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One Hundred Years of the Alameda County All-Star Prosecutors**

Why would any layman want to explain the importance of a prosecutor's office to a bunch of lawyers and judges? How would a regular guy discover the profound prominence of a certain civic incubator of greatness five hundred miles away from his hometown and totally disconnected from any personal professional acquaintance? ¹²

How the hell do you sell the history of any D.A.'s office to a Hollywood producer? Throw me a bone . . . give me a hint.

I've had a few different careers, blue and white collar. What connects me to this is, now this is going to be a stretch, but I'm kind of a movie guy. One of my passions is writing screenplays—before you ask, I'm not famous, in fact, I prefer as much anonymity as possible, as I take certain steps to protect my sanity and spirituality, but I've accomplished much quietly and behind the scenes. I consult with those that trust me and when they really need to get something done I get a call like a hitman, or better yet, a “cleaner.” Someone who, after observing appropriate patterns, offers a solution to straighten out the mess. Maybe like a lawyer or a judge.

* Born in San Bernardino, California, to a U.S. Marine and a school librarian, Leonard Kienzle has been a Southern Californian kid all his life. Many jobs satisfied his younger curiosity, from working as a carpenter, plumber, bartender, pizzeria manager, telephone/internet line installer, sub-rosa investigator, pool man, drug and alcohol counselor, and a few more. He's owned and operated successful businesses. He has freelanced for local newspapers and magazines, participated in several television and film productions in a variety of ways, written a few television pilots, and over ten feature screenplays. Some have been produced or optioned for production. As a family man and father of four, he has found that to be the most important aspect of his life and concentrates on maintaining balance and serenity when it comes to professional pursuits. Today, Leonard prefers the anonymity of a low profile and enjoys working as a consultant with producers providing content correction and story structure solutions.

** See related cover art by Terry Flanigan and explanation on inside front flap of cover.

Anyway, I've worked on projects you've heard of or seen, I've worked with people you'd recognize, but this is not about my credentials or qualifications. Just know I am very comfortable and happy with what I do and how things have turned out thus . . . maybe someday . . . they say timing is everything and there's something to that.

California crime can be frightening and riveting all at once. When Lindbergh's baby was kidnapped in New Jersey, you know back there they called that the trial of the century. But in California, especially in Southern California, criminal trials can depress and mesmerize at the same time. As a publicant, if I were dropped on a different planet in a galaxy far away and asked to explain the history of the L.A. D.A.'s office it would be well . . . we had the Manson Family, expertly handled by Vincent Bugliosi; his book, *Helter Skelter*, tells us so. We had the Rodney King riots, but I can't recall any of the lawyers—just the looting. Then, the O.J. Simpson case, started by the chase—and man, were there lawyers. Chris and Marcia replaced the first ones on the good guys' side; then we had F. Lee Bailey, Kardashian, Scheck, Dershowitz, and Johnny Cochran—a defensive all-star team. And not a little spectacle but much sizzle and pizzaz! “If the glove don't fit, then . . .” That one enthralled L.A. and the nation for months! But L.A. cares less about the actual cases—ironically, L.A. loves the stories. The public loves a good story, even one about crime and violence.

The Alameda County District Attorney's Office is not a story. I've learned that as I've been trying to pitch its importance. Storytellers understand traditional three-act structure. Most of us, from an elementary age, actually know what a story is—beginning, middle, end. A cat with a hat shows up on a rainy day, he and the kids mess up the house. They better straighten it out before mom gets home or else! They work together to get it done. Stories have good guys, bad guys, journeys, missions, resolutions, sad or happy endings, etc. . . . like a case, right? But if Alameda, the D.A.'s office, isn't a story what is it? Let's discover and explore together.

It started when I was playing golf with an accidental pairing. Turns out my partner, Greg Totten, was a former D.A. from a neighboring county of L.A. who, after retiring from a most successful career, is now CEO of the California D.A.'s Association. After a few holes of bogey bliss, I told him about a story I pitched about Gladys Towles Root. To me, she is the most successful defense attorney in the history of California.

In fact, an A-list actress (namedropping is unnecessary as the focus lies north) was most interested until we all discovered the market as well as

contemporary law schools have judged poor Gladys as undesirable subject matter. Look her up and you'll probably understand the fear of celebrating her accomplishments. It's sort of like rooting for Darth Vader in Star Wars. The guy was just doing the best he could in the environment in which he existed, and man did he thrive—and he also had the coolest costume. And Gladys certainly had cool costumes as well. But Darth is clearly the antagonist.

That's how Gladys is treated today, and I so disagree. When we put ourselves in her shoes, when she put them on, we can see she may have been the first legal Wonder Woman. She did the best for herself during the time she had. She was not part of an evil empire—although we will get to that. You story-aware folks know that's a bit of foreshadowing.

Back to the course, so Golfer Greg and I continued. He hadn't heard of Gladys but said he would look her up. (Elsewhere in this edition of *California Legal History*, veteran criminal defense attorney John Stoller tells more of Gladys's story and that of other early female criminal defense lawyers.)

Then competitively, he asked, “well, have you heard of the Alameda County District Attorney's Office?” *Well duh. It's an office in Alameda, right? Oakland. The Raiders. Evil Empire?* Actually, we all know the real evil empire is on the East Coast . . . the New York Yankees! You know the names—Lou Gehrig, Mickey Mantle, Yogi Berra, Joe DiMaggio, Reggie Jackson, Derek Jeter, Aaron Judge, Babe Ruth. And of course, many more.

He smiled, “do you know who comes from there?” No, I shook my head.

He went to putt so I had a chance to Google. This was 2024, so Pamela Price popped up. Oh boy . . . *a foreboding foreshadowing*

Then he got back into the cart. To this day we still argue about whether he made the putt, but I do know he listed many noteworthy figures that were connected to the Alameda D.A.'s office—many, of course, I hadn't heard of, but the ones I did . . . whoa! And you know the names—Kamala Harris, Ed Meese, Earl Warren.

Presidential campaigns, presidential assassinations, presidential administrations . . . the office has produced greatness in its jurisdiction of course, but also at the state and national level. The Alameda County District Attorney's Office is the New York Yankees of prosecution offices.

