

# San Bernardino Loses Another Public Defender

By Jason W. Armstrong  
Daily Journal Staff Writer

San Bernardino County Public Defender Doreen Boxer and her top assistant abruptly resigned late Tuesday amid allegations of poor morale and management within the department.

Boxer, who headed the office for four years, and was the first woman to hold that position, was the third consecutive public defender in the county to resign while facing criticism.

Los Angeles County names a new public defender. PAGE 4

County spokesman David Wert said Boxer gave the Board of Supervisors her letter of resignation as it prepared in closed sessions to discuss naming an interim public defender and possibly terminating a public official. Wert declined to give further details on Boxer's resignation. Boxer's top deputy, Laurie Ferguson, also resigned Tuesday. The office's chief investigator, Martin Dante, was placed on administrative leave. Boxer said Wednesday that her departure boiled down to a dispute with the union representing her staff. She said about "five percent" of the office's lawyers had a problem

See Page 4 — RESIGNATION

resources available to ensure safety... Joseph W. Corchett of Corchett Pitre & McCarthy in Burlingame has filed a security... would increase that penalty to \$4,000...  
 ration & Production, Anadarko Petroleum Corp., MOEX Offshore 2007, Triton Asset Leasing, Transocean Holdings, Transocean Offshore Deepwater Drilling Inc., Transocean Deepwater Inc., and QBE Underwriting Ltd./Lloyd's Syndicate 1036.  
 Brad Brian, of Munger, Tolles & Olson in Los Angeles, has been representing Transocean. He could not be reached for comment.  
 The suit did not name Halliburton Co. Numerous media reports claim Halliburton, which was responsible for the cement used in the well, knew it wasn't stable, although the company has disputed those claims.

robert\_iafolla@dailyjournal.com

## commendations.

change Commission to adopt final rules on Dodd-Frank's three say on pay votes (proposed rules were adopted on Oct. 18) and we are waiting for more large and influential institutional shareholders to issue their annual 2011 voting guidelines stating their preferences and frequency of say on pay votes. Fidelity Investments has done so, stating that it generally will support equal votes. The United Brotherhood of Carpenters and Joiners of America has very publicly supported Microsoft's triennial vote and the case for triennial

See Page 6 — LATEST

## BRIEFLY

**Sonsini Goodrich & Rosati** have won lawsuit on behalf of their client, Santa Clara Inc., persuading a Wisconsin federal court that it did not infringe two Illumina Inc. patents used to analyze genes. The two companies have several legal battles in recent years. Ron Shulman led the Wilson Sonsini Goodrich & Rosati San Diego-based Illumina.

**with investigating privacy breaches** announced Wednesday that it was being investigated on its own. The California Attorney General reported that it lost a back-up of 2,550 patients in the mail in a data breach. The state has fined several dozens of medical providers for failing to pass one of the nation's toughest privacy laws. California passed one of the nation's toughest privacy laws, requiring hospitals to swiftly report breaches. The state has investigated more than 2,600 reports and levied out nearly \$2 million in fines.

## MORE NEWS



**Center of the Storm**

Commissioner Nancy Svetich Pogue provides the calm needed to diffuse the tension in her child-support courtroom. PAGE 2

accepting nominations for our **Top Verdicts of 2010** lists. To submit a plaintiffs' appellate reversal email nominations@dailyjournal.com for a submission form

DAILY JOURNAL  
 \*\*CAR-RT LOT\*\*C 077

and for  
\$284,183.  
said, "I just want to get this done."  
The office has more than 700 trial attorneys

and 1,100 total employees. Brown said his first goal would be to "heal the polarization which always occurs when you have several internal candidates."  
"It is a great place," he said. "I want to carry on

Ortiz says, "We look for talent never be a lawyer," he said. "We look for talent We in this office have hired people from what would be considered second-tier law schools, and they are some of our best lawyers."  
brandon\_ortiz@dailyjournal.com

## Resignation of San Bernardino PD Comes Amid Turmoil

Continued from page 1

with the way she ran things.

"In any office, you'll have those five-percenters," Boxer said. "I know the attorney's union was very unhappy with my administration. We were in a lawsuit with them, and it wasn't a positive relationship. I think that caused a lot of hostility that was distracting my lawyers from doing the best job they could."

Neither Ferguson nor Dante could be reached for comment Wednesday. Grover Merritt, a San Bernardino County prosecutor who recently headed the county's Public Attorneys Association — the union representing both prosecutors and deputy public defenders — said the association had been pressing for the firing of Boxer and Ferguson for about six months. Boxer "had extraordinarily draconian ways of enforcing personnel

rules, and employed harsh interview techniques," Merritt said. "The morale was described to me as very low for a very long time — two or three years now. People were extremely upset with the way management treated very respected members of that office."

Jeff Lawrence, a former deputy public defender who left the office in October after 12 years, agreed.

"You walked around in fear for your job," said Lawrence, who now is a sole practitioner. "A lot of the senior PDs left or were pushed out early. I knew one person who quit to take a job that paid half as much."

Boxer, a graduate of Benjamin N. Cardozo School of Law in New York, worked in private practice for several years before becoming a Los Angeles County deputy public defender in 1995. She later worked for the Orange

County alternate and associate public defender's offices before being hired as San Bernardino County's public defender in March 2006.

Boxer came into the office as it was still reeling from the resignation of its previous leader, John Roth, a year earlier. Roth, who had served since 2000, quit after supervisors suspended him for hiring a lawyer with a criminal record.

Roth's predecessor, David McKenna, left the office in 1999 after hiring several lawyers and investigators without supervisors' approval.

On Tuesday, county supervisors tapped Phyllis Kay Morris-Green, a longtime attorney in the public defender's office, as interim public defender. Morris-Green, the county's first African-American public defender, has served in the office since 1984. She has been a chief public defender since 2002.

"This department is very special to me, in terms of its mission and the fact that it has been my home for my entire career," Morris-Green said in a statement. "I look forward to leading this office by building upon the positive and focusing on the future."

Boxer, who said she plans to go into a private practice handling criminal, appellate and family law cases, said she significantly improved the office during her tenure. She said she drastically cut instances in which judges removed deputy public defenders from cases for incompetence, decreased the amount of time it took to get defendants to trial, and said she started the first public defender investigator's training program in the county.

"I built the structure that I wanted to build," she said.

jason\_armstrong@dailyjournal.com