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ENDORSED
FILED
ALAMEDA COUNTY

APR 23 2010

CLERK OF THE SUPERIOR COURT
BY: *M. Remey* Deputy

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9
10 COUNTY OF ALAMEDA

10 THE PEOPLE OF THE STATE)
11 OF CALIFORNIA,)
12 v.)
13)
14)
15 JOHANNES MEHSERLE,)
16 Defendant.)
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20 No. 161210/AOC # 1009606-10
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PEOPLE'S MEMORANDUM OF POINTS
AND AUTHORITIES IN OPPOSITION TO
DEFENDANT'S MOTION TO AUGMENT
JURY VENIRE
Date: May 7, 2010
Time:
Dept: 104

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STATEMENT OF FACTS

20 Defendant proposes to augment the jury venire summoned in this case to include police
21 officers excluded by California Code of Civil Procedure Section 219. Defendant claims that the
22 Code of Civil Procedure section 219 is unconstitutional pursuant to the Sixth Amendment of the
23 United States Constitution and article I, section 16 of the California Constitution. The People
24 oppose.

25
26 ARGUMENT

27
28 I SECTION 219 OF THE CALIFORNIA CODE OF CIVIL PROCEDURE PROHIBITS
CERTAIN PEACE OFFICERS FROM BEING SELECTED FOR VOIR DIRE.

27
28 California Code of Civil Procedure Section 219, subdivision (b)(1) specifically prohibits
certain peace officers from being selected for voir dire in civil or criminal matters. “[N]o peace

1 || officer, as defined in Section 830.1, subdivision (a) of Section 830.2, and subdivision (a) of Section
2 830.33, of the Penal Code, shall be selected for voir dire in civil or criminal matters." (Code Civ.
3 Proc. § 219, subd. (b)(1).) Several additional groups of peace officers are excluded from voir dire in
4 criminal matters only. "[N]o peace officer, as defined in subdivisions (b) and (c) of Section 830.2 of
5 the Penal Code, shall be selected for voir dire in criminal matters." (Code Civ. Proc. §219, subd.
6 (b)(2).)

7 A. Excluded Peace Officers are Limited By Specific Penal Code Sections

8 Peace officers specifically excluded from both criminal and civil voir dire include:

- 9 • Any sheriff, undersheriff, or deputy sheriff, employed in that capacity, of a
10 county, any chief of police of a city or chief, director, or chief executive
11 officer of a consolidated municipal public safety agency that performs police
12 functions, any police officer, employed in that capacity and appointed by the
13 chief of police or chief, director, or chief executive of a public safety agency,
14 of a city, any chief of police, or police officer of a district, including police
officers of the San Diego Unified Port District Harbor Police, authorized by
statute to maintain a police department, any marshal or deputy marshal of a
superior court or county, any port warden or port police officer of the Harbor
Department of the City of Los Angeles, or any inspector or investigator
employed in that capacity in the office of a district attorney.

(Pen Code § 830.1, subd. (a).)

- 15 • Any member of the Department of the California Highway Patrol including
16 those members designated under subdivision (a) of Section 2250.1 of the
17 Vehicle Code, provided that the primary duty of the peace officer is the
18 enforcement of any law relating to the use or operation of vehicles upon the
highways, or laws pertaining to the provision of police services for the
protection of state officers, state properties, and the occupants of state
properties, or both, as set forth in the Vehicle Code and Government Code.

(Pen Code § 830.2, subd. (a).)

- 19 • A member of the San Francisco Bay Area Rapid Transit District Police
Department..

(Pen. Code §830.33, subd. (a).)

20 Peace officers specifically excluded from voir dire in criminal cases only are:

- 21 • member[s] of the University of California Police Department.
(Pen Code §830.2, subd. (b).)

- 22 • member[s] of the California State University Police Departments.
(Pen Code §830.2, subd. (c).)

