

File No. 21086

Item No. 12

SUNSHINE ORDINANCE TASK FORCE  
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: November 2, 2022

- |                                     |                                   |
|-------------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | Petition/Complaint                |
| <input checked="" type="checkbox"/> | Memorandum - Deputy City Attorney |
| <input checked="" type="checkbox"/> | Petitioner/Complainant Supporting |
| <input checked="" type="checkbox"/> | Documents                         |
| <input checked="" type="checkbox"/> | Respondent's Response             |
| <input type="checkbox"/>            | Public Correspondence             |
| <input type="checkbox"/>            | Order of Determination            |
| <input type="checkbox"/>            | Minutes                           |
| <input type="checkbox"/>            | Administrator's Report            |
| <input type="checkbox"/>            | No Attachments                    |

Page: 1238

Page: 1242

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OTHER

Completed by: C. Leger Date 10/28/22

\* An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document is in the file on a disk

**Sunshine Ordinance Task Force  
Complaint Summary**

File No. 21086

Anonymous v. District Attorney Chesa Boudin and the Office of the District Attorney

Date filed with SOTF: 07/16/21

Contact information (Complainant information listed first):

Anonymous ([arecordsrequestor@protonmail.com](mailto:arecordsrequestor@protonmail.com)) (Complainant)

Chesa Boudin and Cristine DeBerry, Rachel Marshall, David Campos and Tera Anderson Office of the District Attorney (Respondents)

---

**File No. 21086:** Complaint filed by Anonymous against District Attorney Chesa Boudin and the Office of the District Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26, 67.27, 67.25, 67.24 and California Government Code 6254.5 by failing to respond to a public records request in a timely and/or complete manner.

**Administrative Summary if applicable:**

June 14, 2021, request for the following:

1. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between Boudin and Radley Balko or Dion Lim in 2021
2. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between other DA employees and Radley Balko or Dion Lim in 2021
3. Provide evidence of the following: "But in phone interviews, both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week." Such evidence includes: (a) communications between your office and the alleged victim or Mulholland, (b) all filings by your office in the juvenile's case, (c) all communications between Boudin or other DA employees and the judge or clerk in the juvenile's case, (d) all communications between Boudin or other DA employees and the juvenile's attorneys. Obviously, you may redact any info identifying persons IF an appropriate citation is provided for each such redaction.
4. Any calendar events showing Boudin or other DA employees meeting with any of the alleged victim, Mulholland, the charged juvenile, or any of their attorneys. As you know, all (physical or virtual/telephonic) meetings of Boudin must be recorded pursuant to SFAC 67.29-5."

**Unable to open the seconded request for records. Please resend.**

**Request 1 - (comms with judges and Mayor's Office):**

Request 2 - (comms with Dion Lim and Radley Balko):  
Please provide the original request submitted to the Respondent.

Complaint Attached.

**Leger, Cheryl (BOS)**

---

**From:** Google Forms <sfbdsupvrs@gmail.com>  
**Sent:** Friday, July 16, 2021 7:27 PM  
**To:** SOTF, (BOS)  
**Subject:** New Response Complaint Form

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Your form has a new entry.  
Here are the results.

<b>Complaint against which Department or Commission</b>	Chesa Boudin
---	--------------

<b>Name of individual contacted at Department or Commission</b>	District Attorney's Office
---	----------------------------

<b>Alleged Violation</b>	Public Records
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<b>Sunshine Ordinance Section:</b>	SFAC 67.21, 67.26, 67.27, 67.25, 67.24, Gov Code 6253(c), Gov Code 6254.5
--	---



**Please describe alleged violation**

See email "67.21(d) petition & new SOTF Complaint vs Chesa Boudin and DA's Office 01"

**Name**

Anonymous

**Email**

[arecordsrequestor@protonmail.com](mailto:arecordsrequestor@protonmail.com)

**If anonymous, please let us know how to contact you. Thank you.**

[arecordsrequestor@protonmail.com](mailto:arecordsrequestor@protonmail.com)

Sent via [Google Form Notifications](#)

# Complainant/Petitioner's Document Submission

**From:** Anonymoose 🐼 <arecordsrequestor@protonmail.com>  
**Sent:** Friday, July 16, 2021 7:24 PM  
**To:** Records, Supervisor (CAT); SOTF, (BOS)  
**Subject:** 67.21(d) petition & new SOTF Complaint vs Chesa Boudin and DA's Office 01  
**Attachments:** 1 - Boudin-Judge communications - Immediate disclosure request =E2=80=A2 Mu=.pdf; Anon\_PRA\_7.16\_Lim\_Balko.pdf; responsive-records-lim-balko-correspondence.pdf; signature.asc

**Supervisor of Records:** This is a 67.21(d) to petition to determine in writing some or all records or parts thereof in the 2 attached requests are public and order them disclosed. In request #2 they have actively withheld certain records under apparently all of the cited exemptions and they are not more specific than that. There are also parts of records withheld in the second request in the numbered items.

**SOTF:** Please file a new complaint *Anonymous v Chesa Boudin and District Attorney's Office*.

**Allegations:** SFAC 67.21, 67.26, 67.27, 67.25, 67.24, Gov Code 6253(c), Gov Code 6254.5

This complaint regards two requests both attached.

**On the second request (comms with Dion Lim and Radley Balko):**

For context Lim and Balko are both journalists who wrote about Boudin's actions in a particular alleged crime. What Boudin, Lim, or Balko did or did not do is not relevant to the Sunshine issues, except that any release of info from Boudin/his office to Lim or Balko (who are not City employees) would waive all purported exemptions in that information. ***Namely, the Respondents appear to have discussed information apparently about witnesses or victims in this case with at least Balko on at least pages 61-62 of the public records released.***

This had an untimely response, but also had numerous additional problems. Remember the Respondents bear the burden to prove with specificity that an exemption applies.

1. **Gov Code 6254.5** - For all information that was provided to some other member of the public who has *no* special position in the investigation (namely these two reporters and their employers), all privileges in that information were waived.
2. **SF Admin Code 67.26** - the participant names of the texts/chats have been withheld. You have ruled that the From and To of text messages must be disclosed. SOTF 19098 Anonymous v SFPD. It is unclear who is speaking to Lim/Balko - is it Boudin or his subordinate?
3. **SF Admin Code 67.21** - a copy of a word document attachment communicated outside of the City was not provided. Instead screenshots of this document, which clearly contains hyperlinks impossible to provide via screenshot were provided. More importantly, because this Word file was itself communicated outside of the City, all privileges in the entirety of the file as previously transmitted are waived and I must receive the entirety of the original file, including all history and metadata in that Word file, whose name starts "Dion Lim Misrepresentatio..." on page 69.
4. **SF Admin Code 67.26** - the DA's office also transmitted various hyperlinks in their chat messages that were not provided to me (ex. page 63, 65)
5. **SF Admin Code 67.27** - Respondents withheld records on subrequest 3 based on 8 different justifications: "We are withholding records under the exemptions stated above that would otherwise be responsive to your third request." I do not believe all of these justifications apply and they appear to be just scattershot.
6. **SF Admin Code 67.24(a) and 67.26** - The Respondents withheld records to subrequest 3 based on: "Also, preliminary drafts, notes, or interagency or intra-agency memoranda may be exempt from disclosure under Cal.

Govt. Code § 6254(a)." This is not allowed. Only a very small subset of such info is exempt under local draft exemption Admin Code 67.24(a). Namely in order to be exempt they must be "preliminary draft or department memorandum" AND "not normally kept on file and would otherwise be disposed of" AND then, only "the recommendation of the author" of such a document may be withheld within that document.

