

STATEMENT BY TONY RACKAUCKAS

I just feel terrible for the women who had the courage to come forward and give their evidence to the authorities in this case. It's hard for them to make these reports about things that were so very humiliating in the first place then have to relive the pain. Certainly, any prosecutor should think long and hard before dismissing such a case where multiple women have independently come forward and subjected themselves to the hard process of bearing their souls to the authorities. I just hope they're not being sold down the river for some twisted political motive.

Paul Walters, Chief of the OCDA bureau, brought this case to the attention of the executive staff, including me, in 2018 after the case was initially investigated. After the press attention, dozens of complainants came forward with allegations of drugging and/or sexual assault. I reassigned the case to a senior deputy district attorney who gave a fresh and thorough review to the case. This experienced prosecutor filed the complaints that will now be dismissed.

I have had no information or involvement in this case since I left the office more than a year ago. I understand that the current district attorney conducted multiple reviews of the case and initially determined that the case was good. He eventually removed the senior prosecutor and any other prosecutors assigned to this case. I also learned from his press conference that a district attorney investigator has now been put on leave.

It is possible that new evidence was developed and certainly I have dismissed cases (People v. Angela Diaz), and even reversed convictions when I did not have confidence in the evidence (People v. McKinney).

However, considering the complaint contained seven Jane Does, it is too bad the public now does not have the chance to explore the truth during a preliminary hearing. Further, it is my understanding that the Jane Does in this case were not afforded the dignity of being notified about the dismissal prior to today's press conference. I hope the dismissal of this case was not based on the district attorney's relationship with one of the criminal defense attorneys, nor due to his political vendetta against me. Even if all of his allegations against me and my former chief of staff were true, and they are not, the remedy should not be dismissal. My heart goes out to the women who had the courage to come forward with their complaint, because I believed their complaints based on the evidence I had before leaving office.