1 B. Many Peace Officers are Not Excluded from Jury Service by Penal Code Section
2 219.

3 Penal Code Sections 830.1 - 830.5 enumerate many different peace officers. With the
4 exceptions noted above, all are eligible for jury voir dire. The eligible peace officers include:

- 5 • Members of the Office of Correctional Safety of the Department of Corrections and
6 Rehabilitation; Members of the Officer of Internal Affairs of the Department of
7 Corrections and Rehabilitation; Employees of the Department of Fish and Game;
8 Employees of the Department of Parks and Recreation; The Director and Employees
9 of Forestry and Fire Protection; Employees of the Department of Alcoholic
10 Beverages; California Exposition and State Fair Marshals; and the Inspector General
11 (Pen Code Section 830.2, subds. (d-j).)
- 12 • Employees of the Division of Investigation of the Department of Consumer Affairs;
13 Investigators of the Medical Board of California, and the Board of Dental Examiners;
14 Voluntary fire wardens designated by the Director of Forestry and Fire Protection;
15 Employees of the Department of Motor Vehicles, Investigators of the California
16 Horse Racing Board; the State Fire Marshall; Inspectors of the food and drug section
17 of the Health and Safety Code; Investigators of various State Departments; the chief
18 and investigators of the Bureau of Fraudulent Claims; employees of the Department
19 of Housing; Investigators of the Office of the Controller; Investigators of the
20 Department of Corporations; persons employed by the contractors state License
21 Board; The Chief and coordinators of the law enforcement division for the Office of
22 Emergency Services; Investigators of the office of the Secretary of State; The deputy
23 director of security of the lottery; Investigators employed by the employment
24 development division, security of the California Science Center, employees of the
25 Franchise Tax Board; Investigators of the Department of Managed Health Care;
26 Employees of the Office of Protective Services. (Pen. Code § 830.3, subds. (a)-(v).)
- 27 • Los Angeles County Police; Park rangers; Officer of General Services of the City of
28 Los Angeles; Housing authority patrol officers (Pen. Code § 830.31, subds. (a)-(d).)
- 2 • Community College and School District Police. (Pen. Code § 830.32(a)-(c).)
- 3 • Harbor or Port Police, Transit Police, Airport Law Enforcement Officers; Railroad
4 Police. (Pen. Code § 830.33 subds. (b)-(e).)
- 5 • Municipal utility district and county water district security officers; public utilities
6 commission security officer; park rangers in a water district. (Pen. Code § 830.34
7 subds. (a)- (d).)
- 8 • Welfare fraud of child support investigator or inspector; coroner. (Pen. Code §
9 830.35 subds. (a)-(c).)
- 10 • Sergeant-at-Arms; Supreme Court Marshalls; appeals court bailiffs; court services
11 officers. (Pen. Code § 830.36 subds. (a)-(c).)
- 12 • Arson-investigating unit; fire department of fire protection agency members;
13 voluntary fire wardens; military firefighter/security guards. (Pen. Code § 830.37
14 subds. (a)-(d).)
- 15 • State hospital officers. (Pen. Code § 830.38.)

- Oregon, Nevada, and Arizona officers. (Pen. Code § 830.39.)
 - Members of the National Guard, treasurer's officer guard or messenger; security officers of justice department, and Hastings College of Law. (Pen. Code § 830.4, subds. (a)-(d).)
 - Parole or Probation officers; Correctional or medical facility employees (Pen. Code § 830.5., subds (a)-(h).)

II. SECTION 219 OF THE PENAL CODE DOES NOT VIOLATE THE SIXTH AMENDMENT OR THE CALIFORNIA CONSTITUTION.

A. States are not Prevented from Excluding Members of Certain Occupations.

9 A defendant enjoys a Sixth Amendment right to impartial jury trial, which includes a right to
10 the presence of a fair cross section of the community on venire panels or lists from which grant and
11 petit juries are drawn. (*Taylor v. Louisiana* (1975) 419 U.S. 522, 526-29.) The federal and state
12 guarantees are coextensive and the analyses are identical. (*People v. Howard* (1992) 1 Cal. 4th 1132,
13 1159, citing *People v. Bell* (1989) 49 Cal.3d 502, 525, fn. 10.) The right to the presence of a fair
14 cross section has been litigated to prevent states from, for example, systematically excluding women
15 (*Taylor v. Louisiana*, (1975) 419 U.S. 522), or African Americans. (*Peters v. Kiff* (1972) 401 U.S.
16 493). California has applied similar analysis under the Sixth Amendment and the California
17 Constitution to prevent the exclusion of lesbians and gay men. (*People v. Garcia* (2000) 77
18 Cal.App.4th 1269.)

