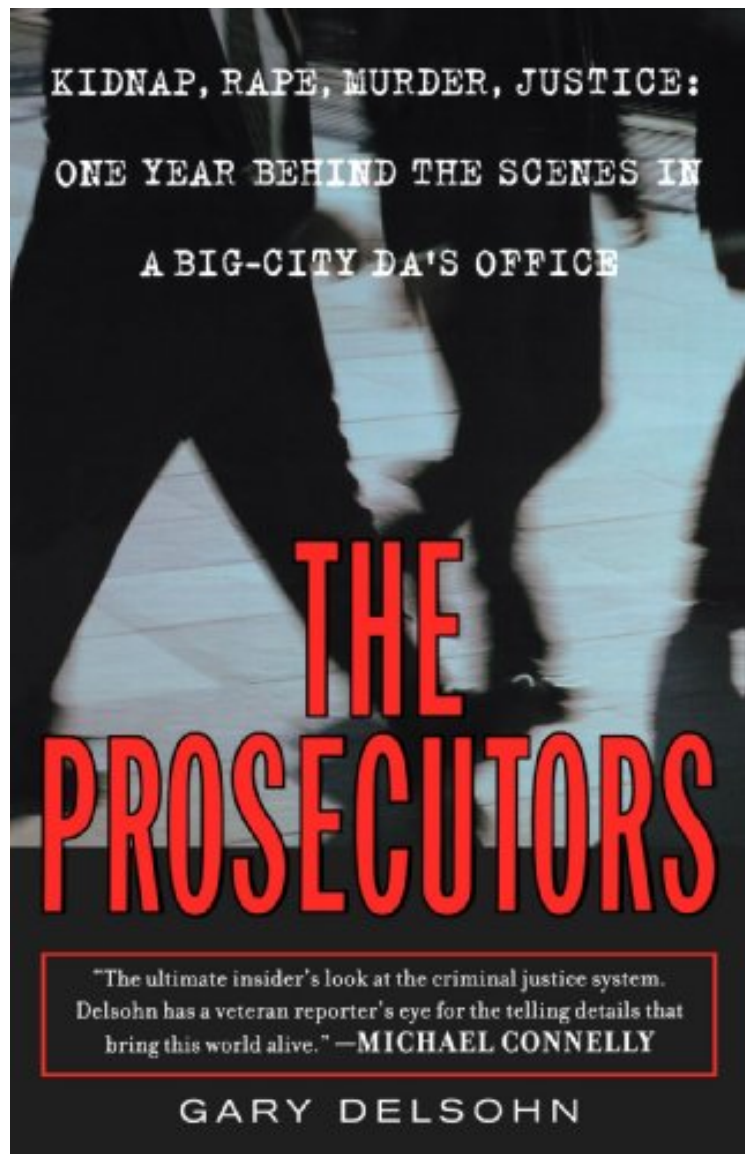


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The Prosecutors: Kidnap, Rape, Murder, Justice: One Year Behind the Scenes in a Big City D.A.'s Office

Gary Delsohn

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Rick Brewer thought the robbery would be easy in, easy out when he rounded up a team to rob the Bread Store. But when they arrived, there was no money, and Brewer shot employee Jason Frost three times at close range with a sawed-off Mossberg shotgun. John OMara, for twenty years the top prosecutor in Sacramento's homicide division, must decide whether or not to seek the death penalty, and his team of prosecutors must fight for justice for the family and the state.This case and others that are just as shocking, including the case against Nikolay Soltys, the Ukrainian migr who slit the throat of his pregnant wife and then killed four members of his family, including his three-year-old son, and a high-profile case involving the SLA and Patty Hearst is the subject of *The Prosecutors*, a graphic, behind-the-scenes look at how the criminal justice system really operates.

