ADDA Board Members: Ipsen, Tavelman, Debbaudt, Dodd, Yochelson, Lopez, Naiman, St. Hippolyte, Boyadjian, Fuhrman, Harold, Moll, Shirley, Jordan, Mesropi, and Grace.

A motion was made and passed to appoint Fred Mesropi and Guy Shirley to fill the unexpired vacancies ADDA board members for the 2005-2006 term. Because no Board position was challenged by petition during the nominating period, a motion was made and passed to deem the returning members of the 2005-2006 ADDA board as elected Board members for 2006-2007 term pursuant to the operation of ADDA Bylaws regarding uncontested elections.

Commissioner Phyllis Shibata attended the meeting to ask for ADDA endorsement for appointment. A motion was made and passed to conditionally endorse Comm. Shibata for appointment subject to interviews with the assigned Courtroom DDA, DIC & Head Deputy.

A motion was also made and passed to approve new ADDA dues structure for 2006-2007 including 2-year membership discounts which would set dues as follows: 1-year membership dues of \$ 30.00 dollars and \$ 50.00 dollars for 2-year membership. Mesropi and Shirley were appointed to coordinate ADDA dues collection.

A motion was made and passed to appoint an ADDA legislation committee to review legislation brought before ADDA. Additionally a motion was made and passed to endorse CDAA proposed legislation to forgive loan debt of public employees, including prosecutors, and to authorize an ADDA legislative committee to endorse CDAA proposed legislation to strengthen DUI penalties. A motion

was also made and passed to send a letter to the DA asking for restoration of CDAA benefits, specifically dues reimbursement and office sanctioned attendance at CDAA seminars. A motion was then made and passed to send a letter to CDAA on behalf of ADDA membership stating that ADDA does not concur with certain recent comments of DA Steve Cooley regarding CDAA. Both letters to be drafted by Tavelman/Ipsen with circulation to ADDA board for final review.

Certification Update: The county doctors union settled their dispute with the Board of Supervisors and got restoration of benefits and 10 million dollars in back payment to their 401k program. The doctors got a 21 percent raise and dentists got 20 percent. SEIU negotiated a clause in their contract with the Board of Supervisors that protects megaflex and other employee benefits. This is potentially great for ADDA in our certification effort because the county can not guarantee benefits to some groups and take it away from others.

Steve Ipsen reported that **SEIU** has accepted ADDA being a separate bargaining unit but is moving forward to sign up APD and PDs. They are amenable to working with ADDA as a negotiating team. Marc Debbaudt reported regarding the preparation of action at ER-COM regarding ADDA use of the Lotus Notes. A discussion followed.

A brief discussion occurred about ADDA legal fees accumulated in preparing certification. A motion was passed to make a \$500.00 payment towards these legal fees.

After discussion of other business the meeting was adjourned

This text and content of this article is excerpted from the Minutes of the 2006 December ADDA Board meeting, by ADDA Secretary Bobby Grace.

PRESIDENT'S MESSAGE: THE BATTLE FOR OUR FUTURE!

(Continued from page 1)

doctors decertified. Then the UAPD counter-attacked, launching a campaign that succeeded in passing legislation that protects the flex/megaflex benefit plan status. Next, UAPD sued and won a \$10.1 million settlement against the county for taking away the doctors 401K plan. The county has now agreed with at least one union (SEIU 660) that they would not punish unrepresented groups who certify for collective bargaining.

BENEFITS: Like SEIU members, we just got

the 4%, 3%, 3% raises plus two half steps for some top step DDAs. However we did nothing. But the UAPD's Regional Administrator, Joe Bader, points out that other professionals will do much better in LA County over the next three years than DDAs. Psychiatrists represented by AFSCME bargained for 20% while dentists represented by AFSCME bargained for 21%. As reported in an earlier *ATTORNEY NOTES*, ALADS bargained for even better raises and massive longevity pay bumps that resulted in *many top step DAIs and PD investigators being better paid than corresponding top step DDAs!* ALADS has asked us to consider affiliating or contracting for services once we certify, and we soon will have a decision to make.

This is not the end, but the beginning. Check out the January issue of *California Lawyer* and see how we now have some of the [lowest DDA salaries in the state](#). After 5 years, we make significantly less than DDAs in Riverside, San Bernardino and almost every other county on that list. 20 years ago, when I joined the office, we were the best paid DDAs in the state. But not anymore.

WHAT CAN YOU DO? Please support the hard work of your ADDA Board. We are composed solely of DDAs grade 1-4 and elected by you. We serve as volunteers and receive no compensation for our work. We ask only that you support us with your membership dues.

