

# On the Record: Ron Ruiz

## From Defense Attorney to Santa Cruz County's Top Prosecutor

*District Attorney*

by Mary Bryant

**H**e has spent most of his life as a criminal defense trial lawyer, working out of an office in San Jose. He has lived in Santa Cruz since 1966 on Branciforte Drive, in the same house where he raised four children with his first wife. He remarried a woman who works as a labor attorney. Together they have a 10-year-old daughter. Until last January, Ron Ruiz had barely made a local headline. Now, he's Santa Cruz County's District Attorney.

### On Being Appointed D.A.

Last month, few people were taking bets on who was going to be the county's new D.A. And, supervisors were mostly keeping mum about the front-runners.

Former D.A.-turned-judge Art Danner was hoping his handpicked successor Kate Canlis would get the nod. She had the support of more than a



New D.A. Ron Ruiz

dozen of the D.A.'s attorneys, acting chief in Danner's absence. On Feb. 11, she didn't pick up one vote from the supervisors.

Then, there was the seemingly discontented lot of Assistant D.A.s contending for the job. They mostly agreed on one point, that the D.A.'s office had been mismanaged for years. They wanted change. Assistant District Attorneys Christine McGuire and Adriadne Symons each got a vote.

Neither former D.A. Peter Chang nor perennial D.A. candidate Ed Frey got any support.

On the sideline was Ruiz. He was maybe most notable because he had virtually no experience as a prosecutor. He was a criminal defense attorney, having represented one of San Jose's most notorious gang members. He had never been on the Santa Cruz D.A.'s staff. Receiving three votes from supervisors means that Ruiz will be D.A. until an election next November.

With about two weeks on the job, he is already earning praise.

"I think he's a nice person. I

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**R**on Ruiz grew up in Fresno. He said that his father left home when Ruiz was three. His mother was born in Mexico. She's 82.

"[My mother] had to work. I have two younger sisters. She did every job conceivable. But for her, I wouldn't be sitting here now," Ruiz said.

Ruiz said his mother married again. This time to a laborer.

"She remarried when I was about 10 to a man who was from Mexico. He didn't speak any English. He worked very, very hard as a laborer in the hot Fresno sun to support kids that weren't even his," said Ruiz.

Ruiz went to college on scholarships. And, he worked during the summer.

"I was the first kid to graduate from high school on either side of the family. My mother didn't want me to go to college because she thought that I would be going into a world [that I] didn't fit or wouldn't

## From the Poor Side of Fresno to San Jose's Tough Defense Attorney

fit into," Ruiz said. "I went to a Catholic college, because I had gone to a Catholic high school. It was run by the same order. When I got there as a freshman, I worked in the kitchen. I worked odd jobs."

During the summer, Ruiz would work in the packing houses in San Jose.

"My grades were good enough so that by second semester I got a scholarship, but that was just for tuition. I worked as a fry cook. I baby sat. Did gardening. ... In the summers, I would go to San Jose. In San Jose, they had the canneries. You would work literally as many hours as you wanted to during the week. I

would make a fair amount of money. That would help me through most of the year."

Ruiz raised four children in Santa Cruz with his first wife. Two sons are photographers, one daughter manages a floor at Saks Fifth Avenue, and another son was named last year by the San Jose Mercury News as one of the Bay Area's top 10 artists.

He married for the second time about 11 years ago. He and his new wife have a 10-year-old daughter. Ruiz is 62. His current wife is also an attorney.

"She represents a lot of fire fighters and SEIU employees in Monterey County," said

Ruiz.

Ruiz said that when he first went into private practice, after brief stints in the Alameda County D.A.'s office and with the California Agricultural Labor Relations Board, he worked some in Santa Cruz County.

"I used to try cases over here. I was even court appointed over here. It just got so that my clientele and practice built so much on the other side of the hill. The cases were so time consuming that I just naturally wasn't here anymore," Ruiz said.

In San Jose, Ruiz earned a reputation as a tough defense attorney. In 1992, Ruiz may

have gotten the biggest case of his career. His client was Vincent Arroyo. Arroyo was charged with ordering the murders of gang members while he was in prison at Pelican Bay. The Santa Clara D.A. sought the death penalty. Ruiz said there was more than 250,000 pages of discovery in the case. There were also 20 other prison inmates charged with the same crimes. Each also faced the death penalty.

According to Ruiz, on the night before the trial was to start in 1996, the D.A. agreed to accept a guilty plea of one count of robbery from Arroyo. To shorten his sentence, Arroyo agreed to turn state's evidence against his former gang member pals. They each were sentenced to death. Arroyo is scheduled to be released from prison in 2004.