"The Prosecutors is the ultimate insiders look at the criminal justice system."Michael Connelly, bestselling author of *Lost Light*"Detailed, insightful reporting...[A] remarkable book."The Seattle Times"This is a gripping insider account the good, the bad and ugly, the ambitious, the all-too-human, and the gossipy."The OregonianAbout the AuthorGary Delsohn is a senior writer for The Sacramento Bee. A recipient of the Alicia Patterson Foundation Fellowship, he is a past Knight Fellow at Stanford University. His work has been featured in Salon.com, The Denver Post, and the Denver Rocky Mountain News.Excerpt. Reprinted by permission. All rights reserved.Easy In, Easy OutThat went sour downtown. That went real sour downtown.Rick Brewer to Carlos CervantesNOTHING could go wrong. That's what Rick Brewer told everyone. With a crew he could trust, Brewer knew there was a pile of cash waiting to be slipped into his empty pockets. A mean-eyed twenty-four-year-old parolee with a drug-addict girlfriend and three young children to feed, Brewer knew from experience that the Bread Store, a popular sandwich shop and bakery about a mile east of the California Capitol in Midtown Sacramento, was an easy target.On November 23, 1996, just before 6:00 p.m., as the day's cash was about to be emptied from the registers and placed into a floor safe that could not be opened until the owners arrived the next morning, Brewer, a Latino, and an accomplice identified by witnesses as a tall, thin black man, slipped in through an open back door and held up the place. Between the registers and the employees' wallets they stole \$1,903.42. Brewer's getaway driver was his sister, Angelina, who waited in the alley in her white Jeep Cherokee. The tall black man was Michael Smith, a paroled felon whose crime of choice was robbing small Sacramento motels. The stocky, slump-shouldered Brewer, wearing a child's skeleton mask from Halloween and carrying his beloved Mossberg pistol-gripped twelve-gauge shotgun, scared the shit out of the employees who were closing up. No one was dumb enough to give the robbers any trouble. Not with Brewer and his ugly brown-and-black Mossberg that measured a menacing twenty-eight inches from its finger-sculpted grip to its deadly muzzle opening staring them in the face. It was a snapeasy in, easy out.A month later, Christmas was coming. Brewer and his girlfriend, Marichu Flores, liked to party and get loaded. Their favorite drugs were cocaine and marijuana. Flores liked crank too. She used it heavily when she was pregnant with her then five-month-old son, Rick Brewer, Jr., and the baby suffered from drug-induced tremors when he was born.The couple was not in the Christmas spirit, however. They'd been fighting even more than usual. Worn out and depressed, Flores had checked herself into a county mental health facility for some peace. When Brewer called to find out when she'd be coming home, he got belligerent at the nurses stonewalling and threatened her. I have the same thing the cops have, he barked into the phone, apparently referring to a gun. The nurse reported the threat and because he was a paroled felon, police came to search for the weapon. They couldn't find it, but a few days later caseworkers from the state's Child Protective Services agency came and took away his three children. Brewer ran for his shotgun, retrieved it from its hiding place, and was

about to chase the CPS workers down the stairs of his apartment complex when Smith, who was with him at the time, stopped him. Brewer had already served time in state prison for dealing drugs and had no job skills or prospects. He was mad at the world. His kids and lady were gone. He was broke. Why not hit the Bread Store again? Brewer didn't want to use his sister this time. Smith's cover was blown because he had refused to wear a mask in the first robbery. Brewer wanted a new crew, people he could control more easily. Because he and Flores had lived in Southside Park before they moved a few months earlier to an apartment several miles north, he was familiar with a lot of the young wanna-be gangsters in the area. Southside is a rough part of Sacramento that sits on the southern edge of downtown. The new office towers and a downtown mall are achingly close by, but the only common ground between the impoverished streets of Southside and the shiny buildings a few blocks north is at lunchtime, when the secretaries and state office workers put on their running shoes and jog around the well-worn track at the park's edge. At night, Southside Park itself is a haven for drug dealers and gangbangers, despite a couple of new housing complexes sponsored by the city and a few brave urban homesteaders. Brewer knew the scene. He had plenty of punks to enlist from the collection of unsupervised teenage males who used the park to hang out and get wasted. Because everyone in the neighborhood knew Brewer had been to the joint and wasn't reluctant to kick someone's ass when necessary, many of these punks both looked up to him and were afraid of him. None of them would give him any shit. Easy in, easy out, he told