

San Diego Deputy District Attorneys Association

President: Robert Hickey
Vice President: Steve Walter
Treasurer: Cari Philpott
Secretary: Chantal de Mauregne
Directors: Bryn Kirvin, David F. Williams III, Brenda Daly,
Jim Koerber, Patrick Ojeil, Adam Gordon &
Shannon Welton



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June 2013

Jim Koerber, *Editor*



President's Message

By Robert Hickey

Thank you to all who voted during the 2013 Contract Vote. With your “yes” votes, you ratified the agreement. We can expect it to be finalized by the County in late June after two readings by the Board of Supervisors.

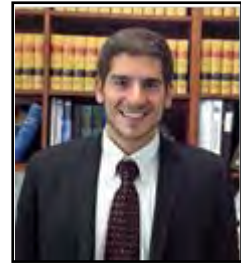
The entire DDAA Board also thanks District Attorney Bonnie Dumanis for her support of our need for ongoing raises and our need for help with educational debt carried by so many of our younger prosecutors. Her assistance was very important.

I want to thank the DDAA Board, Salary Team, Table Team and all of you for your support and unity over the past year as we prepared for negotiations and the past five months during negotiations. After about twelve years on the Board, I have never seen a Board with so much unity and integrity. You can all be proud of your representatives.

Over the past five years, we have been on the receiving end of an economic crisis for which we had no responsibility and over which we had no control. Happily, the tide is turning. This contract will not solve all of our problems, but it definitely gets us moving in the right direction.

He Saved the Day ...

Sometimes it doesn't take long to become a hero in this office. **Christopher Campbell** was thrilled when the District Attorney's Office selected him for a summer position as an intern. On his first day in Vista, he reported for duty and was given a motion to work on. Around lunchtime, Chris was quietly typing away on his computer, when he heard a choking sound. He listened for 3 or 4 seconds and became concerned. The choking sounds continued, along with what sounded like knocking on a desktop.



Chris instinctively ran to the sound and saw someone attempting the Heimlich maneuver on Peggy Gray, whom he had not yet met. Peggy was bent over her desk in distress. To Chris, it looked like more strength would help so he got behind her and delivered a mighty thrust upward and inward. But nothing changed. So he did it again, and again no change.

Finally on the third thrust, some food was dislodged and Peggy was able to take a slight breath, although something was still wrong. Paramedics arrived, taking Peggy to the hospital to be checked out. All afternoon, North County was abuzz with talk of the amazing new intern. Chris said he has never been trained in performing the Heimlich, and he just acted on instinct.

Observers say he absolutely saved Peggy's life.

The next morning, our grateful Peggy was back at work, calling Chris her Superman. And the rest of us are predicting great results in the courtroom for our hero who showed such commitment, composure and selflessness on his very first day at work.

Thanks to DDA Anna Winn for the great write-up.

2nd Annual George Bennett Competition Needs You ...



The **2nd Annual George Bennett Closing Argument Competition** is scheduled for Friday, June 21, 2013. Our Summer Legal Interns will compete in several rounds, arguing the facts of a mock case. The final round will be held in the Presiding Department. The winner of the competition will have their name

engraved on the permanent George Bennett Closing Argument Competition plaque on display on HOJ11. Up to 16 DDAs are needed for the day as scoring judges. If you are available to assist, please e-mail DDA Adam Gordon.

Please Support “Team Claudine”



“Team Claudine”, consisting of DAI Nancy Dodd, DDAs Jessica Schuster, Marisa Di Tillio, Jennifer Kaplan, Nicole Rooney, Valerie Ryan, and Teresa Santana, was formed to honor and support DDA Claudine Ruiz. “Team Claudine” will be walking 60 miles in the Susan G. Komen 3-Day Walk in November. The Walk raises funds for breast cancer research, with seventy-five percent of the net proceeds funding national research and large public health outreach programs.