7. **SF Admin Code 67.27** - The Respondents also withheld records to subrequest 3 based on: "*In addition, "official information," which is acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, is privileged against disclosure per Cal. Evid. Code 1040*". This statement neither specifies which exemption is being used, and also over-states that is exempt. The Official Information privilege does not in fact exempt all "official information." Instead, there are two specific exemptions for subsets of official information: and they must choose which (or both) they are using: Evidence Code 1040(b)(1) and Evidence Code 1040(b)(2). Admin Code 67.27 requires you to choose *specific* exemptions. In (b)(1) they must prove what state or federal law prohibits disclosure. In (b)(2) they must prove that a balancing test *in the interest of justice* prevails for non-disclosure. But neither (b)(1) nor (b)(2) nor both combined simply exempt ALL information acquired in confidence by a public employee, as the City incorrectly believes. (Note that I am not disputing the *applicability* of the balancing test in (b)(2) due to the Mayor's COVID orders in this instance; though I reserve the right to elsewhere challenge the validity of. What I am saying is if that is what they want to use, they need to cite that test and prove with specificity that it applies to all information so exempted.)
8. **SF Admin Code 67.21 and 67.26** - Each, individual, email needs to be provided as an exact copy. The To, From, Cc, Bcc need to be provided with non-private email addresses.
9. **SF Admin Code 67.21 and 67.26** - At the end of the records appears to be some sort of formal letter transmitted to ABC7. I am owed an exact copy of that original file transmitted to ABC7 (and whatever mechanism was used to transmit that file). Any exemption for metadata (for example, any purported history that may otherwise be attorney work-product privileged if it was NOT in a file transmitted outside of the City) in the specific copy of the file sent to ABC7 is waived by transmission to ABC7.

**On the first request (comms with judges and Mayor's Office):**

The District Attorney's office has decided to go radio silent on my request and simply refuses to respond. At this moment there is no substantive response other than a lie that they would respond in 10 days (they did not).

**Violations of Gov Code 6253(c), Admin Code 67.21(b), Admin Code 67.25(b) and/or Admin Code 67.25(d):** In each case, Chesa Boudin and his Office violated Gov Code 6253(c) for failing to provide a determination of disclosable public records and reasons within 10 days and for unreasonably delaying provision of records to my requests. (The prior argument is based on a presumption that the Mayor's emergency COVID orders suspending certain timeliness requirements of the Ordinance are valid, but is not a concession that they are in fact valid, or continue to be in effect at any given time. In the alternative, Respondents violated Admin Code 67.21(b) and/or 67.25(b) for failing to provide records within 10 days.).

**Violations of Admin Code 67.26 and 67.27:** The failure or refusal of the Respondents to search and produce the records is equivalent to withholding all records in their entirety (Community Youth Athletic Center v. City of National City, "The effect of the City's inability or unwillingness to locate the records had the same effect as withholding requested information from the public."). This complete withholding is non-minimal and unjustified in writing. If and when the City eventually responds, these violations may continue as well.

Regards,

Anonymous

Twitter [@journo\\_anon](#)

**IMPORTANT:**


1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages; notwithstanding any notices to the contrary.

2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with ProtonMail Secure Email.

**Leger, Cheryl (BOS)**

---

**From:** Anonymoose  <arecordsrequestor@protonmail.com>  
**Sent:** Friday, August 13, 2021 5:41 PM  
**To:** SOTF, (BOS)  
**Subject:** Re: FW: 67.21(d) petition & new SOTF Complaint vs Chesa Boudin and DA's Office 01  
**Attachments:** RESEND-Boudin-Judge.pdf; signature.asc

Certainly that one file is reattached.

Regards,

Anonymous  
Twitter [@journo\\_anon](#)

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3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
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Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Friday, August 13th, 2021 at 2:50 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Anonymoose: I tried to open the Boudin Judge communication and it appears to be damaged. Can you resend it so I can notice the Respondent? Thank you.

Cheryl Leger

Assistant Clerk, Board of Supervisors

[Cheryl.Leger@sfgov.org](mailto:Cheryl.Leger@sfgov.org)

Tel: 415-554-7724

Fax: 415-554-5163



https://avanan.url-  
protection.com/v1/url?o=www.sfbos.org&g=YTY3YmJiMDMzNjU2ZTEyNA==&h=YzkzY2I5ZjQ5ZmQ4NGU  
1YTU1YzZwZjMxYjA4OTI5YjhmNzhhNDE2MjMyODJkZDhiNDM1OTIxMDE3NDUyZTM2Ng==&p=YXAzOnN  
mZHQyOmF2YW5hbGpvOjQ0ZjIwMjViZmE5ZjdjZDQzOWY4Nzg1ODdlYWlyNDI4OnYx



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*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

**From:** Anonymoose  <arecordsrequestor@protonmail.com>  
**Sent:** Friday, July 16, 2021 7:24 PM  
**To:** Records, Supervisor (CAT) <Supervisor.records@sfcityatty.org>; SOTF, (BOS) <sotf@sfgov.org>  
**Subject:** 67.21(d) petition & new SOTF Complaint vs Chesa Boudin and DA's Office 01

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1040(b)(2). Admin Code 67.27 requires you to choose *specific* exemptions. In (b)(1) they must prove what state or federal law prohibits disclosure. In (b)(2) they must prove that a balancing test *in the interest of justice* prevails for non-disclosure. But neither (b)(1) nor (b)(2) nor both combined simply exempt ALL information acquired in confidence by a public employee, as the City incorrectly believes. (Note that I am not disputing the *applicability* of the balancing test in (b)(2) due to the Mayor's COVID orders in this instance; though I reserve the right to elsewhere challenge the validity of. What I am saying is if that is what they want to use, they need to cite that test and prove with specificity that it applies to all information so exempted.)

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**Violations of Admin Code 67.26 and 67.27:** The failure or refusal of the Respondents to search and produce the records is equivalent to withholding all records in their entirety (Community Youth Athletic Center v. City of National City, "The effect of the City's inability or unwillingness to locate the records had the same effect as withholding requested information from the public."). This complete withholding is non-minimal and unjustified in writing. If and when the City eventually responds, these violations may continue as well.

Regards,

Anonymous

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2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with [ProtonMail](#) Secure Email.

From: twitter.com/journo\_anon

06/18/2021

Subject: California Public Records Act Request: Boudin-Judge communications - Immediate disclosure ... [Email](#)

Provide any communications (including any group conversations) of any form on personal or govt property between DA Boudin or any DA employee and any person who is a local, state, or federal judge at the time of the communication, Chief Scott, Mayor London Breed, Andy Lynch, Jeff Cretan, Sean Elsbernd, or Andrea Bruss. You may exclude any communication that is formally served on an adversarial party, publicly posted by a Court, or publicly posted on the Internet.

Search at least the following: email, chat, letters, text message, instant message, direct message, private message in all apps or social networks. Preserve all original records pending the final adjudication of all appeals - we may appeal all withholdings.

From: San Francisco District Attorney's office

06/18/2021

Subject: RE: California Public Records Act Request: Boudin-Judge communications - Immediate disclos... [Email](#)

Thank you for your request. As a preliminary matter, the purpose of the immediate disclosure request is to expedite the City's response to a "simple, routine, or otherwise readily answerable request." Admin. Code 67.25(a). The Sunshine Ordinance specifies that for more extensive or demanding requests, the maximum deadlines for responding to a request apply. Id. Accordingly, a requester's mere designation of a request as an immediate disclosure request does not automatically make it so. Rather, Admin. Code 67.25(b) makes clear that the City can invoke an extension of 10 days provided the reasons for the extension are set forth and as long as the requester is notified by the close of business the day following the request.

Processing your request requires searching for, collecting, and examining a voluminous amount of possibly responsive and non-privileged records. We are invoking our extension and will respond within 10 days.

