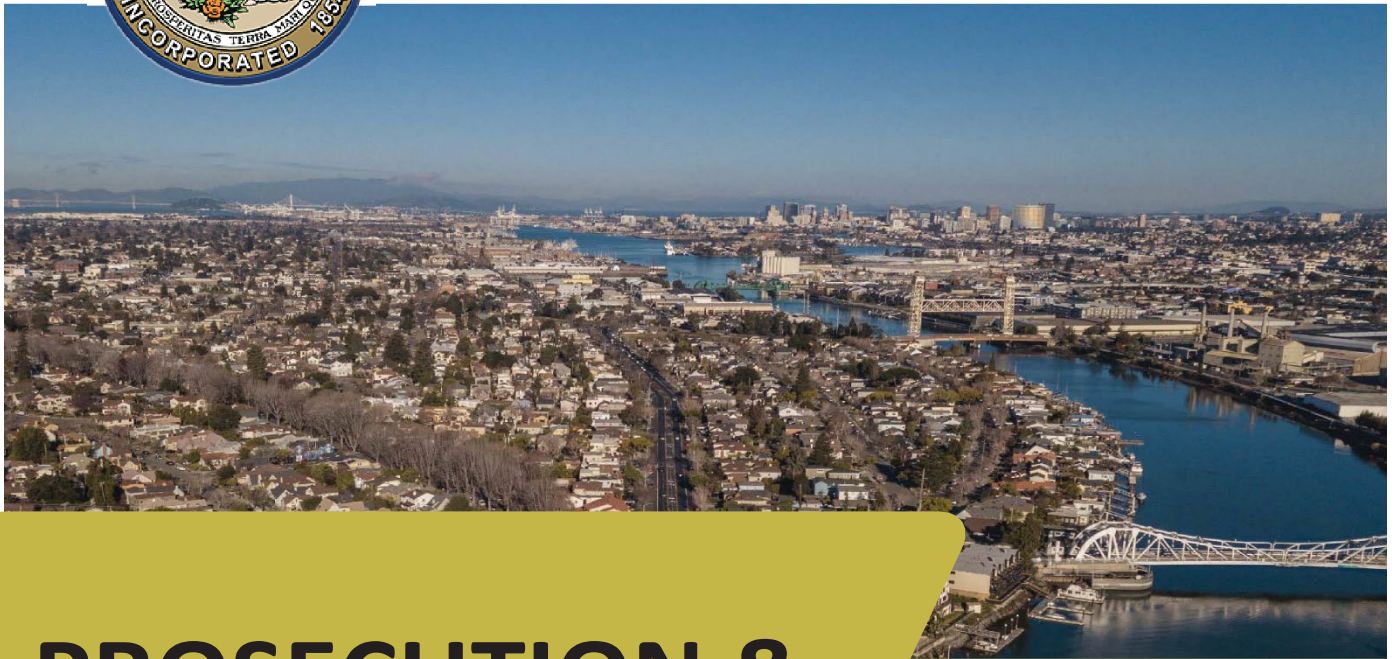




Presented by the City Attorney's Office
Yibin Shen - City Attorney
Julia Gonzales - Chief Assistant City Prosecutor



PROSECUTION & PUBLIC RIGHTS UNIT

2024

Annual
Report



Introduction

The Prosecution and Public Rights Unit of the Alameda City Attorney's Office, having completed its fourth full year of operations, is pleased to present its fourth annual report. The Unit was created at the direction of Alameda voters in November 2020 by their overwhelming approval of Measure AA in an effort to strengthen local control and accountability. As the only Unit of its kind in northern California, the Unit represents the People of the State of California in misdemeanor criminal matters, enforces fair housing and consumer protection laws, and provides community education on the above topics.



Mission Statement

The Prosecution and Public Rights Unit of the Alameda City Attorney's Office represents the People of the State of California in misdemeanor criminal matters. The Unit is further charged with bringing affirmative litigation in response to violations of consumer protection and fair housing laws, and protecting consumers against fraud and unfair business practices. City prosecutors are dedicated to promoting and improving public safety and the quality of life in Alameda, through the fair, compassionate and effective administration of justice.