19 The United States Supreme Court has, however, recognized that states have the right to grant
20 exemptions from jury service to other groups, including occupational groups. In *Taylor* the
21 Supreme Court stated, "The States are free to grant exemptions from jury service . . . to those
22 engaged in particular occupations the uninterrupted performance of which is critical to the
23 communities welfare." (*Taylor v. Louisiana*, *supra*, 419 U.S. at pp. 534-535, *citing Rawlins v.*
24 *Georgia* (1906) 201 U.S. 638.)

25 The specific exclusion from voir dire of certain peace officers in Penal Code Section 219
26 falls squarely in the category of individuals “engaged in particular occupations the uninterrupted
27 performance of which is critical to the community’s welfare.” California has the right to exclude
28 those peace officers it finds are critical to the community’s welfare. Under *Taylor* there is nothing

1 unconstitutional about Penal Code section 219's limited exclusion of some peace officers from jury
2 service.

3 B. Penal Code Section 219 Does not Deprive Defendant of the Presence of a Fair Cross
4 Section of the Community on his Jury Venire.

5 Following *Taylor*, in *Duren v. Missouri*, The United States Supreme Court articulated a
6 procedure to address a Sixth Amendment Challege based on an allegation that defendant was
7 deprived of the presence of a fair cross section of the community. The defendant first must make a
8 *prima facie* case. The defendant must prove:

- 9 (1) that the group alleged to be excluded is a "distinctive" group in the community;
10 (2) That the representation of this group in venires from which juries are selected is not
11 fair and reasonable in relation to the number of such persons in the community; and
12 (3) that this under representation is due to systematic exclusion of the group in the jury-
13 selection process.

14 (*Duren v. Missouri*, (1979) 439 U.S. 357, 364; *People v. Howard* (1992) 1 Cal.4th 1132,
15 1159.)

16 After defendant has met his burden, the state may then rebut a *prima facie* showing if "it may
17 be fairly said that the jury lists or panels are representative of the community," and that "a
18 significant state interest is manifestly and primarily advanced by those aspects of the jury selection
19 process . . . that result in the disproportionate exclusion of a distinctive group." (*Duren, supra*,
20 439 U.S. at pp. 367-68.)

21 Following the analysis in *Duren*, the Eleventh Circuit specifically upheld challenges to a
22 similar federal statute excluding police officers from federal jury service. (*United States v.*
23 *Henderson* (11th Cir. 2005) 409 F.3d 1293; *United States v. Terry* (11th Cir. 1995) 60 F.3d 1541).
24 In *Terry*, the Eleventh Circuit examined a portion of the 1968 Jury Selection and Service Act, 28
25 U.S.C. § 1983, which excludes police officers from federal jury service: "The following persons are
26 barred from jury service on the ground that they are exempt: . . . (B) members of the fire or police
27 departments of any State, the District of Columbia, any territory or possession of the United States,
28 or any subdivision of a State, the District of Columbia, or such territory or possession." (28 U.S.C.

1 § 1863, subd. (B).) In *Terry*, the Eleventh Circuit found that the defendant's Sixth Amendment
2 rights were not violated by the statute, stating, "allowing police officers to perform their duties
3 without the interruptions of jury service is good for the community (for example, many police forces
4 have only a few officers to begin with) and [we] hold that the exemption of police officers is
5 reasonable." (*United States v. Terry, supra*, 60 F.3d at p. 1544).

6 Ten years later, in *Henderson*, the defendant challenged the same federal statute along with a
7 provision of the Middle District of Florida that federal law enforcement officers were also exempt,
8 and a practice in the district to exempt anyone with arrest powers, including part time law
9 enforcement officers and even private law enforcement. Like the Court in *Terry*, the *Henderson*
10 court specifically ignored the issue of whether the defendant made a *prima facie* Sixth Amendment
11 violation because even if it were made, it could be rebutted by a legitimate state interest.

12 (*Henderson, supra*, 409 F.2d at p. 1306.) The Court relied on Henderson's own figures that 0.55%
13 of the eligible jury pool was exempt as law enforcement and found, "It may be fairly said that the
14 jury lists of panels are representative of the community" and that "a significant state interest is
15 manifestly and primarily advance by the Middle District of Florida's Jury Plan." (*Ibid.*)
16 Specifically, the *Henderson* court held that there was a significant state interest in "allowing police
17 officers to perform their duties without the interruption of jury service." (*Id., citing Terry, supra*, 60
18 F.3d 1541.)

