

District Attorney Bob Lee Set for Another Four Years

After Bitter Fight for His First Term, Lee Takes Second Unopposed

by Mary Bryant

Four years ago, in early 2002, Bob Lee was knee deep in campaign signs, bumper stickers and yellow "Lee for DA" buttons. Today, with the filing deadline for candidates having closed on Mar. 10, Lee is certain of being Santa Cruz County's District Attorney for four more years, running unopposed. This will also mark the first time since the late '90s that the prosecutor's office will not have to survive a hotly contested race.

Just after being reelected in 1998, then-veteran District Attorney Art Danner was tapped to serve as a Superior Court judge. He resigned, asking County Supervisors to appoint his Chief Deputy Kate Canlis to replace him. For a short time, following Danner's departing orders, Canlis did serve as Acting DA.

However, after formal applications were collected and a series of public hearings held, Supervisors appointed Santa Clara attorney Ron Ruiz to replace Danner until the next regularly scheduled election about 18 months away. Canlis resigned to campaign full time.

By the end of 1999, Canlis was ready. For his part, Ruiz seemed caught unprepared for the intensity of the ensuing battle. Amid a field of contenders in the March primary, including former DA Peter Chang, Canlis and Ruiz emerged as the top vote-getters. But, in November, Canlis won by a comfortable margin, after waging a no-holds-barred campaign. However, she won only a partial term.

Almost 15 months later in December 2001, many believed that DA Canlis might run unopposed, including

Canlis. Could there be anyone left who would risk a career in the hope of unseating her? By then, Canlis was a pro at campaigns.

Without a whisper of advance rumor, Assistant District Attorney Bob Lee surprised many by announcing his candidacy just before Christmas. A home town boy, Lee didn't have any previous experience in elected office or a top management role. However, Lee was one of Danner's top trial attorneys — he'd worked for Danner since 1988 — and he had friends as well as a competitive streak.

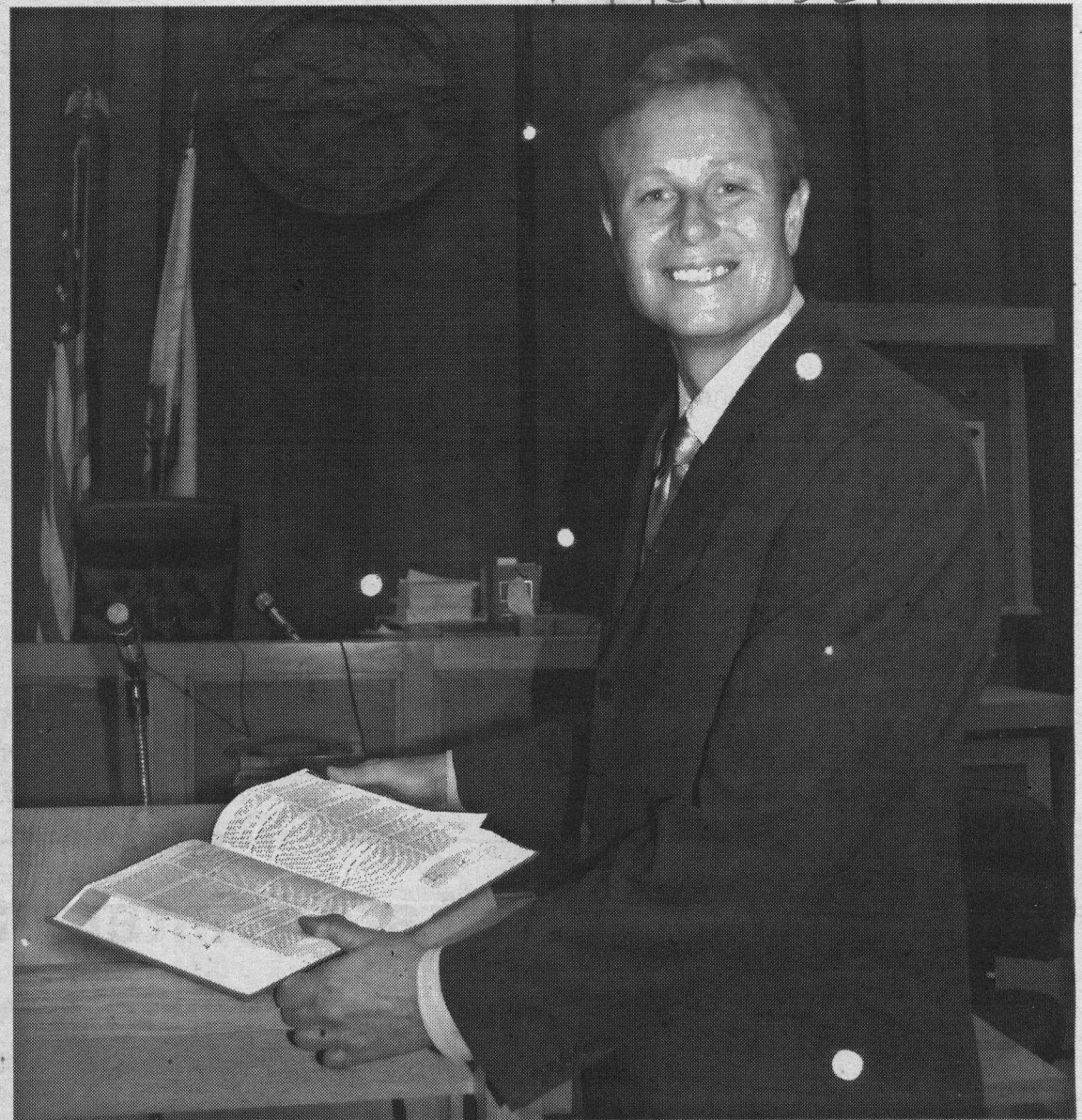
In his campaign he was confident, tireless and mostly unsullied by the previous two years of insider bickering. Lee won four years as the County's chief prosecutor. Lee says he's earned the second term with a no-nonsense approach to prosecuting criminal cases and lots more hard work.