Ruiz said that he abruptly closed his law practice after taking the job as D.A., leaving one death penalty case in the middle of pre-trial. He said he had no choice, because now he's a cop. □



**RUIZ***continued from page 5*

think he's gotten off to a good start," said Supervisor Jan Beautz, who didn't vote for Ruiz.

Supervisor Jeff Almquist said that Ruiz promised he'd run the office differently than Danner. He added that Ruiz was making good on his word.

As for Ruiz, he said that he has had some surprises. First, there was getting appointed D.A. He said that he didn't think he would be picked. He said that he was also shocked to see the small, windowless cubicles in which his attorneys had to work. And, amazed to learn how little money there is to run the D.A.'s office.

**MCPOST:** A lot of people around town want to know about you. In 25 words or less, who is Ron Ruiz?

**RUIZ:** He's a driven individual, who has come a long way and still wants to go a long way.

**MCPOST:** A year ago, did you ever imagine that you'd be a California district attorney?

**RUIZ:** No. Absolutely not.

**MCPOST:** What did you see yourself doing a year ago?

**RUIZ:** Doing what I've been doing for the past 34 years, representing criminal defendants.

**MCPOST:** How much does this job pay?

**RUIZ:** I think it's \$120,000 a year.

**MCPOST:** You didn't check it first?

**RUIZ:** No, I didn't, but I think it's \$120,000. I don't know. I'll be getting a paycheck pretty soon, and then I'll know.

**MCPOST:** Were you encouraged to apply for this job?

**RUIZ:** I know an awful lot of the people here, [including] Judge [Bill] Kelsay. I know Dale Dawson. ... When the rumors started to fly around in November that Art was going to leave, people [asked] why don't I apply.

I thought, at first, that it was ridiculous. Some of them continued saying it would be a heck of an opportunity to do something, to make a difference. I have seen the district attorney's position become ... the most important position in the criminal justice system. The legislature has taken away an awful lot

of the discretion from the judges. ...

There was a lot of power and discretion [in being D.A.]. That made that position to me very attractive. ... I'm very glad I've decided to do this.

**MCPOST:** Can a good defense attorney make a good D.A.?

**RUIZ:** Sure. No question in my mind. ... As a criminal

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defense attorney, my job was to provide the best defense possible for my clients, legally. ... There's absolutely no difference in turning the standard around. I feel that I can be just as conscientious in enforcing the laws as I was in trying to represent people who were accused of violating them.

**MCPOST:** A couple of the supervisors have said in appointing you that they wanted to send a message about what we think about the D.A.'s office. What do you think they expect you to do differently?

**RUIZ:** I don't know what they had in mind. To be honest with you, I'm still surprised I'm sitting here. When I walked into that building on the 11th of February, the afternoon they made the decision, I honestly thought that either Kate [Canlis] or Peter [Chang] were

going to get it. ... I thought that [they would go with] the safe choices. They're politicians. [I thought] it would have been either Kate or Peter. Kate because she's here and doing it, and Peter because he had done it in the past.

**MCPOST:** Are you going to run for D.A. next year?

**RUIZ:** Of course.

**On Being Latino**

For the better part of a day of speeches and questions, no one brought up the fact that Ruiz was Latino. On the day supervisors were set to vote, during his final pitch to the board, Ruiz threw his race into the fray. He said that he only brought up his Mexican heritage because former D.A. Chang mentioned that the county's changing demographics required supervisors to look for a candidate of color.

**MCPOST:** At the hearings, you brought up the issue of race. What does race have to do with the D.A.'s office?

**RUIZ:** What happened was that [most of the candidates] were talking about the move to have a more diverse group here in the district attorney's office. A group [of attorneys] who better reflected the community. ... I wasn't saying a word about that. ...

Some of [the candidates] were even saying that they were taking Spanish courses... that they were going to recruit [Latinos]. ... I'm sitting there and thinking, it's pretty ironic because here I sit. ... Peter Chang answered the question [about how to bring diversity to the office]. [He said] we need some real Mexicans [in the office]. ... I stood up and said, Peter, I'd be so happy to accommodate you. I'm a real Mexican. ... That's how that came up. That's how it started

**MCPOST:** Do you think the question of diversity is important?

**RUIZ:** Yeah. I think that in the best of all worlds, the office should reflect the community. ... I don't envision that happening for years and years. ... I was down at the University of Houston last September for about a week on another matter. I was shocked ... at the diversity, which I really thought reflected the population of Houston. Not just brown and

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black and white, but there were Asians, Pakistani. It was incredible to see.