So look, presumably you're a judge, lawyer, or some other sort of law-dog . . . I'm a writer. I'm not sure if other scribes realize this, but many judges and lawyers are among the best writers in the world. No doubt in my mind.

Legal writing requires a high level of clarity and precision while conveying complex legal ideas and arguments in a way that is understandable to jurors, litigants, journalists, and the public. This demands a strong command of history, the law, language, and careful word choice. Twain is credited with observing, “The difference between the right word and the almost right word is the difference between lightning and the lightning bug!” Judges and lawyers know that.

Judicial and legal writings of all stripes must be meticulously researched and prepared. AI is not ready for prime time. Good judges and lawyers pay close attention to detail, ensuring that every citation, word, phrase, and punctuation mark is correct and contributes to the document’s overall meaning. They know simplicity, clarity, and a touch of subtle eloquence are indispensable to persuasiveness.

Judges and lawyers analyze vast amounts of information—statutes, regulations, case law, and contractual clauses—turning such into persuasive writings, whether drafting opinions, motions, briefs, or settlement proposals. They learn to construct arguments that are compelling and coherent, appealing to the logic of the reader.

That’s kind of my job here, except I’m not here to argue. I’m also not here to be technical or accurate. This will be a bit more ethereal.

It’d be very difficult to put one hundred years of history of the Alameda County District Attorney’s office into a three-act story structure. So, we’re going to approach it as a series, or an anthology. We’re going to try to pitch it to get the word out that one little public office in Northern California is an incubator of civic and legal greatness.

I drive into the parking garage and grab the ticket. Hope I don’t forget to get it validated. The attendant tips his cap as I enter the underworld.

Upstairs, the receptionist greets me kindly, directing me to an office. It’s going to be a good day. So I sit down with the Producer and pitch my story.

“There’s this little girl, raised in foster homes in Ohio’s juvenile justice system . . .”

“Oh? Tragic family origin . . . I like.”

“Not really, she kept running away from home and was arrested for activism and protesting and refused to return to the custody of her parents. At sixteen, she was awarded emancipation.”

Then I hand to the Producer something:

Pamela Price is a civil rights attorney and activist with a long history of championing social justice causes. Her career has been marked by advocacy

for marginalized communities, criminal justice reform, and holding law enforcement accountable. She previously ran for Alameda County District Attorney in 2018 but lost. Her persistent efforts and reputation as a fierce advocate positioned her as a leading voice for reform-minded voters.

In 2022, Price ran again, this time capitalizing on widespread dissatisfaction with the status quo in criminal justice. She campaigned on a platform emphasizing accountability, reducing incarceration, addressing racial disparities, and reforming policing practices. Her campaign resonated with a growing segment of Alameda County residents seeking a departure from traditional tough-on-crime policies.

This election cycle saw a wave of progressive candidates across California and the nation. And Price's platform aligned with those broader movements advocating for criminal justice reform, police accountability, and equity. Many voters expressed frustration with the perceived failures of the criminal justice system, including perceived racial bias, use of excessive force, and mass incarceration. Price positioned herself as a candidate who would confront these systemic problems.

Price built a coalition of community organizations, activists, and voters whose priority was reform. Her campaign emphasized candor, community engagement, and a commitment to addressing causes of crime.

Her background as a civil rights lawyer with a history of fighting for vulnerable populations gave her credibility among supporters seeking a more equitable justice system. She narrowly beat a Black man, Terry Wiley, the chief assistant D.A. in Alameda County, thus becoming the first Black woman to serve as the Alameda County D.A.—a historic milestone that underscored her appeal to voters seeking change.

Pamela Price's supporters saw her as a transformative figure committed to justice, fairness, and systemic change. Praise centered around her dedication to reducing racial disparities in the system and their belief that her approach would lead to fairer prosecutions, fewer arrests for low-level offenses, and a focus on rehabilitation rather than punishment.

Many backed her efforts to hold law enforcement accountable, addressing perceived excessive use of force, peace officer misconduct, and systemic bias. They saw her as a leader who would foster trust between communities and the police.

Her platform included promises to eliminate bail for certain low-level offenses, promote alternatives to incarceration, and prioritize social services as a means of reducing crime, aligning with broader progressive ideals.

While many embraced Pamela Price, she also faced fierce opposition from various quarters. Critics and opponents raised concerns about her approach, motivations, and the consequences of her policies.

The primary criticism centered on her reform-oriented stance, with opponents arguing that her policies undermined public safety. Critics feared that reducing arrests for what Price called minor offenses and limiting a wide variety of prosecutions would embolden criminal elements and lead to increased lawlessness.

Many law enforcement officials, conservative groups, some civic leaders, and community groups, viewed her as too radical and inexperienced. They argued that her approach prioritized social justice over public safety and that her policies would hinder law enforcement effectiveness.

Less than two years into her term, Pamela Price was recalled by voters in November 2024. The recall effort, spearheaded by the group, “Save Alameda for Everyone” (SAFE), largely centered on accusations that her progressive policies were too lenient on criminals and contributed to an unprecedented increase in crime and violence within the county, particularly in Oakland.

The primary argument from recall supporters was that Price’s criminal justice reforms, which included emphasizing alternatives to incarceration, charging juveniles as juveniles, and reducing the use of sentencing enhancements, led to a perception of “soft-on-crime” policies. Critics, including victims’ families and law enforcement, argued that these approaches compromised public safety and did not deliver adequate justice for victims. Specific cases were highlighted where her office was criticized for pursuing lesser charges or not seeking harsher penalties.

Fueling the recall effort were several specific cases that drew significant public and media scrutiny. These included her office’s handling of the fatal shooting of a 23-month-old baby, a home improvement store employee killed by a shoplifter, and a newlywed killed in a road rage incident. Opponents claimed Price’s decisions in these cases demonstrated a lack of commitment to holding offenders fully accountable.

Price’s tenure coincided with a surge in both violent and property crimes in Alameda County. While Price and her supporters argued that these crime trends were complex and not solely attributable to her policies, recall proponents directly linked the rise in crime to her “failed leadership” and progressive approach.