"I'm proud that people have confidence in me," he said. "I have a good understanding for what the office should be doing."

He says that since winning his first election in March 2002, the District Attorney's office has changed substantially. Yes, there were a few resignations. That was to be expected, especially since the office was reorganized and everyone was expected to carry a full load.

"We try to seek justice every day. ... If we do our job correctly ... that usually keeps people busy," Lee added.

Lee said in an effort to create a worker-focused environment all prosecutors took case loads, including Lee. That in itself was not new; Danner, Canlis and Ruiz tried cases. But the DA and top managers answering phones and handling municipal calendars was. Lee says he has "literally" done



every job in the office.

"Some people didn't want fairness because that increased their work," Lee said.

He adds that he has insisted on keeping politics out of his office. Some of the prosecutors who supported Canlis have remained, some in management positions.

He says that prosecutors are also busier than ever. Emphasis has been added to prosecuting hate crimes, child abuse cases and sexual assaults. Witnesses are more appreciated and better treated, and trial attorneys train regularly and rigorously. He adds that Santa Cruz is facing an epidemic of methamphetamine-related crimes and with a dwindling County bud-

et, growing the office has been immensely challenging.

But what Lee talks about most is how morale in the office has changed. He is very proud of his people.

"I think we have the best trial team that this office has ever seen. ... And we will continue training," he said. "I'm a competitive person. ... I want this to be the best DA's office in the state."

A Different Kind of DA

Lee was raised in Capitola, one of five boys. His parents still live there.

In 1980, Bob earned a degree in public administration, followed four years later with a law degree from the University

of Santa Clara. A year after that, he got his first job working for the Monterey County DA's office.

He was working his way up the ranks when in 1989 he decided to take a year away to tramp through Australia and New Zealand. He even worked picking kiwi fruit for three days, among other part-time jobs to help pay for his adventure.

He returned to work for DA Danner. He was a typical Danner prosecutor — young, bright and competitive. He loved sports and believed in teamwork. But while there are similarities to Danner, he is not

continued on page 7

just a chip off the Danner block.

Most will give Danner credit for being the first to organize the DA's office into a more modern workplace while integrating the prosecutor's office into a variety of partnerships with schools, police departments, social service agencies and the like. The office also grew under Danner as he lobbied for a bigger share of the County's general fund.

Lee had a different reality to face in 2002 when he first took office. With revenues declining,

County started receiving training from the DA's office. There are other projects, such as a lead prosecutor now working on domestic violence among migrant farmworkers. There is even a new environmental cop on the Santa Cruz County beat.

"[We have] the first environmental inspector in the DA's history," Lee said. "You live in a beautiful place like Santa Cruz County and the last thing you want is the environment harmed."

