



## Nomination Form

### POST Excellence in Training Award

### Application for Nominees



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#### Section 1. Nominee Information

1. Award Category (select one only)	<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Lifetime	<input type="checkbox"/> Organizational
2. Nominee	Mike R. Galli		
3. Title (if applicable)	Deputy DA/POST Instructor		
4. Agency/Organization (if applicable)	Santa Clara DA's Office/So Bay Public Safety Regional (SBPSRT)		
5. Mailing Address	Street <input type="text"/> City <input type="text"/> State <input type="text"/> Zip <input type="text"/>		
6. Contact Numbers	Voice <input type="text"/> Ext <input type="text"/> Cell <input type="text"/> Fax (    ) - <input type="text"/> Email <input type="text"/>		

#### Section 2. Nominator Information

7. Name	David Wysuph		
8. Title	Police Sergeant(ret)/POST Instructor		
9. Agency/Organization	San Jose PD/SBPSRT		
10. Mailing Address	Street <input type="text"/> City <input type="text"/> State <input type="text"/> Zip <input type="text"/>		
11. Contact Numbers	Voice (    ) - <input type="text"/> Ext <input type="text"/> Cell <input type="text"/> Fax (    ) - <input type="text"/> Email <input type="text"/>		
12. Department Head/CEO	Name Linda Vaughn Title President, CEO		

13. Signature

►   
Executive Signature – Required

11-28-21  
Date

Complete all remaining sections. Attach additional pages if needed.

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## **Nomination Form: POST Excellence in Training Award**

### **Application for Nominees**

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#### **Section 3. Justification for Nomination – REQUIRED**

##### **14. Describe the individual's or organization's purpose and training responsibility.**

Mr. Galli has been teaching law enforcement audiences since 1985, including POST courses. He has specialized in Search Warrants (S/W), Search & Seizure (S&S), Asset Forfeiture (AF), Criminal Case Filing, and Law Enforcement-Prosecutor Relations. Currently, he is the primary instructor for the Search Warrant block of the ICI Core Investigations Course presented by SBPSRT, and has been the lead instructor for this topic for the last 14-years. Additionally, he volunteers his time on numerous occasions per year providing instruction to various law enforcement agencies throughout Northern California, the California Narcotic Officers' Association (CNOA), the California District Attorneys' Association (CDAA), numerous District Attorney Offices throughout Northern California, and various civic groups.

Over the last 2-years, Mr. Galli has both directly and indirectly assisted POST in various curriculum development projects for POST's ICI Core Course, and the Major Drug Investigations Course, regarding S/W, S&S, and Defense Attorney Tactics. His efforts have enabled POST to completely update their curriculum for these courses, enhancing the quality, content, and professionalism of the product POST delivers to the public via detailed training courses to law enforcement.

##### **15. Describe the nominee's overall achievement.**

Mr. Galli has directly trained over 5,000 law enforcement officers over the course of his selfless efforts of nearly 40-years, to constantly ensure law enforcement has the most current information on evolving laws and Constitutional requirements. This has an immeasurable benefit to the public, through its effect of producing superior quality law enforcement and community service.

Moreover, and specifically as it applies to S/W and S&S, the physical safety of the public and law enforcement officers improves with the knowledge he provides which minimizes violent confrontations.

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#### **Section 3. Justification for Nomination *continued***

#### **16. Give explanations for each of the following three criteria to support your nomination.**

##### **a) Innovation**

Mr. Galli took it upon himself to fully research, write, and publish the most current California Search Warrant Manual, and he updates the manual with new additions every 18-months. He does this at his own expense and receives no compensation for his efforts. Further, he researches, writes, and publishes a Search and Seizure Manual (search warrant exceptions) for all law enforcement and prosecutors alike.

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##### **b) Impact**

Mr. Galli's impact is best exemplified by the fact that in everyone of his classes he provides the law enforcement audience with his personal contact information, and sincerely solicits each student to reach out to him at anytime of the day or night with any questions on S/Ws, S&S, or any other topic the officer believes Mr. Galli could be of assistance. Although he gets contacted hundreds of times per year over the last 25-years, a noteworthy example was a 2:30am telephone call he received from a San Jose PD Vice SGT. The SGT was in the middle of a multi-pound PCP investigation when a very sensitive S&S issue arose. The SGT's description of the telephone call with Mr. Galli included the observation that when Mr. Galli answered this late night call, he sounded wide awake, and he was still working. He was supporting another investigation team with S/W drafting. Mr. Galli, while typing a warrant for this other investigation team, fielded the SGT's unique S&S circumstances. The SGT noted that Mr. Galli: "...always avails himself to his students and all law enforcement, at all hours, and always with an upbeat and supportive disposition."

Of note, Mr. Galli has personally written over 2200 search warrants for law enforcement officers throughout the bay area.