Many victims' families publicly expressed frustration with Price's office, claiming a lack of communication and candor regarding their cases, and a feeling that their concerns were not being adequately addressed.

All fourteen police unions in Alameda County and the Alameda County Prosecutors Association publicly endorsed the recall effort. This broad opposition from within the criminal justice system added significant weight to the recall campaign.

Price and her supporters consistently argued that the recall was a politically motivated attack orchestrated by special interest groups opposed to her reform agenda. They contended the recall was an attempt to roll back progressive criminal justice reforms and that she wasn't given enough time to implement her policies effectively. The ACLU of Northern California also opposed the recall, viewing it as part of a broader conservative strategy against progressive prosecutors.

Ultimately, the recall election held on November 5, 2024, saw voters recall Price by a significant margin of 62.9 percent to 37.1 percent—the first time a district attorney in Alameda County was successfully recalled.

I sip my coffee, waiting for the Producer's reaction. After a thoughtful pause, "Too controversial."

I was prepared. Before the Producer finished reading the former, I had my assistant send me another file.

"Ok, how about a more universally liked hero?"

Intrigued, the Producer perused.

Nancy O'Malley cobbled a career in public service is deeply rooted in her commitment to justice and victim advocacy, a passion that ultimately led her to become the first woman District Attorney of Alameda County. Her nearly fourteen-year helm of one of California's largest prosecutorial offices was marked by a series of innovative programs, legislative achievements, and a steadfast dedication to protecting the most vulnerable members of society.

O'Malley grew up in a large Irish Catholic family in the Bay Area. Her father served as the District Attorney of Contra Costa County, significantly influencing her path into law. It was during her college years, volunteering at one of the first rape crisis centers in California, that O'Malley found her true calling. Witnessing firsthand the systemic injustices faced by victims of sexual assault and domestic violence, she became determined to challenge and change the prevailing paradigm within the criminal justice system.

She joined the Alameda County District Attorney’s Office in 1984. For twenty-five years, she honed her skills as a prosecutor, building a formidable reputation for securing convictions in complex felony cases, particularly those involving sex crimes. Her dedication to victims’ rights was evident throughout this period, laying the groundwork for her future leadership roles. Before her appointment as District Attorney, she served as the office’s top deputy for a decade, gaining invaluable experience in managing a large prosecutorial agency.

In September 2009, Nancy O’Malley was appointed Alameda County District Attorney by the Board of Supervisors, stepping into the role vacated by the retiring Tom Orloff. This appointment was historic, making her the first woman to lead the office, an office once held by Chief Justice Earl Warren. She quickly sought and won election to a full four-year term in June 2010, running unopposed. She was reelected in 2014 and 2018, demonstrating strong public support for her vision and leadership. Her 2018 reelection, though contested, resulted in an overwhelming victory, reaffirming her mandate.

Championing Victims’ Rights and Services

One of O’Malley’s most enduring legacies is her unwavering commitment to victims. She consistently advocated for and implemented programs designed to provide comprehensive support and empowerment to those impacted by crime.

- *Alameda County Family Justice Center (ACFJC)*: A cornerstone of her victim services efforts, O’Malley founded the Alameda County Family Justice Center. This innovative “one-stop” community support center co-locates over thirty onsite and more than fifty offsite agencies and programs under one roof. It provides a wide range of services to individuals and families experiencing domestic violence, sexual assault, human trafficking, elder abuse, and child abuse. The ACFJC has served thousands of victims, received numerous awards for excellence, and stands as a national model for collaborative victim support.
- *Eliminating the Rape Kit Backlog*: O’Malley was a national leader in the movement to eliminate the backlog of untested forensic sexual assault kits (“rape kits”). She successfully advocated for more than \$175 million in funding to address this critical problem in Alameda County, California, and across the nation, ensuring that victims’ evidence was processed, and justice pursued.
- *Legislative Advocacy for Victims*: O’Malley played a pivotal role in drafting and advocating for numerous bills that became law in California. Her legislative contributions included measures to make courtrooms accessible for victims with physical and intellectual disabilities, enhance the rights

of sexual assault victims within the criminal justice system, and expand support available to crime victims statewide. She is credited with successfully advocating for over sixty-five bills enhancing victims' rights.

Combating Human Trafficking

O'Malley was and remains a recognized national expert in human trafficking, leading the charge for decades to combat this egregious crime.

- *Human Exploitation and Trafficking (H.E.A.T.) Unit and Watch Program*: Building on her earlier work, O'Malley created the H.E.A.T. Unit in 2005 (initially as H.E.A.T. Watch), the first of its kind in California and within a public prosecution office in the United States. This vertical prosecution unit brings together prosecutors, investigators, and victim advocates to address the needs of exploited individuals while vigorously prosecuting traffickers, from investigation to disposition. The program shifted law enforcement's approach, treating exploited minors as victims rather than criminal offenders.
- *H.E.A.T. Institute*: In 2015, O'Malley used funds from the prestigious James Irvine Foundation Leadership Award to launch the H.E.A.T. Institute, a research-based think tank dedicated to ending all forms of human trafficking in California.
- *Alameda County United Against Human Trafficking (AC United)*: She also established AC United, a community-wide advisory group and task force that brings together various stakeholders to build trusting relationships and provide comprehensive responses to human trafficking.
- *Labor Trafficking Unit*: Recognizing the growing problem, O'Malley also established a dedicated Labor Trafficking Unit in 2016 to address the exploitation of workers.

Progressive Approaches to Criminal Justice

While maintaining a strong focus on prosecuting serious crimes, O'Malley embraced progressive approaches to criminal justice, emphasizing alternatives to incarceration and addressing root causes of crime.

- *Collaborative Courts*: Alameda County, under O'Malley's leadership, developed more collaborative courts than any other county in California. These specialized courts, including Mentor Diversion, Veterans' Court, Early Intervention Court, Drug Court, and Behavioral Court, were designed to individualize care, engage individuals involved in crime, and provide different pathways for rehabilitation. More than 8,000 individuals participated in these programs during her tenure.