sixteen-year-old Carlos Cervantes, a sweet-faced kid who liked to steal cars and was among Brewer's Southside admirers. When he wasn't smoking dope, Cervantes would sometimes play touch football in the park with his two younger brothers. He could run like a track star and dreamed of becoming a professional football player, but he was too little and undisciplined to have a chance. Wanna make some money? Brewer asked him a few days before Christmas. You down for a lick? Yeah, man, I'm down, Los, as his neighborhood buds called him, assured Brewer. He didn't want to appear weak in front of him. For a wheelman, Brewer chose Bobby Dixon, a twenty-three-year-old parolee who was only three weeks out of state prison for grand theft auto. Brewer had grown up with Dixon, a tall, skinny black man who, like Carlos, could barely read or write but had an uncanny talent for being able to bust into a locked car, get it started, and rip it off in less than five minutes. Brewer, whose father and grandfather had each served time in state prison for robbery and drug-related crimes, felt he could trust Dixon. If they got caught, Brewer knew Dixon would keep things quiet with the cops. Dixon knew how things worked. He'd served almost two years of a three-year sentence for the auto theft and a prior purse-snatching. On November 29, 1996 six days after Brewer first robbed the Bread Store Dixon was released on parole and came to live in Southside with his grandmother. He needed cash. He could be depended on. Brewer considered him rock-solid loyal. Dixon wasn't too bright, but he understood what a snitch's life was worth. Brewer was the only one in the group who had a car that ran, a ratty old 1976 Cutlass, but he wasn't about to use it in a robbery. They needed some wheels, a G-ride they could dump right after the job. It was up to Dixon and Cervantes to find one. The term G-ride came from the gangsta rap music Brewer and his pals liked to listen to while they drank malt liquor and hung out in the park. Dr. Dre, Snoop Dogg, Ice Cube. That was their language, the slang of the streets. A gangster's car was his G-ride, a robbery was a lick. Everything was cool. Three days before Christmas, Dixon and Cervantes were walking around the neighborhood when they found their G-ride parked outside a dive not far from the park called the Monte Carlo Club. The black, four-door 1992 GMC Jimmy was sitting in the alley. It was a snap to jack. Dixon smashed the driver's side window, got in, and, using a screwdriver he kept in his back pocket, started tinkering with the steering column until the engine started. Dixon told his pals that when they finished using the G-ride, he planned to get some help and take the motor out and put it into his own dead 1976 Buick Skylark. As soon as he got his hands on the Jimmy, Dixon was driving the hot truck like a wild man around the streets of his neighborhood. He'd burn rubber and peel down the street, try to take a turn on two wheels. He did doughnuts, accelerating and slamming the brakes so the car spun in a circle. He wanted everyone to see his new ill-gotten toy. Less than a month out of the joint for the same crime and he's showing all the punks in the street how he makes his own damn rules. Fuck the cops. It was a game to Dixon and his boys. Brewer wanted a couple more guys to go in and help him loot the place and make sure the employees followed his orders without a fuss. Rickie Martinez and James David Glica were sixteen-year-old gangbangers who knew Brewer from when they used to visit their girlfriends in the apartment complex Brewer and Flores lived in. Martinez was a short and stocky wiseass who didn't do much except drink, say motherfucker a lot, and chase girls. His mom, Rhonda Ybarra, tried desperately to keep an eye on him and make sure he stayed in school, but she had too many of her own problems to make it happen. She had a steady job with the state but lousy taste in men. She freely admits drinking and drugging too much while Rickie was growing up. Rickie's dad used to slap her around and spent time in state prison for a variety of crimes, most having to do with drugs. She remarried another felon who drank and abused her and Rickie. Martinez had been in and out of several juvenile offender facilities for crimes that included possession of a loaded .38-caliber handgun at school, stealing cars, throwing rocks at a moving car, assault, and robbery. Glica was different. He was bright, curious about the world. He was a talented artist, good enough to be a professional illustrator. His father is a minister who also worked for the Sacramento Opera Association, but Glica and he were not very close. J.D.'s parents divorced when he was about twelve, and his mom moved with the kids to Arizona to get her son away from his gang associations in Sacramento. He moved back to town to stay with his dad, who is a gay fact that often landed J.D. on the short end of fights trying to

