

Department of Justice
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Justice Department Opens Investigations of Orange County, California, District Attorney's Office and Sheriff's Department

The Justice Department today opened a civil pattern-or-practice investigation into the Orange County District Attorney's Office and the Orange County Sheriff's Department, pursuant to the Violent Crime Control and Law Enforcement Act of 1994.

The investigation will focus on allegations that the district attorney's office and the sheriff's department systematically used jailhouse informants to elicit incriminating statements from specific inmates who had been charged and were represented by counsel, in violation of the Sixth Amendment. Additionally, the investigation will seek to determine whether the district attorney's office committed systematic violations of defendants' 14th Amendment due process rights under *Brady v. Maryland*, a 1963 Supreme Court case, by failing to disclose promises of leniency that would have substantially undermined the credibility of the informants' trial testimony.

Orange County District Attorney Tony Rackauckas requested that the Justice Department review his office's informant policies and practices and offered unfettered access to documents and personnel.

"A systematic failure to protect the right to counsel and to a fair trial makes criminal proceedings fundamentally unfair and diminishes the public's faith in the integrity of the justice system," said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Civil Rights Division. "Our investigation will examine the facts and evidence to determine whether the district attorney's office and sheriff's department engaged in a pattern or practice of violating these rights. We are grateful to District Attorney Rackauckas for the unrestricted access he has offered to provide."

"We appreciate the District Attorney's invitation to review his office's policies and practices, along with his assurance of unfettered access to documents and personnel in his office," said U.S. Attorney Eileen Decker of the Central District of California. "We are confident that this investigation, and the cooperation being offered by the Orange County District Attorney's Office, will help restore public confidence in the integrity of the Orange County criminal justice system."

Attorneys from the Civil Rights Division's Special Litigation Section and the U.S. Attorney's Office of the Central District of California are jointly conducting this investigation. For more information on the Civil Rights Division, please visit www.justice.gov/crt. For more information about the U.S. Attorney's Office of the Central District of California, please visit <https://www.justice.gov/usao/district/cdea>.