



KAMALA D. HARRIS
DISTRICT ATTORNEY
CITY AND COUNTY OF SAN FRANCISCO

June 1, 2010

~~REDACTED~~
555 7TH STREET
SAN FRANCISCO, CALIFORNIA 94103

Dear Sir/Madam:

Our records show that you (or your office) acted as the attorney for the below-named defendant:

~~REDACTED~~
SCN
~~REDACTED~~

This letter is to advise you that Deborah Madden, a former criminalist with the San Francisco Police Department Crime Laboratory, was involved with this case. The San Francisco District Attorney's Office recently learned that Ms. Madden suffered a misdemeanor conviction for Penal Code 273.5 and 594(b)(4) in 2008. Ms. Madden is no longer an employee of the San Francisco Police Department.

To comply with our "Brady" obligation, the District Attorney's Office is reviewing all known files/cases involving Ms. Madden and notifying the defense once a case has been found. We have determined that Ms. Madden either tested at least one sample in this case, reviewed the test results, testified as a witness during the preliminary hearing and/or trial or in some way was a material witness. For this reason, you are being sent this letter so that you may take whatever actions you determine to be appropriate. However, please be advised that if this case resolved by way of a plea prior to Ms. Madden testifying as a witness, this Office will oppose any motions to set aside the plea pursuant to the U.S. Supreme Court's decision in U.S. v. Ruiz (2002) 536 U.S. 622. (See also, U.S. v. Moussaoui (4th Circuit 2010) 591 F.3d 263, 285, and Eulloqui v. Superior Court (2010) 181 Cal.App.4th 1055, 1068.)

Very Truly Yours,

Sharon L. Woo
Assistant District Attorney



DISTRICT ATTORNEY
CITY AND COUNTY OF SAN FRANCISCO

June 7, 2010

Mr. Christopher Gauger
Office of the Public Defender - Research Unit
555 Seventh Avenue,¹
San Francisco, CA 94103

Case: People v. [REDACTED]
Attorney of Record: [REDACTED]

Dear Mr. Gauger:

Our records show that your office acted as the attorney for the above-named defendant. This letter is to advise you that Ann Marie Gordon, the Manager & Supervising Forensic Toxicologist with the Office of the Chief Medical Examiner of San Francisco, was involved in this case. The San Francisco District Attorney's Office recently learned that Ms. Gordon was sanctioned on January 30, 2008 by a panel of Washington State District Court Judges for falsely signing certifications under penalty of perjury regarding the preparation and testing of toxicology equipment. That court found Ms. Gordon's practices to be "disturbing", characterizing them as "ethical compromises" that were both "petty" and "alarming". [FN1] To comply with our obligation under *Brady v. Maryland* (1963) 373 U.S. 83, 87, the District Attorney's Office is reviewing all known trial files/cases involving Ms. Gordon and notifying the defense once a case has been found. We have determined that Ms. Gordon testified at the jury trial of your client, *and that this newly-discovered information may have been material to the outcome of the trial. Kyles v. Whitley* (1995) 514 U.S. 419, 440-441; *Strickler v. Greene* (1999) 527 U.S. 263, 280. For this reason, you are being sent this letter so that you may take whatever actions you determine to be appropriate.

Very Truly Yours,

Jerry P. Coleman
Assistant District Attorney,
Managing Attorney, Trial Integrity Unit