stick up for him when he did attend school. Unhappy and on his own most of the time, Glica had a temper. He had been arrested for seriously beating a twenty-five-year-old man who simply came up to him on a street in Davis, a college town fifteen miles west of Sacramento, and asked him if he knew where a party was. On the afternoon of December 23, 1996, Glica and Martinez wandered over to the park to hang with their homies. Brewer asked if they wanted to pull a lick downtown. Neither had the balls or the inclination to say no. Trevor Garcia, twenty-three, a year younger than Brewer, was dough faced and pudgy. He was a dooper and acute diabetic whose parents were divorced. He and his dad had moved about a year earlier from the Bay Area to the same apartment complex Brewer and Flores lived in. Affable and more laid back than the others, Garcia had no menace in him. He needed insulin shots twice a day and also had to take medicine for high blood pressure and to regulate his kidneys. He wasn't an angel, but Garcia had no criminal record. Twice in recent years his kidneys had failed and he had to be rushed to the hospital. He was a follower, without much ambition of his own. Broke most of the time, on welfare, Garcia hung out at Brewer's a lot, catching a buzz and chilling over video games. He liked 40s, tall cans of cheap Olde English malt liquor. One or more of the large beers would knock out most people. Despite his poor health, Garcia seemed able to drink them all day. Brewer had been pitching him about the job for more than a month, even before the first robbery. I was down, Garcia would say later. I didn't want to be a punk. Brewer mapped things out. He told everyone he'd been peeping the place for a while. Dixon would stay in the G-ride. He'd sit in the alley with the motor running. The other four would force whatever employees were in the store to the floor and make sure no one moved. They'd empty the registers while Brewer did what he did best: scare the crap out of people. He'd wave the Mossberg in the air and freak out everyone with his new disguise: a red devil mask with horns, fake hair, and a deranged open-mouthed smile. He gave Garcia his old skeleton mask. Glica was to cover his face in a red T-shirt. Martinez got a nylon stocking somewhere and would use that to shield his identity. Dixon didn't need a mask because he wasn't going in. Everyone would wear gloves so no one could identify them or the color of their skin. That way they'd also leave behind no prints. That was the plan. Easy in, easy out. By the time dusk rolled around, everyone but Brewer and Dixon had been drinking heavily. With Dixon at the wheel, they got into the Jimmy and made sure everyone knew their assignments. It was about 5:00 p.m., a typically cold and damp December day in the California capital. They had a few stops to make and planned to get to the Bread Store by six o'clock, just before the cash went into the floor safe. Two days before Christmas, they figured there'd be a lot more money now, even better than Brewer's Thanksgiving take. Everything was good. Everything but the G-ride. It was a piece of shit. When they tried to start it and pull away, the battery was dead. They still had some time, so Dixon ran around the corner and pulled the battery out of his car. Within twenty minutes, they were ready to get moving but Lisa Lopez, Cervantes's seventeen-year-old girlfriend, had wandered by. She'd been hanging around the park with a few of the neighborhood girls and was screaming at Cervantes to get out of the car. Carlos got out of the Jimmy to talk with her, calm her down. Dixon's sister, Faye, was so disgusted with Dixon that she had called the cops and said her brother was driving around like an asshole in a stolen truck. Lisa didn't want Cervantes to be with him when the cops picked up his sorry ass. The police know about the car, Los. Don't go, she said with tears in her eyes. Brewer yelled to his boy. Los, come here. Cervantes went over. Brewer's dark eyes narrowed. You ain't gonna go, Los? Cervantes looked at Lisa, looked at Brewer. No, man, he said. I'm cool. The others in the Jimmy called him names: pussy, punk, bitch. Fuck you, they yelled at him. But Cervantes was out of the car, out of the plan. Now they were in a hurry. Dixon drove with Brewer in the passenger seat, his devil's mask and the Mossberg on the floor between them. Garcia was behind Dixon. Martinez sat behind Brewer. Glica, holding the red T-shirt he'd wrap around his face, was lying down in the back of the Jimmy. They stopped at a nearby gas station, where Glica jammed his feet against the back window several times until he managed to kick it out. If he had to, he could escape from the Jimmy in an instant. They put in a few bucks and were off. By the time they got to the Bread Store it was 6:25 p.m. Most of Sacramento and its sprawling suburbs were preparing for the holiday. Tomorrow was Christmas Eve. Some of the nearby stores, like the Beat, a hip record emporium and cafe a few doors down, were busy with Christmas shoppers. Brewer told Dixon to cruise past the front of the store on J Street so he could peer inside. The Bread Store's large picture windows were decorated for Christmas; employees' names had been painted on them, along with red and green Christmas stockings and