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##### **c) Reputation/Recognition**

Mr. Galli has been recognized and has received numerous awards for his tireless efforts to assist in the training and development of law enforcement. His recent award from CNOA specifically complimented Mr. Galli's decades-long commitment to POST and law enforcement training.

## **Nomination Form: POST Excellence in Training Award Application for Nominees**

### **Section 4. Support Documentation – REQUIRED**

#### **17. Provide a brief list of any supporting documents included with this application.**

1. Mr. Galli's curriculum vitae

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#### **To complete your application:**

- 1) Make sure you have filled in all applicable sections.
- 2) Print and sign form.
- 3) Attach all supporting documents.
- 4) Send your completed application to:



**Excellence in Training Screening Committee  
c/o California POST  
Executive Office  
860 Stillwater Road, Suite 100  
West Sacramento, CA 95605**

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Application questions: 916.227.2807 — Scott Loggins

## PROFESSIONAL LICENSES

*Member, State Bar of California, 1983 – present*

*Member, United States Federal Court, Northern District of California, 1983 – present*

## EDUCATION

*Juris Doctor, Santa Clara University School of Law, Santa Clara, California*

*Bachelor of Arts, Political Science, (Cum Laude), University of San Francisco, San Francisco, California*

*Associate of Arts, History (with honors), Foothill Community College, Los Altos, California*

## PROFESSIONAL EXPERIENCE

*Deputy District Attorney, Santa Clara County Office of the District Attorney, San Jose, California, 1984 – present*

*Unit Member, Case Issuance Unit, March 2010 – 2021*

Reviewed approximately 51,000 police reports from eight different police agencies and filed felony and misdemeanor criminal charges where appropriate, with particular emphasis on all in-custody cases. Cases range from misdemeanor driving under the influence, general felonies, narcotics and serious and violent felonies, including three strike cases. Reviewed all misdemeanor citations (narcotic & non-narcotic) to determine eligibility for drug diversion (DEJ) and drug court (P36) programs, as well as reduction of non-narcotic cases to infractions. Answered legal questions from police officers and Deputy District Attorneys (DDAs) and provided advice on a wide variety of legal subjects.

*Assistant Unit Leader, Felony Narcotics Unit, January 2009 – March 2010*

Assisted in the supervision of six trial lawyers and six drug court attorneys in all phases of prosecution. Assisted in the preparation of wiretap documents. Reviewed and issued, as appropriate, both in-custody and out of custody felony narcotics cases. Wrote 66 search warrants and designed search warrant templates for use by team members. Answered legal questions related to search and seizure law for various law enforcement officers and agencies in Santa Clara County.

*Assistant Supervisor, Felony Narcotics Unit, January 2008 – January 2009*

Assisted in the supervision of six trial lawyers in all phases of criminal prosecution including case preparation, investigation, legal tactics, trial argument and disposition. Reviewed propriety of all dispositions of felony narcotic cases. Reviewed 1,305 narcotics cases, and filed criminal charges where appropriate, with particular emphasis on in-custody felony cases. Wrote 51 search warrants and answered legal questions related to search and seizure law for various law enforcement officers and agencies in Santa Clara County. Created and maintained several unit specific databases.

*Unit Member, Restitution Services Unit, February 2007 – January 2008*

Assisted civilian victims and the California Victim Compensation and Government Claims Board (VCGCB) in obtaining restitution orders from defendants, with particular emphasis on felony cases. Wrote over 115 motion briefs seeking restitution orders and handled a bi-monthly restitution calendar. Obtained over \$3.4 million in victim restitution orders. Handled two very complex restitution matters resulting in orders for over \$30,000.00 in restitution for the VCGCB and over \$534,000 in restitution for a severely injured accident victim.

*Unit Member, North County Division, March 2004 – February 2007*

Reviewed over 6,100 police reports from nine different police agencies and filed criminal charges where appropriate, with particular emphasis on all in-custody cases. Approximately 47% of filed cases involved felony charges, ranging from vehicular manslaughter and serious and violent felonies (three strikes), to offenses such as grand theft, felony vandalism and narcotics. Handled legal questions from police officers and DDAs. Drafted search warrants and provided advice on a wide variety of legal subjects.

*Unit Member, San Martin Division, March 2003 – January 2005*

Reviewed over 3,300 police reports from five different police agencies and filed criminal charges where appropriate, with particular emphasis on all in-custody cases. Approximately 34% of filed cases involved felony charges, ranging from serious and violent felonies (three strikes) to offenses such as grand theft, felony vandalism and narcotics. Handled legal inquiries from police officers and provided legal advice on a variety of topics, with particular emphasis on search and seizure law.