19 1. *Defendant has not Made a Prima Facie showing of a Violation.*

20 Defendant has not met the first requirement of the *prima facie* case under *Duren* by showing
21 that police officers are a distinctive group. In California, the applicable Sixth Amendment case law
22 uses the term "cognizable class" to define a group that cannot be systematically excluded from jury
23 service. (*People v. Wheeler* (1978) 22 Cal.3d 258; *Rubio v. Superior Court* (1979) 24 Cal.3d 93,
24 97.) A "cognizable class" is defined as a group whose members:

25 share a common perspective arising from their life experience in the group, i.e. a
26 perspective gained precisely because they are members of that group. It is not enough to find a characteristic
27 must also impart to its possessors a common social or psychological outlook on
28 human events.

(*Rubio, supra*, 24 Cal.3d at p. 98.)

1 A unifying viewpoint is not enough, however; “the party seeking to prove a violation
2 must also show that no other members of the community are capable of adequately
3 representing the perspective of the group assertedly excluded. This is so because
4 the goal of the cross section rule is to enhance the likelihood that the jury will be
representative of significant community *attitudes*, not of groups *per se*.

4 (*Id. emphasis in the original*)

5 Even assuming *arguendo* that Peace Officers have a unifying viewpoint, the defendant has
6 failed to meet the second prong of the “cognizable group” test: that no other members of the
7 community adequately represent the particular viewpoints of Peace Officers. (*Id.* at p. 99.) First of
8 all, as discussed in the first section of this paper, there is an extensive list of peace officers who are
9 not excluded from jury duty. Each of these officers could represent the viewpoint of Peace
10 Officers. In most sections of the Penal Code, “Peace Officers” are treated as one group. The laws
11 that regulate and protect peace officers do not differentiate between Peace Officers. (See, e.g., Pen.
12 Code §§ 118.1 [false reports by peace officers], 243(c)(2) [battery on a peace officer] and 243(f)
13 [defining peace officer by reference to all the sections in the chapter beginning with Penal Code
14 section 830.] Defendant attempts to make a subgroup class of peace officers excluded from jury
15 duty. It is disingenuous to claim that Peace officers are a cognizable class, and then state that some
16 members of the class cannot represent the viewpoints of other members.¹ In some cases, a group of
17 officers eligible for jury service is quite similar to a group which is ineligible. For example,
18 University of California Police are excluded from service, but Community College Police Officers
19 are not.

20 Additionally, former and retired police officers are also eligible to serve on a jury. Nothing
21 prevents a 25 year veteran of the Los Angeles Police Department from being called to voir dire on
22 her first day of retirement. Nothing prevents a person who left the profession from serving. All of
23 these individuals, having been members of the group, could represent the viewpoints of peace
24 officers perhaps better than a rookie.

25 In *Rubio*, the court found that neither resident aliens nor felons were a cognizable group.

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28 1 In addition, some of defendant’s attempts to parse the group of peace officers are inaccurate. The
numerous peace officers employed by the Department of Corrections, the parks, and the Railroad
might take issue with his claim that most officers ineligible for jury duty do not wear uniforms.

1 While the court found that the first requirement of being a unified group was met for each group, it
2 concluded that the claim of a violation of the representative cross section rule failed because neither
3 group could show that no other members of the community adequately represented the particular
4 viewpoints. (*Rubio*, at 24 Cal.3d 93. at 98-99.) In the case of felons, the court found that several
5 classes of persons eligible for jury service had similar experiences with loss of personal liberty and
6 social stigmatization. In the case of resident aliens, the court found that naturalized citizens would
7 adequately represent the interests. (*Id.* at p 99-100; see also *People v. Karis* (1988) 46 Cal.3d 612,
8 631-32 [neither the exclusion of resident aliens or felons violates a defendant's right to a fair trial
9 under the California Constitution or the Sixth Amendment.].) Here, actual peace officers or retired
10 or resigned officers are more qualified to present the interests of peace officers than the groups in
11 *Rubio* were qualified to present the interests of felons or resident aliens.

