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Months after ordering investigation, Alameda DA Pamela Price quietly brings prosecutors back to work

Price never issued any formal disciplinary notices to the sidelined prosecutors



Alameda County District Attorney Pamela Price in a county office building on Wednesday, April 13, 2023, in Oakland, Calif. (Aric Crabb/Bay Area News Group)





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Alameda County District Attorney Pamela Price recently ordered three veteran prosecutors to return from administrative leave for the first time since a tumultuous staff shakeup that dominated the opening weeks of her tenure.

The move last month marked the latest twist in [a series of sweeping staff changes throughout the Alameda County District Attorney's Office](#) that accompanied Price's election in November — among them being dozens of departures, firings and job reassignments of longtime staff members. It all came as [Price vowed to reshape the East Bay's justice system](#) and reform an office that, she said, had been reduced to a “hot mess” under her predecessor, Nancy O'Malley.

The prosecutors — identified by multiple sources as Connie Campbell, John Mifsud and Brian Owens — were told to return to work in mid-October, roughly nine months after they were placed on leave in January. Even so, they were informed that investigations into their potential misconduct remained open — raising the specter of multiple longtime prosecutors appearing in court and making charging decisions while still under a cloud of suspicion.

“Please be advised that our prosecutorial misconduct investigation is open and will remain ongoing as you return to work pending the outcome of the investigation,” said a letter sent to one of the attorneys and obtained by this news organization.

In all, Price placed seven prosecutors on leave in January. Three got jobs elsewhere — at least one went to work for the San Francisco District Attorney's Office and another joined the Napa County District Attorney's Office. With the

None of the attorneys allowed back to work were disciplined, nor were they ever presented with a written disciplinary notice by Price's office, said Matt Finnegan, an attorney with the local union representing Alameda County prosecutors. Finnegan declined to name the prosecutors.

The Alameda County District Attorney's Office declined to comment, citing an inability to discuss personnel matters.

Price has made little secret of her desire for turnover and fresh faces at the district attorney's office. The same month those prosecutors were placed on leave, she appeared at a rally in downtown Oakland and declared "a new day in Alameda County," adding "them other folks is gone — most of them. I'm working on the rest."

Finnegan this week assailed the investigations, suggesting they were politically motivated and a waste of taxpayer money. He estimated the county spent more than \$1.6 million to either investigate the prosecutors or pay their salaries and benefits while they were at home on leave — a tally that will continue to rise with one prosecutor still on leave.

"The whole thing seems like a sham to me," said Finnegan, adding that "it confirms there was never a valid reason to put these people on leave or punish them in any way."

While at least one of the prosecutors was sidelined for alleged prosecutorial misconduct, the specific allegations against each attorney has never been revealed. For prosecutors Colleen McMahan and John Brouhard, their reason for being placed on leave would be more of a mystery, if not for a common denominator among the two veteran prosecutors.

In 2021, [Price called out McMahan, Brouhard and other prosecutors](#) for using county resources "to gain an unfair advantage" against her by using their staff emails to campaign for Nancy O'Malley in 2018. The Fair Political Practices Commission, a state elections watchdog, later said there was "insufficient evidence" that any Alameda County prosecutors violated a state government code prohibiting an independent expenditure committee from coordinating with a candidate, in this case O'Malley.

Still, [an Alameda County civil grand jury report in late June](#) found that staff at the DA's office "violated county policies regarding the use of county computers and the use of county time" by coordinating efforts to help O'Malley defeat Price in the 2018 election. It also concluded that staff members at the district attorney's office believed Price had "hinted at staff layoffs or terminations," and that this fear was "so overwhelming that staff failed to recognize their disregard of policies regarding campaign-related behavior as potentially illegal."

Price's decision to allow the sidelined prosecutors back to work was [first reported by NBC Bay Area](#).

Michael Rains, an attorney who represented the seven prosecutors during their time on leave, questioned Price's initial decision to place the attorneys on leave. He has [repeatedly sparred with Price since she took office](#) earlier this year — most recently in [dueling requests to have the other person removed from a contentious 2020 manslaughter case involving San Leandro police officer Jason Fletcher](#).

"This whole thing has been a massive case of disorganization, dysfunction and disarray," Rains said. "They should be back at work. Every one of these individuals who were placed on leave is a very, very high quality, experienced, DA."

Staff writers Shomik Mukherjee and Nate Gartrell contributed to this report.

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