Best,  
SFDA Public Records



~WRD0004

[Download](#)

From: San Francisco District Attorney's office

06/22/2021

Subject: RE: California Public Records Act Request: Boudin-Judge communications - Immediate disclos... [Email](#)


Thank you for your request. As a preliminary matter, the purpose of the immediate disclosure request is to expedite the City's response to a "simple, routine, or otherwise readily answerable request." Admin. Code 67.25(a). The Sunshine Ordinance specifies that for more extensive or demanding requests, the maximum deadlines for responding to a request apply. Id. Accordingly, a requester's mere designation of a request as an immediate disclosure request does not automatically make it so. Rather, Admin. Code 67.25(b) makes clear that the City can invoke an extension of 10 days provided the reasons for the extension are set forth and as long as the requester is notified by the close of business the day following the request.

Processing your request requires searching for, collecting, and examining a voluminous amount of possibly responsive and non-privileged records. We are invoking our extension and will respond within 10 days.


Best,  
SFDA Public Records



image001

 Download

From: Muckrock Staff

07/07/2021 

Subject: RE: California Public Records Act Request: Boudin-Judge communications - Immediate disclos... [Email](#)

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on June 18, 2021. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.



July 16, 2021

[114094-50404735@requests.muckrock.com](mailto:114094-50404735@requests.muckrock.com)

Re: Your Public Record Act request received on June 14, 2021.

To Whom it May Concern:

This letter is in response to your Public Record Act request received by our office via email on June 14, 2021, making the following request:

- "1. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between Boudin and Radley Balko or Dion Lim in 2021*
- 2. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between other DA employees and Radley Balko or Dion Lim in 2021*
- 3. Provide evidence of the following: "But in phone interviews, both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week." Such evidence includes: (a) communications between your office and the alleged victim or Mulholland, (b) all filings by your office in the juvenile's case, (c) all communications between Boudin or other DA employees and the judge or clerk in the juvenile's case, (d) all communications between Boudin or other DA employees and the juvenile's attorneys. Obviously you may redact any info identifying persons IF an appropriate citation is provided for each such redaction.*
- 4. Any calendar events showing Boudin or other DA employees meeting with any of the alleged victim, Mulholland, the charged juvenile, or any of their attorneys. As you know, all (physical or virtual/telephonic) meetings of Boudin must be recorded pursuant to SFAC 67.29-5."*

Under the Public Records Act and the Sunshine Ordinance, a "public record" is broadly defined to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Cal. Govt. Code §6252(e). If the department has no records responsive to the specific request, the department has no duty to create or recreate one.

Records that contain the work product of an attorney for the People of the State of California are protected from disclosure. Cal. Govt. Code § 6254(k); Cal. Code Civ. Proc. §2018.030. The attorney work-product doctrine functions as a privilege, protecting from disclosure "[a] writing that reflects an attorney's impressions, conclusions, opinions or legal research or theories." Cal. Code Civ. Proc. § 2018.030(a). The attorney work-product doctrine also extends beyond records prepared for litigation purposes.

The investigatory records of a law enforcement agency are exempt from disclosure under the California Public Records Act. Cal. Govt. Code § 6254(f). Case law specifically holds that a District Attorney's investigatory records cannot be subject to compelled disclosure, whether the investigation is opened or closed, under conflicting laws. *Rivero v. Superior Court* (1997) 54 Cal. App. 4th 1048, 1059-1060.



CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE DISTRICT ATTORNEY

Also, preliminary drafts, notes, or interagency or intra-agency memoranda may be exempt from disclosure under Cal. Govt. Code § 6254(a). In addition, "official information," which is acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, is privileged against disclosure per Cal. Evid. Code 1040 and Cal. Govt. Code § 6254(k).

Additionally, release of records regarding a juvenile would be a violation of Welfare and Institutions code 831. Additionally, the right to privacy protected by Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M prevents these records from release.

The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M. These authorities may protect private information or records from disclosure even absent a statutory or constitutional provision addressing the specific information or type of record in question.

Please see the attached responsive records to your first, second, and third request. Under the right to privacy statutes stated above, we have redacted personal cell phone numbers and emails from the records. We are withholding records under the exemptions stated above that would otherwise be responsive to your third request. We do not have any responsive records to your fourth request.

Sincerely,  
San Francisco District Attorney's Public Records

## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, May 21, 2021 4:30 PM  
**To:** Marshall, Rachel (DAT)  
**Cc:** Boudin, Chesa (DAT); Mulligan, Jeff A. (KGO-TV); Tuggle, Heather  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Rachel,

Perhaps you are mistaken— my previous email reads “family” meaning her son. He provided me a statement from his mother.

Here is also the portion of our previous email that was not addressed. Could you please respond with context surrounding the other suspects who are not minors and the circumstances pertaining to them. Again, not the minor.

*It is our understanding that one suspect in this case is a minor. "California Welfare and Institutions Code" does not prohibit the DA's office from discussing the other parts of the case involving individuals who are over 18.*

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
[415-517-8264](tel:415-517-8264) | [abc7news.com](http://abc7news.com)

On May 21, 2021, at 4:00 PM, Marshall, Rachel (DAT) <[rachel.marshall@sfgov.org](mailto:rachel.marshall@sfgov.org)> wrote:

Hi Dion,

Your information is inaccurate.

We have spoken to the victim repeatedly, including today, and she told us that she has never spoken to you directly. She has spoken with us and confirmed she would like her face blurred, which we learned has not been done on your social media accounts.

Thank you,

Rachel

--

**Rachel Marshall**  
Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N

San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 2:31 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Rachel,

It is our understanding that one suspect in this case is a minor. "California Welfare and Institutions Code" does not prohibit the DA's office from discussing the other parts of the case involving individuals who are over 18.

The victim's family and I have been corresponding and they are aware of my prior Tweets and what they would like to be included or excluded in our story.

Please be mindful of the victim's most up-to-date requests to ABC7 going forward.

Be Well,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
**415-517-8264 | abc7news.com**  
<image001.png>

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Friday, May 21, 2021 1:23 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>; Boudin, Chesa (DAT) <chesa@sfgov.org>  
**Cc:** Mulligan, Jeff A. (KGO-TV) <Jeff.A.Mulligan@abc.com>; Tuggle, Heather <Heather.Tuggle@abc.com>  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case, and this should not be interpreted as confirming or denying anything about the case status or the claims you made. Additionally, my understanding is that you spoke with an ADA in our juvenile unit a while back regarding privacy concerns with this case and that you agreed to blur out the face of the victim in this case per the victim's request. We were advised that it has not been blurred on your social media accounts. Please be mindful of the victim's request in any update.



Thank you.

—  
**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
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---

**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 11:12 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

We are running an update to a story I covered a few months ago involving a 75-year old woman who was assaulted and targeted in an attempted carjacking at a Safeway store in the Richmond District.

We realize the suspects involved include minors-- but we are not asking for information on the suspects themselves, rather information on the status of the case.

It has come to our attention your office dropped the case due to a lack of DNA evidence.

Was DNA evidence needed despite multiple cell phone videos provided by witnesses and surveillance from the store itself? There were also witnesses who gave statements to law enforcement after the incident happened.

Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**

415-517-8264 | abc7news.com  
<image002.png>

## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, May 21, 2021 2:31 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Cc:** Mulligan, Jeff A. (KGO-TV); Tuggle, Heather  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Rachel,

It is our understanding that one suspect in this case is a minor. "California Welfare and Institutions Code" does not prohibit the DA's office from discussing the other parts of the case involving individuals who are over 18.

The victim's family and I have been corresponding and they are aware of my prior Tweets and what they would like to be included or excluded in our story.

Please be mindful of the victim's most up-to-date requests to ABC7 going forward.