Many have been touched by this horrible disease; we hope that you can help “Team Claudine” raise money for this important cause. If you can donate any amount, please log on and give to any one (or all) of “Team Claudine.” To donate: [Click Here](#)

DDAA Happy Hour at SDCBA Bar Center - July 11, 2013



The San Diego County Bar Association is hosting a **Happy Hour** for all DDAs and our Summer Law Clerks on **Thursday, July 11, 2013 at 5 p.m.** at the new SDCBA Bar Center, 401 West “A” Street, San Diego – just two blocks from HOJ. If you plan on attending,

please **RSVP to DDA Secretary Chantal de Mauregne by July 5, 2013.** We thank SDCBA President / DDA Marcella McLaughlin for suggesting this event and for making it possible. Come check out the new SDCBA. We hope to see you there!

39th Annual LGBT Pride Parade - July 13, 2013

Please join the DDAA and 150,000 cheering spectators in supporting the annual San Diego LGBT Pride Parade on **Saturday, July 13, 2013.** Come ride or walk the parade route with your fellow DA employees. The parade begins at University Avenue and Normal Street, proceeds west on University Avenue to 6th Avenue, turns south on 6th Avenue, and ends at Upas Street in Balboa Park. You can also volunteer to work in the District Attorney’s Office booth during the Pride Festival, where we interact with members of the public, answering their questions and handing out office informational brochures and resource information for victims of crime. If you’d like to march/ride in the Parade or volunteer in the booth, please e-mail [Patty Herian](#) or [Danielle Hickman](#). If you work the booth, you will get a free entry ticket into the festival. See you there!



Passings



F. Dale Marriott: 12/27/1930 - 05/03/2013

SAN DIEGO -- While recently visiting family, F. Dale Marriott suffered a heart attack and later died on May 3, 2013 in an Ontario, CA hospital from resulting complications. Dale was born on December 27, 1930 in Sioux City, Iowa and lived there until joining the Army during the Korean War in 1951. He served in the Free Territory of Trieste, Italy where he met his wife, Lois, while she was visiting her sister and brother-in-law, also stationed in Trieste. They would have celebrated their 60th wedding anniversary on August 17, 2013. Dale graduated from the University of Iowa with a BS in Commerce, with Distinction. He worked for Salinas Public Schools as an Accountant and later as Purchasing Agent from 1958-1966 when he, Lois and their five children moved to San Diego for Dale to pursue law school. During his last year of law school, he was employed as a consultant by San Diego State University to equip the then new Malcolm Love Library and to supervise the transfer of more than 750,000 volumes across campus into the new building. He graduated from the University of San Diego, School of Law, Cum Laude in 1969. After working in private practice and for the courts, he joined the San Diego County District Attorney's Office in 1973. He worked Appellate Complaints/ Extradition, Superior Court, Major Violators Unit, and was the Assistant Chief in both El Cajon and South Bay. He retired in 1994, and is remembered by his colleagues as a great mentor and true gentleman who went out of his way to help others. Those who worked for Dale knew him as a source of sage advice, good humor, endless patience and genuine caring. After retirement, Dale contributed countless hours of volunteer service to the Zoological Society of San Diego. Dale and Lois loved to travel and explored many cities in the United States where they especially loved visiting the local zoos. They also became world travelers visiting countries in Russia, Europe, China, Africa and the Americas. Dale equally enjoyed attending cultural events at theatres and museums throughout Southern California. He especially developed a penchant for gourmet cooking in his later years though he always enjoyed a good restaurant meal with friends and a glass of fine wine. Dale was preceded in death by his mother, Margaret Ann (Schroeder); father, William; sister, Mary Lou Lonergan; and brothers, Kenneth John and Charles Montgomery. He is survived by his wife, Lois, and children, Valerie, Cynthia, David, Peter and Michelle; fourteen grandchildren; four great-grandchildren, and many nieces and nephews. He will forever be missed by all who called him friend and no less by his devoted toy poodle, Gigi. Contributions in memory of Dale may be made to the American Cancer Society or the Zoological Society of San Diego. A memorial service was held at Sacred Heart Catholic Church in Coronado on May 23, 2013.

