

1 DENNIS J. HERRERA, State Bar #139669  
City Attorney  
2 JESSE CAPIN SMITH, State Bar #122517  
Chief Assistant City Attorney  
3 SHERRI SOKELAND KAISER, State Bar #197986  
PETER J. KEITH, State Bar #206482  
Deputy City Attorneys  
4 1390 Market Street, Suite 700  
San Francisco, California 94102-5408  
5 Telephone: (415) 554-3886 (Kaiser)  
Telephone: (415) 554-3908 (Keith)  
6 Facsimile: (415) 554-6747  
E-Mail: sherri.kaiser@sfgov.org  
7 peter.keith@sfgov.org

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9 ETHICS COMMISSION

10 CITY AND COUNTY OF SAN FRANCISCO

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12 In the Matter of Charges Against  
13 ROSS MIRKARIMI,  
14 Sheriff, City and County of San Francisco.

**MAYOR'S INITIAL LIST OF  
SUBJECT-MATTER EXPERT  
WITNESSES**  
[San Francisco Charter Section 15.105]

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19 In response to the Ethics Commission's April 23, 2012 directions to the parties, the Mayor  
20 hereby submits the following list of subject-matter expert witnesses who may provide testimony in  
21 this matter. The Mayor may not call all of these witnesses and may not elicit testimony on all of the  
22 listed subjects. The Mayor reserves the right to supplement this list with additional witnesses or  
23 additional subjects of testimony as needed to address subsequently discovered information.

24 1. Michael Gennaco. Mr. Gennaco is an expert in peace officer misconduct  
25 investigations, prosecutions and discipline. Since 2001, he has served as the Chief Attorney of the  
26 Office of Independent Review (OIR), an independent oversight group created by the Los Angeles  
27 County Board of Supervisors to monitor allegations of officer misconduct at the Los Angeles  
28 County Sheriff's Department, provide legal advice, and recommend appropriate discipline. Prior to

1 leading the OIR, Mr. Gennaco served as the Chief of the Civil Rights Section of the Los Angeles  
2 Office of the United States Attorney, where he was responsible for overseeing all police misconduct  
3 investigations and prosecutions for the Central District of California. Mr. Gennaco is expected to  
4 testify about peace officer misconduct investigations, prosecutions and discipline; standards of  
5 professional conduct for peace officers; whether the misconduct alleged in this case falls below  
6 such standards and, if so, the appropriate level of discipline for such misconduct; and the impact  
7 that the alleged misconduct would have on a chief law enforcement officer's effectiveness in  
8 discharging the disciplinary responsibilities of his office.

9       2.     Chief William M. Lansdowne. Chief Lansdowne is an expert in the ethical and  
10 professional obligations of chief law enforcement officers. He has spent 47 years in law  
11 enforcement, with 17 of those years as Chief. He is currently the Chief of Police in San Diego, a  
12 position he has held since 2003. Prior to that, Chief Lansdowne led the San Jose Police Department  
13 from 1998 to 2003 and the Richmond Police Department from 1994 to 1998. For the last 12 years,  
14 Chief Lansdowne has been the Western Regional Representative of the Major Cities Chiefs  
15 Association, a professional association of Chiefs and Sheriffs representing the sixty-three largest  
16 law enforcement agencies in the United States. He is also on the board of the Police Executive  
17 Research Forum (PERF) and teaches a yearly course on the ethical obligations of being a chief as  
18 part of its Senior Management Institute for Police. Chief Lansdowne is expected to testify about the  
19 standards of professional conduct for a chief law enforcement officer in a major California city;  
20 whether the misconduct alleged in this case falls below such standards; and the impact that the  
21 alleged misconduct would have on a chief law enforcement officer's effectiveness in discharging the  
22 responsibilities of office.