Be Well,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Friday, May 21, 2021 1:23 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>; Boudin, Chesa (DAT) <chesa@sfgov.org>  
**Cc:** Mulligan, Jeff A. (KGO-TV) <Jeff.A.Mulligan@abc.com>; Tuggle, Heather <Heather.Tuggle@abc.com>  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

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Thank you.

—  
**Rachel Marshall**  
Director of Communications & Policy Advisor

Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 11:12 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

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Hi Rachel,

We are running an update to a story I covered a few months ago involving a 75-year old woman who was assaulted and targeted in an attempted carjacking at a Safeway store in the Richmond District.

We realize the suspects involved include minors-- but we are not asking for information on the suspects themselves, rather information on the status of the case.

It has come to our attention your office dropped the case due to a lack of DNA evidence.

Was DNA evidence needed despite multiple cell phone videos provided by witnesses and surveillance from the store itself? There were also witnesses who gave statements to law enforcement after the incident happened.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, May 21, 2021 11:11 AM  
**To:** Marshall, Rachel (DAT);Boudin, Chesa (DAT)  
**Cc:** Mulligan, Jeff A. (KGO-TV);Tuggle, Heather  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

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Hi Rachel,

We are running an update to a story I covered a few months ago involving a 75-year old woman who was assaulted and targeted in an attempted carjacking at a Safeway store in the Richmond District.

We realize the suspects involved include minors-- but we are not asking for information on the suspects themselves, rather information on the status of the case.

It has come to our attention your office dropped the case due to a lack of DNA evidence.

Was DNA evidence needed despite multiple cell phone videos provided by witnesses and surveillance from the store itself? There were also witnesses who gave statements to law enforcement after the incident happened.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Thursday, May 20, 2021 12:53 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** Story Inquiry: Chinatown Today

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Working on a piece for today's newscasts about the incident involving Fanly Chen over the weekend.

Community leaders and members of the media seemed to be under the impression Chesa would be appearing to speak to the Ms. Chen in person and to possibly empathize with her frustrations and pain. Chesa did not show up to the store today.

Can you please elaborate on why Chesa was not there and what he was attending to instead?

Note: we are not looking for comment on the suspect, as he is a minor— but solely on the circumstances surrounding Chesa's decision not to be in attendance.

Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, May 3, 2021 12:51 PM  
**To:** Boudin, Chesa (DAT)  
**Subject:** Fwd: DION Lim: ABC7 Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** May 3, 2021 at 12:50:55 PM PDT  
**To:** Rachel Marshall <rachel.marshall@sfgov.org>, chesa@sfglv.org  
**Subject:** DION Lim: ABC7 Story Request

Hello Rachel,

I'm seeking comment from Chesa/your office for a story I'm working on today.

Sidney Hammond is one example of someone who committed offenses such as robbery and then released only to then commit an assault weeks later.

While I can not comment or confirm if this person has mental health issues— nor do I expect or want confirmation or comment on his health— what are some of the measures being put into the place to ensure those who are/might be in need of medical assistance (for something such as mental health) are treated versus let back out into the general public to re-offend?

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com

**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, May 3, 2021 12:51 PM  
**To:** Marshall, Rachel (DAT); chesa@sfglv.org  
**Subject:** DION Lim: ABC7 Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Rachel,

I'm seeking comment from Chesa/your office for a story I'm working on today.

Sidney Hammond is one example of someone who committed offenses such as robbery and then released only to then commit an assault weeks later.

While I can not comment or confirm if this person has mental health issues— nor do I expect or want confirmation or comment on his health— what are some of the measures being put into the place to ensure those who are/might be in need of medical assistance (for something such as mental health) are treated versus let back out into the general public to re-offend?

Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
**415-517-8264 | [abc7news.com](http://abc7news.com)**



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, April 26, 2021 1:36 PM  
**To:** Marshall, Rachel (DAT);Boudin, Chesa (DAT)  
**Subject:** Dion Lim: ABC7 News Information Request-- Dewayne Kemp

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Checking in to learn more about Mr. Dewayne Kemp.

He was arrested and is currently in custody after an attack on two older Asian Americans along Broadway in San Francisco earlier this month.

It appears Kemp was sentenced to 5 years in federal prison but then was placed on probation. in June of 2020 his probation was terminated. Less than 10 months later he was arrested for this incident along Broadway which resulted in one victim to lose consciousness.

We have a hard deadline of 3pm.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, April 23, 2021 4:06 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** Re: Dion Lim: Inquiry into Carlos Claros

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Thanks Rachel— have a great weekend.

Regards,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



---

**From:** Marshall, Rachel (DAT) <[rachel.marshall@sfgov.org](mailto:rachel.marshall@sfgov.org)>  
**Sent:** Friday, April 23, 2021 3:07 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>; Boudin, Chesa (DAT) <[chesa@sfgov.org](mailto:chesa@sfgov.org)>  
**Subject:** Re: Dion Lim: Inquiry into Carlos Claros

Hi Dion,

Our office has charged Mr. Claros in this recent incident with six counts (four felonies and two misdemeanors), including attempted robbery with a gun.

We filed a motion for his detention, which was granted by a judge.

Mr. Claros is on felony probation from a 2018 incident.

Given that this is a pending case, we are limited in what else we can share at this time.

Thank you,

Rachel

## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, April 23, 2021 12:14 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** Dion Lim: Inquiry into Carlos Claros

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

We are looking for comment from Chesa on a 22-year old man named Carlos Claros. He was recently arrested for robbery, carrying a concealed firearm, possession of a firearm by a felon etc.

He appears to have quite a lengthy record including multiple strong-armed robberies including one where 3 minors were assaulted, drug possession and being in possession of a stolen car.

Can Chesa/someone at the DA's office explain the reasoning why Mr. Claros was on probation despite his extensive criminal history and Mr. Boudin's words to the victims in this recent incident?

Thank you for your help. We are turning this for our afternoon/evening newscasts and have a hard deadline of 3:15pm.

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Thursday, April 22, 2021 12:36 PM  
**To:** Marshall, Rachel (DAT)  
**Cc:** Boudin, Chesa (DAT)  
**Subject:** Dion Lim: ABC7 News Story Quote Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Looking for comment to the question below. Our deadline is a hard 2:30pm. Thanks in advance.

Chesa Boudin has reported overall crime to be down across the city. Despite this messaging, residents in his neighborhood are currently angered and frustrated over a recent string of crimes. This includes an incident involving a woman in her 60's who was attacked and robbed in broad daylight by men who ambushed her while on a walk several days ago.

This was only a few houses down from where Mr. Boudin lived and a few blocks from his current residence.

Knowing these crimes can happen anywhere and to anyone— and because this one happened so close to where Mr. Boudin lives and one of his loved ones could have been targeted— what would he like to see happen when the perpetrators are apprehended and what is he doing to combat the problem?

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, April 12, 2021 3:43 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Re: Inquiry Into Roman Banks

Very helpful-- I'll be sure to add this into my coverage.

Will let you know if we have any questions. Thanks, Rachel--

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | [abc7news.com](http://abc7news.com)



---

**From:** Marshall, Rachel (DAT) <[rachel.marshall@sfgov.org](mailto:rachel.marshall@sfgov.org)>  
**Sent:** Monday, April 12, 2021 2:53 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

Our office filed charges against Mr. Banks for the Twin Peaks burglary and he was released on his own recognizance. That case remains pending. In Mr. Banks's more recent case, our office has filed more than 10 felony charges against him and we sought his detention without bail. The court set bail of \$100,000 over our objection and Mr. Banks then posted bail. His preliminary hearing is set for April 15.

Thanks so much,

Rachel

--

**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 2:21 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Re: Inquiry Into Roman Banks

Thanks very much. I'll be on the lookout.

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Monday, April 12, 2021 2:16 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

I will have an answer for you shortly.

