



CITY OF SAN CLEMENTE PUBLIC SAFETY COMMITTEE APPLICATION

1. Name: Amy Tallakson

2. Do you live in San Clemente? (Note: City Residency is not necessary for this Committee) Yes

3. What is your occupation? Sr. Deputy District Attorney

4. Please explain why you would like to serve on the Public Safety Committee.
I have lived in San Clemente for most of my adult life. I have 3 children ages 12, 9 and 9 that attend San Clemente public schools. Over the past 17 years, I have committed myself to the public safety of the Orange County community as a Senior Deputy District Attorney with the County of Orange. I would like to continue this commitment on a local level by becoming a member of the San Clemente Public Safety Commission.

5. Please explain your background and experience in the public safety field.
I have been a prosecutor with the Orange County DA's office for almost 17 years. I have prosecuted at the misdemeanor, general felony, and specialized felony levels. For the past 5 years, I have specialized in violent crime, prosecuting gang and homicide cases. I have also volunteered in OCDA's GRIP program. Finally, I have been a strong advocate for San Clemente residents for several years participating in groups such as the PTA and several Educational Foundations. Most recently, I led an advocacy group that achieved placement of crossing guards at intersections nears Shorecliff's Middle School.

6. What is your educational background?

High School/Colleges Attended	Major Field of Study	Degree?
Dana Hills High School		Yes
UCLA	Political Science	Yes
George Washington University Law School	Law	Yes

7. Please explain any experience that you have in community, governmental, charitable or educational affairs.

I have worked in government for 17 years as a prosecutor with OCDA. I was the president of Marblehead Elementary School's Educational Foundation for 2 years. I was Vice President of the Marblehead Elementary School PTA for 1 year and have been a board member of the PTA for 6 years. Recently, as my oldest child entered middle school, I became a more vocal voice advocating for safety at Shorecliff's Middle School.

8. Please describe your understanding of the principal roles and responsibilities of the Public Safety Committee.

I believe as a member I would work with a team of other community leaders interested in serving the community to make San Clemente safer. I believe that we would be responsible for reviewing public safety issues and making recommendations to the City Council for community safety improvements.

9. The Public Safety Committee meets on the fourth Tuesday of each month at 3:00 p.m. Please explain any challenges, if any, you may have in meeting this commitment.

None. I work full time but I anticipate that I would request and be granted time off to participate in my community. This type of community involvement is common in our office.

10. Please use the space below to explain any other factors about yourself that you would like for the Councilmembers to consider as they review your application.

AMY SWANSON

PROFESSIONAL SUMMARY Over the past 16 years I have been assigned to a variety of positions within the office which has allowed me to amass a great deal of knowledge and experience in a wide range of crime sub-sets and prosecutorial duties. I am currently assigned to the Science and Technology Unit where I contribute to a team dedicated to designing, developing and launching office-wide digital discovery solutions.

I have tried 53 cases. I have litigated complex issues in over 200 post-conviction homicide cases. I am fluent in complex theories of extended liability. I have prosecuted in both pre- and post-conviction settings. I have trained new Deputy DA's, law enforcement officers, forensic scientists, and vertical Sr. DA's. I have litigated in the mental health arena and the highly scientific area of DUI Drugs. I have worked at the misdemeanor, general felony, and vertical levels. I have been assigned to 3 grant projects. I supervised law clerks for 6 years. I have contributed written materials and standardized forms to both the OCDA and OC Superior Court.

A deep commitment to the fair and equitable application of criminal law motivates me to successfully navigate every new assignment I have undertaken. I excel at anticipating legal issues and logistical complications. I am also able to effectively manage high volume caseloads. I am a highly focused self-starter with an exceptional work ethic. I am committed to efficiently accomplishing the goals of the office in every task that I am given.