12 *People v. Garcia*, (2001) 77 Cal.App.4th, in which the California Court of Appeals held that
13 gay men and lesbians were a cognizable group, is distinguishable on the issue of whether other
14 members of the community can adequately represent the particular viewpoint. The court found that
15 no one else "shares the perspective of the homosexual community" (*Id.* at p. 1279.) and the issue in
16 the case was that all members were excluded. In our case there are numerous people who could
17 adequately represent the viewpoints of excluded Peace Officers.

18 The defendant also fails to meet the second prong of the *prima facie* case. Defendant has
19 failed to show that the exclusion of some peace officers from jury service in Los Angeles County
20 will result in an unfair and unreasonable representation of this group in venires in relation to the
21 number of such persons in the community. Defendant has provided no information with which the
22 Court or counsel can evaluate this prong of the *prima facie* test.

23 The People do not challenge the third prong of the *prima facie* case.

24
25 2. *Even if Defendant has made a Prima Facie Case, the State has a Legitimate
State Interest in Excluding Certain Peace Officers.*

26 The State has a legitimate interest in excluding certain peace officers from jury duty.
27 Because of this interest, like the Eleventh Circuit in *Henderson*, the court does not even need to
28 address the *prima facie* case. "Allowing police officers to perform their duties without the

1 interruption of jury service is a significant state interest.” (*Henderson, supra*, 409 F.3d 1293,
2 1306.) “The States are free to grant exemptions from jury service to individuals in case of special
3 hardship or incapacity and to those engaged in particular occupations the uninterrupted performance
4 of which is critical to the community’s welfare.” (*Taylor v. Louisiana* (1975) 419 U.S. 522, 534-
5 535. Defendant, who argues so strenuously about the special training and responsibilities of police
6 officers, is unlikely to disagree that the state has an interest in not interrupting the performance of
7 their duties. Defendant himself cites *Pasadena Police Officers Assoc. v. City of Pasadena* in
8 quoting that law enforcement officers as a group are “alone the guardians of peace and security for
9 the community, and the efficiency of our whole system, designed for the purpose of maintaining law
10 and order, depends upon the extent to which such officers perform their duties and are faithful to the
11 trust reposed in them.” (*Pasadena Police Officers Assoc. v. City of Pasadena* (1990) 51 Cal.3d
12 564, 572.)

13 The legislative history of section 219 is telling. This section was enacted in 1988. (Code
14 Civ. Proc. § 219.) The 2001 amendment, Senate Bill 303, which added BART officers to the group
15 excluded from jury duty, discussed the rationale behind the original exemptions. “The rationale
16 behind this exemption was not only to allow better protection of the public by not pulling these
17 officers away from their duties, but also that peace officers are almost never selected to serve on
18 juries, particularly in criminal cases, and so the time they spent reporting for jury duty was truly
19 wasted time.” (Assembly Committee on the Judiciary, Analysis of Senate Bill 303 (2000-2001
20 Reg. Sess.) June 19, 2001, p. 4.) BART was the sponsor of the 2001 amendment and argued that
21 “BART is requesting the change in order to avoid lost time on the job for its police officers, who
22 provide a valuable public service.” (Id. at p. 2-3.)

23 The People acknowledge that there are other groups which protect the public who are not
24 exempt from jury service. While true, this does not detract from the significant state interest
25 California has in exempting those Peace Officers listed under Code of Civil Procedure section 219.

1 **III DEFENDANT MEHSERLE HAS NO CLAIM UNDER EQUAL PROTECTION.**

2 A. Equal Protection Arguments Do Not Apply to Occupations.

3 In *Batson v. Kentucky* the United States Supreme Court held that purposeful racial
4 discrimination in selection of the venire violates a defendant's right to equal protection because it
5 denies him the protection that a trial by jury is intended to secure. (*Batson v. Kentucky* (1988) 476
6 U.S. 79, 86.)

7 Equal Protection in jury selection was extended to gender based selection in *J.E.B. v.*
8 *Alabama ex rel. T.B.* (1994) 511 U.S. 127, 129. The Court reasoned that “[I]ntentional
9 discrimination on the basis of gender by state actors violates the Equal Protection Clause,
10 particularly where, as here, the discrimination serves to ratify and perpetuate invidious, archaic, and
11 overbroad stereotypes about the relative abilities of men and women.” (*Id.* at 130-131.)