- *Bail Reform*: O'Malley's office led efforts in bail reform, working to ensure that individuals who did not pose a continued danger to the community were released while their cases were pending, rather than being incarcerated solely due to an inability to afford bail.
- *Justice Restoration Program (ACJRP)*: The Alameda County Justice Restoration Program was a unique initiative, the only prosecutor's office in the country to receive private funding through social impact bonds. This program focused on young adults involved in crime, shifting the paradigm from "hoping one doesn't fail" to "what does one need to succeed," emphasizing positive pathways and futures.
- *Restorative Justice*: In the juvenile justice system, O'Malley championed the use of restorative justice, incorporating the "Science of Hope" and linking youth with community-based organizations to provide positive pathways and reduce the number of youths in the system.

Other Significant Contributions

- *Environmental, Real Estate Fraud, Consumer Protection, and Insurance Fraud Divisions*: O'Malley maintained and strengthened these divisions, making them among the strongest in California, ensuring accountability for complex financial and environmental crimes.
- *Restitution for Victims*: Her office obtained restitution orders exceeding \$130 million for victims of crime in Alameda County, demonstrating a commitment to helping victims recover financially for their losses due to crime.
- *Professional Recognition*: O'Malley received numerous awards throughout her career, including the American Bar Association's prestigious Margaret Brent Award for professional excellence and for advancing opportunities for women in the legal profession (she was the first prosecutor to receive this award). She also received the Congressional Victim Advocate Award and the James Irvine Foundation Leadership Award, among many others, recognizing her innovation and strong leadership.

Challenges and Legacy

O'Malley's tenure was not without its challenges. Like many district attorneys across the country, she faced scrutiny regarding police accountability cases. Notably, her office's decision not to file charges against a former BART officer involved in the shooting death of a passenger in 2009, and later against a Fremont police officer in a high-profile shooting, drew criticism and led to a recall effort that ultimately failed. These cases highlighted the complex and

often contentious nature of a district attorney's role in balancing public safety, prosecutorial discretion, and community demands for justice.

Despite these challenges, O'Malley's legacy is largely defined by her pioneering work in victim advocacy, her innovative approaches to combating human trafficking, and her efforts to implement progressive criminal justice reforms while maintaining a focus on public safety. She fostered a culture within the Alameda County District Attorney's Office that prioritized the dignity and respect of victims, seeking not only to prosecute offenders but also to provide pathways for recognition and recovery for those who had suffered at the hands of those she prosecuted.

O'Malley announced in May 2021 that she would not seek a fourth term, choosing to complete her term that ended in January 2023. Her retirement marked the end of an era for the Alameda County District Attorney's Office, paving the way for her successor, Pamela Price. O'Malley's thirty-nine years as a prosecutor, including nearly fourteen years as District Attorney, left an indelible mark on the office, shaping its approach to criminal justice and solidifying the office's reputation as a source of formidable advocacy for victims and visionary leadership in the legal field. Her contributions continue to influence prosecutorial practices and victim support services not only in Alameda County but across California and the nation.

I wait for the producer's reaction.

"Sounds like a real prosecutor."

I nod knowing we're about to put the deal in motion.

"There's not enough controversy."

"We're talking about the whole history of this office. About how these people helped shape American law in the last century and continue to do so."

A blank stare.

"The guy that did the Kennedy assassination investigation is involved. He's a big deal."

"We all know who did that."

Sips his smoothie,

"Got anything with sharks?"

I leave and go down the hall to my next meeting

I give the next producer my first two files and after she scans, I give her a third:

Thomas “Tom” Orloff served as the twenty-eighth District Attorney of Alameda County from 1994 to 2009, capping a distinguished career that spanned nearly four decades in the prosecutor’s office. Known for his steady leadership, commitment to integrity, and deep institutional knowledge, Orloff steered the office through a period of significant social and legal change, upholding a reputation as a “stand-up guy” even when faced with controversy.

Tom Orloff began his legal career in the Alameda County District Attorney’s office in 1970, shortly after graduating from UC Law, Berkeley. His early years as a deputy district attorney were marked by involvement in high-profile cases, including the repeated prosecutions of Black Panther Party cofounder Huey Newton for the 1974 murder of a seventeen-year-old prostitute. Those cases ended in mistrials, but Orloff’s tenacity in these complex trials showcased his prosecutorial skill. He tried a rustling case, a contemporary novelty. More seriously, he tried twenty-five murder cases before taking the head job.

In 1989, Orloff was named Chief Assistant District Attorney under then-D.A. Jack Meehan. This role solidified his standing as a key figure within the office and positioned him as a natural successor. When Meehan retired in 1994, he “anointed” Orloff as his replacement, and the Alameda County Board of Supervisors appointed him as the new District Attorney. Orloff subsequently ran unopposed for the position in 1994, and was reelected without opposition in 1998, 2002, and 2006, reflecting the broad confidence in his leadership.

Orloff’s fifteen-year tenure as District Attorney, capping almost forty years in the office, was characterized by a focus on maintaining a strong track record of convictions, ensuring ethical conduct in prosecutions from start to finish, and largely avoiding the public limelight. He oversaw an office of approximately 150 prosecutors, *making it the eighth-largest district attorney’s office in California.*

Key Prosecutorial Decisions and Challenges

- *Black Panther Prosecutions (Pre-D.A.):* While this occurred before his D.A. tenure, Orloff’s role in the highly publicized Huey Newton murder trials was a defining aspect of his early career. His strong statements after Newton’s death in 1989, describing him as “no more than a thug,” underscored his firm prosecutorial stance.
- *BART Transit Shooting (2009):* One of the most “momentous decisions” of Orloff’s career, and one that garnered international headlines, was his office’s handling of the New Year’s Day 2009 shooting of an unarmed BART train rider by a BART police officer. After a period of intense public scrutiny and pressure, Orloff charged the officer with murder on January 13, 2009. While some activists criticized him for taking too long to file

charges, others viewed it as a “prudent decision” made after the officer refused to give a statement. The decision to charge a police officer with murder for an on-duty homicide was reportedly the first such prosecution in California. However, Orloff declined to charge a second BART officer despite a petition with over 20,000 signatures.

