**Introduction**

What is the strength of a heart?

What is the breaking point of a crime victim? How much bloodshed can a community take? Can a DA’s Office shatter under the stresses and strains of trying to find justice thousands of times a year?

We often measure strength by muscles. How much can you lift, how many sit-ups can you do, how long can you plank? I am interested in a different kind of strength. I would like to talk about the strength of character and integrity of this Office. In these divisive times, it is important to recognize our collective power.

Please take a moment to look around you. This room is at capacity, with differences. There are people who grew up on the streets of San Jose and people who grew up on the streets of San Salvador. **Vietnam Nguyen** and **Luis Ramos** were raised minutes from here. **Sarah Jabero** came from across the world. We have laterals from Philadelphia and lawyers who started right here as clerks and paralegals. Some started their jobs just last month. Some started when George H.W. Bush was president and Def Leppard was a viable rock band.

Some travel long distances to work, while others walk. We have specialties that range from the Death Penalty to DNA to making sure the heat stays on. We have different religious faiths. There are Republicans, Democrats, and Independents among us. Gay. Straight. Black, white, brown, and every shade in between. Married. Single. Children. There are dog people, chicken farmers, and the owner of a one-eyed cat named Captain.
This room is filled with family. Not just the Mezas or the Fehderaus or the Scavios, but an extended family, 650 strong. We share criminal cases. We share colds. We carpool. We carol. We celebrate our successes and console each other when we fail. As with all families, there are no dispensable members in this Office. Without one of us, all of us are weaker.

Like the scout trick of showing how hard it is to snap a bundle of twigs, the strength of this DA’s Office lies in its unity.

We are, in some ways, like a community which comes more closely together after a calamity. From the 2013 bombings, came Boston Strong. From the 2017 shootings, Vegas Strong.

In our community, the phrase Gilroy Strong became an inspiring echo in 2019 after gunshots shattered a sunny late summer afternoon in a park filled with music, food and bouncy houses.

These simple mottos are unifying. They are powerful. They remind us that a whole community – not just those who were hurt or killed - shares both the tragedy and the heavy responsibilities of healing.

We share these tragedies, large ones and small ones, every day. We stand in solidarity with our DV victims, sex victims, our elders who have been abused, our children who have been molested, the devastated families of our murder victims.

We share the agony of that small Sunnyvale family who were run down by a man who mistook them for Muslims.

We are responsible for justice that comes from a deadly drive-by shooting on the East Side of San Jose.
And although the Gilroy shooter was brought down within a minute by three heroic police officers, our job in that still-wounded city continues.

These are our crimes, our victims, our responsibility. We have more than 40 teams. We have an internationally recognized crime lab, a nationally renowned hi-tech task force, a widely emulated parent project, prosecutors in every courtroom and in many of our most needy neighborhoods. We wear lab coats, service weapons, suits and sneakers. Our professional and personal diversity is - paradoxically - our superpower.

How else can we measure the strength of this Office?

The other day, dozens of people stood in the cold in the back of our parking lot to give whatever they could – their blood, their bone marrow, their support - to Charlie Huang.

When one of us is hurt or ill, the flowers, the backup, the letters and the love pour in. Look at the birthday decorations, the Stan’s donuts boxes, the Secret Santa gifts, the flowers, the challenge coins, the baby showers, the shared laughter – and sometimes – the tears – that you can hear coming from our offices.

I say that we in this Office are strong, DA Strong - and I’m not just talking about Tyrone Wilson or Montana Musso.

Some people will get awards today, praise and plaques that will go up on our wall and website. But we all know that behind each individual award is a team. Our strength – our power to serve the People of this community - walks into this building on many feet. It works on all seven floors and in the basement. It works in Palo Alto and Morgan Hill, in Gilroy and Mountain View, and the Washington neighborhood of San Jose. It has many job titles. It speaks in many accents.
Please look around you once more. These are the people who have your back, my back, and most importantly, the People’s back. Together - we are unbreakable.

We are DA Strong.

Now, I’d like to highlight a few of the many, many examples of your accomplishments over the last year. If I discussed even a 10th of them, my remarks would be longer than The Irishman.

**Law and Motions Team**

**Dana Veazey, Jeff Rubin, Jordan Kahler** and **Georg Behrens** of our Law and Motions Team, rode in on numerous false claims of misconduct against our prosecutors. In one case, the trial judge initially opined that there had been a violation, but after the Law and Motions Team briefed and argued the issue, the judge reversed that opinion and completely exonerated our prosecutor. There was not a single finding of prosecutorial misconduct against our Office in 2019.

