

CRIMINAL COURTS BAR ASSOCIATION NEWSLETTER

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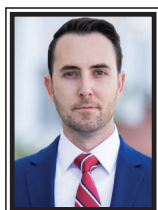
June 2024



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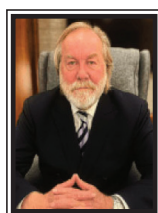
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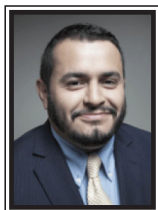
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MEET THE BENCH: HONORABLE

DAVID V. HERRIFORD

CCBA is pleased to introduce the Honorable David V. Herriford, judge in Department 132 at the Clara Shortridge Foltz Criminal Justice Center. Judge Herriford presides over pretrial hearings and felony jury trials. He received both his bachelor's degree and juris doctorate from the prestigious Stanford University.



His legal career began at Long & Levit, specializing in civil insurance defense in Century City, where Judge Herriford primarily handled tort liability cases. He then transitioned into criminal law, becoming a deputy district attorney at the Los Angeles County District Attorney's Office. There, he served in the juvenile gangs unit and as a line trial prosecutor. Judge Herriford later entered private practice, handling both civil and criminal cases at McKinney, Peters, and Granville, before becoming a solo practitioner. While in private practice, Judge Herriford was a long-time member of the CCBA and ICDA.

In 2010, Judge Herriford was appointed to the bench by then-Governor Arnold Schwarzenegger. He served as a site judge at the Metropolitan Courthouse and as the Supervising Judge for limited jurisdiction, roles that introduced him to many fellow judges with whom he remains friends today.

Judge Herriford fondly recalls his early days as a bench officer, tackling the nuances of misdemeanor calendar with the invaluable support of his court staff. Remarkably, he has worked with the same judicial assistant for 12 years and has maintained the same court reporter since his initial appointment.

Outside the courtroom, Judge Herriford enjoys playing golf, tennis, traveling, and attending Clippers games. CCBA extends its gratitude to Judge Herriford for his dedicated service to the judiciary.



**MEET THE
DISTRICT ATTORNEY:
ANET BADALI**



CCBA is pleased to introduce Deputy District Attorney Anet Badali. Before settling in Los Angeles, Ms. Badali lived in Iran and France. She attended the University of California Irvine for her undergraduate studies and earned her law degree from Southwestern University. Before becoming a prosecutor, she worked in medical malpractice while awaiting hiring opportunities at the Los Angeles County District Attorney's Office. She is currently assigned to the Community Violence Reduction Division, formerly known as the Hardcore Gang Division.

Ms. Badali pursued a career in law specifically to become a deputy district attorney, with a strong focus on advocating for crime victims. Her journey began in high school, where she volunteered at a local criminal courthouse to familiarize herself with the day-to-day operations. In college, she majored in criminology, law, and society, and conducted research on domestic violence in Santa Ana with faculty advisors. In 2011, while attending law school, she clerked for the Los Angeles County District Attorney's Office, an experience that solidified her desire to become a prosecutor.

Ms. Badali finds it rewarding to connect with crime victims and their families. She recognizes the profound impact gang violence has on the community and the lasting effects it carries. Providing victims with a sense of justice and closure, and instilling confidence in the system, is extremely fulfilling for her.

In her free time, Ms. Badali enjoys outdoor activities, traveling, attending comedy shows, and spending time with her husband. CCBA thanks and recognizes Ms. Badali for her dedicated service to her office and the community.

**MEET THE
ALT. PUBLIC DEFENDER:
JASON SANABRIA**



Introducing Los Angeles Deputy Alternate Public Defender, Mr. Jason Sanabria. A San Jose, California native, Mr. Sanabria earned his undergraduate degree from the University of California Los Angeles, and his law degree from Whittier Law School. He began his legal career in criminal defense at a firm in Orange County. Fascinated by criminal law, whether it involves prosecuting or defending, Mr. Sanabria later joined the Los Angeles Public Defender's Office, serving there for approximately five years.

After a brief stint in private practice, he returned to government service at the Los Angeles Alternate Public Defender's Office. He is currently a trial attorney at the Norwalk Courthouse, but is also assigned to special circumstances cases across the county. Impressively, Mr. Sanabria won his first three murder trials at the Compton Courthouse. Today, he's assigned to some of the county's most complex murder cases.

Mr. Sanabria appreciates the camaraderie and support of his colleagues, considering them invaluable to his success. Over the years, he has formed lasting friendships with both office colleagues and prosecutors. He is thankful for the guidance of Mr. Bob Cortez, who was instrumental in mentoring him for capital cases, and Mr. Steve Schoenfeld, who provided significant guidance during his early years as a young public defender.

Outside of work, Mr. Sanabria enjoys surfing, paddle boarding, and spending time with his family. CCBA recognizes Mr. Sanabria for his unwavering dedication to his office and his service to his clients.