Meet the Team



Julia Gonzales, Chief Assistant City Prosecutor
Ginger Lewis Dole, Assistant City Prosecutor
Aaron Chase, Deputy City Prosecutor
Brian Fedorov, Deputy City Prosecutor

Adam Radinsky, Special Counsel

Samantha Gatton, Legal Fellow

Gene Diaz, Investigator

Elizabeth Martinez, Paralegal

Rico Fenix, Paralegal

Jay Garcia, Administrative Technician

Aaron Chase is currently serving in the United States Navy Reserve following his commissioning as a Naval officer in the Navy Reserve Judge Advocate General Corps. Aaron served for 17 years as an enlisted mass communication specialist for the United States Navy and Navy Reserve. He is currently stationed at



the Officer Development School in Newport, Rhode Island, and will complete training at the Naval Justice School, also located in Newport, before rejoining the Alameda City Attorney's Office.

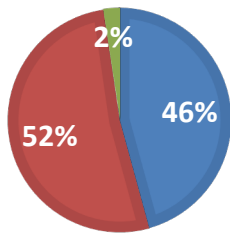


Fair Housing and Consumer Protection

2024 BY THE NUMBERS

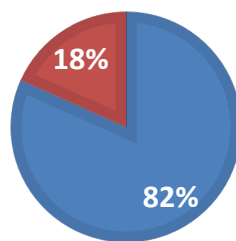
INQUIRIES RECEIVED

- Telephone (599)
- Email (680)
- Walk-In (30)



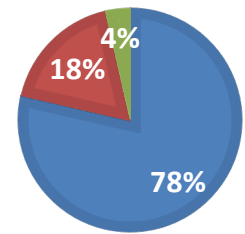
COMPLAINTS RECEIVED

- Housing Cases (49)
- Consumer Cases (11)
- Labor Cases(-)



CASES CLOSED

- Housing Cases (44)
- Consumer Cases (10)
- Labor Cases(2)



In 2024 the Public Rights team received 1309 inquiries from the public, yielding 60 complaints. The Unit closed 56 cases over the year.



2024 IN THE NEWS

The Unit regularly authors articles in local news outlets to highlight emerging fair housing issues and educate the community. In 2024, the Unit published four articles addressing trends observed in Alameda. These articles aimed to raise awareness, share real-life examples, and provide practical guidance to help residents recognize red flags and avoid exploitation. This outreach reflects the Unit’s broader commitment to public education, housing equity, and proactive community engagement.

Just Leave Me in Peace!

Published on March 08, 2024

By: Rico Fenix, Paralegal- Investigator, Alameda City Attorney's Office

Paul, an Alameda resident, has lived in the same apartment for many years. He has always been fond of his privacy: Paul likes to be left alone, to mind his own business. When a new owner, Piou, recently bought the property, everything changed, and Paul’s privacy was put in jeopardy.



It all started when Piou began sending notices for unspecified “inspections” of Paul’s unit, almost weekly. Paul would meticulously prepare his home for the inspections, setting aside a day off work to accommodate Piou’s schedule; but the landlord would never show up.

Even worse was when Paul caught Piou entering his unit, without any prior notice, to take photos which he claimed were necessary for listing the property. Paul confronted Piou, hoping to resolve the issue amicably. Instead, Piou unleashed a torrent of insults, derogatory language and even threats of eviction.

» Rico Fenix June 14, 2024 7:23 am Opinions & Editorials

‘On Housing Access, My Battle in Paradise’

Shayla had always dreamed of finding a cozy apartment in the City of Alameda. Its tree-lined streets and quiet charm had always appealed to her. But due to the astronomical rise in rental prices, combined with stagnating wages, Shayla was struggling to find a rental within her budget. Fortunately, however, she had just received her Section 8 voucher, so she was feeling optimistic.