**Violent Felony Team**

The Violent Felony Team won more than 90% of its trials.

**Marina Mankaryous** tried a case the media dubbed, “The Blossom Hill Shootings” because over the course of several weeks, the defendant drove around San Jose late at night randomly shooting at other drivers. Defendant was charged in 11 separate shootings. Because none of the victims could provide a description of the defendant, Marina had to meticulously build a strong case, which resulted in convictions for each shooting and a 34-year prison sentence.
**Brian King** successfully tried a DUI case resulting in brain damage to the victim who went home to Mexico and then refused to return and testify. Brian ingeniously used a software program which provided the jury with an accurate recreation of how recklessly the defendant drove. Without the victim’s testimony, fighting against a highly-skilled defense attorney, Brian got a guilty verdict.

**Support Staff**

Our Support Staff is the **spine** that holds up the strong DA body.

In 2019, **Mary Dimeo, Sylvia Mata, Ashley Rojas, Victoria Ramirez, Julie Benson, Blanca Tapia, Tiffanie Johnson, Candy Kebe, Frances Lam, Karen Li, Olivia Wilson, Tanya Gomez, Tony Collins, Javier Velez** and **Gabriel Hernandez** provided both direct and administrative support to our Office’s efforts to help several hundred victims of the Gilroy Garlic Festival shooting.

**John Scavio, Brian Chan** and our entire MIS Team facilitated our Office’s conversion to paperless operations and electronic filing of court documents.

And our Business Services Team, including **Mei Hsiao, Karen Li, Emily Zhuang** and **Valerie Du**, successfully managed fifteen state and federal grants worth more than $10 million.

**Complaints Team**

In 2019, our Complaints Team filed more than 9,000 misdemeanors and 2,400 felonies. Our Felony Case Managers **Kevin Cogbill, Steve Lowney, Emann Chan** and **Stephen Poolos** were models of efficiency.

In what some would consider a challenge to South County’s potluck crown, **Judith Sklar** regularly brought in bagels from Palo Alto – ensuring that the Complaints Team had very few complaints.
**Family Violence Team**

In 2019, our Family Violence Team tried 43 cases, the highest number ever recorded, and won 81% of them - the highest percentage ever recorded.

The Family Violence Team began sending an informative letter with a Frequently Asked Questions page to all subpoenaed victims in English, Spanish and Vietnamese.

The Team examined every case where a defendant may have illegal possession of firearms and successfully removed guns from dozens of defendants via relinquishment hearings and search warrants. This step, this Team, saved lives.

**Narcotics Team**

In 2019, our Narcotics Team made major changes in our approach to drug offenses. We began diverting thousands of low-level addiction cases from our courts to public health and drug treatment while focusing on major drug crimes and international cartels.

**Alex Adams** spearheaded Operation Raven, an on-going multi-state and multi-agency operation involving organized crime syndicates selling drugs from the West Coast to the East Coast.

**Olivia Mendoza** has taken the lead in investigating fentanyl overdoses in a new collaboration with police, public health and the medical examiner’s office.

**Misdemeanor Team**

Following a misdemeanor jury trial, veteran defense attorney Chuck Smith wrote the following about **Dustin Vandenberg**,

“I have tried more than 400 cases and I know excellence in trial advocacy. You have the right stuff ... and a great future.
I’m amazed that you’ve only been at this for 10 months ... [the jurors] should be very proud that there are prosecutors like you who are protecting their community.”

**Tessa Stephenson** prosecuted a defendant for indecent exposure and annoying a child where the defense argued that schizophrenia prevented the defendant from forming the requisite specific intent. Tessa sought and received advice from a number of senior-level prosecutors, including **Montana Musso, Jason Malinsky** and **Celia Rowland** who had not yet even joined our Office. Tessa then put that advice to good use and eviscerated the defense expert on cross-examination. The jurors recognized Tessa’s outstanding trial advocacy and convicted the defendant as charged.

Former SJPD Officer turned DDA **Byron Suarez** did everything from try handoff cases, to judge high school mock trials, to participate in an immigration clinic, to perform with the Guilty Pleasures in a custom-tailored Santa Claus tuxedo. I’m so glad I didn’t wear mine that day.