- *Oakland Riders Police Abuse Case*: Orloff’s office unsuccessfully prosecuted the “Oakland Riders” police abuse case, eventually dropping charges after two mistrials resulted from hung juries. This case, involving allegations of widespread police misconduct, was another significant challenge during his leadership.
- *Juror Exclusion Allegations (Later Scrutiny)*: Following Orloff’s retirement, allegations of historical prosecutorial misconduct regarding juror selection practices emerged, particularly concerning the exclusion of Jewish and African American jurors in death penalty cases under previous administrations, including parts of his tenure. While Orloff denied knowledge of efforts to exclude Jewish jurors during a case in 1987 (before he was D.A. but during his time as chief assistant), and stated he was “unfamiliar with the details” of other cases, these allegations prompted later scrutiny by his successor, Pamela Price, who put a hold on all thirty-five of Alameda County’s death sentences. Orloff publicly disagreed with Price’s approach, stating there was a “whole legal process for assessing those issues” that she appeared to ignore.

Internal Office Culture and Leadership

Orloff was described as a leader of “great character and integrity” who encouraged his prosecutors to be judicious and focused on “doing the right thing for the right reason,” rather than self-promotion. However, his tenure also faced internal challenges regarding office culture.

- *Sex Discrimination Lawsuit*: In 2007, a female prosecutor sued Orloff and the office for alleged systematic sex discrimination. Backers accused Orloff of making “disparaging, unwelcome and offensive remarks” about female prosecutors and barring her from senior staff meetings, hindering her promotion to assistant district attorney. While a judge eventually dismissed the case before trial, noting Orloff’s history of promoting women to top spots (including Nancy O’Malley as his second-in-command), court records revealed past problems within the office. Orloff himself admitted, when he joined in the 1970s, the office was “like a guy’s fraternity” with “quite a bit of drinking” and was “fairly raucous.” He stated the culture “changed tremendously” since he was elected D.A.

Foundational Work for Future Initiatives

While Nancy O’Malley is largely credited with launching many of Alameda County’s innovative victim-focused programs, some of these initiatives had their genesis or received crucial support during Orloff’s leadership as D.A., or even before while he was chief assistant.

- *Family Justice Center (ACFJC)*: The Alameda County Family Justice Center, a cornerstone of victim support in the county, was opened in 2005 with the “blessing” of Orloff. This illustrated his support for comprehensive services for victims of domestic violence, sexual assault, and child abuse.
- *Specialized Prosecution Units*: While O’Malley expanded these, she credits her predecessors, including Orloff, with trusting her to begin the creation of specialized prosecution units for domestic violence, sexual assault, and human exploitation and trafficking (H.E.A.T.). This indicates Orloff’s willingness to allow his chief assistant to innovate and address emerging crime problems.

Retirement and Legacy

On September 8, 2009, at sixty-six years old, Orloff announced his intention to retire. He cited a desire to spend more time with his family, particularly his one-year-old grandson. Orloff urged the Board of Supervisors to appoint his chief assistant, Nancy O’Malley, as his successor—a recommendation the board followed.

Tom Orloff’s legacy in Alameda County is that of a consistent, experienced prosecutor who prioritized the effective functioning of his office and maintained a strong focus on traditional law enforcement. He navigated complex legal and social challenges, including high-profile police shootings, and oversaw an office that earned a stellar reputation in California and the nation.

She looks at me.

“What’s the story?”

“Come on, this guy was involved in the Black Panther stuff, police shootings, office sex harassment stuff . . . audiences love that!”

She stares. Bored.

“Let me tell you about the heavyweights.”

She shakes her head.

I walk down the hall.

In another office, I summarize what I’ve shared with the previous idiots when I realize

perhaps it's me that's been idiotic. Histories of tenures are boring. Well at least we got through the most recent contemporaries. I decide to try a different approach.

"Let me make my way to the Big Six from the Alameda D.A.'s office."

This producer seems interested.

For some reason, if you give someone a countdown number, especially a lower number, they tend to give their attention easier, knowing whatever they're in for will be over soon. It's a psychological timeclock that works well in pitching work.

I have her attention now. I start talking

John J. "Jack" Meehan joined the office in 1960. He served as D.A. for thirteen years, 1981 to 1994. He was an inspired leader and truly great legal scholar, educator, and ethicist. For many years before and after he became D.A., senior staff prosecutors met in the law library of the office in the main courthouse in Oakland. The D.A. always attended. Absence was strongly frowned upon. These gatherings were for discussion of any evolving problems, but mostly for oral briefing of the week's advance sheets of the official case reports. Meehan ably did those briefings for many years.

These library meetings began before the advent of law and motion units in D.A. offices in California. Meehan soon formed one of the first in the state and enlisted the aid of two very fine "book lawyers," Alyce Rae Boker, one of only two women in the office at the time, and Tom Condit.

Meehan conceived, created, and edited *Point of View*, a monthly publication designed to educate prosecutors throughout California. Jack also created and hosted *Points and Authorities*, a weekly educational video series for California prosecutors. He inspired formation of a resource center in the office to produce and distribute timely and evolving criminal justice legal literature as well as audiovisual education and training programs to the office's several outlying offices and to the many law enforcement organizations within the county. Before long, district attorneys and law enforcement leaders in other counties asked to receive both written and audiovisual materials. From its outset, a quiet, creative genius, Don Ingraham, headed the center for many years.

Before he became D.A., Meehan tragically lost his daughter in a helicopter crash during a flight from Disneyland back to the airport for a flight home. The crash also claimed the lives of his parents and sister. He and his remaining family shared an abiding faith that carried them through this immense loss. Always a man of uncommon decency and humility, this tragedy greatly reinforced both qualities.

Unlike some prosecutors who may focus solely on convictions, Meehan emphasized the importance of justice for victims, fairness for defendants, and the overall well-being of the community. His calm, balanced approach earned him respect from law enforcement, civic leaders, and advocacy groups alike.

Meehan's commitment to community engagement was a hallmark of his tenure. Recognizing effective criminal justice policies require community trust, he made concerted efforts to foster dialogue with constituents. He participated in public forums, collaborated with neighborhood groups, and prioritized candor in his office's operations. Candor and humility helped bridge gaps between law enforcement and the public, promoting a sense of shared responsibility and mutual respect.