Lee coaxed former Fish and Game warden Dennis Baldwin out of retirement and into the field to find people who are breaking local environmental

contacted. Investigators later learned that the gardener had even talked her employer into giving her home away.

"Training the bankers is one of the best things we have ever done. ... Growing old is hard enough without people

trying to destroy your life," Lee added.

A Focus on Justice and the Challenges of Meth

For Lee, the "best" DA's office in California doesn't just prosecute crimes. That office

makes justice.

When you ask Lee what has been his most significant trial as a prosecutor, he says he has not tried it yet. Then he thinks another moment, and tells you

continued on page 9

...That night he went back to the Seaside neighborhood where the crime occurred and again knocked on doors. He found a witness that hadn't before been interviewed. Lee learned his defendant was innocent...

State lawmakers were diverting County revenues for schools and State programs. Lee had to settle for \$400,000 less in local tax dollars. However, new grants of \$600,000 ended up boosting his overall budget to \$9.5 million. And with the help of a small cadre of volunteers, including five part-time volunteer attorneys, Lee expanded programs. With donations, a room was made available for witnesses to use while awaiting court time to testify, complete with comfy couches and television. And Lee abandoned his office — the one Danner, Canlis and Ruiz occupied — to make a law library.

"It was the nicest office in the place and everybody should be able to use it," Lee said.

He also took out the file cabinets that had lined the hallways, replacing them with art and plants, also donated.

Unlike Danner, who largely relied on taking young attorneys and turning them into prosecutors, Lee is recruiting seasoned talent.

Additionally, he is casting the DA's net wider at a time of shrinking budgets. Starting last year, new police officers in the

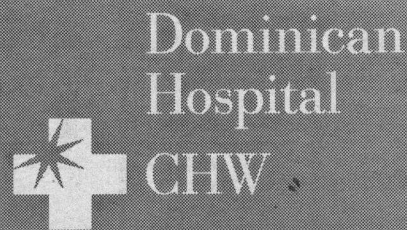
laws. To date, the DA's office has found people trying to illegally dump asbestos and leaky oil drums, alter stream banks and harvest timber without a permit. Lee paid for Baldwin's time through grants and collected fines. "It doesn't cost the County taxpayers one dime."

Lee is also working with Capitola Police Chief Rick Ehle in establishing a task force aimed at protecting elderly residents, especially against fraud.

"The goal is to protect our elder population from financial scams," Lee said.

Already a number of would-be thieves have been prosecuted. These felons include a landscaper who was bilking her elderly employer out of a small fortune. A bank employee, demonstrating the watchfulness cultivated by a program developed by the DA's office, spotted the green-thumbed embezzler trying to cash a \$30,000 check.

"Within two to three days we found that the landscaper had charged a total of \$300,000 for doing [a small lawn]," Lee recalled. The elderly woman's assets were frozen and her family



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about a court case early in his career.

"[It was] the way the defendant reacted to something in the closing argument," Lee said. That night he went back to the Seaside neighborhood where the crime occurred and again knocked on doors. He found a witness that hadn't before been interviewed. Lee learned his defendant was innocent.

"I went in the next morning and I dismissed the case," Lee said. He figured that he had mortally wounded his career. "But I did the right thing even though it scared me."

Now Lee is intent on setting high standards for his attorneys by defining success as doing justice, not just producing a good portfolio of stats. Besides studying such topics as trial techniques three times a week, there are lessons on ethics.

"People's lives hang in the balance," Lee said. "I think we have the best trial team that this office has ever seen. ... And we will continue training."

What's the biggest challenge ahead during the next four years?

"We need money and we need more prosecutors," Lee said, adding to the list Spanish translators. "It is always a challenge to get people to work here because the pay is not as good as in Santa Clara."

There are also other challenges ahead, such as the growing number of young people making, distributing and using meth and committing crimes to support meth habits.

"Meth is a terrible addictive drug. It is an angry drug. ... It destroys lives and when it is a young life it is just sad," Lee said.

Lee said the spread of meth will be difficult to curb.

"Unlike cocaine or heroin where there is distribution [challenges] ... meth can be made in the backyard," he added.

And meth cases are difficult to prosecute.

"It is more than one person

[who is responsible] and people always claim that people don't know [drug making was going on]," Lee noted. "I think meth is going to be a difficult issue for years to come."