**Lifer Team**

In 2019, **Aaron West** and **Steve Dick** of our Lifer Team handled 223 Parole Board Hearings and 73 Executive Clemency requests. I received the following letter from the niece of a murder victim following the parole hearing of the murderer:

“This is our third parole hearing. Every time my husband and I attend ... Aaron is very familiar with Uncle Bob’s case. Her compassion, drive and dedication is amazing and very much appreciated. She brings up specific details of the murder ... that helps to instill how dangerous the [murderer] was and is.” Parole was denied thanks to Aaron.
South County

In 2019, our South County Office reviewed 2767 misdemeanors and 590 felonies. The South County Family Justice Center, in partnership with Community Solutions, served more than 470 clients and domestic violence victims.

Gerlie Fishel tried and won her first South County jury trial, against a defendant who violated a domestic violence restraining order. Patty Henley tried and won a case against a repeat drunk driving defendant who repeatedly and recklessly weaved and crossed double yellow lines until he crashed his truck into a motorcyclist, killing the cyclist and maiming another person. It was Patty’s 96th jury trial.

Rosa Fregoso was asleep at three a.m. in her Gilroy home with her husband, their five-year daughter and Rosa’s visiting parents when she heard the defendant battering their sliding glass door with a mop handle. The family barricaded themselves in the master bedroom, called 911 and waited as they heard the defendant enter their home, rifle through their belongings and then approach the master bedroom, rattle the doorknob, and try to get in. Fear, terror, panic. Then, Rosa heard something beautiful – police sirens. Defendant fled and was quickly arrested. Noel Walton refused a low defense offer, tried the case and the jury came back guilty as charged.

Bureau of Investigations

Our Bureau of Investigations is the muscle of the strong DA body.

Investigators Jennifer Dalton and Justin DeOliveira were assigned real estate fraud cases – which on their face looked like a couple of victims had lost about a million dollars.
After diligent investigating, they uncovered dozens of other victims, losses of more than $40 million, and multiple felonies including money laundering, conspiracy, and grand theft.

The REACT Task Force continues to lead law enforcement efforts against SIM swappers and other forms of identity theft, resulting in the arrest of dozens of perpetrators around the country and around the world. DDA Erin West won the Case of the Year Award at the National Conference of High Tech Crime Investigators. REACT Investigators Dave Berry and Samy Tarazi have been featured on Good Morning America, NPR, the Wall Street Journal, and even MTV, which - if you don’t know - is a TV show that used to feature Def Leppard videos.

Investigator Pat Ward was given a case by the FBI and the California Department of Insurance that was described as “just too complex.” The scheme involved doctors double-billing insurance companies through altered bills and billing numbers. Pat was not stumped. He uncovered $5 million in losses that led to the arrest and successful prosecution of the crooked doctors.

Sexual Assault Team Investigator Christina Hanks found crucial witnesses that destroyed false defense alibis in several cases, leading to convictions. Christina is smart, thinks ahead, and is tireless.

Investigators Lamont Cusseaux, Jeff Nichols and Desiree Thompson teamed up to do follow up on a human trafficking case involving a 14-year-old girl and a 24-year-old woman. Lamont located the teenager in Michigan and persuaded her, along with another crucial out-of-state witness, to come to San Jose and testify. Jeff put together a PowerPoint for the jury about the massive amount of cell phone data evidence.
The presentation was so compelling that one of the defense attorneys repeatedly, and in a voice too loud not to hear, encouraged his client to plead guilty. Desiree testified as an expert witness about sex trafficking and its predatory nature, explaining important terminology in text messages between the traffickers and the two victims. After convicting the trafficker as charged, the jurors told DDA Barbara Cathcart that the People’s case had been “beautifully” presented.

**Juvenile Justice Team**

The Juvenile Justice Team seeks justice for the many crime victims of all ages who have suffered at the hands and weapons of minors.

**Kevin Smith** conducted transfer hearings in 8 of the 12 cases where the juveniles were so dangerous and threatening that justice required prosecuting them in adult court. **Troy Benson** prevailed in 8 out of 8 juvenile trials. **Drew Miller** successfully handled a case involving a minor who beat, carjacked and threatened a 72-year-old man with a gun. The same minor pulled a knife on a pregnant woman and pulled her out of her car.

**North County**

Our North County Family Justice Center, in partnership with the YWCA, served more than 700 clients and domestic violence victims. This year, the Center also provided food and clothing for those in dire need.

**Mark Thompson** successfully tried three misdemeanor cases in Palo Alto including a DUI where the defendant claimed his diabetic condition tainted the breathalyzer results. Defense counsel attempted to introduce the opinion of a so-called medical expert who relied on a study he had conducted on the stomachs of – wait for it - sheep. Mark persuaded the judge to exclude the unscientific study. The judge agreed. It was a “baaahhhhd” defense.
**Homicide Team**

The Homicide Team tried 15 murder cases and achieved excellent results. For instance, **Carlos Vega** successfully prosecuted a defendant who killed his father with a claw hammer and then shoved the body into a recycling bin.