**MCPOST:** To have one set of laws, what can a Latino or Latina prosecutor bring to a case that an Anglo A.D.A. couldn't?

**RUIZ:** The life experience is in some [ways] different. The understanding of the problem can be totally different, based on where you've been. I think I'm in an extraordinary position to be able to understand, and I'm not saying I do completely, but to appreciate and evaluate the problems that are plaguing the youths coming out of Watsonville. How does that impact on the district attorney's office? They make up a larger proportion of the kids who are locked up in Juvenile Hall. They are the kids that this office has to deal with all the time.

**On Making Changes**

In his application for the D.A.'s job, Ruiz wrote that he was ready to make changes.

"I would stamp out the ugly

cancer that has spread throughout the District Attorney's Office and make it a competent, unified office where teamwork rather than divisiveness is a goal," Ruiz replied to a ques-

one with staff. What's been the most common question or comment that you've gotten from staff?

**RUIZ:** I guess they're all concerned with which direction I'm

**MCPOST:** Are you going to be carrying any grudges?

**RUIZ:** I hope not.

**MCPOST:** What have you been asking each of the staff

**I guess they're all concerned with which direction I'm going to go and how that will affect them. I think they already have a sense that I'm going to enforce the laws. ... I am going to reorganize the office, restructure. I've made that pretty clear. Of course it's only natural for them to wonder [if I am] going to be carrying any grudges or any of that sort of thing.**

tion about what he hoped to accomplish as D.A.

Sitting in the D.A.'s corner office, Ruiz is far less fiery in his answers. But, clearly change is what he's after, even if he isn't yet sure of the changes he wants to make.

**MCPOST:** I understand that you've been meeting one on

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members?

**RUIZ:** In one way or another, who are you? Why are you here? What do you want to do here? What don't you want to do here? What's your commitment? I don't ask, but I want to get a sense of who they are. The personality variance is incredible. We have 100 people. No question about that.

**MCPOST:** Are D.A.'s offices supposed to be tense?

**RUIZ:** I'm sure that there is a certain amount of tension in any D.A.'s office, or any public defender's office, or any office where you have a bunch of lawyers and their egos inhabiting the same space. I don't think that there is anything here in this office... that can't be remedied. People want to get along and do their job.

**MCPOST:** Kate Canlis resigned. Did you expect that?

**RUIZ:** She's still here, helping in the transition. I know it's not easy for her to be here, but she's been good enough to say she would like to stay until I make the transition. ... But it didn't surprise me when she resigned. It's been a real painful process for her. That's my impression.

**MCPOST:** Will there be other people who leave?

**RUIZ:** I'm not asking anybody to leave. I don't want anybody to leave. If they feel that they don't want to work here, I can't do anything about that.

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## RUIZ

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**MCPOST:** Is there anything you heard during the public hearings to select a new D.A. that made you want to make changes?

**RUIZ:** I guess what I wondered most about was what was causing all the dissension I'd heard about. What were the problems, and how was I going to handle them as an outsider. I was nervous about that. ... The problems came from every direction. How true they were I don't know, because you're talking about people who were vying for a position.

**MCPOST:** During the hearings you were quoted as saying that the D.A.'s office filed too many cases against Latino youth?

**RUIZ:** People were saying [we had] a 90 percent Latino population [at Juvenile Hall]. My response was, if those figures are correct, I think we are over-filing against Latinos. I've talked to [Probation Chief] John Rhoads about that. He tells me it's more like 68 percent.

**MCPOST:** Do you have the same comment with the Latino population at Juvenile Hall at 68 percent?

**RUIZ:** Probably not.

**MCPOST:** In terms of the administrative structure, Danner was famous for his battles with County Administrator Susan Mauriello over money. Those battles often played out in the public and with the board. In Danner's office, the CAO's staff were the enemy. But you decided to hire COA staffer Madlyn Norman-Terrance to manage the business of your office.

**RUIZ:** That says that Madlyn is a great person for the job. I admire her skills. She's got just the intangibles. ... She's great. She's got such a good style with people.

**MCPOST:** Did you know Madlyn before you came here?

**RUIZ:** Yeah.

**MCPOST:** Was she a personal friend?

**RUIZ:** Not really, but there's a lot of people that respect her. She's got so much savvy in terms of people, people skills. When you're talking about administration, I think what it

comes down to is people skills, in the last analysis. ...