» Rico Fenix September 2, 2024 7:48 am Opinions & Editorials

‘My Landlord’s Retaliation’

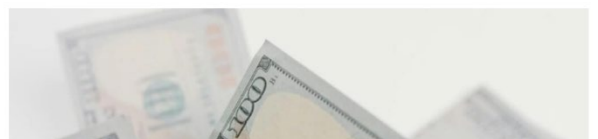
Shereen, an Alameda local and longtime renter, moved into a new apartment on the Gold Coast. As an artist who enjoys painting scenery, she wanted to be closer to the beach. Her new landlord, Mason, lived nearby. He was also an artist, and the pair would often talk about their shared passion. Things seemed to be going great in the new place.



» Rico Fenix October 1, 2024 7:43 am Opinions & Editorials

Books for Bright Futures: A Story of Embezzlement

Books for Bright Futures, a non-profit organization dedicated to providing free textbooks to underprivileged college students, has been a beacon of hope for countless students struggling with financial burdens. Under the leadership of its long-serving president, the organization thrived and helped get critical resources to those in need.



2024 COMMUNITY OUTREACH

The Public Rights team is committed to public engagement and education on important issues affecting both tenants and landlords. In 2024 the Unit provided bi-monthly presentations, one online and one in-person, on the housing mediation program. Additionally, the Unit offered Q&A sessions at Alameda Renters Coalition meetings and has worked with the Alameda Police Department to offer officers best practices relating to housing disputes. Finally, on an approximately monthly basis, the Unit publishes educational articles in local newspapers and to social media platforms targeting the most common housing law violations in that given month.

4th Annual Fair Housing Workshop

On April 18, 2024 the Unit presented its fourth annual – and second in-person – Fair Housing Workshop at City Hall. Seven guest speakers presented across six informational sessions. Eighty-six members of the public attended. Topics included:

- ❖ City Attorney's Mediation Program
- ❖ Fair Housing Laws
- ❖ Disability Rights
- ❖ End of Emergency COVID Protections and current laws
- ❖ Relocation Laws
- ❖ Rent Program & Services

Unit Spotlight: Protecting the Residents of Barnhill Marina

The Public Rights Unit, in partnership with the Alameda County District Attorney's Office, took legal action against the owner of Barnhill Marina, Valley Investments Redwoods LLC, for alleged unlawful rent hikes and tenant harassment. The marina hosts 42 floating homes and 12 live-aboard sailboats, many of which are owned by long-term, elderly residents on fixed incomes.

An Alameda County Superior Court issued a final ruling against the owners of Barnhill Marina (Investments-Redwoods LLC and manager Amarpal Narang) following a housing enforcement case brought by the City Attorney's Office. The lawsuit accused the owners of using unlawful tactics to harass tenants, including illegal rent hikes and obstructing residents' rights to sell their floating homes.

The judgment requires the owners to pay over \$335,000 in penalties and overdue Rent Program fees, while also prohibiting harassment or interference with tenants' home sales. Additionally (due to an action on a separate case) a receiver has been appointed to take over management of the marina, ending Valley and Narang's control of the property.

2024 SAMPLE CASES

Mediation

The Prosecution and Public Rights Unit (PPRU) investigated a case involving a tenant who was displaced from their home for health and safety reasons. The tenant complained they did not receive any relocation assistance from their former landlord after they were displaced, despite raising the issue. The landlord claimed the tenant never actually vacated the unit and was therefore not entitled to relocation. Furthermore, the landlord claimed they were unable to pay the tenant relocation regardless, as they had recently completed a payment to another displaced tenant based on the same health and safety grounds.

The PPRU stepped in to mediate a resolution. Upon further investigation of the facts and extensive back-and-forth's between parties, a resolution was finally reached. The Tenant received their relocation payment, allowing them to recover from their displacement, while the landlord received favorable relocation payment terms which allowed them to avoid undue hardship.