What truly made Meehan stand out was his openness to reform aimed at improving the administration of criminal justice. He understood that the system needed to evolve to better serve the ends of justice. Under his leadership, the office championed initiatives such as juvenile diversion programs, efforts to reduce racial disparities, and programs to support victims of crime. He believed in proactive approaches that prioritized prevention, rehabilitation, and fairness over purely punitive measures.

Meehan's compassion and focus on victims' rights distinguished him from many of his peers. He prioritized ensuring that victims received support, information, and a voice in the justice process. His office worked diligently to improve victim services, recognizing that restitution, recovery, and justice go together. This victim-centered approach helped foster a firm but compassionate and responsive criminal justice system.

Dang it. She's looking at her cell phone. I'm losing her.

He mentored **Kamala Harris**.

Piqued . . .

Yes, **Kamala Harris** started her career at the Alameda County District Attorney's Office. Starting in 1990, shortly after graduating from UC Law, San Francisco, Harris worked as a deputy district attorney in the office for seven years, gaining invaluable courtroom experience and developing a reputation as a diligent and ambitious prosecutor.

She handled a wide array of cases, including felonies, misdemeanors, and juvenile justice matters. She demonstrated a strong work ethic, attention to detail, and a firm commitment to justice. She was known for her meticulous case preparation and her ability to connect with victims and witnesses. She emphasized the importance of supporting victims of crime and ensuring they

felt heard and protected. She believed in balance in both prosecutions and law enforcement.

Harris's legal acumen and courtroom demeanor quickly earned her respect among colleagues. Her abilities to analyze complex cases and persuasive advocacy were evident. She showed an interest in addressing perceived systemic problems and providing fair, evenhanded treatment for everyone.

She believed in holding offenders accountable, while recognizing the importance of fairness, rehabilitation, and the broader social context of criminal behavior. She supported initiatives aimed at reducing recidivism and promoting alternatives to incarceration for nonviolent offenders, as she defined them. Her perspectives on the criminal justice system reflected a perception of disparities and a quest for balance and fairness.

Working in Alameda County provided Harris with invaluable experience and a platform to develop her prosecutorial philosophy. Her success in the D.A.'s office helped her build a reputation as a capable prosecutor, which contributed to her election as the District Attorney of San Francisco in 2003, California Attorney General in 2010 (reelected in 2014), and U.S. Senator in 2016.

And of course, from there, in 2020 she became the first Black woman to be vice president of the United States. Similarly, in 2024 she became the first Black woman to be nominated for president by one of the nation's two major political parties. In the latter role, it appears she spent upwards of \$2 billion for her presidential campaign. For reference, it is reported Hillary Clinton's presidential campaign in 2016 spent \$1.2 billion.

Harris rose rapidly from a rank-and-file deputy D.A. earning less than \$100,000 a year to the national pinnacle in politics, all starting in Alameda County. Impressive.

The producer doesn't seem so.

"We know her story."

"But it's a good story."

"Yes. But we need something new."

"You know, the same summer we landed on the moon, the Manson family landed in L.A."

She waits.

Well, that same year . . .

D. Lowell Jensen was appointed Alameda County District Attorney in 1969. This was a period marked by growing concern over crime rates and an urgent need for effective law enforcement.

Jensen was a great trial lawyer. He was known for his vigorous prosecution of all categories of crime. He emphasized the importance of accountability *and* public safety.

He advocated for and implemented policies to improve the efficiency of prosecutions, utilized new technologies, and promoted better coordination among the many law enforcement agencies in the county.

Jensen prioritized community engagement and crime prevention. He believed that effective law enforcement extended beyond the courtroom and involved working with civic, education, and local government leaders.

One of Jensen's notable contributions was combating organized crime and drug trafficking, which were significant problems in Alameda County at the time. He worked closely with federal agencies to dismantle criminal networks and reduce drug-related violence.

Additionally, Jensen championed reforms aimed at improving the treatment of juvenile offenders and increasing the emphasis on rehabilitation. His efforts reflected a balanced approach to criminal justice—combining aggressive prosecution with proactive crime prevention.

Later, he became the Assistant Attorney General of the Criminal Division of the U.S. Department of Justice from 1981 to 1983, Associate Attorney General from 1983 to 1985, and Deputy Attorney General from 1985 to 1986. In 1987, he was briefly considered for FBI director but withdrew from consideration.

Finally, he was named by President Ronald Reagan in 1986 to become a federal judge on the U.S. District Court for the Northern District of California. He assumed senior status in 1997 and retired from the court in 2014.

“Sounds like another white male super . . . come on, all these guys play the same tune.”

I agree. There is something common about good leadership. But it's not about gender or genetics. It seems like it is this office itself that breeds success. So, I tell her . . .

The same year Jensen was appointed D.A., one of his deputies, **Ming Chin**, abruptly left. There's no public reason given for Ming Chin's departure. He went into private practice for a few years but eventually made his way back into public service as a judge.

Chin's judicial journey began with his appointment in 1988 by Governor George Deukmejian to be a judge on the Alameda County Superior Court, where

he demonstrated a commitment to fair and impartial justice. His reputation for thoroughness, integrity, and scholarly insight led to his appointment as a justice by Governor Deukmejian in 1990 on the California Court of Appeal, First District. In 1994, Governor Pete Wilson named him presiding justice of that court. Finally, in 1996, Governor Wilson appointed him to the California Supreme Court, where he served until his retirement in 2021.

According to Merrill Balassone,

Justice Chin’s judicial career is one of many distinctions: son of immigrant farmworkers who rose to become the first Chinese American on the state high court; author of more than 350 majority opinions and 100 other separate opinions, including landmark cases on the use of DNA evidence; decorated Army veteran; and law professor. He is also a man of habit, his fellow Supreme Court justices recalled, including a tendency to discreetly pass a box of mints down the bench during oral argument. He added M&Ms to the stash on suggestion from a colleague. “My only regret was that I didn’t ask for Belgian truffles,” quipped Justice Goodwin Liu.