wreaths. seasons greetings, it said on the glass. Check out the alley, Brewer told Dixon. Four or five men were inside with brooms, sweeping the floors, closing up for the night. One was gathering old bread that had gone unsold, putting it in bags so it could be taken to nearby homeless shelters. Pulling the Jimmy into the alley, Dixon and the others saw that the back door had been left open again, just as it had during the first robbery. Dixon parked the Jimmy next to a wall around the corner and everyone else got out. Brewer was first in. Swinging the Mossberg through the air in a wide, circular motion, the way old rock-and-roll star Pete Townshend of the Who wound his arm across his guitar for show, Brewer yelled for the three employees in the back baking area of the store to hit the floor. Martinez and Glica were next, storming to the front of the store, where the registers were kept. Where's the safe? they demanded. Where's the fuckin' money? Garcia, stumbling out of the Jimmy and falling to the ground, was last in. He heard one shot, then he was inside and shouting with the chorus. Where's the money? Where's the fuckin' money? Dung Dao and Kelly Range, employees who had been sweeping out the back of the store, and Josh Christian, who was wiping off the muffin counter in front, managed to make it out the main door on J Street. Dao ran from the back of the store to the front,

yelling, Get out, get out. Run, run. Once out the door, he kept running until he bumped into a man and woman walking their dog about two blocks away and pleaded for them to call for help. Range and Christian raced next door to the Beat. Frantic, they grabbed the glass door to the store with so much force it shattered. Call 911, they shouted to a clerk. There's a robbery in progress. That left only employee Hector Montelongo in the back. A quiet thirty-one-year-old bread baker from Mexico, Montelongo tried to get away by running up some stairs to offices on the second floor. When he realized he couldn't make it up there fast enough to escape, that the robbers had seen him, he meekly came back down and hoped for the best. Glica kicked him and ordered him to the ground. Montelongo spoke broken English. He had a wife and three small children at home. He was sure he was going to be robbed and killed. He slipped his wallet out of his back pocket and was able to hide it under some clutter on the floor before one of the robbers made him get up and go to the front of the store. When he stuttered that he didn't know anything about any money, that all he did was bake bread, Martinez sprayed him in the face with a can of Mace Garcia had given to him earlier that day. The robbers and Montelongo were in the front now. The only other employee in the store was Jason Frost, the twenty-three-year-old assistant manager. Everyone was yelling, Where's the money? Where's the fucking money? Glica and Martinez rummaged through the Bread Stores cash registers. When they realized they were empty, they crashed them to the floor. They were scattered on the floor in pieces as Brewer zeroed in on sandy-haired Jason Frost, who was behind the counter, near the floor safe. Where's the money, motherfucker? the man in the devil mask demanded. Open the fuckin safe. The Mossberg was in Frost's face. He had nowhere to go. Trapped between a wall and the bread counter on three sides and with Brewer behind the counter with him demanding the cash, Frost muttered something about the money already being placed in a drop safe. Christian had placed it all in plastic sandwich bags and slipped it into the floor safe only minutes before the robbers came in. It couldn't be opened until the owners showed up the next morning. I don't have a key, Frost working at the Bread Store to gain experience for what he hoped would be the day he ran his own restaurant said to the man in the devil's mask. Range and Christian were across the street, looking into the store window, when they saw the stocky man in the devil's mask, his hands, neck, and face covered so thoroughly that they would later say they believed he was black, fire point-blank at Jason Frost. His sweater and body somehow opened wide all at once. The young man, an eight-inch hole in his right abdomen spouting blood and exposing his intestines and bowel, melted to the floor. The shooter racked the Mossberg again, dropping the spent cartridge in the process. Garcia was in the store now, too, shouting for money while Brewer placed the still-smoking weapon on Jason Frost's left side. Frost was already mortally wounded; the enraged man in the devil's mask fired again. The wound was smaller this time, but the gun was again fired at extremely close range. Lying in a pool of blood, his internal organs partially exposed on the cold tile floor, it's hard to imagine any conceivable reason that Jason Frost should have been fired upon again. Putting the muzzle of the hot gun directly on Jason Frost's left buttock, Brewer, pouring a lifetime of rage into this defenseless young man's already devastated body, squeezed the trigger a third time. Two days before Christmas, Jason Frost was