Retaliatory Eviction

The PPRU investigated a case involving a tenant who was forced out of their home by their landlord. The tenant complained they were the victim of a retaliatory eviction. The tenant was given a 30-day notice to vacate their home the same day they asked their landlord to make repairs in their unit. The following 30 days were filled with harassment via phone and text, resulting in the tenant vacating earlier due to perceived threat of harm. The landlord claimed that the tenant was misrepresenting the situation and denied any harassment. Further, the landlord claimed the tenant was evicted due to their damaging of the unit, not out of retaliation.

The PPRU stepped in to mediate a potential resolution. Upon investigation of the facts and interviews with various witnesses, including primary parties, a resolution was reached. The tenant was fairly compensated for their wrongful eviction, granting them much needed funds to assist with relocating. The landlord was offered terms that were careful to factor in the hardship they expressed this payment would cause them, ensuring the payment remained as bearable and fair as possible, for all parties involved.

Tenant Harassment

The PPRU investigated a case involving a tenant who received a retaliatory eviction notice from their landlord. The tenant complained their landlord was attempting to evict them due to having successfully challenged the landlords improper rental increase via the Alameda Rent Program. The tenant further claimed the landlord began to harass them after their challenge to the rental increase, leading to them needing to flee the property on at least one occasion. The landlord claimed they were unaware of Fair Housing laws in the City of Alameda and did not believe what they were doing was a violation of any laws.

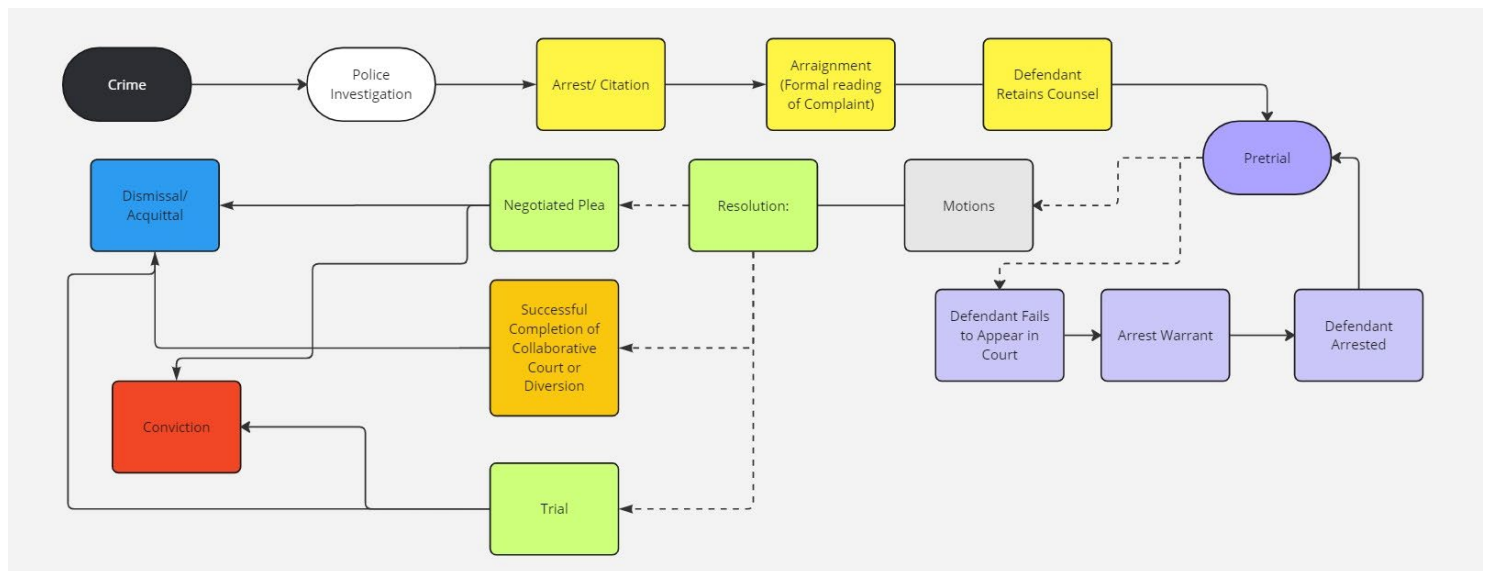
The PPRU stepped in to mediate a potential resolution. Upon investigation of the facts, along with numerous interviews and negotiations between the parties involved, a resolution was reached. The tenant, no longer comfortable in their current home, was offered a buyout which allowed them to relocate. The landlord regained possession of the unit, allowing them to complete the *Owner Move-in* process they had been seeking.