WORK HISTORY

DEPUTY DISTRICT ATTORNEY IV

April 2017 – Present

- Science and Technology Unit (Supervisor Sr. Deputy DA Keith Burke) Liaison between various digital discovery stakeholders and end-users seeking consensus among team members on what goals need to be achieved and in what order. Responsibilities include researching various legal requirements and communicating what the stakeholders need and why they need it. Communication and collaboration are key components to this system-wide project.
- Special Operations (Supervisors Sr. ADA Keith Bogardus/Sr. Deputy DA Mark Sacks) Was responsible for the management and litigation of PC 1170.95 petitions (petitions to vacate murder convictions). Conducted PC 1170.95 trainings for vertical units which includes frequent updates on case law. Reviewed, analyzed, and processed over 200 petitions while waiting for the legal arena to develop and stabilize
- Gang/Target Vertical Unit (Supervisors ADA Alison Gyves/Sr. Deputy DA Elise Hatcher) Closed 118 cases (through trial and/or plea) while embedded at Santa Ana Police Department as the Target DA assigned to handle gang cases.

DEPUTY DISTRICT ATTORNEY III

December 2007 – March 2017

- Felony Panel (Supervisor ADA Dennis Conway) Tried 18 felony cases. Handled a high volume of general felony cases. Entrusted to handle serious and complex cases based on a reputation as being a highly functioning and talented attorney who could be counted on to handle difficult cases.
- IT Solutions (Supervisor ADA Jen Contini) Led the initial working group responsible for integrating body worn camera software into the office workflow.
- Felony Probation Violation/1368/Special Circumstance Calendar (Supervisor ADA Mark Rosenburg/ Sr. ADA Scott Zidbeck) Appeared on and litigated all felony PVs and post-conviction probation matters. Appeared on and litigated all 1368 cases. Called and appeared on the Special Circumstances Jury Trial Calendar.
- Grant Projects: Toyota Funded Theft Offenses (Supervisor Dennis Conway), Domestic Violence Court (Supervisor ADA James Laird), DUI Prosecutor (Supervisor ADAs Suzie Price & Tony Ferrentino)

DEPUTY DISTRICT ATTORNEY II

December 2006 – November 2007

- Grant Project: Domestic Violence Court (Supervisor ADA Dennis Conway) See above for description of duties.
- Preliminary Hearing Calendar (non-jury)
- Misdemeanor Case Handling/Jury Trials

DEPUTY DISTRICT ATTORNEY I

December 2005 – November 2006

- Preliminary Hearing Calendar (non-jury)
- Misdemeanor Case Handling/Jury Trials

SUPERVISOR
COMMENT

"... Amy puts in the extra effort on all the cases she handles. She will think of, and order Discovery in advance, and draft motions, and trial briefs. On many occasions I have seen her working late doing research or catching up on filings. She is very conscientious and hard-working." – **Dennis Conway**

"... a great degree of her 'know how' in the unit has been self-taught, largely because she is an inherent self-starter." – **James Laird**

"[Amy] hit the ground running by setting up meetings with the crime lab, speaking to the other DUID attorneys and finding any information she could about prosecuting these complicated cases." – **Tony Ferrentino**

"The fact that Amy has been so successful in obtaining convictions in these cases is truly a testament to her work ethic, passion and persuasiveness." – **Tom Glazier**

"[Amy] has exceptional judgement... in knowing what charges and enhancements should be filed, what legal issues need to be briefed, what follow up investigation needs to be done, and what a case is worth, including legitimate factors in mitigation and aggravation.... Amy is not afraid of hard work, and works efficiently, focusing on the tasks necessary to effectively preset her cases, from witness prep to legal briefs." – **Dennis Conway**

"[Amy] exhibited keen analytical ability with regard to a wide range of legal issues in complex gang litigation." – **Elise Hatcher**

"In every instance, I have witnessed Amy to be exceptionally capable. She had developed protocol and systems of project management for the unit's handling of SB 1437 petitions. She successfully directs staff to achieve the goals of the unit and, while handling her caseload of petitions, works to identify way to improve our process." – **Keith Bogardus**

APPELLATE
COURT
COMMENT

"The prosecutor's rebuttal closing was a fair response. . . . The prosecutor's argument did not insult, denigrate, disparage, or cast aspersions on the integrity of defendant's counsel. The prosecutor's argument did urge the jury not to be swayed by defendant's counsel's arguments, and to focus on the evidence and the law, not the techniques used by defendant's counsel." People v. Bello, No. G051573, 2017 Cal. App. Unpub. LEXIS 1496 (Feb. 28, 2017)