reduced to something that barely resembled a human being. His body lay in pieces. Forensic experts would say later it was unusual to examine a crime scene where a shotgun is fired three times and no pellets are found on the floor, in the walls, or ceiling. Jason Frost's blood, skin, and muscle tissue seemed to be splattered everywhere in the area behind the bread counter. The lead pellets were found deep inside his flesh and organs. So was cardboard wadding from the shells. By the time the cops and paramedics arrived, the robbers had fled. They got no money. Jason Frost was on the floor, in shock and barely alive. As the robbers sped from the scene, Dixon kept asking Brewer what had happened. Why had he heard gunshots? How much money did we get? A little less than a mile from Southside Park the Jimmy died again, so they ditched it. Brewer hid his weapon in some bushes he would return later to retrieve it and they ran the rest of the way to the park. When they saw a young Asian man about to get into his car near an alley, Dixon went up to him, slammed his fist into the man's face, and demanded the keys. The man resisted, so Dixon and his pals kept running. Just before the robbers came into the store, Frost had telephoned Megan Gould, the girl he was living with and planned soon to propose to, to say he'd be right home. Worried when he failed to show up, Megan went to the Bread Store to see what was keeping him. She still had a few Christmas presents to wrap and place under the tree, but she'd finish when she got back with Jason. She saw the half-dozen squad cars and yellow police crime-tape blocking off the front entrance and almost passed out. In Yuba City, a small town about thirty-five miles north of downtown Sacramento, Jack Frost was just sitting down to watch the San Francisco 49ers play the Detroit Lions when the telephone rang. Jack and his son loved the 49ers. They had suffered through some of the usual father-son tension that often went along with a boy's teenage years, but their relationship was good now, getting better all the time. Jack felt the two had cleared up most of the crap between them the summer before, when Jason spent time helping his dad run a boat-rental business up in Lassen National Forest, where the family had a cabin. This was the last Monday Night Football game of the season and Jack was looking forward to watching it, but he was much more excited about the next night, when he'd be in Sacramento having Christmas Eve dinner with his son and his girlfriend. Becky, Jason's mother, had drawn a bath and was looking forward to relaxing in it after a day running errands and finishing her Christmas shopping. The next night would be the first time Jack and Becky visited Jason since he and Megan had moved in together a few months earlier. Jason loved to cook and he was planning to serve a Christmas goose for his mom and dad. When the telephone rang, they thought it was Jason wanting to go over some final details for their

dinner. It was the police telling them their son had been shot. The next night, when Steve Harrold, head of the Sacramento County district attorneys Gangs unit, heard from a detective friend about the shooting, he immediately drove down to police headquarters to see what he could find out. Assistant district attorneys usually don't get involved in a case until detectives come over to the DAs office and tell prosecutors what they know and ask for written authority to file charges. Harrold had just finished prosecuting two gang members from the area for murdering an innocent bystander during a drive-by shooting. He suspected some of the same crowd could have been involved in this one. If that were true, he wanted to be in on this from the beginning. On January 3, 1997, Jason Frost died. Megan and his parents had been at the hospital the whole time, through ten surgeries. At times they even believed he'd pull through, although it was hard to imagine the shape he'd be in if he had. A few days later, when he might have been thinking about getting married and spending his honeymoon in England, which he'd been reading about in the weeks before his death, Jason Frost was cremated. The day after the robbery and shooting, an anonymous call had come into the Sacramento Police Department's tip line. The caller was Jamie Salyer, a parolee who said some guy by the name of Rick Brewer was involved. He knew Brewer well and occasionally hung out with him. Salyer later told the cops he was pissed at Brewer because after the first robbery a month earlier, Brewer had shown up at his mom's house, looking for Salyer, and wound up locking himself in the bathroom while he and Michael Smith split the proceeds. Police went to the apartment Brewer and Flores shared to see what they could learn. Since she paid the bills and was named in the lease, it was up to her whether she let them search without producing a warrant. She said yes, signing a police waiver. Brewer told the cops he didn't live there. After they'd looked in a bedroom closet and found several of his jackets and pairs of shoes, one pair had what appeared to be white baking flour