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May 14, 2021

The Honorable Rob Bonta  
Attorney General  
State of California  
1300 I Street  
Sacramento, CA 95814-2919

Dear General Bonta,

I write on behalf of the California District Attorneys Association (CDAAL) to formally request an in-person meeting with you. CDAAL represents 56 elected district attorneys and more than 3,500 prosecutors statewide, including deputies Attorney General. As the recently appointed Attorney General, you are a member of the association. Prior meeting requests by email and telephone from our association's President to your office have been acknowledged, but no meeting has been set. The following recent events are deeply troubling to our membership and add urgency to our request to meet:

- Yesterday you issued a lengthy video and news release attacking an elected district attorney and member of CDAAL. Your feigned pitch to the press in this attack was that you were making news by voluntarily taking over the investigation of an officer-involved shooting. These comments were odd given that you personally sponsored AB 1506, which *requires* the Attorney General to take over such cases. You appear to be wholly unaware of the very law you sponsored, its rationale, or your legal obligations under that law.
- Further, over the last several weeks, your spokesperson repeatedly commented in the media regarding your office's pending investigation of CDAAL past accounting practices by former employees. In these comments, your spokesperson said of another district attorney: "Now she wants to lead the Department of Justice — the same entity that is investigating her organization's *misdeeds*." While we are mindful that you have no prior criminal law experience, we must respectfully advise you that these comments directly violate the Standards of Professional Conduct for prosecutors during an investigation. Specifically, ABA Standard 3-1.10(c) reads:

*The prosecutor should not make, cause to be made, or authorize or condone the making of, a public statement that the prosecutor knows or reasonably should know will have a substantial*

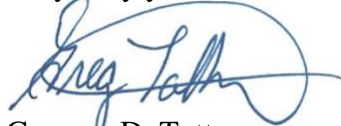
*likelihood of materially prejudicing a criminal proceeding or heightening public condemnation of the accused ... [and] must take care not to imply guilt or otherwise prejudice the interests of victims, witnesses or subjects of an investigation.*

Your prejudicial comments call into doubt the impartiality of your investigation. We therefore ask that you recuse yourself from this matter going forward and defer to career prosecutors in your office to handle the investigation without your involvement.

- Finally, gun violence and hate crimes are exploding across California and now more than ever demand strong law enforcement leadership. We are concerned that your main proposals on hate crimes — a new bureaucracy and a hotline — are ideas that will do nothing to solve the problem. Policymakers need to stop making the problem worse through legislation that weakens the consequences for violent crime. At the same time, we must vigorously enforce existing laws that protect our most vulnerable communities. Simply put, we need your help as the state's top law enforcement official in fighting this battle. Your silence and previous support of similar proposals during your time in the Legislature jeopardizes the safety of every Californian.

There are certainly numerous other pressing topics for our discussion, including the largest government fraud in California history involving EDD benefits, the statewide implementation of AB 1506, and the rampant property crime consuming many of our urban areas. While we may disagree on the solutions to these problems, we cannot resolve our differences without an open line of communication, something district attorneys and CDAAC have had with your predecessors. Californians expect us to work together to solve the most pernicious problems impacting our great state. We look forward to meeting at your earliest convenience.

Very truly yours,



Gregory D. Totten  
Chief Executive Officer