She also knows the budget. She knows the bureaucracy inside and out. How can that go wrong? There won't be any battles with Susan Mauriello. I haven't met the woman, but I can tell you that there aren't going to be any.

**On Being A Prosecutor**

**MCPOST:** In terms of prosecutorial style, Art Danner was a bulldog. If he didn't get what he wanted, he fought as hard as he could. He would never give up.

**RUIZ:** They've been very cooperative. They've been very helpful. I think they've taken a wait and see attitude, see what I do and don't do. We've had five or six meetings. ... They're good guys. I like them, and I think they like me.

**MCPOST:** Were the chiefs worried that you will take the keys and let everybody out of jail?

**RUIZ:** As a reality, I can't do that. They better than anybody understand that. That wasn't a problem. I think that there's a natural resentment, almost a feel-

Juvenile Hall.

I think jails and prisons and even Juvenile Halls are breeding places. That's where gangs are formed. They don't make any secret about it. ... That's where ugly assaults take place, whether you like it or not. ... To put two kids in a single cell, a cell that's designed for one kid, to have only two separate units, one in which you [incarcerate] boys and the other you house girls with younger boys, you're just asking for trouble.

**MCPOST:** Is there trouble at

get their money and their cases and their resources. Do you look at that?

**RUIZ:** We don't have a whole heck of a lot of money. ... You take a look at the conditions we're working on here. ... It's deplorable. ... In terms of spending money, from what I can see, I don't think there's ever been a whole lot of money that they've been throwing away here.

**MCPOST:** Let's say that in a year, I come back and we do another interview. What would be good questions for



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**RUIZ:** That's part of Art's personality. I'm sure he has felt that he has accomplished things. ... I think it's legitimate for Art. That's not my style. ... I've tried a lot of cases. Some very serious cases. I had to fight, and I had to be confrontational. I think you pick your fights. I think in life you get a lot more accomplished and a lot more from people if you try to cooperate with them.

**MCPOST:** In prosecuting cases, do you expect that there will be less cases filed?

**RUIZ:** I don't think so. The filing is pretty much out of my hands. I don't file cases. ... I don't intend to address the matter of filing. If the police feel that we're under-filing, then that is something I've got to look at. At this point, I don't hear that.

**MCPOST:** Your appointment wasn't backed by the county's police chiefs. How are you going to change their minds about you?

ing of insult, on the part of some officers. How dare I [apply for the job]. I've represented [clients they try to put in jail]. ... I can understand that. I think most of them would be lying to me if they said anything differently.

**MCPOST:** So you're not one of them.

**RUIZ:** I wasn't. I am now. In my position. I'm confident. I best behave all the time. I best enforce the laws.

**MCPOST:** One side in the debate about juvenile crime says that there isn't enough space at Juvenile Hall to hold all the teens that should be locked up. Other people say we're not spending our money on diversion programs. What do you think?

**RUIZ:** I took the position [last Tuesday] of supporting the expansion and renovation [on Juvenile Hall]. It was a firm position. I took it because I had been out to Juvenile Hall. ... I was saddened by what I saw at

the Hall?

**RUIZ:** I'd be surprised if there wasn't. You have girls there with young boys. You have to have a facility that's big enough so that you can segregate the sexes, and the predators from the prey.

**MCPOST:** At the same time, you think that there needs to be more done for the youth here in terms of early offense.

**RUIZ:** Absolutely. I have said from what I can tell we have a heroin epidemic in this community right now. We're coming up with 11, 12, 13-year-old boys and girls addicted to heroin. I don't know if you've ever seen people addicted to heroin, but it's really frightening. We need a residential treatment program. ... There's just no way that we can do without one.

**MCPOST:** Sometimes you look from the outside in and you think about how D.A.s

me to ask you to see if you've been doing a good job?

**RUIZ:** What have I accomplished?

**MCPOST:** And what do you want to be able to answer?

**RUIZ:** I have an efficient, cohesive unit here that prosecutes cases in a fashion that the community and myself can be proud of.

**MCPOST:** Should I be looking to see if you've prosecuted so many cases compared to other county jurisdictions?

**RUIZ:** I'd welcome that, because I'm not sure it's going to fluctuate very much. I don't think it matters in terms of who's sitting in this chair in terms of filing.

**MCPOST:** Are there going to be changes in the way the office is run?

**RUIZ:** I'm going to have more committees on serious cases. I want to be better informed and familiar with the decisions. □