Criminal Prosecutions

Since its creation by Alameda voters through the adoption of Measure AA in 2020, the Prosecution and Public Rights Unit of the Alameda City Attorney’s Office has been tasked with prosecuting all state law misdemeanor offenses, including misdemeanor wobbler offenses (i.e., crimes that can be charged as either a felony or a misdemeanor) within the City of Alameda. The Unit’s cases have encompassed a wide range of state law offenses, including thefts, commercial burglaries, reckless driving, DUIs, assaults (including assaults with deadly weapons), sexual batteries, and weapons/firearms offenses. The City Attorney’s Office works collaboratively with the Alameda Police Department (APD) and the District Attorney’s Office to review and process these incidents thoroughly and expeditiously and to commence criminal actions where appropriate.



Overview of the Criminal Process



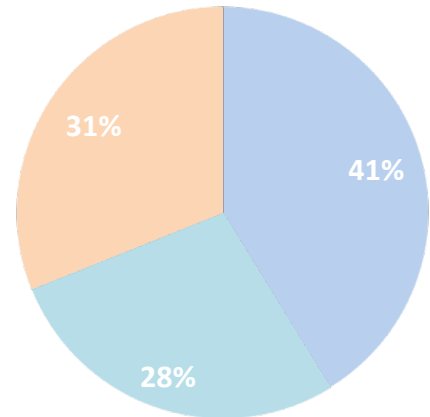
2024 BY THE NUMBERS

In 2024 the Unit reviewed 797 cases for Charging

This represents a 362% increase from 2020 baseline and 176% increase over the Unit's first full year of prosecution in 2021.

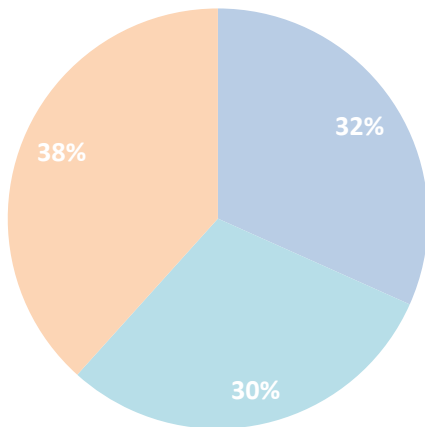
CASES REVIEWED BY TYPE

- vs State
- vs Person
- vs Property



CASES FILED BY TYPE

- vs State
- vs Person
- vs Property



In 2024 the Unit filed 467 New Cases

This represents a 456% increase from 2020 baseline and 159% increase over the Unit's first full year of prosecution in 2021.

In 2024 the Unit resolved 370 cases with an 85% successful outcome rate.

BEHIND THE BUCKETS: Types of Offenses

Crimes Against Property

- PETTY THEFT
- CONSPIRACY
- RETAIL THEFT
- BURGLARY
- GRAND THEFT
- VANDALISM
- ARSON
- CRIMINAL TRESPASS
- TAKING A VEHICLE
- FALSE IMPERSONATION
- RECEIVING
- STOLEN PROPERTY

Crimes Against Person

- ASSAULT WITH A DEADLY WEAPON
- BATTERY
- BRANDISHING
- EMBEZZLEMENT
- DOMESTIC VIOLENCE
- ELDER ABUSE
- SEXUAL BATTERY
- HATE CRIME
- CHILD MOLESTATION
- CRIMINAL THREATS
- CONCEALED FIREARM
- STALKING
- INVASION OF PRIVACY