12 The Equal Protection clause does not extend to occupational groups.² Police officers have
13 not suffered discrimination nor have they suffered from overbroad stereotypes similar to those
14 women and racial minorities have suffered. In the context of equal protection *Batson* challenges to
15 jury selection, occupation has been upheld as a permissible reason to exclude a juror.³ (See *People*
16 *v. Adanandus* (2007) 157 Cal.App.4th 496, 507 [The prosecutor's concern that a juror's
17 employment as a counselor working in Oakland schools might make her more partial to the defense
18 is a justifiable reason for the strike]; *People v. Ervin*, (2000) 22 Cal.4th 48, 75 [juror was a juvenile
19 counselor with a belief in rehabilitation; properly excused in death penalty case]; *People v. Barber*
20 (1988) 200 Cal.App.3d 378, 389-394 [juror excused because spouse worked for a liberal attorney
21 was a valid use of a peremptory challenge; another juror properly excused because juror was a
22 teacher]; *People v. Landry* (1996) 49 Cal.App.4th 785, 789-790 [juror was a teacher and was on
23 board of a drug treatment program; another juror had an education background in psychiatry or

25 ² *Thiel v. Southern Pacific Co.* (1946) 328 U.S. 217, holding that it is improper to systematically
26 exclude working class people, is inapplicable as *Thiel* was decided on the grounds of a defendant's
27 right to a cross section of the community, not equal protection.

28 ³ Code of Civil Procedure 231.5 specifically protects certain groups, but not occupational groups.
“A party may not use a peremptory challenge to remove a prospective juror on the basis of an
assumption that the prospective juror is biased merely because of his or her race, color, religion,
sex, national origin, sexual orientation, or similar grounds.” (Code Civ. Pro. § 231.5.)

1 psychology, and worked in a youth services agency; both properly excused by prosecutor.]

2 B. Defendant has no Standing.

3 Defendant Mehserle does not have standing to assert a claim of equal protection with regard
4 to the exclusion of current police officers. Code of Civil Procedure section 219 only excludes
5 certain peace officers from serving as jurors. It does not exclude any person who once served as a
6 police officer but quit, retired, resigned, or was fired. Defendant Mehserle resigned from the BART
7 Police department. People in his exact status – resigned from an agency exempt from jury duty
8 under the provisions of Penal Code 219 – are eligible for jury service and may even be part of the
9 venire in this case.⁴

10 Third Party standing of the sort raised in *Powers v. Ohio* (1991) 499 U.S. 400 is inapplicable
11 here, even if occupation was protected in the context of jury selection. In *Powers*, the Supreme
12 Court found that “A criminal defendant has standing to raise the third-party equal protection claims
13 of jurors excluded by the prosecution because of their race.” The court found that 1) the defendant
14 had a cognizable injury “because racial discrimination in jury selection casts doubt on the integrity
15 of the judicial process and places the fairness of the criminal proceeding in doubt,” 2) The defendant
16 can be an effective proponent of the excluded juror’s rights because both have a common interest in
17 eliminating racial discrimination from the courtroom and 3) It “is unlikely that a juror dismissed
18 because of race will possess sufficient incentive to set in motion the arduous process needed to
19 vindicate his or her own rights.” (*Id.* at 401.)

20 Here, the facts are entirely different. First, unlike excluding people due to racial
21 discrimination, there is nothing about the exclusion of some peace officers from jury service that is a
22 cognizable harm to the integrity of the jury selection process. Second, the defendant is unlikely to
23 be an effective proponent of the rights of police officers. Code of Civil Procedure section 219 was
24 passed at the lobbying of different agencies, including BART. (Assembly Committee on the
25 Judiciary, Analysis of Senate Bill 303 (2000-2001 reg. sess.) June 19, 2001, p. 5.) Third, because

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4 Mehserle’s lack of standing only serves to underscore the distinction between groups like peace
officers, from which people can come and go, and groups like women, racial groups, and gays and
lesbians, to which people are born.

1 peace officers are generally represented by unions, they are in a much better position to vindicate
2 their rights if they actually feel as though they have lost them.

3 Defendant does not have an Equal Protection claim.

4

5 **III. CONCLUSION**

6 For the foregoing reasons, the People respectfully request that defendant's motion be denied.

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8 DATED: April 23, 2010

9 Respectfully Submitted,

10 NANCY E. O'MALLEY
11 District Attorney

12 By: _____

13 David R. Stein
14 Deputy District Attorney

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