BAKER TO VEGAS Needs Runners and Volunteers

(Continued from page 1)

Baker to Vegas is a 120 mile relay foot race that begins in the outskirts of Baker, CA and ends in Las Vegas. There are 20 legs in the race averaging 6 miles each. The race is open to law enforcement agencies only. Although the focal point is the race, Baker to Vegas encompasses a weekend that includes an awards ceremony, parties, barbeques and other "Vegas" activities. Two teams represent the LADA in the race: the DDA Team (legal and non-sworn personnel)

and the BOI Team (DA investigators). Over 200 teams compete, including teams from local, state, federal and foreign law enforcement agencies. The 2007 race is scheduled for April 21. Both runners and support personnel are needed and all are encouraged to participate. If you are interested please contact Michael Yglesias (213) 974-3707, Alison Meyers (213) 974-3743 or Valerie Aenlle-Rocha (213) 974-3939. You can learn more at www.bakervegas.com

The editor wishes to thank Baker to Vegas "Team Captain" Head Deputy Michael Yglesias for the text and content of this article.

The Newsletter of the
**Association of
Deputy
District
Attorneys**
of Los Angeles County



The Association
by and for the
**Deputy District
Attorneys**
of Los Angeles
County

Email:
theverdict@sbcglobal.net
Mailing Address:
**18000 Clara Shortridge
Foltz Criminal Justice
Center
210 West Temple
Street
Los Angeles, CA 90012**

ATTORNEY NOTES . . .

SAVE THE DATE

February

Feb. 13, 2007: Latino Prosecutors Association General Meeting and Elections at 5:30PM (after work). Location TBA. Nominations accepted until Feb. 6 by LPA President Leonard Torrealba, (213) 974-6507, or LPA Board Member Chris Albanese, (562) 587-1707. 2007 membership dues, \$30.00, may be paid to Leonard or Chris. Please make checks to LPA.

February 17- Baker to Vegas Challenge Cup Relay. Get Acquainted/ Orientation Session and Fun Run. **See page one.**

February 20-ADDA Board of Directors Meeting. 5pm, Younger Conference Room, 18th floor, CSFCJC

February 24-Saturday Seminar, 8:30am to 12:30 p.m., Board of Supervisors Hearing Room, 500 W. Temple St., LA

February 26-March 1-New Prosecutors Seminar, Cal. Dist. Atty's Ass'n (Contact: Gina Davin, gdavin@cdaa.org). Phone: (916) 443-2017. The Sheraton Park at the Anaheim resort, Anaheim, CA

March

March 17-Baker to Vegas Challenge Cup Relay. Official Team

Run-Off for the starting 20 spots. LAPD Academy in Elysian Park. **See page one.**

March 19-22-Tech Issues in Criminal Prosecutions, Cal. Dist. Atty's Ass'n (Contact: Gina Davin, gdavin@cdaa.org). (916) 443-2017. Sheraton's Fisherman's Wharf, San Francisco, CA

March 20-ADDA Board of Directors Meeting. 5pm, Younger Conference Room, 18th floor, CSFCJC

March 24 -Saturday Seminar, 8:30am to 12:30 p.m., Board of Supervisors Hearing Room, , 500 W. Temple St., LA

April

April 2-5-Felony Sentencing for Prosecutors, Cal. Dist. Atty's Ass'n (Contact: Pam Matalucci, pmatalucci@cdaa.org). (916) 443-2017. Westin Horton Plaza, San Diego, CA.

April 16 to 20-National Homicide Symposium, Cal. Dist. Atty's Ass'n (Contact: Suz. Hunter, shunter@cdaa.org). Phone: (916) 443-2017. Westin Hotel 333 East Ocean Boulevard, Long Beach

April 17-ADDA Board of Directors Meeting. 5pm, Younger Conference Room, 18th floor, CSFCJC

April 21-Saturday Seminar, 8:30am to 12:30 p.m., Board of Supervisors Hearing Room, 500 W. Temple St., LA

Your ADDA Board of Directors

Steve Ipsen
President
Antelope Valley
Frank Tavelman
Senior
Vice President
Target Crimes
Marc Debbaudt
Junior
Vice President
San Fernando
Bjorn Dodd
Treasurer
Hardcore Gang
Division
Bobby Grace
Secretary
Major Crimes
Division

DIRECTORS

James Bozajian
San Fernando
Sera Boyadian
Specialized Litigation-
Psychiatric Section
Dennis Fuhrman
Long Beach
Christian Gullon
Justice System
Integrity Division
John Harrold
Pasadena
Tal Kahana
Justice System
Integrity Division
Sue Lasicka
Health Care Fraud
Division
Steven Lopez
Hardcore Gang
Division
Frederick Mesropi
Antelope Valley
Paul Moll
Antelope Valley
Juvenile
Loren Naiman
Auto Insurance Fraud
Division
Edward Nison
Training Division
Marc St. Hippolyte
Central Trials 15
Guy Von Shirley
Antelope Valley
Juvenile
Alan Yochelson
Central Trials 15