splashed on them. He admitted that, yes, he was staying there with Flores. Detectives found the Mossberg concealed under the bottom drawer of a bedroom dresser. In a black Oakland Raiders jacket, the Raiders were Brewer's favorite football team, they also found two shotgun shells that fit the gun. Brewer's sister had removed some of his clothing from the apartment, but she missed a few key items. Brewer was arrested for violating his parole; felons aren't allowed to possess guns, but he denied knowing anything about the Bread Store robbery. Harrold was having Christmas-night dinner with his parents when Detective Toni Winfield paged him to say a search of Brewer's apartment had led to what she believed was the weapon used to shoot Jason Frost. It wasn't a murder weapon yet because Jason was clinging to life, but it was only a matter of time. Harrold left the dinner and went back to the police department. He wanted to be there when Winfield started interviewing Brewer and other potential suspects. Dixon had already been booked into the county jail for a parole violation as a result of his sister notifying the cops about his antics in the stolen Jimmy. The others were arrested within days. Some of the neighborhood punks, interviewed at their homes or at school with no parents around, admitted to detectives that they'd heard the robbers talking about their plans before the crime and afterward about the lethal results. They identified the crew and pointed out the suspects in pictures the cops showed to them. Dixon lied. He told Winfield he knew nothing about the stolen Jimmy or the robbery and shooting. Glica and Martinez, waiving their rights to have a lawyer present, consented to long interviews with detectives. Both refused to snitch on anyone else. Snitches end up in ditches, Glica told Sacramento Police Detective Rich Overton, but they admitted what they said were their own minimal roles. Brewer refused to talk. Cervantes told the cops that Brewer let him know sometime after the robbery that things went real sour downtown. Garcia lied, too, but Harrold would eventually offer him a deal: Testify truthfully against your pals and you can plead to manslaughter and get off with twelve years instead of the life without parole for first-degree murder everyone else is looking at. Others in the district attorney's office would later question the generous deal, but Harrold thought Garcia could pull the case together and make it work. Brewer, the prosecutor felt strongly, deserved to die. Steve Harrold, forty-nine at the time of the shooting, is a native of Sacramento born into wealth and privilege. He grew up at country clubs and exclusive men's clubs where his politically connected grandfather and father, owners of one of the largest Ford dealerships in northern California, often held court of their own. For kicks, the wiry prosecutor now likes to compete in hundred-mile runs so punishing, his toenails fall off. He's about five nine, divorced, a ladies man with two daughters in their twenties who seem destined for great things. Like a lot of career prosecutors, he spent so much time at it over the years, he woke up one day and realized he didn't have much of a marriage left. His daughters live in Berkeley and in New York City, but he still manages to dote on them constantly. A supervisor who doesn't try that many cases himself and often enlists a co-counsel to do much of the heavy lifting when he does, Harrold isn't one of the district attorney's storied trial lawyers. He's a career prosecutor, a good one and an affable gentleman whom virtually everyone in the office likes. His detractors say he may be heavier on flash than substance, but he loves his job. Victims like the Frost family say Harrold's compassion and humanity saved them from going mad. For all his blue Republican blood, Harrold loves to mix it up with the gangbangers and the punks who commit their own crimes one day and may later hold the key to cases he and his four gangs deputies prosecute. He's comfortable talking their language, and like the personable car salesman his father and grandfather were, he manages to find common ground with everyone. Assistant DAs don't get to choose their clientele. In an urban prosecutor's office, witnesses you build a case around are often just a shade less unsavory than the defendants you're trying to put away. It's blue-collar law. To succeed, a prosecutor has to be willing and able to deal with all kinds of people. If you're a lawyer looking for civility and intellectual rigor, you go to work for the attorney general or the feds. Maybe you get a job for