Rachel

—  
**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 10:42 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Inquiry Into Roman Banks

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

Can you shed some light as to why he was released after the Twin Peaks incident and his other priors?

Deadline is around 2:30 this afternoon.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, April 12, 2021 2:21 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Re: Inquiry Into Roman Banks

Thanks very much. I'll be on the lookout.

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Monday, April 12, 2021 2:16 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

I will have an answer for you shortly.

Rachel

--

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 10:42 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Inquiry Into Roman Banks



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Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

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Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, April 12, 2021 10:42 AM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Inquiry Into Roman Banks

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

Can you shed some light as to why he was released after the Twin Peaks incident and his other priors?

Deadline is around 2:30 this afternoon.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 26, 2021 4:17 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Re: Inquiry re: Young/Pasene prosecution status

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Thanks very much— hope to speak with you again soon.

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
**415-517-8264 | [abc7news.com](http://abc7news.com)**

On Mar 26, 2021, at 2:42 PM, Marshall, Rachel (DAT) <[rachel.marshall@sfgov.org](mailto:rachel.marshall@sfgov.org)> wrote:

Hi Dion,

ADA Reinstedt referred your inquiry to me.

Our office is prosecuting Zion Young and Fagamalama Pasene for murder charges. The case was on for trial today but the court continued the trial to April 16.

Hope that helps.

Rachel

—  
**Rachel Marshall**

Director of Communications & Policy Adviser  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 26, 2021 12:40 PM  
**To:** Reinstedt, Dane (DAT)  
**Subject:** Dion Lim: ABC7 News Kelvin Chew's Family

✦ This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Dane,

This is Dion Lim, anchor/reporter at ABC7 News.

I've been talking with the Chew family and conducted an interview with them today. They recommended I reach out to you.

I'm looking for some details as to where the case stands now.

Can you please give me a call at the number below? I'm on deadline for this afternoon.

Much Appreciated,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 5, 2021 5:41 PM  
**To:** Burris, Courtney (DAT)  
**Subject:** Re: Dion Lim: ABC7 News Story Request

Thank you for your reply.

I believe Ms. Martinez has been reaching out to the Da's office to obtain a restraining order against her assailant. Can you shed some light into why she was not able to get one-- and are you able to help her get one quickly?

Despite her perpetrator being in custody she is quite traumatized knowing he raped a woman and is afraid for her safety if he gets out.

I believe a restraining order would allow her to return to some sense of normalcy.

Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



---

**From:** Burris, Courtney (DAT) <courtney.burris@sfgov.org>  
**Sent:** Friday, March 5, 2021 4:29 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** RE: Dion Lim: ABC7 News Story Request


Hi Dion,

Yes, I am the assigned ADA. I took over the matter when he picked up the new case while out of custody, currently handling both. We are working with Ms. Martinez and she has made recent contact with our office.

Best regards,

Courtney Burris  
Assistant District Attorney  
Child Assault Sex Assault Unit  
District Six Liason Team  
San Francisco District Attorney's Office  
350 Rhode Island St. Suite 400N, San Francisco California  
(415) 553-1801

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 5, 2021 12:59 PM  
**To:** Burris, Courtney (DAT) <courtney.burris@sfgov.org>  
**Subject:** Dion Lim: ABC7 News Story Request

 This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Courtney,

Looking for confirmation you are working with a woman named Miriam Martinez involved in a kidnapping and false imprisonment case from September of 2020.

Have you spoken with her or attempted contact recently? I believe the email for Ms. Martinez's Victims Services Advocate, Amanda Esquivel is no longer working.

Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 5, 2021 12:59 PM  
**To:** Burris, Courtney (DAT)  
**Subject:** Dion Lim: ABC7 News Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Courtney,

Looking for confirmation you are working with a woman named Miriam Martinez involved in a kidnapping and false imprisonment case from September of 2020.

Have you spoken with her or attempted contact recently? I believe the email for Ms. Martinez's Victims Services Advocate, Amanda Esquivel is no longer working.

Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Thursday, March 4, 2021 11:33 PM  
**To:** Marshall, Rachel (DAT);Boudin, Chesa (DAT)  
**Subject:** ABC7 News Story Friday

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello:

Seeking comment from Chesa on a story set to air tomorrow pertaining to a man in custody named Allan Stewart.

Has Chesa been in contact with the victims of the September felony kidnapping and false imprisonment-- and the assault and rape later in November?

Can Chesa elaborate more on the decision of allowing Stewart to wear an ankle monitor versus keeping him behind bars despite his extensive criminal history?

Thank you,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com





**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, March 1, 2021 11:18 AM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** New York Times Article Quote

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Looking for reaction from Chesa to the New York Times piece where he is quoted as stating Antoine Watson was "in some sort of temper tantrum".

Can he please elaborate on his definition of "temper tantrum"?

Does he find the actions of Mr. Watson (banging his hand on a nearby car) in line with the term "temper tantrum" and an appropriate reason for his actions in pushing and killing Mr. Ratanapakdee?

Our piece is airing tonight.

Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, February 5, 2021 5:55 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** Re: ABC7 Statement Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Note: we are going on the air in about 25 minutes.

Thanks Much,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

---

**From:** Lim, Dion F. (KGO-TV)  
**Sent:** Friday, February 5, 2021 5:42 PM  
**To:** Rachel.Marshall@sfgov.org <Rachel.Marshall@sfgov.org>; chesa@sfgov.org <chesa@sfgov.org>  
**Subject:** ABC7 Statement Request

Hello:

Looking to see if we can get a reaction to documents we have received showing the DA dropped Jerry Lyons' stolen vehicle arrest from October of 2020.

Thank you,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, February 5, 2021 5:43 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** ABC7 Statement Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello:

Looking to see if we can get a reaction to documents we have received showing the DA dropped Jerry Lyons' stolen vehicle arrest from October of 2020.

Thank you,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Thursday, January 28, 2021 12:21 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Dion Lim: ABC7 News Story Inquiry

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Looking to see if I can get a response from Chesa on the mayor and Catherine Stefani asking SFPD to pull robbery, burglary, gang arrests to see how many cases include suspects who were deferred to other agencies or dropped.

Thanks Much,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264

## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, January 4, 2021 2:14 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Fw: MEDIA ADVISORY: SFPOA Calls for Independent Oversight Panel to Review DA Charging Decisions & Conflicts of Interest

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Also: any response from the DA's office on this?

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>



**MEDIA ADVISORY  
TODAY**  
Monday, January 4, 2021

**Contact:**

Tom Saggau  
(408) 209-6813  
[tom@saggau-derollo.com](mailto:tom@saggau-derollo.com)

Dustin DeRollo  
(408) 499-6195  
[dustin@saggau-derollo.com](mailto:dustin@saggau-derollo.com)

## SFPOA Calls for Independent Oversight Panel to Review DA Charging Decisions & Conflicts of Interest

*Demand comes following two people killed by a repeat offender  
Chesa Boudin refused to charge for past crimes*

**San Francisco, CA**—Following the New Year's Eve double vehicle homicide of Hanako Abe and Elizabeth Platt by Troy McAlister, a violent repeat offender who was released after a plea bargain by the District Attorney, the San Francisco Police Officers Association is demanding the creation of an Independent Oversight Panel to review Chesa Boudin's criminal charging decisions.

Furthermore, based on preliminary information that Chesa Boudin, as a public defender, may have represented McAlister in a 2015-armed robbery case, the SFPOA is requesting that the District Attorney's Office go under a thorough independent review of potential conflicts of interests in criminal cases, including a full analysis of individuals and cases that are still active of former Office of the Public Defender employees who are now employed by Chesa Boudin. Additionally, the SFPOA requests that all records related to the court proceedings for the 2015 armed-robbery case be released publicly, including the plea deal.

