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OFFICE OF THE DISTRICT ATTORNEY
County of San Luis Obispo



* * * * * **PRESS RELEASE** * * * * *

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Approved By

**DISTRICT ATTORNEY ISSUES STATEMENT
REGARDING BOARD OF SUPERVISORS'
DECISION TO DISAPPROVE PAYMENT OF INVOICE**

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SAN LUIS OBISPO, CA, January 5, 2016 — After a lengthy hearing, the Board of Supervisors today denied County Auditor Jim Erb's request that the Board of Supervisors approve payment of an invoice. The invoice was submitted to the Auditor for payment using routine procedures to pay a bill from the District Attorney's budget.

"While I am very disappointed that the Board chose not to close this matter today by approving this modest payment from the District Attorney's already approved, budgeted, and available funds, I respect their decision. I will now consider what options lay ahead including whether the decision may be reviewed by the Superior Court," said District Attorney Dow following the Board's vote.

Background. The invoice in the amount of \$2,874.65 was for legal services rendered to the Office of the District Attorney by the law firm Jones & Mayer that represents many public agencies and public safety associations. The issue concerned the lawfulness of the District Attorney's more than 30 year search warrant review duty program. District Attorney Dow sought a legal opinion from Jones & Mayer after concluding that there was a conflict-of-interest that prevented the Office of County Counsel from providing conflict-free legal advice to the District Attorney while simultaneously providing legal advice to other County departments and the Board of Supervisors on this same important matter. County Counsel also received and relied on an outside legal opinion in this matter from a law firm in San Francisco (Renne Sloan Holtzman Sakai) the very same law firm that represents the County in a lawsuit brought by the Deputy County Counsel Association and the Deputy District Attorneys' bargaining unit.

(continued on next page)

In order to complete the public record of what was discussed today during the Board of Supervisors meeting, the following documents are attached for your reference:

District Attorney Dow's written comments to the Board January 5, 2016
Memo from County Auditor Jim Erb dated May 5, 2015 and DA Dow's email reply
Legal Opinion from law firm Jones & Mayer dated June 16, 2015
Packet from County Counsel of correspondence with the District Attorney

The hearing may be viewed by members of the public at the following public website:
http://slocounty.granicus.com/MediaPlayer.php?view_id=2&clip_id=2220

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