

U.S. Attorney's Report to the District

Beginning My Service as U.S. Attorney—Again

When McGregor (Greg) Scott stepped down as the United States Attorney for the Eastern District of California at the end of February 2021, I took over as the Acting United States Attorney because I had served as his First Assistant U.S. Attorney in the last administration. Many of you may remember that I also served as the Acting U.S. Attorney, the Attorney General-appointed U.S. Attorney, and the Court-appointed U.S. Attorney from May 2016 through December 2017 the last time the administration changed and the office was without a Presidential appointee. Today I'm back in charge of the office where I have served as a federal prosecutor for almost 19 years, doing a job I have grown to love, on behalf of a community that has become my home.

For those who don't know me, I've served most of my career as a lawyer in the U.S. Department of Justice. I was first hired over 30 years ago through the Attorney General's Honors Program as a Trial Attorney in the Criminal Division in Washington, D.C. In that program, I rotated through the Child Exploitation and Obscenity Section, the Public Integrity Section, the General Litigation and Legal Advice Section (since divided into its many parts), and the Misdemeanor Unit of the U.S. Attorney's Office for the District of Columbia. In those offices, I prosecuted cases involving a wide range of offenses including perjury, domestic violence, and corruption. I left the Department for private practice in Seattle, Washington, where I worked for a time as a white collar criminal defense counsel and commercial litigator at the law firm of Stoel Rives LLP. However, the call of public service was too strong, and I rejoined the Department of Justice in its Office of Professional Responsibility, enforcing professional standards of conduct for attorneys within the Department.

From the time I was a law school student, I wanted one day to serve as an Assistant United States Attorney prosecuting federal crimes. Criminal law, with its focus on proving criminal intent and assessing levels of culpability, grabbed my interest in law school and never let go. Most former AUSAs will say that this job is the most satisfying one they've had as an attorney. Being an AUSA means finding out the truth and doing the right thing based on it. I was determined to have my turn as an AUSA, and in September 2002, I was fortunate to be hired into the U.S. Attorney's Office for this district. I started as a line AUSA in the Narcotics and Violent Crime Unit prosecuting a series of drug trafficking cases, most of which involved groups moving large amounts of methamphetamine within and through our district. In 2008, I was promoted to serve as Chief of Appeals and Training, which made me responsible for overseeing our criminal appellate practice before the U.S. Court of Appeals for the Ninth Circuit and for training new criminal AUSAs in the Sacramento office. In 2011, then U.S. Attorney Ben Wagner promoted me to serve as his First Assistant.

In my almost 19 years in this office, I have been fortunate to have had great work and to have worked with great people. Many of those who mentored and trained me have since retired or been elevated to the bench, but they made lasting impressions on me that guided me as I took

on the role of hiring and training many of our current managers, AUSAs and staff. I served as First Assistant to U.S. Attorneys appointed by Presidents of different political parties—Ben Wagner and Greg Scott—illustrating the non-partisan nature of the work that we do. I learned leadership skills from each of them, and in 2020 the Department recognized my work by presenting me with the Director’s Award for Executive Management. The number of talented AUSAs, law enforcement agents, defense counsel, judges, and probation and pretrial officers with whom I have worked in this district is too great to count. Suffice it to say, I feel lucky to have served as an AUSA in this district for these past 19 years, and I care very deeply about the work this office does in upholding the law.

The challenges facing the office today seem even greater than when I undertook my last tour of duty as the Acting U.S. Attorney. Many threats to our public safety are even more concerning now: an increase in reported hate crimes and hate incidents, a greater flow of inexpensive methamphetamine through our district and an explosion of fentanyl use with associated overdose risk, higher numbers of referrals in child exploitation cases involving abuse and the production of child pornography, a plethora of “ghost guns” without serial numbers in the hands of people committing crimes, and rampant fraud in government benefit programs diverting needed relief away from intended recipients. The ongoing pandemic has slowed our federal justice system and made it much more difficult for the members of my office and those in the offices we work with to do our jobs. The attorneys and support staff in my office are still working mostly from home while juggling family and other responsibilities.

Yet I am confident we can meet these challenges and accomplish our office’s mission. The relationships we have built with our federal, state, and local law enforcement partners are stronger than ever, and working together we are much more effective at safeguarding our district. We also enjoy strong relationships with community leaders that have been cultivated through many years of outreach efforts focusing across our district’s many diverse communities. Most of all, we have an office full of talented attorneys and support staff who are dedicated to our mission and the community we serve. I am proud of the AUSAs we send into court to represent the United States, the majority of whom I’ve helped hire into the office. They are fair, public service minded, and smart, and they are guided by Department and office policies designed to serve justice in our cases. I am also proud of my management team, a group of smart, experienced professionals who train, teach, and guide the attorneys they supervise to uphold the high professional standards we set for ourselves. I am fortunate to have on my senior management team a group of attorneys as capable, fair, smart, and effective as I’ve ever been associated with: Criminal Chief Michele Beckwith, Executive Assistant U.S. Attorney Chi Soo Kim, Civil Chief David Shelledy, and Fresno Office Chief Kirk Sherriff. Going forward, I intend to rely on their expertise and judgment heavily.

I greatly enjoyed working as the First Assistant to both Ben and Greg, helping each run the office and strengthen our relationships with law enforcement agencies, the courthouse family, and community leaders in our district. During their tenures, this office achieved an incredible record of success. I am committed to seeing that success continue. Like the last time I held this position, I do not plan to be a simple placeholder until the next Presidential appointee arrives. As new challenges arise, we will face them. We will make investigative and case decisions in significant matters, and we will carry out the new Attorney General’s priorities and adapt to

changing conditions in the district. It is an honor to have the opportunity to serve the district as its United States Attorney again, no matter how long that opportunity may last.

If you would like to communicate with our office, contact the main number in Sacramento, or submit a suggestion by clicking on the button below. Thank you.

Acting United States Attorney

Phillip A. Talbert