“Ming has been a fantastic colleague—smart, wise, visionary, passionate, articulate, and kind,” said Chief Justice Tani Cantil-Sakauye. “He leaves a legacy of mentorship and inspiration to generations of students, lawyers, and judges. Ming is an iconic example of a jurist and public servant.”

Justice Chin’s role in shaping California law cannot be overstated. As a member of the highest court in the state, he helped interpret and uphold California’s constitution, ensuring that laws align with state and federal constitutional principles. His judicial decisions have impacted countless lives, from individual litigants to large corporations, and have helped define California’s legal identity.

“What are you, his P.R. guy?”

“Sounded like you wanted some balance? Trying to prove this office cares only about success. Whoever gets in there, seems to succeed.”

“Prosecutors generally succeed, don’t they?”

“Not just prosecutors, this office seems to produce greatness. People start there and move forward and beyond to greater things.”

She’s bored again.

“Look, that’s one California Supreme Court Justice, right?”

She nods.

“Well . . .”

In 2005, Justice **Carol Corrigan** was appointed to the California Supreme Court by Governor Arnold Schwarzenegger, becoming the first woman from Northern California to serve on the state's highest court.

The mention of Schwarzenegger piques interest again. I continue . . .

She began as a deputy district attorney in Alameda County from 1975 to 1987. She then served as a judge on the Oakland Municipal Court from 1987 to 1991 and the Alameda County Superior Court from 1991 to 1994. Before joining the California Supreme Court, Corrigan was a justice on the California Court of Appeal from 1994 to 2006. She became a justice on the California Supreme Court in 2006. She is still there.

Her appointment to the high court was widely praised, underscoring her extensive experience, intellect, and commitment to justice. She has proven worthy of that praise.

As a Supreme Court justice, Corrigan played a crucial role in many landmark cases, often emphasizing the importance of individual rights, procedural fairness, and the judiciary's role in safeguarding constitutional principles. Her opinions reflect a careful balance between respecting precedent and changing circumstances.

Throughout her career, Corrigan has been a champion of opportunities for all within the bench and bar. She has mentored many young lawyers and judges, encouraging them to pursue justice with integrity and dedication.

Justice Corrigan is known for emphasizing fairness, candor, and the protection of individual liberties. She advocates for an accessible justice system, often highlighting the importance of ensuring that legal processes are fair and understandable to the public. In fact, she cochaired the panel that rewrote contemporary civil and criminal jury instructions in plain English.

“What language did they use before?”

I've lost her. Maybe was never found. So, I move on down the hall again.

After explaining to the next Suit the legacy of Alameda's D.A. office, and those that sprang from the desks, like Kamala Harris and the two California Supreme Court justices he was compelled to hear more. He also had a smoothie and told me I had his ears until he finished it as he was meeting his partner for lunch.

He gave me a time clock. Good move. I'm going to have to be quicker. Right to it . . .

Martin Jenkins started in 1980 as a law clerk at the Alameda County District Attorney's Office before becoming a deputy district attorney there a year later. He left there in 1983 to serve two years in the Civil Rights Division, U.S.

Department of Justice, before he returned to Oakland and his sick mother. For the next four years, he was in-house counsel to Pacific Bell. He was appointed to the Municipal Court in Oakland in 1989 by Governor Deukmejian and to the Alameda County Superior Court in 1992 where he served until 1997 when he was appointed by President Bill Clinton to be a judge on the U.S. District Court for the Northern District of California. Governor Schwarzenegger appointed him to the Court of Appeal, First District, in 2008. He served there until 2019 when he became Governor Gavin Newsom's judicial appointments secretary for a year before the governor named him to the California Supreme Court. Very few lawyers and judges have this breadth of distinguished judicial service.

The suit stares, picks up his smoothie and sips fast.

Jenkins was the fifth African American person, the third African American man, and the first openly gay justice to serve on the court.

The suit slows, while setting the smoothie back down to the desk.

Nothing has worked so far, maybe the following will resonate.

Edwin Meese III, commonly known as Ed Meese, was born on December 2, 1931, in Oakland, California. He received his bachelor's degree from Yale in 1953 and his law degree from UC Law, Berkeley, in 1958. During law school, he took a two-year leave to serve as an artillery officer in the Army, fulfilling his active-duty commitment and eventually retiring as a colonel in the United States Army Reserve.

After graduating from law school, Mr. Meese joined the Oakland District Attorney's office serving as a deputy district attorney for Alameda County until 1967.

I interrupt my own story after remembering something . . .

*“Interestingly, his boss, **Frank Coakley**, was a true reformer, while a hardnosed prosecutor. He was friends with J. Edgar Hoover. He helped found the National District Attorneys Association and the California District Attorneys Association. I heard he was big into forensics and promoted new methods. He also stopped investigators from beating confessions out of suspects.” He hired most of the prosecutors in this story. He presided over a system whereby a top prosecutor from his office chaired a statewide committee representing all fifty-eight county prosecutors, the fifty-eight county sheriffs, and hundreds of city police chiefs. That top prosecutor spent each annual state legislative session in the state capital providing legal advocacy for California's prosecutors and peace officers. Ed Meese served as the top prosecutor for a time. That system led by the Alameda County District Attorney's Office endured for decades before ending when the duty was assumed by the California District Attorneys Association in 1976.*

He puts down the smoothie he was about to sip again from, “But that makes for good stories.”

“Yeah, but I guess it had to end at some point. The ‘60’s, them times were a-changin’.”

We both smile.

“Also, Coakley’s cousin is the one credited for the saying, ‘there are no atheists in foxholes.’”

“Really?”

“I guess he was a priest in the military. He died as a World War II prisoner of war in the Philippines.”

“Now that’s a story.”

We both nod.

“Back to Ed Meese, reputable scholars suggest he is the person most responsible for the rise of constitutional originalism, which treats the text and original meaning of the Constitution rather than the policy fads of the moment as authoritative law.”

Beginning in 1967 he worked in various capacities for California Governor Reagan—secretary on clemency and criminal justice, an executive assistant, chief of staff, and a senior advisor on domestic and criminal justice policy.

His tenure as a key adviser to President Ronald Reagan and his role in shaping conservative policies during the late twentieth century have cemented his legacy as a pivotal figure in American history.