one of the countless state agencies that surround the Capitol. You go into private practice. If you want real blood-and-guts trial work and the feeling that you're doing someone some good, that you're bringing some measure of relief to a battered family and getting at least a few bad actors off the streets, this is where you want to be. Murders. Rapes. Sexual assaults against children. Beatings. Robberies. Dope deals. Burglaries. Career criminals and criminals trying to create a career of crime. This is it. Every day of the week, every week of the year. It slows up once in a while, but it never stops. Every part of a district attorney's office has its own peculiar challenges. In Domestic Violence, victims recant and wind up convinced it's the prosecutor who's the enemy, not the son of a bitch who beat them up. Sex assaults against children break your heart. Homicide prosecutors talk about twofers: put some asshole away for life because he murdered another piece of shit who'd been in and out of prison a half-dozen times before he got taken out for good. Sometimes you get a case like the Bread Store, with a solid family, a righteous victim. Any DA who's being straight will concede those are the cases they get the most worked up about. All the Bread Store defendants have some gang affiliation in their backgrounds, but Harrold learns early this isn't the gang case he thought it might have been when he first got the detectives call. It should go to Major Crimes, where one of the homicide prosecutors assigned to the legendary John O'Mara, who runs the section, would try it. But Harrold was so taken with the Frost family and the love they had for their son, that he was determined to keep the case. This case, as one article in The Sacramento Bee put it, was a simple robbery gone bad. A bakery stickup. Easy in, easy out, turned into anything but. Harrold didn't realize at the time that many of the issues raised in this case as it crawled through the system would be emblematic of the hazards prosecutors must navigate when they try murders anywhere in America: using a snitch; felony murder where the guy who drives the getaway car is just as guilty as the triggerman; dealing with self-serving testimony from accomplices; the fragility of juries; personal animosity among attorneys; arguments about the death penalty; evidence not fully disclosed. Because of the personalities of the attorneys and serious misconduct by one of them, there would be drama and crises no one could possibly have foreseen until the moment they floated to the murky surface. There is regret in almost every case a prosecutor tries: a life sentence isn't enough, it should have been the death penalty; a victim's family looks to the DA for justice only to feel like victims again from the ordeal of going to trial; any sense of satisfaction is fleeting because even in victory there is another case eating away at you and demanding to have its day in court. In 2001, O'Mara, District Attorney Jan Scully, and all the Sacramento prosecutors would be confronted with an extraordinary array of cases that would test the office on a daily basis: a prominent doctor would be suspected of murdering his daughter by throwing her out a window; a Ukrainian immigrant with a history of spousal abuse would spark an international manhunt and terror in the local Slavic community after his pregnant wife and six other family members, including his own three-year-old son, were slashed to death; the son of a criminal supervisor in the state attorney general's office would face a potential death sentence in the kidnap, rape, and strangulation of a twelve-year-old girl he abducted from a street near her house while he was on LSD. The sensational case would force the district attorney's office to weigh a potential plea agreement some would suspect was on the table just because the defendant was white, middle class, and had a father with connections. There would be much more to confound prosecutors over the coming year, including a notorious murder from 1975 involving the kidnapped newspaper heiress Patricia Hearst that would resurface and subject O'Mara and the district attorney to fierce second-guessing and criticism over earlier decisions not to file charges. Nothing would cast a bigger shadow over the office in the coming year than Hearst herself, the once notorious Symbionese Liberation Army, and Myrna Opsahl, a forty-two-year-old churchgoing mother of four gunned down during a politically motivated bank robbery in which her killers were never brought to justice. The bright, ambitious men and women who prosecute criminals in Sacramento, the capital of America's largest state, will trudge most mornings and afternoons to the county courthouse, rolling their heavy case files across the street with them, to muck around in the sordid underbelly of their community. Each criminal complaint they file will be labeled an affront "against the peace and dignity of the People of the State of California," and they will do their best to restore some of that peace and some of that dignity, knowing that it's often impossible to succeed fully. They'll do much of their work far from the gaze of ordinary citizens, who, unless they're called for jury duty, would have little reason to step inside and join this highly combative, shadowy netherworld in which prosecutors live. They'll dispense of thousands of cases and deal with countless victims and families, an endless array of witnesses and defendants. Inside the courtroom, and more often the case, outside the courtroom, they will exercise their extraordinary power and authority to alter lives forever.