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ORANGE COUNTY, CALIFORNIA

TODD SPITZER

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Orange County District Attorney Todd Spitzer Issues Statement Regarding U.S. Department of Justice Report on Jailhouse Informants

SANTA ANA, Calif. – Orange County District Attorney Todd Spitzer issued the following statement today regarding the Department of Justice Report on Jailhouse Informants:

The Department of Justice investigation acknowledges that there has not been a jailhouse informant program Orange County since 2016.

Overwhelmingly, the Department of Justice report repeats the very issues that I ran on to become the elected District Attorney of Orange County – which is to clean up the public corruption that existed under the prior administration.

I have been cooperating fully with the United States Department of Justice's Civil Rights Division over the entire four years I have served as District Attorney. Immediate action was necessary to implement significant and meaningful reforms to safeguard the criminal justice system from the abuses carried out by the prior administration and I took immediate action. I refuse to allow the constitutional violations that occurred from 2007-2016 from being repeated and to provide relief to defendants whose rights were violated.

Throughout this multi-year investigation, I repeatedly asked the DOJ for input on the numerous reforms I have implemented, including the prohibition of utilizing a jailhouse informant without the express consent of the elected District Attorney, and asked for suggestions on additional reforms that the DOJ would like to have in place.

After learning the California Attorney General had abandoned its probe into the OCDA and OCSD and while waiting for the DOJ to conclude its review, I launched my own outside investigation into the informant issue. As a result, I fired a senior assistant district attorney for failing to properly disclose informant information to the defense. Two other veteran homicide prosecutors resigned or retired while they were under investigation. The report ultimately concluded that they committed intentional negligence in connection with the prosecution of People v. Dekraai.

This report confirms exactly what we already knew – there was a robust jailhouse informant program within the Orange County jail with the intent to elicit incriminating statements from represented defendants in violation of their

constitutional rights. Much of this activity was being hid from prosecutors, preventing the proper disclosure of informant information. This is unacceptable.

I have made in unequivocally clear that I refuse to accept the “win-at-all costs” mentality of the prior OCDA administration. The violation of a single defendant’s constitutional rights calls into question the fairness of the entire criminal justice system – and I have terminated cheaters who violated defendants’ rights and I will continue to do so.

I look forward to continuing to work with the Department of Justice and the Orange County Sheriff’s Department to implement additional reforms that will safeguard the criminal system and ensure the fair administration of justice for all.

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