**Community Prosecutors**

Our Community Prosecutors model strength and inspire resiliency in the communities they serve.

In the early morning hours of June 24, 2018, there was a shooting inside a home in the Little Saigon neighborhood of San Jose. A man gunned down four of his family manners and then shot himself. SJPD Detective Brian Meeker was on the scene and quickly recognized he needed help. He reached out to **HaNhi Tran**. She got to the scene at 3:30 a.m.

Detective Meeker wrote:

“We made the decision to get HaNhi involved within the first few hours due to the language barriers and cultural issues. She was integral from everything to meetings with the family, follow up, and finding services for them. She continued to help the family navigate through the process even after the investigation was done.”

**Major Fraud**

Our Major Fraud and Insurance Fraud Teams conducted 67 outreach events providing the public and law enforcement with the tools to identify, report, and investigate white-collar crime and insurance fraud. As a result of these efforts, led by **Mattia Corsiglia, Ann Huntley**, and **Christopher Kwok**, we investigated and filed more cases in 2019.
Mattia successfully prosecuted a five-member residential and commercial arson ring in a fraud involving fried chicken, sending the masterminds to prison for 8 and 13 years. Their crimes resulted in $4 million dollars in insurance losses. During several of the arsons, the defendants claimed to have fled their houses to respond to “emergencies,” while leaving pans of frying chicken on the stove.

Mattia told the media, “At a time when people are [struggling to save] money to rent or buy a house, the defendants are burning their homes down for profit.”

Basically, Mattia cried “fowl.”

**Crime Laboratory**

The Crime Laboratory is the brains of the strong DA body. Its mission is to achieve justice by pursuing truth through science.

Thanks to increased support from our Board of Supervisors and a reorganized Forensic Biology Unit, Rape Kits are now processed within two to three weeks – an incredible achievement, especially in light of state law which suggests that rape kits be processed within 120 days. Special thanks to Criminalists Amanda Cardenas, Craig Lee, Andrea Weidemann, Marissa Meininger, Krissy St. Andre, and of course Lab Director Ian Fitch.

The Crime Lab’s Firearm’s Team had multiple successes solving gun crimes in 2019, including one case where a handgun seized during a traffic stop was linked to three separate shooting incidents through careful examination and entry into the NIBIN database. Thanks to the work of Criminalists Ben Zhou, Lauren Williams and Brian Karp, the shooter has been arrested, and charged with attempted murder.
**General Felony Team**

Howard Chen, a prosecutor from Taiwan who served a three-month fellowship in our Office, watched General Felony Team Audrey Pak’s closing argument in an identity theft case which resulted in an as-charged guilty verdict. Mr. Chen’s observation about Audrey was, “She is very big in court.”

After a search warrant at an older woman’s home found 50 live cats, 12 dead cats, and signs of neglect, Montana Musso tried the woman for animal abuse. The jury convicted and the surviving cats were rescued.

**Crime Strategies Unit**

Our Crime Strategies Unit – headed by Marisa McKeown - is the best in the nation. Period.

Here’s why: CSU’s Gun Related Intelligence Program is unique in that our analysts receive leads directly from our Crime Lab on linked shell casings, pull the reports, and CSU prepares intelligence packets for law enforcement on these leads.

CSU provided the intelligence that resulted in Operation Redwood, a joint operation with SJPD and the FBI to reduce violent crime in the Seven Trees neighborhood.

Gun Violence Restraining Orders more than tripled in our County to over 100 because of CSU training to police officers. Mike Vidmar and Erica Cordero partnered with SJPD to identify wanted priority gun offenders and prepared warrants to arrest the offenders and seize the weapons.

Meanwhile CSU’s crime data reports continue to be the benchmark that our Office and all other county law enforcement agencies use.
Sexual Assault Team

The Sexual Assault Team is determined and hard working. Barbara Cathcart tried five cases and Sara Dabkowski tried four. As a result, nine child molesters and rapists were convicted and are being held accountable.

Carolyn Malinsky successfully prosecuted an Uber driver who anally raped a drunk male passenger. Carolyn had to overcome the views of some prospective jurors that they could not be fair in a case involving two men or others who stated that rape by intoxication was simply buyer’s remorse.