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MEET THE PUBLIC DEFENDER: DANA SHERMAN



Introducing Los Angeles Deputy Public Defender Dana Sherman, who is currently assigned to the juvenile unit at the Compton courthouse. A native of Los Angeles, Ms. Sherman earned her undergraduate degree from the University of Colorado at Boulder, and her law degree from the University of California Hastings College of Law.

Ms. Sherman is deeply committed to working with children and the less fortunate. She pursued a career in law with the specific aim of advocating for children. While in law school, she clerked for the Presiding Judge of the Juvenile Division of Alameda County. During this time, she initiated a garden program in Juvenile Hall that encouraged community donations of supplies to benefit those less fortunate.

Before joining the Los Angeles County Public Defender's Office, Ms. Sherman served as a Deputy Public Defender in Orange County. She finds juvenile work to be of utmost importance and believes strongly in the potential for children to change their paths. She describes her role in the juvenile unit as her dream job, appreciating the court's focus on rehabilitation and treatment over punishment.

Ms. Sherman acknowledges the mentorship of Deputy Public Defender Yali Corea-Levy, who provided invaluable guidance during her time as a law clerk in San Francisco. She also recognizes Orange County Assistant Deputy Public Defender Scott Sanders. As her first supervisor, Mr. Sanders was instrumental in her career development, supporting her through her cases from start to finish.

Outside of the courtroom, Ms. Sherman enjoys dancing, traveling, and attending live music shows. CCBA recognizes and thanks Ms. Sherman for her dedication to helping the youth in the juvenile justice system.

CCBA JUNE WEBINAR

*CCBA is pleased
to announce its
June Webinar:*

**"Lights, Camera, Objection!
How to Effectively Handle a
High Profile Case"**

featuring

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*You may register for
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FOURTH AMENDMENT PUBLISHED OPINIONS

The Ninth Circuit held that police officers' warrantless search of defendant's apartment was invalid despite defendant's co-tenant consenting to entry under Randolph v. Georgia (2006) 547 U.S. 103. The Court noted that while defendant was detained, he objected to entry while still in the immediate vicinity of his residence. United States v. Parkins (9th Cir. 2024) 92 F.4th 882.

Defendant was unlawfully detained after police officers approached his vehicle at 9:00 p.m., with both officers standing on each side of the vehicle and illuminating it with their flashlights. The officers later learning of defendant's parole status did not attenuate the initial unlawful detention. People v. Paul (2024) 99 Cal.App.5th 832.

Questioning by an officer that is unrelated to traffic detention did not unlawfully prolong the detention because it did not measurably extend the duration of the stop. A subsequent discovery of a firearm that connected the defendant to a murder was admissible. People v. Felix (2024) 100 Cal. App.5th 439.

Defendant was unlawfully detained without reasonable suspicion when the police pulled their car within a few feet of defendant's open driver's side door, surrounded his car in dark, and, at close range, aimed two flashlights on him, where reasonable person would not have felt free to leave. People v. Jackson (2024) 100 Cal.App.5th 730.

Defendant did not have an objectively reasonable expectation of privacy when he traversed a public right of way in the city downtown area in the middle of a business day, and thus police officers' actions in accessing streetlight camera footage maintained by city that captured defendant's image did not amount to warrantless search in violation of Fourth Amendment. People v. Cartwright (2024) 99 Cal.App.5th 98.

Failing to give a defendant proper notice of the search of his cellular device under CalEPCA did not result in the suppression of evidence under the Fourth Amendment. People v. Campos (2024) 98 Cal.App.5th 1281.

The Ninth Circuit held that CHP officers did not violate the Fourth Amendment in their search of defendant's cell phone made possible by the officers' forced use of defendant's thumb to unlock the device. The Court further held that, despite the language of a special search condition of defendant's parole, requiring him to surrender any electronic device and provide a pass key or code, but not requiring him to provide a biometric identifier to unlock the device, the search was authorized under a general search condition, mandated by California law, allowing the suspicion less search of any property under defendant's control. The Court also held that Riley v. California (2014) 573 U.S. 373 does not apply to parole searches of a cell phone. United States v. Payne (9th Cir. 2024) 99 F.4th 495.

The Ninth Circuit held that asking about parole status during a traffic stop does not offend the Fourth Amendment because the question reasonably relates to the officer's safety and imposes negligible burden. United States v. Ramirez (9th Cir. 2024) 98 F.4th 1141.

The California Supreme Court ruled that the defendant was unlawfully detained under Terry v. Ohio (1968) 392 U.S. 1 after the police observed him in a high-crime area known for gang and narcotics activity, where defendant acted suspiciously by hiding and ducking behind his vehicle multiple times. People v. Flores (2024) 546 P.3d 1114.

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CRIMINAL COURTS BAR ASSOCIATION 69TH ANNUAL AWARDS DINNER





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