Lee said that the County's rash of identity theft cases was largely a result of meth use. He said that kids are getting very smart about forging documents — using stolen credit and identity cards. He added that the human costs of meth use are equally shocking.

"Personally, I don't believe in the death penalty ... [But] I'll do my job ... You never know what the future will hold."

Lee said there was a case against a young woman his office prosecuted. Within four months from the time of her first arrest when the first booking photo was taken, her face had become deeply scarred by meth-related sores. He described her face as "shocking," such a change that the prosecutor took both the booking photo and a more recent picture into court.

"You can't recognize the two photos," Lee added.

Finding the Bad Guys on the Internet and Taking on Gangs

Among the other challenges DA prosecutors face is the growing sophistication of criminals.

"As criminals get more sophisticated, so do law enforcement [officials]," Lee said. "The Internet does allow people to communicate more freely."

However the DA's office has used the Internet to monitor illegal activity such as child molestation.

Among the increase in Internet crimes are child molestation cases, instances in which pedophiles go stalking children using popular Internet websites. When Lee first took office there was one prosecutor

assigned to child molestation cases. Now there are three.

Recently, following a wave of high-profile pedophile arrests nationwide, the Santa Cruz Sheriff's Office has also turned to the Internet to catch child predators. Lee has followed with his own inspector, Aaron Morse, assigned to child molestation investigations.

"We have been involved in some stings," Lee said.

Additionally, working with police, the DA's office has been conducting probation sweeps to better monitor parolees.

"[The DA's Office] never did those before," Lee said.

On one recent sweep, of 24 parolees found and interviewed, six were arrested on a variety of charges.

"It is letting the community know we are going to be vigilant," he added.

Lee has fewer answers about how to stem the growing gang-related violence, including several recent assaults and murders. While the DA's Office is working more closely with police — DA inspectors recently got credit for the arrest of a San Mateo man for the killing of a Watsonville man — prosecution is difficult because witnesses don't want to testify.

"Eyewitnesses have a difficult time coming forward," Lee said. He added that prosecutors were training in how to make witnesses more willing to testify. "And I put one of my best attorneys in to gang [prosecution]."

In the recent case, where a 31-year-old man was fatally shot in Watsonville after a brief skirmish over gang affiliations, Lee said he is seeking enhanced charges against the suspects. Will he ask for the death penalty? Not in this case, but he is looking at seeking sentences of life without the possibility of parole.

"Personally, I don't believe in the death penalty ... [But] I'll do my job," Lee said. "Obviously the death penalty is for very rare cases. ... You never know what the future will hold."

In Danner's long career he

continued on page 14

only once sought and received a death penalty verdict. That was the case of Hillside Strangler David Carpenter, and it was a Los Angeles jury that gave Danner his verdict. In an early 1990s interview, Danner said he didn't believe a Santa Cruz jury would ever return a death penalty verdict. Does Lee agree?

"I think it would be very difficult," Lee answered.

DA Lee, the Teacher

Lee said that his greatest job is to be a good teacher.

"I try to provide all the assets and training that the other people on my team [need]," he said.

Lee said he learned a lot from Danner, including how to keep voters happy.

"People want to see you. I learned that from Art," Lee said, adding that getting out to public events is part of the workload he likes. "I enjoy going to high school basketball games." He says that he frequently speaks for church groups, business organizations, colleges and public schools. "I've lived here all my life. I enjoy that part."

The other lesson Lee learned from Danner was the impor-

tance of keeping morale high.

"Our last Christmas party was the best party in town," he claimed.

Among the other team building activities: softball, touch football in the mud, poker and BBQs. "I think it really pays off."

Four years ago, when Lee first decided to run for DA, did he imagine the work would be so demanding?

"It's a lot of work," Lee said, adding that he is regularly in the office past Midnight, and often there are other prosecutors working late as well. He said he wasn't prepared for the initial personnel problems he encountered. "It is surprising how some people don't want to get along."

He also worries about the County budget and how there is ever going to be enough funding to keep up with the demands. He says the last three years' budgets have been the worst in 20 years, a fact he says not everyone sympathizes with.

"Half the people don't care and half the people are glad you are having [problems]," Lee quipped.

And he says that sometimes he wishes he could get away. "[But] I'm glad I put my name in again. ... I really care a lot about the DA's Office." ■