*Unit Supervisor, Welfare Fraud Unit, October 1998 – November 2001*

Supervised and managed welfare fraud unit and worked with 34 welfare fraud investigators. Filed and prosecuted all aspects of felony welfare fraud cases including directing investigations, drafting search warrants, conducting discovery and preliminary hearings and handling settlements and sentencing hearings. Filed over 750 felony cases, involving over \$7.8 million in fraud. Obtained county jail and state prison sentences for offenders and successfully opposed motions to dismiss strike priors under California's three strikes sentencing law. Recovered over \$1,000,000.00 in restitution.

*Unit Member, Motions, Writs and Appeals Unit, January 1997 – October 1998; November 2001 – February 2002*

Between 1997 and 1998, wrote 160 felony motions including responses to motions to dismiss the information (PC 995) and to suppress evidence (PC 1538.5). Prevailed in over 80% of those matters. Between 1997 and 1998, wrote 2 responses to Writs of Habeas Corpus and prevailed in both matters. Appealed a case to the California Court of Appeal, 6<sup>th</sup> District, and obtained a unanimous reversal of an erroneous 4<sup>th</sup> Amendment decision by the trial court.

*Unit Member, Preliminary Examination Unit, March 1996 – January 1997*

Conducted preliminary hearings involving a wide variety of felony offenses including assaults, narcotics, robbery and theft cases. Handled daily felony pre-trial calendar, averaging approximately 60 cases a day, between July 1996 and January 1997. Reviewed criminal histories and charged any prior offenses that were omitted from the complaint. Made settlement offers and determined whether further investigations were warranted before setting preliminary hearings.

*Unit Member, Economic Crimes Felony Unit, January 1994 – March 1996*

Handled cases involving economic losses exceeding \$100,000.00. Prosecuted cases involving contracting without a license, embezzlement, grand theft, securities and tax fraud. Sporadically handled a weekly felony-sentencing calendar involving approximately 75 cases a week.

*Unit Supervisor, Asset Forfeiture Unit, April 1989 – January 1994*

Supervised a staff of six, including two lawyers, two investigators and support staff. Created forms and policies implementing major changes in narcotic asset forfeiture laws in 1989 and trained local law enforcement agencies. Drafted search warrants and conducted financial investigations resulting in a 285% increase in the number of cases filed, a \$1 million dollar increase for assets seized and a 70% increase in the value of assets forfeited to local law enforcement agencies. Served as Project Director of a federal anti-drug abuse grant involving all Santa Clara County law enforcement agencies from 1990 to 1994. Successfully tried nine forfeiture cases at bench trials.

*Assistant Supervisor, Felony Narcotics Unit, March 1986 – March 1989*

Supervised six trial lawyers in all phases of criminal prosecution including case preparation, investigation, legal tactics and trial argument. Created a computer-based manual for drafting search warrants. Handled all discovery and confidential informant matters in Municipal Court. Issued hundreds of felony narcotics cases and all Informations in Superior Court. Provided guidance and direction to the San Jose Police Department (SJPd) during a 15-month investigation of narcotics trafficking activity by a major narcotics distribution organization in Santa Clara County. Wrote over 100 search warrants in that case alone, resulting in the seizure of 24 kilograms of cocaine, 1-½ pounds of tar heroin and \$1.5 million in cash. Successfully prosecuted 10 suspects.

*Special Assistant, United States Attorney, 1985 – 1986*

Acted as a Property Forfeiture Coordinator and Special Assistant, United States Attorney under a program that cross-designated county prosecutors to assist United States Attorney's Offices as needed.

*Unit Member, Narcotics Unit, May 1985 – February 1986*

Prosecuted felony narcotics cases. Drafted search warrants for law enforcement and presented evidence at preliminary hearings, trials and sentencing hearings. Tried eight felony jury trials involving possession, possession for sale and sales of narcotics.



*Unit Member, Juvenile Unit, September 1984 – May 1985*

Tried over 75 court trials involving serious and violent felony offenses as well as misdemeanor crimes. Cases included assaults, auto thefts, narcotics offenses, residential burglaries, robberies, theft and sex offenses. Prosecuted civil cases involving removal of children from the care, custody and control of their parents.

*Unit Member, Misdemeanor Driving Under the Influence Unit, March 1984 – September 1984*

Issued hundreds of misdemeanor cases involving driving under the influence cases. Tried 13 jury trials. Assisted in pretrial calendars for general misdemeanor crimes.