"But we agree . . . the prosecutor's comments were unobjectionable. . . . The prosecutor was within her rights in clarifying this issue for the jury." People v. Culross, No. G053837, 2018 Cal. App. Unpub. LEXIS 926 (Feb. 6, 2018)

"Here, the prosecutor was wholly within her rights.... Moreover, the prosecutor's remarks were made in direct response to defense counsel's questions and closing argument; they were not derived from personal experience or from information outside the record. We therefore conclude the prosecutor's assertion not misconduct. People v. Johnson, No. G053293, 2017 Cal. App. Unpub. LEXIS 6761 (Sep. 28, 2017)

TRAININGS
CONDUCTED

- Nov. 2021 - Jan. 2022 - OCSO Ethical Use of Body Worn Camera
- Nov. 2021 – Advance Gang Course: Theories of Liability
- Jul. 2021 – Advanced Gang Course: Theories of Liability
- Feb. 2020 – Petitions for Resentencing 1170.95
- May 2019 – FTO Training
- Sept. 2017 – OCGIA 1275/1275.1; Power Point Presentation on newly created Judicial form
- Oct. 2016 – Mar. 2018 – Trained New SAPD Gang Officers on Gang Expert Testimony Including Mock Witness Examinations
- Oct. 2016 – Mar. 2018 – Participated in Multiple SAPD Gang-Unit Ride-Alongs
- May 2016 – Burden of Proof vs. Burden of Production; Misdemeanor Training
- Feb. 2014 – IPD DUID & MJ Training
- Jan. 2014 – OCSO Roving DUI Saturation Training & Ride-Along
- Jan. 2014 – Student Presentation; Lobo Elementary, San Clemente (DUID & GRIP)
- Aug. 2013 – IPD DUI Checkpoint DUID
- Jul. 2013 – LBPD Training and Briefing on DUID
- Jul. 2013 – LBPD DUI Checkpoint DUID
- Jun. 2013 – NBPD Training and Briefing on DUID
- June 2013 – FPD Ride-Along DUID; NBPD DUI Checkpoint DUID
- Oct. 2010 – Training for New Hires; Misdemeanor Filing
- May 2007 - Conducted Training at The Dre & Testimony Workshop for The Orange County Sheriff-Coroner Department Forensic Science

WRITTEN
TRAINING
MATERIAL

- DV Guidelines for Plea Offers: After I came off the DV Grant assignment, at the request and direction of ADA James Laird, I wrote a “Book of Justice” for DV specific crimes for dissemination to misdemeanor deputies.
- 1368 Proceedings: After being assigned to these, I was asked to write a training guide for handling competency cases. I created an outline, trial brief, standard jury instruction set, and constructed sample trial questions.
- MJ Prosecution Handbook: After handling a 5-day Marijuana Preliminary Hearing I wrote a training manual and summary of case law which was borrowed and reproduced by multiple Deputy DAs and police officers.
- Factual Basis for Plea: While in the gang unit, I noticed the factual basis for plea was often lacking key components which would be useful in recidivism prosecution. With the approval of my supervisor, I created a standardized factual basis for plea to be used by the office.

WRITTEN
MATERIAL
FOR THE
COURT

- New Standardized 1368 Commitment Order for the Court. In 1368 proceedings, the Court’s oral order for commitment to Patton State Hospital was being misinterpreted by the Hospital resulting in the Defendant being transported up to and down from Patton State Hospital several times before the Hospital fully understood the Court’s order. To correct this problem, I generated a standard, fillable, written commitment order for the attorneys to fill out and the Court to sign. I also included language regarding medication orders which were previously being overlooked by the Court. This is now the commitment order used county wide in 1368 cases.
- New Standardized 1275 and 1275.1 Form for Bail Review. When I joined SAPD I saw many “unemployed” gang members bailing out from jail after having substantial bail amounts set in their cases. It became obvious that the gang members were securing bond funds from illegal sources. After attempting to place legitimate bail source restrictions on a few defendants, I became aware that the form generated by the court was legally insufficient. With my supervisor’s permission, I generated a new comprehensive and user-friendly fillable form. I then contacted the court and was able to get the court to substitute my form for the form they had been using. I then trained gang officers on how to use this form.
- Created a standardized Order to Show Cause for 1170.95 Petitions.