23       3.     Nancy K.D. Lemon. Ms. Lemon is an expert in domestic violence. She received her  
24 J.D. from Boalt Hall School of Law in 1980 and has taught Domestic Violence Law there since  
25 1988. She also directs the school's Domestic Violence Practicum. Her textbook, *Domestic Violence*  
26 *Law* (3d ed. West 2009), is the first published curriculum on this topic and is used in law schools  
27 around the US. Since 1979, Ms. Lemon has interviewed well over 1500 victims of domestic  
28 violence, represented hundreds of battered women and a few battered men, and advocated for them

1 with the civil and criminal justice systems, and has testified as an expert witness in 60 cases. She  
2 has published numerous books and articles on domestic violence, and has trained hundreds of  
3 judges, police officers, prosecutors, court employees, custody evaluators, mediators, social workers,  
4 and domestic violence advocates on domestic violence dynamics and laws. Ms. Lemon is expected  
5 to testify about the identifying characteristics of domestic violence, behavior patterns of abusers and  
6 victims, and the extent to which the alleged conduct of Sheriff Mirkarimi can be understood as  
7 consistent with a pattern of domestic violence.

8 4. Chief Wendy Still. Chief Still is a penologist and criminologist with expertise in  
9 prison oversight, rehabilitation, and community corrections. Chief Still's 26 years of correctional  
10 work experience includes operating, managing, and performing direct supervision and operational  
11 oversight for up to ten male and female prisons with approximately 40,000 inmates and 15,000 staff  
12 for the California Department of Corrections and Rehabilitation (CDCR), where she served as  
13 Southern Regional Prison Administrator, Associate Director Female Offender Programs and  
14 Services, Deputy Director of Finance, Chief of Regulation and Policy Management, and Prison  
15 Rape Elimination Act (PREA) Executive Project Director. Chief Still has also provided expert  
16 reports and testimony in prison-related litigation and has testified in over 300 California Senate and  
17 Assembly legislative hearings related to prison and correctional issues. Chief Still is expected to  
18 testify about the standards of professional conduct for a chief corrections officer charged with  
19 overseeing a corrections facility; whether the misconduct alleged in this case falls below such  
20 standards; and the impact that the alleged misconduct would have on a chief corrections officer's  
21 effectiveness in discharging the responsibilities of office.

22 5. Elizabeth Aguilar Tarchi. Ms. Aguilar Tarchi is an Assistant District Attorney in the  
23 San Francisco District Attorney's Office and an expert in criminal domestic violence prosecution.  
24 She served as Managing Attorney of the Domestic Violence Unit for two administrations. Ms.  
25 Aguilar Tarchi has extensive experience as an Instructor with the California District Attorneys  
26 Association (CDAA), teaching courses in the area of domestic violence, stalking and domestic  
27 violence trial litigation strategies. She has also lectured at Hastings College of the Law, Golden  
28 Gate Law School and numerous conferences throughout the state on domestic violence law and

1 prosecution strategies. Ms. Aguilar Tarchi is expected to testify about domestic violence  
2 prosecutions, including evaluating, charging, prosecuting, plea bargaining, sentencing and  
3 subsequent probation in domestic violence cases.

4 6. Beverly Upton. Ms. Upton is an expert in domestic violence advocacy in the Bay  
5 Area in both the private and public sectors. She is the Executive Director of San Francisco  
6 Domestic Violence Consortium, a 17-member consortium of domestic violence organizations  
7 committed to effective direct services and public policy. She serves on advisory committees for  
8 both the Safestart and Justice & Courage initiatives in San Francisco as well as the CalWorks  
9 oversight committee. She also serves as a co-chair of the Mayor's Family Violence Council. Ms.  
10 Upton is expected to testify about the City's history of working in collaboration with the domestic  
11 violence community to improve domestic violence-related policies and intervention strategies, the  
12 role of the Sheriff's Office in regard to domestic violence in San Francisco, and the effects of a  
13 domestic violence conviction on the Sheriff's ability to fulfill his function in regard to domestic  
14 violence-related policy and interventions.

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16 Although the Mayor has diligently sought to meet his expert disclosure deadline in all  
17 regards, the Mayor is currently unable to finalize the disclosure of the Mayor's intended expert in  
18 batterer treatment and restorative justice. The Mayor anticipates making a supplemental disclosure  
19 of that expert as quickly as circumstances permit.

20 DATED: May 7, 2012

21 DENNIS J. HERRERA  
City Attorney  
22 JESSE C. SMITH  
Chief Assistant City Attorney  
23 SHERRI SOKELAND KAISER  
24 PETER J. KEITH  
Deputy City Attorneys

25 By: /s/ Sherri S. Kaiser  
26 SHERRI SOKELAND KAISER

27 Attorneys for MAYOR EDWIN M. LEE  
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