"Two people were killed on New Year's Eve because Chesa Boudin refused to do his job, which is to hold criminals and victimizers accountable," said Tony Montoya, President of the San Francisco Police Officers' Association. "Now, rather than accept any responsibility for the deadly impacts of his failures, he's blamed no less than three other public agencies for his own mistake. It's arrogant, juvenile and pathetic."

In March of 2020, McAlister and Boudin's office came to a sentencing agreement for a 2015-armed robbery with a firearm that resulted in McAlister not serving another day in prison, he was released immediately on parole. Since that time, McAlister has been arrested multiple times by SFPD and potentially other law enforcement agencies operating in San Francisco. Chesa Boudin has failed to file criminal charges in each of these cases.

"From secret Grand Jury proceedings to sweetheart deals for career criminals being cut by Mr. Boudin behind closed doors, the public deserves transparency and accountability from their District Attorney," Montoya continued. "It's time for a public, independent review of the District Attorney's actions and for a full accounting of conflicts of interest in his office before anyone else gets killed by another career criminal."

**What:**

Interviews with SFPOA President Tony Montoya on calls for DA oversight

**Who:**

Tony Montoya, President, SFPOA

Tracy McCray, Vice President, SFPOA

**When:**

TODAY 2:00 PM to 3:00 PM; 3:30 PM to 7:00 PM. Please call to arrange an appointment time.

**Where:**

Via Zoom or call to arrange a COVID compliant interview.

###

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## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, January 4, 2021 1:10 PM  
**To:** Marshall, Rachel (DAT)  
**Cc:** #KGOTV Assignment Desk  
**Subject:** Re: 11:30 pm. live Zoom interview link

Rachel,

Thanks for your help facilitating last night's 11:30 Zoom interview.

Wanted to circle back and see if Chesa will be commenting on today's response from DCPD and SFPD's POA that they acted in accordance to protocol when dealing with Mr. McAlister.

Thanks,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Sunday, January 3, 2021 10:38 PM  
**To:** Walsh, Ed <Ed.Walsh@abc.com>  
**Cc:** Stone, JR <JR.Stone@abc.com>; Stuerenberg, Shari M. (KGO-TV) <Shari.M.Stuerenberg@abc.com>; Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: 11:30 pm. live Zoom interview link

Great, thanks!

## Rachel Marshall

Director of Communications & Policy Adviser  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Walsh, Ed" <Ed.Walsh@abc.com>  
**Date:** Sunday, January 3, 2021 at 10:37 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Cc:** JR Stone Abc Stone <JR.Stone@abc.com>, "Stuerenberg, Shari M. (KGO-TV)" <Shari.M.Stuerenberg@abc.com>, "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Subject:** RE: 11:30 pm. live Zoom interview link

If you could have him log in by around 11:20 p.m. or earlier that would be great, so we can make sure the connection is OK.

Thanks again



**Ed Walsh • Assignment Editor**

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Z #748,#870:654#h#w#748,<:8096<:  
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**From:** Marshall, Rachel (DAT)  
**Sent:** Sunday, January 3, 2021 10:35 PM  
**To:** Walsh, Ed  
**Cc:** Stone, JR; Stuerenberg, Shari M. (KGO-TV); Lim, Dion F. (KGO-TV)  
**Subject:** Re: 11:30 pm. live Zoom interview link

Just to clarify—the DA should log in right at 11:30?

--  
**Rachel Marshall**

Director of Communications & Policy Adviser  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
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**From:** "Walsh, Ed" <Ed.Walsh@abc.com>  
**Date:** Sunday, January 3, 2021 at 9:50 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>

Cc: JR Stone Abc Stone <JR.Stone@abc.com>, "Stuerenberg, Shari M. (KGO-TV)"  
<Shari.M.Stuerenberg@abc.com>, "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Subject:** 11:30 pm. live Zoom interview link

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Thanks for doing this.

This is the Zoom link for the 11:30 p.m. live interview with Chesa Boudin.

<https://us02web.zoom.us/j/84564768652?pwd=YnlrWlVlTk5nOHhFTUh3SjBYdXJ1dz09>

Meeting ID: 845 6476 8652

Password: 644908



**Ed Walsh** • Assignment Editor

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## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Sunday, January 3, 2021 10:36 PM  
**To:** Marshall, Rachel (DAT); Walsh, Ed  
**Cc:** Stone, JR; Stuerenberg, Shari M. (KGO-TV)  
**Subject:** Re: 11:30 pm. live Zoom interview link

Hi Rachel,

It's best if he logs in a few minutes before hand so we can test his signal and adjust his shot if needed.

Please try for 11:25 if he can.

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Sunday, January 3, 2021 10:34 PM  
**To:** Walsh, Ed <Ed.Walsh@abc.com>  
**Cc:** Stone, JR <JR.Stone@abc.com>; Stuerenberg, Shari M. (KGO-TV) <Shari.M.Stuerenberg@abc.com>; Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: 11:30 pm. live Zoom interview link

Just to clarify—the DA should log in right at 11:30?

### Rachel Marshall

Director of Communications & Policy Adviser  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
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**From:** "Walsh, Ed" <Ed.Walsh@abc.com>  
**Date:** Sunday, January 3, 2021 at 9:50 PM

**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Cc:** JR Stone Abc Stone <JR.Stone@abc.com>, "Stuerenberg, Shari M. (KGO-TV)" <Shari.M.Stuerenberg@abc.com>, "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Subject:** 11:30 pm. live Zoom interview link

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Thanks for doing this.

This is the Zoom link for the 11:30 p.m. live interview with Chesa Boudin.

<https://us02web.zoom.us/j/84564768652?pwd=YnlrWlVlTk5nOHhFTUh3SjBYdXJldz09>

Meeting ID: 845 6476 8652

Password: 644908



**Ed Walsh • Assignment Editor**

<33#urqv#whhw#dq#udq#vfr/#D#7444

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## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Friday, May 21, 2021 4:00 PM  
**To:** Lim, Dion F. (KGO-TV);Boudin, Chesa (DAT)  
**Cc:** Mulligan, Jeff A. (KGO-TV);Tuggle, Heather  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

Your information is inaccurate.

We have spoken to the victim repeatedly, including today, and she told us that she has never spoken to you directly. She has spoken with us and confirmed she would like her face blurred, which we learned has not been done on your social media accounts.

Thank you,

Rachel

—  
**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 2:31 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Rachel,

It is our understanding that one suspect in this case is a minor. "California Welfare and Institutions Code" does not prohibit the DA's office from discussing the other parts of the case involving individuals who are over 18.

The victim's family and I have been corresponding and they are aware of my prior Tweets and what they would like to be included or excluded in our story.

Please be mindful of the victim's most up-to-date requests to ABC7 going forward.

Be Well,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**

**415-517-8264 | [abc7news.com](http://abc7news.com)**



---

**From:** Marshall, Rachel (DAT) <[rachel.marshall@sfgov.org](mailto:rachel.marshall@sfgov.org)>  
**Sent:** Friday, May 21, 2021 1:23 PM  
**To:** Lim, Dion F. (KGO-TV) <[Dion.F.Lim@abc.com](mailto:Dion.F.Lim@abc.com)>; Boudin, Chesa (DAT) <[chesa@sfgov.org](mailto:chesa@sfgov.org)>  
**Cc:** Mulligan, Jeff A. (KGO-TV) <[Jeff.A.Mulligan@abc.com](mailto:Jeff.A.Mulligan@abc.com)>; Tuggle, Heather <[Heather.Tuggle@abc.com](mailto:Heather.Tuggle@abc.com)>  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case, and this should not be interpreted as confirming or denying anything about the case status or the claims you made. Additionally, my understanding is that you spoke with an ADA in our juvenile unit a while back regarding privacy concerns with this case and that you agreed to blur out the face of the victim in this case per the victim's request. We were advised that it has not been blurred on your social media accounts. Please be mindful of the victim's request in any update.