Crimes Against State

- DUI
- DRIVING WITH A SUSPENDED DL
- RECKLESS DRIVING
- HIT AND RUN
- POSSESSION OF BURGLARY TOOLS
- VIOLATING COURT ORDER
- RESISTING ARREST
- INDECENT EXPOSURE
- POSSESSION OF A CONTROLLED SUBSTANCE

Unit Spotlight: Meet City Attorney Investigator Gene Diaz



2024 marked the first full year of City Attorney Investigator Diaz's tenure with the City. Hired initially as a part-time role in the summer of 2023, Diaz is now a full-time employee who splits his duties between the PPRU and Rent Program.

As the City's first in-house PPRU investigator, Diaz plays a critical role in supporting successful prosecutions by bridging law enforcement and legal strategy. He conducts follow-up investigations to strengthen cases, locates and interviews witnesses, and gathers physical and digital evidence. His work ensures the prosecutor has accurate, comprehensive information before filing or proceeding with charges. Investigators also serve subpoenas, coordinate with law enforcement agencies, and may testify in court regarding their findings. Diaz's efforts help build legally sound, well-supported cases, improve efficiency in court proceedings, and enhance public safety by ensuring accountability.

Diaz also serves several vital functions for the Rent Program, including issuance of administrative citations, on-site visits to document conditions, in-person service of notices, and investigative services. Diaz has been responsible for procuring payment of tens of thousands of dollars in outstanding annual program fees during his time with the City. The payments are a direct result of his work tracking down landlords and personally serving them with notices of violation.



2024 SAMPLE CASES

Elder Abuse Conviction

The Unit secured a conviction for elder abuse in a case involving a family dispute. During the incident Defendant attacked her grandmother, who was 71 years old and wheelchair bound, by placing her in a chokehold that obstructed her breathing. Witnesses heard the struggle and were able to separate the parties before Victim sustained significant injuries. Defendant engaged in anger management during pendency of the case.

Domestic Violence Conviction

The People secured a conviction for domestic violence causing bodily injury in a challenging case involving a reluctant and ultimately absent victim. In this incident, Defendant forced entry into the victim's apartment during a late-night confrontation, then—along with his mother and sister—assaulted the victim both outside and inside the home. The victim sustained multiple visible injuries and was later treated at Highland Hospital. Despite the victim's refusal to testify, the prosecutor successfully litigated key evidentiary motions, resulting in the admission of critical prior conduct and statements. On the eve of trial, Defendant pled guilty to the top charge. He was sentenced to jail, a 52-week batterer's program, community service, fines, and a protective order—underscoring the Unit's commitment to accountability in difficult, victim-sensitive cases.

Stalking Conviction

The People secured a conviction for stalking in a case involving a sustained pattern of harassment and abuse spanning more than a decade. Defendant terrorized two female neighbors over a 14-year period, repeatedly threatening and verbally accosting them, damaging their property by throwing objects, and creating an environment of fear and intimidation. The victims' accounts were corroborated by multiple witnesses, illustrating the severity and persistence of the abuse. Following conviction, the Court ordered Defendant to pay over \$68,000 in restitution to the victims. Additionally, Defendant was ordered to participate in Anger Management classes, is prohibited from any contact with either victim pursuant to a seven year Criminal Protective Order, and is further barred from possessing firearms for ten years. Though the case took close to two years to resolve, the Unit remained steadfast in its commitment to the victims, and was willing to pursue the case as long as necessary to achieve a just result.

Successful Diversion

The People resolved a misdemeanor shoplifting case through diversion court. Defendant, a 26-year-old woman with minimal criminal history, was accused of exiting a local grocery store with several hundred dollars' worth of unpaid merchandise. In lieu of traditional prosecution, and in recognition of Defendant's eligibility for diversion, the Court and the People agreed to a rehabilitative approach. As part of the diversionary terms, Defendant successfully completed an anti-theft course and performed community service. Upon satisfying all conditions and demonstrating accountability, the case was dismissed in accordance with the diversion agreement.