

From: "Marty" [REDACTED]
Date: February 10, 2014 at 12:23:03 AM PST
To: "Marty" [REDACTED]
Subject: ~ Before You Vote ~

Feb. 10, 2014

Dear Former Colleague,

Starting Wednesday, you will have the opportunity to participate in a confidential poll on who your association should endorse for District Attorney in the upcoming election.

As many of you know, I am supporting Bob Brewer for DA, so before you vote, please take the time to consider the following eight points.

1. Endorse someone who really wants the job. You all know you didn't become a prosecutor to get rich. Being a prosecutor isn't something you *do*, it's something you *are*. The job requires passion. Bob Brewer spent the first seven years of his legal career serving the public as a prosecutor and he wants to spend at least that much time doing the same at the end of his career. He has the passion and fire to be District Attorney and would bring dozens of fresh ideas.

Bonnie, on the other hand, doesn't even want to be DA anymore. She proved that by announcing her desire to be mayor *just 70 days* after being sworn into her last term, and then spending 17 months campaigning for a

new job.

2. Law enforcement is a teamwork concept. I'm sure you've heard the opening to *Law & Order* on TV, that in the criminal justice system the people are represented by two equally important groups: the police and prosecutors. The rest of the show may be bogus, but that statement is certainly accurate. Police and prosecutors do, and must, work together in a symbiotic relationship.

A clear signal has been sent from your police brothers and sisters! The associations representing the vast majority of San Diego County's law enforcement officers have endorsed Bob Brewer. Do you think they did this lightly or without due diligence? County-wide, law enforcement officers know the leadership of the DA's office is seriously deficient and that it is time for a new district attorney.

And keep in mind, in 2010 when Bonnie was running against no one, she went to the county's 23 law enforcement agencies and asked for their endorsement. She got the DAIs (*I wonder how many promotions that cost her?*), but the other 22 agencies refused to endorse her! [<http://voiceofsandiego.org/2010/01/08/cops-and-deputies-reject-dumanis-on-endorsement>] One of the reasons the police gave for their lack of support was that Bonnie was 'too political.' (And that was before she announced she was running for mayor!)

3. Public safety, not politics. Regardless of how often it happens, it's just plain wrong that certain defense attorneys who don't like the offer received in the courtroom, can go upstairs and get a special deal. Plea bargains should be made on the strengths or weaknesses of the prosecution's case, not what "friends" or political connections someone has on the 13th floor.

How politics impacts the office couldn't have been more plain earlier this year. It was more than embarrassing that the entire DA's Office had to be recused from the Filner criminal investigation because of Bonnie's political ambitions, i.e. 1) running against Filner, and 2) endorsing Filner's opponent after she finished fourth.

And how many state laws were violated by a foreign national funneling money into local politics? Offenses that will never be investigated by the DA's office due to the obvious conflict of interest because some of the money was used to benefit the Dumanis campaign for mayor?

4. What's the payback for a Dumanis endorsement? In 2007, to much fanfare, Bonnie announced the launching of her new "Public Integrity Unit." At the same time, she told the press she would not be making any political endorsements. That pledge lasted about as long as her Integrity Unit, which was quietly abandoned just over a year later. Bonnie has endorsed at least 13 candidates since then. Do you think she expected (or received) a quid pro quo when she ran for mayor? What did the Mexican money man expect in return? What about the next office she runs for?

And speaking of integrity, where is Bonnie's? Did she take a leave of absence or have a freeze put on her paycheck while she abandoned her job at the DA's Office for 16+ months while she was out running for mayor? [***"The people have the right to expect that their public officials will not privately...benefit from their public positions and from the public treasury."*** Bonnie Dumanis, March 1, 2007.]

5. But, you say, the devil we know is better than the devil we don't know. First, if that were true, no organization would ever pick a new leader. Second, do you really believe that? Is everything so great in the office? Is it better or worse than when you started? My sources tell me an atmosphere of fear exists, that most deputies are too frightened to say anything (except to close friends) for fear of retaliation, demotion, or being transferred. Everyone is afraid of getting "McGrathed."

Finally, there is no reason for you not to "know" Bob Brewer . How can you be an informed voter if you don't do your own due diligence? If you didn't see and hear him at the panel discussion on Feb. 12th, go to his website (<http://robertbrewerforda.com/>) and read his background and his positions. Call him (858-314-1172). If he's not there, leave a message. He wants to talk with you and he will call you back.

6. But, some people argue, Brewer was a defense attorney. Yeah, so

what? Bonnie was a judge. (As were Jesse Rodriguez and Luis Vargas.)

There's an old mantra in the DA's Office: every deputy DA a trial lawyer. Bob Brewer is a trial attorney. He tried 110 cases to verdict: 71 as a prosecutor and 39 as a defense attorney (4 criminal, 35 civil). He is a Fellow in the American College of Trial Lawyers, and honor held by only one, now-former deputy DA – Dan Lamborn.

In a conversation with a senior DDA5, one of Bonnie's supporters, I said, "Well, you have to admit Brewer has done more jury trials than Bonnie ever did." He replied, "So has everyone."

7. Beware of misplaced loyalty. Back when I was still in the office, I was involved in a discussion with a DA chief about some action we were considering. I reminded him that we owed loyalty to Bonnie because she was our boss. He pointed out, quite correctly, that we owed a higher degree of loyalty to the Office.

Loyalty is a quality everyone should possess. Do you feel obliged to endorse Bonnie because she happened to be the DA when you got hired? Did she personally pick you or were you good enough to get hired even if someone else had been District Attorney? The state of the Office is what this election is about, not who hired you.

8. Endorsing Brewer helps you even if Bonnie gets re-elected! If you want things to improve in the office, one way to send a strong message to Bonnie is voting to endorse Brewer. In the unlikely event she is re-elected, she will, hopefully, pay attention to your displeasure with current office politics.

Regardless of who wins the election, remember this: DAs come and DAs go. You'll likely work for two or more during your career, but the Office goes on, so do what is best for it. I submit that the best thing for the Office right now is a new person at the top, someone who is a proven leader.

Thank you for taking the time to read and consider the above points. They represent my opinion and not necessarily those of the Brewer for

DA campaign. And thank you in advance for participating in the poll.

Sincerely,

Marty Martins
Deputy District Attorney (retired)

PS Yes, I know retired DDA Terri Wyatt is also running for District Attorney. Terri gave over 25 years of dedicated service to the office. However, she lacks Bob Brewer 's trial and leadership experience and doesn't have the backing of any police agency. Therefore, despite her good and valid intentions, I do not believe she can mount the campaign necessary to defeat a sitting DA.