## **TEACHING EXPERIENCE**

- Guest lecturer at Stanford University Citizen's Academy on 4<sup>th</sup> Amendment law – January 2012. [3-hour lecture].
- POST Certified, Level 1 Instructor, September 2011.
- Instructor, Robert Presley Institute of Criminal Investigation (ICI), 2007 – present.
- Technical Advisor and instructor, California District Attorney's Association (CDAA) Search Warrant Law Seminar, 2006 – present.
- Instructor, CDAA Gang Seminar, 2018.
- Instructor, CDAA Practical Application Sexual Assault Seminar, 2018.
- Instructor, CDAA Fraud Seminars, 2014.
- Instructor, CDAA High Technology Seminar, 2008 – 2010.
- Instructor on informant, search warrant law and search warrant drafting, SJPB Bureau of Investigation, bi-annually, 1987 – 2014, and as requested since 2014.
- Instructor, 4<sup>th</sup> Amendment legal updates, Los Gatos Police Department as requested, 1992 thru 2001, and as requested since then.
- Instructor as needed on, 4<sup>th</sup> Amendment law, for various law enforcement groups, including CDAA and the California Welfare Fraud Investigators Association.
- Instructor, California asset forfeiture law, California State conference for the California Association for Property & Evidence (CAPE) and the Governor's Conference on Victims Services and Public Safety.
- Guest lecturer, at a variety of university and college classes on topics related to criminal prosecution including Santa Clara University School of Law (role of the District Attorney and death penalty perspectives), Peninsula Law School (4<sup>th</sup> Amendment law, informants and search warrants), Gavilan Community College (police report writing and testifying) and West Valley Community College (4<sup>th</sup> Amendment law and the role of the District Attorney).

## **PROFESSIONAL ASSOCIATIONS**

- *Member*, American Bar Association (ABA), and ABA Litigation Section.
- *Member*, California District Attorney's Association (CDAA).
- *Member*, CDAA High Tech Crime Committee (2007 – Present)
- *Member*, CDAA Public Fraud Committee (1998 – 2001).
- *Member*, CDAA Asset Forfeiture Committee (1989 – 1994).
- *Lifetime Member*, California Narcotics Officers Association (CNOA).

## **PUBLICATIONS**

- *Search Warrant Law & Practice Manual 5<sup>th</sup> Edition*, CDAA, April 2019
- *Search Warrant Law & Practice Manual 4<sup>th</sup> Edition*, CDAA, March 2016
- *California Electronic Communication Privacy Act*, Police Technical 2016.
- *Warrantless Searches, a Guide for Police-Citizen Contacts, Cell Phones and Exclusions*, Police Technical 2014.
- *Search Warrant Law & Practice Manual 3<sup>rd</sup> Edition*, CDAA, March 2014
- *People v. Diaz: Right Result, but Wrong Rationale*, CDAA, Firewall (High-Technology Crimes Newsletter), Vol. 9, Nos. 1 & 2 (Spring 2012)
- *Search Warrant Law & Practice Manual 2<sup>nd</sup> Edition*, CDAA, March 2012
- *Cell Phone Searches*, CDAA, Firewall (High-Technology Crimes Newsletter), Vol. 6, No. 4 & Vol. 7. No. 1 (Fall 2009)
- *Search Warrant Law & Practice Manual 1<sup>st</sup> Edition*, CDAA, July 2009
- *Chapter II, Search and Seizure*, CDAA, High Technology Crimes Manual (Winter 2008)

- *Tracking Devices and the Fourth Amendment*, CDAA, Firewall (High-Technology Crimes Newsletter), Vol. 5, No. 1 & 2 (Winter 2008)
- *Search Warrant* sections of the Santa Clara County Superior Court Judge's Duty Manual (2007)
- *Chapter IV, Search Warrants*, 2<sup>nd</sup> Edition, CDAA, Hate Crimes Monograph, Prosecutor's Notebook, Volume XXXIV (Summer 2006)
- *Chapter IV, Search Warrants*, CDAA, Hate Crimes Monograph, Prosecutors Notebook, Volume XXV (Fall 1999)
- Editor, *High-Technology Crime*, by Kenneth S. Rosenblatt (KSK Publications, © 1995)
- *Basic Search & Seizure & Search Warrant* sections of the Santa Clara County Superior Court Judge's Duty Manual (1994).
- *Drafting Narcotics Search Warrants*, CDAA, Prosecutor's Brief, Volume XI, No. 4 (Fall 1988).

## AWARDS

- 2021 Albert Nelson Marquis Lifetime Achievement Award from the Marquis Who's Who Publications Board
- 2021 Lifetime Achievement Award from National Publications.
- Lawyers of Distinction - 2021
- Lifetime member of Continental Who's Who Pinnacle Leaders (2021 -- Present)
- Listed in the 2020 -- 2021 edition of Marquis Who's Who in America.
- Listed in the 2019 -- 2020 editions of Marquis Who's Who in America, Who's Who in Law and in its Industry Leaders publications.
- CNOA Region One, Prosecutor of the Year, 2016.
- CDAA Author of the Year, 2009.
- SJPD Excellence Award, *November 1992*.
- Santa Clara County Employee of the Month, *January 1990*.
- San Jose Police Department, Narcotics Unit Commendation Letter -- 1989.
- San Jose Police Department, Burglary Prevention Unit Commendation Letter 1989.