(Published in the U-T San Diego: May 19, 2013)



**DEPUTY DISTRICT ATTORNEYS ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES OF 6/4/13**

Officers and Directors Present:	Steve Walter James Koerber Bryn Kirvin	Patrick Ojeil Shannon Welton David F. Williams III	Cari Philpott Brenda Daly
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Members Present: Deborah La Touche; Kelly Rand
Consultant: John Wainio

- 1. Call to Order:** Vice-President Walter called the meeting to order at 5:17 p.m. at the SDCBA Bar Center, 401 West "A" Street, 11th Floor.
- 2. Association Comment:** None.
- 3. Treasurer's Report:**
Primary Savings: \$****
Money Market: \$****
Litigation Money Market: \$****
Checking: \$****

The Board discussed the costs of the recent contract negotiations, about \$17,500, which included advice from our labor attorney, accountant services, ads in the U-T San Diego, final contract meeting, and contract voting website.

If any member desires to see an itemized list of our spending and savings, it is available by contacting Treasurer Cari Philpott.

- 4. President's Report:** Vice-President Walter said thanks had been expressed on behalf of the DDAA Board to the District Attorney for her assistance with the recent contract negotiations with the County. The call for nominations for this year's DDAA Awards will go out soon, so DDAs are encouraged to start thinking about nominations and who is deserving of recognition this year. The Board discussed sending an e-invite out to the membership for the DDAA Awards Banquet in order to save money and "Go Green." Traditional mail invitations would still go out to dignitaries and others outside of the District Attorney's Office. The Board of Supervisors will have two readings of our contract by the end of June in order to ratify the agreement. DDAA Treasurer Cari Philpott will be re-calculating DDAA dues for all members, as there will be a slight increase in dues because of the increase in base pay in the new contract.

5. **Request to Support the San Diego County Mock Trial Competition:** Director Koerber addressed the Board about the San Diego County Mock Trial Competition. The District Attorney's Office, notably retired DDA Kim-Thoa Hoang and DDA Chryseis Starros were instrumental in bring the Mock Trial Competition to San Diego County. Now, the San Diego County Bar Association and the Superior Court oversee the program. The Mock Trial Competition is a statewide academic competition in which high school students compete at the county, state and national level. This year, participation included over 500 students in San Diego County and over 8,000 students statewide. The trial itself is a simulation of a criminal case, in which students portray each of the principals in the cast of courtroom characters. Student teams study a hypothetical case, conduct legal research, and receive guidance from volunteer attorneys in courtroom procedures and trial preparation. Students participate as lawyers, witnesses, court clerks, and bailiffs, thus acquiring a working knowledge of our judicial system. The Mock Trial Competition encourages young people to develop their analytical abilities and communication skills while gaining increased self-confidence. Many current DDAs assist with the Mock Trial Competition, acting as attorney coaches for the students, volunteer scorers, and judges. Director Koerber asked the DDAA Board to consider financial support of the program so that it may be as inclusive as possible for students in San Diego County. Director Koerber will ask retired Judge Linda Quinn, co-chair of the San Diego County Mock Trial Competition, to address the DDAA Board at a future meeting. Matter deferred.
6. **Request to Sponsor a DDAA Float for the Pride Parade:** The Board voted to authorize \$750 to sponsor the DDAA float in the Pride Parade on July 13, 2013. (Motion: Philpott; Second: Koerber. Vote: Unanimous.)
7. **DDA I and II Rotations:** Director Kirvin updated the Board on DDAA participation in preparations for the upcoming DDA transfers. Chief Deputy District Attorney David Greenberg contacted Director Kirvin for assistance of the DDAA with the rotational process. Director Kirvin assembled information from the DDA Classes of 2009, 2011, and 2012 as to their experience and past and present assignments. The DDAs were forthcoming with the information, and were encouraged to discuss career development with their Division Chief and Assistant Chief. Rotation of the newer DDAs also impacts rotations of more senior prosecutors, in order to meet the needs of the office. After good reviews from the last rotations where a similar procedure was used, all are hopeful as to the current rotational process.
8. **DDAA Awards Planning and Consideration of an Award Recognizing the late Judge George "Woody" Clarke:** The Board discussed a request to consider an award to honor the late Judge George "Woody" Clarke, who served more than two decades in our office before his appointment to the bench. Director Koerber suggested re-naming the Award for Judicial Excellence in his honor. Director Daly suggested creation of a new DDAA award, specifically