Thank you.

---

**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 11:12 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

We are running an update to a story I covered a few months ago involving a 75-year old woman who was assaulted and targeted in an attempted carjacking at a Safeway store in the Richmond District.

We realize the suspects involved include minors-- but we are not asking for information on the suspects themselves, rather information on the status of the case.

It has come to our attention your office dropped the case due to a lack of DNA evidence.

Was DNA evidence needed despite multiple cell phone videos provided by witnesses and surveillance from the store itself? There were also witnesses who gave statements to law enforcement after the incident happened.

Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**

415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Friday, May 21, 2021 1:24 PM  
**To:** Lim, Dion F. (KGO-TV);Boudin, Chesa (DAT)  
**Cc:** Mulligan, Jeff A. (KGO-TV);Tuggle, Heather  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case, and this should not be interpreted as confirming or denying anything about the case status or the claims you made. Additionally, my understanding is that you spoke with an ADA in our juvenile unit a while back regarding privacy concerns with this case and that you agreed to blur out the face of the victim in this case per the victim's request. We were advised that it has not been blurred on your social media accounts. Please be mindful of the victim's request in any update.

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**Date:** Friday, May 21, 2021 at 11:12 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

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415-517-8264 | [abc7news.com](http://abc7news.com)



## **Burke, Robyn (DAT)**

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Monday, May 3, 2021 2:54 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Subject:** Re: DION Lim: ABC7 Story Request

Dion,

Our office is charging Mr. Hammond with multiple felonies and misdemeanors for the assault that occurred on April 30, 2021 and we will seek his detention at arraignment. He has a pending case for allegedly stealing eggs from a local market and then pushing a store employee on his way out. There were no injuries in connection with that case.

The DA's Office is continually seeking increased tools to promote public safety.

**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, May 3, 2021 at 12:51 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "chesa@sfglv.org" <chesa@sfglv.org>  
**Subject:** DION Lim: ABC7 Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Rachel,

I'm seeking comment from Chesa/your office for a story I'm working on today.

Sidney Hammond is one example of someone who committed offenses such as robbery and then released only to then commit an assault weeks later.

While I can not comment or confirm if this person has mental health issues— nor do I expect or want confirmation or comment on his health— what are some of the measures being put into the place to ensure those who are/might be in need of medical assistance (for something such as mental health) are treated versus let back out into the general public to re-offend?

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)

**Burke, Robyn (DAT)**

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Friday, April 23, 2021 3:07 PM  
**To:** Lim, Dion F. (KGO-TV);Boudin, Chesa (DAT)  
**Subject:** Re: Dion Lim: Inquiry into Carlos Claros

Hi Dion,

Our office has charged Mr. Claros in this recent incident with six counts (four felonies and two misdemeanors), including attempted robbery with a gun.

We filed a motion for his detention, which was granted by a judge.

Mr. Claros is on felony probation from a 2018 incident.

Given that this is a pending case, we are limited in what else we can share at this time.

Thank you,

Rachel

## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Thursday, April 22, 2021 2:20 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Cc:** Boudin, Chesa (DAT)  
**Subject:** Re: Dion Lim: ABC7 News Story Quote Request

Hi Dion,

DA Boudin cares about everyone in San Francisco being and feeling safe, whether they live in his own community or any other. He has filed more than 5,000 new prosecutions since taking office and is focused on continuing to promote public safety.

Rachel

---

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Thursday, April 22, 2021 at 12:37 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Cc:** "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Subject:** Dion Lim: ABC7 News Story Quote Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Looking for comment to the question below. Our deadline is a hard 2:30pm. Thanks in advance.

Chesa Boudin has reported overall crime to be down across the city. Despite this messaging, residents in his neighborhood are currently angered and frustrated over a recent string of crimes. This includes an incident involving a woman in her 60's who was attacked and robbed in broad daylight by men who ambushed her while on a walk several days ago.

This was only a few houses down from where Mr. Boudin lived and a few blocks from his current residence.

Knowing these crimes can happen anywhere and to anyone— and because this one happened so close to where Mr. Boudin lives and one of his loved ones could have been targeted— what would he like to see happen when the perpetrators are apprehended and what is he doing to combat the problem?

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**

**415-517-8264 | [abc7news.com](http://abc7news.com)**





## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Monday, April 12, 2021 2:54 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

Our office filed charges against Mr. Banks for the Twin Peaks burglary and he was released on his own recognizance. That case remains pending. In Mr. Banks's more recent case, our office has filed more than 10 felony charges against him and we sought his detention without bail. The court set bail of \$100,000 over our objection and Mr. Banks then posted bail. His preliminary hearing is set for April 15.

Thanks so much,

Rachel

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 2:21 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Re: Inquiry Into Roman Banks

Thanks very much. I'll be on the lookout.

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | [abc7news.com](http://abc7news.com)



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Monday, April 12, 2021 2:16 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

I will have an answer for you shortly.

Rachel

---

**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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---

**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 10:42 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Inquiry Into Roman Banks

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

Can you shed some light as to why he was released after the Twin Peaks incident and his other priors?

Deadline is around 2:30 this afternoon.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Monday, April 12, 2021 2:16 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

I will have an answer for you shortly.

Rachel

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 10:42 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Inquiry Into Roman Banks

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Hi Rachel,

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Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Burris, Courtney (DAT)  
**Sent:** Friday, March 5, 2021 4:29 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Subject:** RE: Dion Lim: ABC7 News Story Request

Hi Dion,

Yes, I am the assigned ADA. I took over the matter when he picked up the new case while out of custody, currently handling both. We are working with Ms. Martinez and she has made recent contact with our office.

Best regards,

Courtney Burris  
Assistant District Attorney  
Child Assault Sex Assault Unit  
District Six Liason Team  
San Francisco District Attorney's Office  
350 Rhode Island St. Suite 400N, San Francisco California  
(415) 553-1801

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 5, 2021 12:59 PM  
**To:** Burris, Courtney (DAT) <courtney.burris@sfgov.org>  
**Subject:** Dion Lim: ABC7 News Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Courtney,

Looking for confirmation you are working with a woman named Miriam Martinez involved in a kidnapping and false imprisonment case from September of 2020.

Have you spoken with her or attempted contact recently? I believe the email for Ms. Martinez's Victims Services Advocate, Amanda Esquivel is no longer working.

Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | abc7news.com



8:01



Radley >

iMessage

Sun, May 30, 11:18 AM

Hi Radley. This is Kasie Lee in San Francisco. I'm so sorry I missed your call. Do you have time today to touch base?

Sent as Text Message

Thanks for getting back to me. I'm traveling today. How about tomorrow?

Tomorrow works, too.

Anytime. I'm flexible.

Mon, May 31, 8:57 AM

Terrific. How about 1pm your time?

Sounds good.

Mon, May 31, 1:03 PM



iMessage





8:01



RB

Radley >

Mon, May 31, 1:03 PM

Hi Radley. Is now still a good time?

Sorry about that. Can you talk in a half hour?

Yep that's perfect

**"If you'd like I'll just inform you - and perhaps you can forward this to your mom, that I have double sourcing that all charges in her case against the perpetrators have been dropped. The DA's office is citing lack of DNA guidance despite multiple cameras recording the incident and positive IDs on all suspects. They are all back on the streets."**

To which I responded

*' That is truly pathetic. I did not know that they had found the other perpetrators, just the one 16 year old. Give a bunch of thieves some gloves and let them loose to do whatever they want and to enjoy the stolen money and the nearly thousand dollars it cost me to re-key the house and fix my broken glasses and get a new drivers license etc. and the \$5,000 plus to fix the car, although the insurance company is out of pocket for that'*

She then texted to my son :

**"Off the record on my end entirely, .... I am not surprised.**

**I cover many cases that are frankly more heinous than what happened to your mother and even those are dropped at times for lack of evidence or other more trivial issues. My sourcing streams say law enforcement is quite frustrated on this one.**

**I will double check on who exactly was**



iMessage



Done

1 of 4

I am going to send you the texts that the reporter sent to my son, and which prompted my 'quote'. I am copying them from the texts.

