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## TENACIOUS E

As a child, Evan A. Jenness stood up to schoolyard bullies; as a criminal defense lawyer, she stands up to government overreach

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By [Jessica Ogilvie](#) on February 3, 2014

In September 2008, Patrick A. McGowan, a former regional vice president for Ralphs grocery chain, was indicted by a federal grand jury and accused of falsifying the names and Social Security numbers of employees to keep them working during a strike several years earlier. If convicted, McGowan faced a maximum of 30 years in prison.

It got worse before it got better. When his attorney dropped him over finances, McGowan thought he was done for. Then he was referred to Evan A. Jenness, a criminal defense attorney who specializes in white-collar federal cases. "Evan took me on despite my lack of finances," says McGowan. "She was a pit bull about exonerating me."

Two things drove Jenness: her belief in her client's innocence; and her general distaste for the zeal with which the federal government goes after those without the means to fight back.

"There is almost nothing the government won't do when they are committed to getting somebody convicted," she says. "Once cases have been indicted, you're one small stick fighting against a giant forest."

For the next year and a half, Jenness and McGowan met regularly. In the courtroom, says McGowan, she "wouldn't allow anyone push her around. She really held her ground and was very tenacious."

Bill Genego, who runs his own practice, worked with Jenness for the trial. "She fought incredibly hard for the client all the way through," he says.

McGowan and Jenness were repeatedly tested. At one point, McGowan



Photo by: *Dustin Snipes*

### FEATURED LAWYERS



**Evan A.  
Jenness**

**Top Rated Criminal  
Defense: White  
Collar Lawyer**

Law Offices of Evan  
A. Jenness  
Los Angeles, CA

was offered a deal that would have resulted in a shorter prison sentence if he pled guilty. No dice.

In the end, McGowan was acquitted of all charges.

Despite the victory, Jenness can't help but think of the toll on her client. "He had been working for decades and had thrown his whole life into building a stable family and making money for his family," she says. "They didn't compensate him in any way for the years that had been ruined."

Nevertheless, she says, "I'm very proud of the result we got. I think it was the right result."

Born in Boston, Jenness' tendency to fight for clients like McGowan stems from a personality trait she developed at a young age. "I was always sticking up for whoever was getting bullied in the schoolyard," she says.

Jenness was raised in Alaska and a combination of the East and West Coasts, as well as Nigeria, Lesotho, Botswana and Sudan. "My father works for the United Nations," she explains. "And my parents divorced at some point, so I went back and forth between homes."

It was an invaluable experience. "When you live in a lot of different communities, you learn to think in a lot of different ways," she says. "You get exposure to a lot of different people and different sets of cultures, legal systems and social structures. You figure out for yourself what you think is right or wrong."

Some lessons were more obvious than others. "I remember going through the international airport in Johannesburg and seeing the 'Blacks' and 'Whites' signs," she says.

From a young age, Jenness considered becoming a lawyer. "I like to debate and I'm argumentative, and my parents encouraged that," she says. She went on to attend high school in Amherst, undergrad at Brandeis University, and Columbia Law School. After moving to Los Angeles in 1988, Jenness clerked in federal court from 1988 to 1989, and then worked at various private practices before joining the Office of the Federal Public Defender in Los Angeles in June 1996.

While there, she noticed something that raised her hackles. Rather than pouring money into putting high-profile bad guys behind bars, the feds, she felt, zeroed in on individuals who had the least chance of defending themselves: in particular, people accused of breaking immigration laws.

“The federal government prosecutes a lot of people criminally for coming back to this country because they had prior criminal records when they were deported, some of whom have children here,” she says. “It was heartbreaking for me as a public defender to see those people in handcuffs getting put in prison and being removed from their families.”

One client from Mexico was arrested for breaking immigration laws, but with the help of an immigration expert she’d retained, Jenness figured out he had derivative citizenship—his mother had become a naturalized U.S. citizen when he was under 18. It was news to both him and the federal government—he had previously been deported.

In 2004, wanting to, she says, “take on new challenges and focus practice on white-collar criminal defense,” Jenness opened her own private practice in Santa Monica.

Since then her clients have included gaming companies, private investigators, celebrities and individuals like McGowan. “I got my undergraduate degree in economics, so I’ve done securities fraud and a number of financial fraud cases,” she says. “I like crunching numbers.”

While defending a child pornography case several years ago, Blair Berk, a partner at Tarlow & Berk, recalls that Jenness risked being hauled off to jail herself in order to stand up to a judge.

During the contentious case, Jenness had an objection to a prosecutorial tactic. “The judge, in a very arbitrary manner, refused,” says Berk. But Jenness didn’t sit down; instead, she repeated her request, once again getting shot down. She took a seat, but within five seconds was back on her feet.

“She took a third crack at the judge,” says Berk, chuckling at the memory. “I got the real sense that if she tried it again, the judge would call over the United States marshal. It reflected her tenaciousness and loyalty for her client.”

“She is a true believer and a fighter,” adds Sara Azari, a solo practitioner who has known Jenness since 2005 from their work on the National Association of Criminal Defense Lawyers. “She just fights and fights for what she believes to be justice.”

She’s also not bad at finessing a situation. While defending McGowan, a witness took to the stand and Jenness changed tactics on the spot—from a cross-examination to a direct examination.

"It was clear that she was very reluctant to be there and reluctant to be implicating anybody," says Jenness, adding, "She wasn't the right witness for the prosecution."

At her office in Santa Monica, Jenness, 51, sits behind a large mahogany desk that threatens to dwarf her. She's petite, with blue eyes and long hair she wears pulled back in a tight ponytail. Sunlight pours through a window. A hefty bookcase fills the wall to her right; a few boxes of files are scattered about the tidy floor.

On her desktop, she picks up photos of her three dogs: Lola, a Maltese; Leo, a teacup Yorkie; and Sadie, a Chihuahua. She takes regular hikes in and around LA, and with her husband of eight years, has traveled the world, including trips to Israel and Southeast Asia.

She also returned to South Africa.

"The most beautiful thing was seeing a post-apartheid South Africa," she says. "Whatever economic or political problems South Africa has today, it really is a successful, phenomenal, thriving country compared to what it was [during] apartheid. It was gratifying to go back and see that system gone."