recognizing excellence by a DDA in a particular subject matter area, such as “Woody’s” with DNA evidence. The Board voted to create a new award named after “Woody” for DDA excellence in a particular subject matter area. (Motion: Daly. Second: Williams. Vote: Unanimous.) The Board also discussed possible revision or elimination of particular DDAA Awards. However, no action was taken in that regard.

9. **PAC Report and Consultant’s Report:** Consultant Wainio updated the Board on the recent elections for San Diego City Council District 4 and California State Assembly District 80. Mr. Wainio also discussed possible nominees for awards from San Diegans Against Crime at the upcoming DDAA Awards Banquet in September.
10. **Executive Session:** The Board met in Executive Session. Not reported.
11. **Next DDAA Board Meeting:** The next DDAA Board meeting will be on Tuesday, July 2, 2013 at 5 p.m. in the SDCBA Building at 401 West “A” Street, 11th Floor. All DDAA members are welcome to attend.
12. **Adjournment:** 6:40 p.m.

Respectfully Submitted, Jim Koerber, Director

THE SAN DIEGO SUPERIOR COURT
SAN DIEGO COUNTY BAR ASSOCIATION &
THE SOCIETY OF PROFESSIONAL JOURNALISTS
PRESENT

SPOTLIGHT ON SAN DIEGO:
**What to do when national news
converges on our town**
Perspectives from the Bench, the Bar, and Our Media

CLE Credit Pending

Wednesday, June 12
5:30 p.m. - 7:30 p.m.
Reception with cocktails and hors d'oeuvres 5:30 p.m. - 6:30 p.m.
Program 6:30 p.m. - 7:30 p.m.

SDCBA Conference Center
401 West A Street - Suite 120

When tragedy strikes, our nation watches. From Columbine to Newtown, our nation and national media is focused on high profile, mental health cases that capture the attention of the public. What will happen when San Diego is again in the national spotlight with one of these cases? Drawing on a fictitious scenario involving mental health and gun violence in a school, an expert panel of reporters, judges and lawyers will highlight what considerations impact how they handle the case. Get first-hand viewpoints and learn what you need to know.

Featuring:
Judge Robert Trentacosta
Presiding Judge, San Diego Superior Court
(Moderator)
Judge Joan Weber
San Diego Superior Court
Paul Pfingst
Criminal Defense Attorney
Former San Diego District Attorney
John Gomez
Civil Attorney, Gomez Iagman
Summer Stephan
Chief Deputy District Attorney
Greg Moran
UT San Diego
Steve Fiorina
KGTV

Register online at www.sdcba.org/spotlight



Terms of 2013-2015 Memorandum of Agreement

*(As approved by DDAA Membership: May 2013)
(Pending before the Board of Supervisors: June 2013)*

Category	Percentage/Amount	Effective Date
Market Adjustment (Salary)	1.5 % of base pay	6/28/2013
One Time Payment	2.0% of base pay	6/28/2013 6/28/2014
Increased Retirement Offset	-1.5%	12/27/2013
Offset Equalization (Salary)	1.5% of base pay	12/27/2013
Education/Safety Stipend	\$2000	Annually, Payroll 3 (August)
Flex Benefits	5% 5%, 7%, 9%	1/1/2014 1/1/2015
Parking and Transit	\$200 (combined)	Annually