Not to be outdone by his wife, Jason Malinsky showed perseverance in his prosecution of Apollo Johnsen for molesting and raping a child named Fatima for ten years. Fatima was not the defendant’s first victim. He had also raped a woman in Texas in 2002 but that case was dismissed when the victim failed to come to court. BOI Investigator Michael Wharton found the prior rape victim and persuaded her to come to San Jose and testify in Fatima’s trial. The trial was not going well for the defendant who was out of custody, over the People’s objection. So, the defendant slipped off his GPS ankle monitor and fled. The trial continued and the defendant was convicted as charged.

That was the unsatisfactory ending to this story, until a woman in the Dominican Republic heard through an acquaintance about a recently arrived man who had “a little trouble in Santa Clara.” She did a quick Google search and found media reports about the man’s sixteen convictions for child molestation. When Jason called this Dominican woman to thank her, she told Jason, “You don’t have to say thank you. I am a mother.”
With help from United States Marshall Rickey Terry Jr. and Santa Clara PD Detective Scott Mead, the defendant was brought back to San Jose for a life sentence in prison.

**Consumer, Environmental, and Elder Fraud Team**

**Melanie Griswold** of our Consumer and Environmental Prosecution Team and BOI Investigator **Max Schad** took on Monterrey Mushrooms for deliberately releasing polluted wastewater into a local creek for decades. Against a well-funded corporate defendant with high priced lawyers, Melanie got a $2.24 million dollar judgement including penalties, restitution and injunctive relief against the company, the largest producer of mushrooms in the United States. This is the biggest water pollution judgement ever achieved by any DA’s Office in California.

As you eat your portabella and shitake mushrooms grown in an environmentally friendly manner, do so with a clean conscience, thanks to Melanie and Max.

**Victim Services Unit**

The Victims Services Team is the **heart** of the strong DA body. In 2019, VSU provided more than 35,000 unique services to almost 10,000 crime victims and their families.

Following the mass shooting at the Gilroy Garlic Festival, VSU stood up a Family Assistance Center within 24 hours that served more than 750 victims for the next 12 days. Then, VSU and our Community Prosecutors set up a Gilroy Strong Resiliency Center exactly six months after the tragic shooting – faster than any Resiliency Center in the country, and the only Resiliency Center on the West Coast.
Multiple departments within the federal government are meeting with VSU to try to understand how they worked so cooperatively, efficiently and effectively. I think the answer lies in something Mr. Rodgers’ mother told him to do after something really bad happens. “Look for the helpers,” she told him. VSU – you are our helpers.

**Gang Team**

Our Gang Team is motivated and smart.

**Alexandra Ellis and Edward Liang** worked extremely hard on several gang investigations that employed wiretaps which ultimately led to charging multiple gangsters for shootings, assaults and conspiracy to commit murder.

I received the following letter from a San Mateo County prosecutor who visited San Quentin State Prison and spoke to inmate Keven Neang. Mr. Neang had received a parole date and was soon to be released after serving a long prison sentence for gang crimes committed in Santa Clara County.

“What was most striking about Mr. Neang was the sense of genuine respect and gratitude he expressed towards his prosecutor Amir Alem. In short, he believed Mr. Alem viewed him as an individual whose crime needed to be dealt with, but who never lost sight of the complexity of balancing punishment with the promise of rehabilitation for a youthful offender ... It is a profound challenge for career prosecutors to guard against callousness and institutional forces which reduce the notion of justice to a numeric exercise rather than an individualized consideration of all the equities encapsulated by any given case. Only time will tell whether Mr. Neang is deserving of the chance that was given to him ... Be that as it may, it is clear that Mr. Alem maintained the dignity of the office entrusted to him as a prosecutor.” Well done Amir.
Conclusion

California Supreme Court Justice Carol Corrigan, wrote:

“The prosecutor speaks not solely for the victim, or the police, or those who support them, but for all the People. That body of ‘The People’ includes the defendant and his family and those who care about him. It also includes the vast majority of citizens who know nothing about a particular case, but who give over to the prosecutor the authority to seek a just result in their name.”

We seek and achieve justice for all The People because we never quit, never give in, never give up. We fall. We get knocked down. But we never stay down. We rise up. We keep fighting. We suffer temporary setbacks. But, we always move forward. And we must move forward and fight for The People because The People are depending on us. The members of this DA’s Office, all of us here - we are united, smart, hardworking, tough, compassionate and resilient. We are DA Strong.

Together, with one mission - to vigorously pursue justice in a way that is fair and treats everyone equally and with respect - we move forward from DA Strong to DA Stronger. In 2019, we were strong. In 2020, we will be stronger. We move from strength to more strength. Thank you.