When Ronald Reagan was elected President of the United States in 1980, Meese’s national prominence exploded when the president appointed him to be presidential counselor, with a Cabinet-level ranking. Meese served in that role in the White House from 1981 to 1985 and influenced foreign, domestic, and legal policies as well as judicial appointments. In regard to judicial appointments, his role involved identifying and vetting federal judicial nominees and helping shape the administration’s approach to constitutional and legal matters.

In 1985, President Reagan appointed Meese to be Attorney General of the United States, a position he held until 1988. As Attorney General, Meese was known for his strong stance against crime, his efforts to restore law and order, and his advocacy for conservative policies on drug enforcement and criminal justice. His tenure was marked by a commitment to tough-on-crime policies and a focus on restoring confidence in the justice system amid rising crime rates.

Among Meese’s other notable contributions as Attorney General were his support for increased funding for law enforcement and a tough stance on illegal drug trafficking and possession. He emphasized law and order, traditional

moral values, and a skepticism of criminal justice reform measures that he believed would undermine societal stability.

After stepping down as Attorney General in 1988, Meese continued to be an influential voice in conservative legal, judicial, and political circles. His writings and speeches emphasized the importance of an originalist interpretation of the Constitution, vigorous protection of individual liberties, and the quest for limited government—views that continue to widely influence conservative legal thought.

If Ronald Reagan had a sidekick, it was definitely Ed Meese. Like Reagan, in his later years Meese lived the life of an authentic and selfless public servant. To this day, in his nineties he is the enduring embodiment of the Reagan Revolution. Acknowledging Meese’s genuine kindness and humbleness of heart, Ronald Reagan once said, “If Ed Meese is not a good man, there are no good men.”

When Reagan nominated Meese as Attorney General, he stated that “Ed is not only my trusted Counselor, he is also a person whose life and experience reflect a profound commitment to the law and a consistent dedication to the improvement of our justice system.”

“And it all started in the Alameda County D.A.’s office.”

The suit nods.

“That office really IS impressive,” as he takes his last sip of smoothie and walks me out of the office.

At my last stop, my last chance—I share the big one.

“So there’s this giant wooden desk, which nobody can seem to tell me where it is exactly, but it was commissioned around 1925 . . .

The guy is interested.

“Do you know what Masons are?”

He nods, “The secret society dudes.”

“Yes! While looking around for this desk, I find some Masonic literature available to the public.” I share with the newly intrigued:

What Becomes a Mason?

In 1954, a unanimous ruling of *Brown v. Board of Education* ends segregation in schools. In March of 1963, Ernesto Miranda was arrested for kidnapping and rape in Arizona. In November 1963, Lee Harvey Oswald was arrested for the assassination of President John F. Kennedy in Texas.

What connects these three monumental moments to a man born in Los Angeles, California? A Mason? A Grandmaster? His family moved north to Oakland. That man joined the Alameda County District Attorney's office in 1920. Within five years, he was promoted and appointed District Attorney where he served until 1939 after being elected state attorney general.

He was also a Freemason. And in 1935, was promoted and elected Grand Master of Masons in California.

In 1942, 1946, and 1950, he was elected governor of California. And is the only one to be elected for three terms in a row.

In 1953, he was appointed Chief Justice by President Dwight D. Eisenhower. In 1954, he wrote the unanimous opinion rendered by the U.S. Supreme Court in *Brown v. Board of Education*, ending segregation in schools.

In 1963, he led a commission that included future president Gerald R. Ford (also a Mason) that investigated the assassination of President John Kennedy; finding that Lee Harvey Oswald acted alone.

In 1966, he oversaw another major case known to virtually everyone. It involved Ernesto Miranda's appeal that established warnings against self-incrimination, or *Miranda Rights*, for any citizen in the country upon arrest.

This man put bad guys away for years while in the Alameda County District Attorney's Office, was the state's top legal and law officer, led the state through a decade of prosperity and helped the country to become fairer and more just, despite his involvement in the World War II internment of Americans of Japanese descent. What a man. And remember, he was a Mason. Remember, at some point he asked a friend how to become one. Also remember, Earl Warren didn't stop there.

"Where did you get this," he asks.

"I can't tell you."

"Wow, secret handshakes and all?"

I nod and give more . . .

Earl Warren was a prominent American jurist, politician, and statesman whose legacy significantly shaped the course of American legal history in the twentieth century. Warren's life was marked by a trajectory from humble beginnings to becoming one of the most influential Chief Justices of the United States Supreme Court. Journalist Jim Warren captured the life of this distinguished gentleman in the title of his book, *Earl Warren and the Nation He Made*.

*HONK! HONK! BEEP!**The parking lot attendant, who's been intently listening to my story bids, shakes out of it.**"Sorry bro, you're blocking the gate."**It's confirmed with a line of cars behind me.**I pull out the parking ticket—I forgot to get it validated.**Driving into the sunset, I smile, thinking about . . .*

Of course, none of that pitching happened. You and I are smart enough to know there really isn't a good movie idea regarding the entire legacy of the Alameda County District Attorney's Office.

You're also educated enough in your craft to not need complete biographies of some of these historic figures, especially Earl Warren. I mean does anybody need any more information on Babe Ruth? In the legal profession, Ed Meese is not far behind. Both Warren and Meese received the Presidential Medal of Freedom.

More to the point, could there ever be a story capturing the entire, soaring nature of the New York Yankees? I don't think so. The best we could do is to tell about certain individuals and accomplishments, specific eras, and connect to some of the spirit of the Yankee organization. The Yankees have produced recordholders in most categories of baseball history, and the team has the most championships in all the major professional sports.

That seems to be the case with the District Attorney's office of Alameda County. So many important people from different times and circumstances have worked in that office and many have recorded historically significant accomplishments.

The Alameda D.A.'s office has so far produced three members of the California Supreme Court, District Attorneys for other major cities, Attorneys General of California, a multi-termed Governor, an Attorney General of the United States, a Vice President of the United States, and a Chief Justice of the United States Supreme Court.

My friend was right; members of the Alameda County District Attorney's Office comprise an all-star team. It has been so for more than a century.