**"If you'd like I'll just inform you - and perhaps you can forward this to your mom, that I have double sourcing that all charges in her case against the perpetrators have been dropped. The DA's office is citing lack of DNA guidance despite multiple cameras recording the incident and positive IDs on all suspects. They are all back on the streets."**

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**I will double check on who exactly was apprehended. Though since I am not doing this as a story I cant look into this much more - and juveniles are challenging to find information on. Totally crazy but sadly this happens more times**



Done

2 of 4

She then texted to my son :

**"Off the record on my end entirely, .... I am not surprised.**

**I cover many cases that are frankly more heinous than what happened to your mother and even those are dropped at times for lack of evidence or other more trivial issues. My sourcing streams say law enforcement is quite frustrated on this one.**

**I will double check on who exactly was apprehended. Though since I am not doing this as a story I cant look into this much more - and juveniles are challenging to find information on. Totally crazy but sadly this happens more times than not these days. In Oakland I was on a case last week involving an 11 year old who has multiple assaults on seniors on his record and every time he gets released back to his mother. Same goes to 16 year olds.**

**Will keep you posted. I'll circle back with my sources this afternoon (\*This was Friday) and get back more details if there are any of note"**

Then she goes on a bit later :

**"I told my editorial team about what happened and they're very fired up and have me following up on this case after all. It looks like another source is not certain all of the suspects were apprehended but confirm the case was dropped entirely.**

**I am going to ask the DA's office what happened. I dont think they'll be forthcoming but I'd like to hold someone accountable for letting the case go with no consequence.**

**While your mother does not want to be on camera or be involved in any way- it would strengthen the case for community service or for the case to be revived if you or someone who knows her would speak.**

**Even if it were anonymously - or if I could paraphrase and convey your reaction without**



6:56



18 Messages



444

SF Case - District Atto...



knows her would speak.

Even if it were anonymously - or if I could paraphrase and convey your reaction without revealing your name or identity in any way it would add impact to an otherwise one-dimensional piece. I'd like others to understand the ramifications of what is happening in our criminal justice system"

She goes on :

"OK so here is what I have learned from my sources which are high-level law-enforcement and within the DAs office.

This is the direct quote I'm allowed to use from the DA source '*I spoke with someone within the DAs office who has filed hundreds of cases and it is illogical not to file this case given the state of the evidence*'

Law enforcement triple confirm the three suspects were apprehended. One was a minor. The woman who was the getaway driver apparently was able to get your mothers credit card. The getaway driver's mother was later caught making some kind of cash transfer using you mom's card onto an app.

Police issued a warrant for that mother's arrest but the DA refused it citing she was not part of the original investigation.

The DA cited he needed 'video of the actual cash transfer' - despite there being a digital record of the fraud on the app and probably on your mom's bank statements/Cc statement.

The district attorney also asked the investigators for the black hoodie the suspect was wearing as evidence. Completely disregarding the fact there was surveillance and witness video"

And more :

"I just have one quick question. The DAs office gave me a statement that they 'do not confirm or deny' the dropping of the charges - even though I know for a rock solid fact they were dropped. They are also trying to say I blurred your Mom's



1313

Done

4 of 5

And more :

**"I just have one quick question. TheDAs office gave me a statement that they 'do not confirm or deny' the dropping of the charges - even though I know for a rock solid fact they were dropped. They are also trying to say I blurred your Mom's face in the story at her request - but did not delete the initial Tweet I made where your moms face is not blurred out.**

**In order to have more ammunition to rebut the DAs office and hold them accountable - may I tell the DAs office that you and I have spoken that you are OK with my initial tweet as long as I continue to blur her face out in any additional coverage?**

**A high level source WITHIN the DA's office also sent this to me : *'I spoke with someone within the DA's office who has filed hundreds of cases and says it is illogical not to file this case given the state of evidence'*. It's a quote he/she is allowing me to use."**





8:02



Radley >

"Truly pathetic" Sources tell me charges were dropped in the case of this 75-year old woman who was dragged by her hair & assaulted in an attempted carjacking in the Richmond in March.

I wanted to know why & reached out to Rachel Marshall...

(1/4) <https://t.co/orB73tb3UJ>



**Dion Lim**

twitter.com

[Romeybooth@gmail.com](mailto:Romeybooth@gmail.com)

### **Safeway Carjacking Good Samaritan**

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello, my name is Harry Mulholland and I've been told by Romey Booth that



iMessage



8:03



RB

Radley >

Hello, my name is Harry Mulholland and I've been told by Romey Booth that you've been trying to contact me about the attempted carjacking and assault at Safeway in the Richmond a few months ago. This is my personal email, and my phone number is 415-672-8140. I'm happy to help out with the case.

Tue, Jun 1, 7:24 AM

Hi Radley. Just checking in. Were you able to connect with the victim? Is it okay if I share your contact info with Rachel Marshall, our communications director?

Tue, Jun 1, 9:54 AM

Please do. I spoke with Mullholland. I haven't yet heard back from the victim. Emailed her yesterday.

One question: Mullholland says he thought the police report was supposed to be



iMessage



Apple Pay



8:03



Radley >

Tue, Jun 1, 9:54 AM

Please do. I spoke with Mullholland. I haven't yet heard back from the victim. Emailed her yesterday.

One question: Mullholland says he thought the police report was supposed to be sealed, and felt a little violated that Lim was able to get his name and number. Is it true that his name and involvement weren't supposed to be public information?

Correct. Not public information.

**Law section**  
legislature.ca.gov



**Law section**  
legislature.ca.gov



iMessage



Apple Pay





8:03



RB

Radley >

legislature.ca.gov

Those two sections govern confidentiality of information from juvenile cases, including police reports

Wed, Jun 2, 8:39 AM

Thanks. Still haven't heard from the victim. Does she know I'm trying to get in touch? Given that the DA's office can't officially comment, I'm not sure I can write this unless she's up for talking to me.

Right. I can call her later today.

I'm trying not to be too involved. She said she wanted to clear this up and asked me to pass on her email. I'll follow up on that to see if that's what she still wants.



iMessage



Apple Pay



1318

Radley &gt;

<b>JV-570</b>	<b>Request for Disclosure of Juvenile Case File</b>	<p>To keep other people from knowing what you released on your form, please press the <b>Clear</b> button below at the end of the form when finished.</p>
<p><i>If you are requesting a court order to obtain the juvenile case file of a child who is alive, fill out items c to f on this form, and file it with the court. You must also fill out the Front of Service - Request for Disclosures (form JV-118) before you are a member of the public, request the juvenile case file of a child who is deceased, you can:</i></p>		
<p>a. Fill out items 1 and 7 on this form and file it with the court. You must then provide a copy of this form to the Custodian of the records of the court, child welfare agency, or the court clerk for public notice as you request.</p>		
<p>b. Do not complete the form and request the juvenile case file from the child welfare agency under Welfare and Institutions Code section 26030.8.</p>		
<p>1. Your name: Relationship to child of age _____ Street address _____ City _____ State _____ Zip _____ Telephone number _____ Copy of any (radio, address, telephone number) and latest that number _____</p>		
<p>2. Name of child of interest _____</p>		
<p>3. Child's date of birth of interest: _____</p>		
<p>4. I, _____, a person regarding the child in 3, has must find under:  <input type="checkbox"/> Welfare and Institutions Code section 260  <input type="checkbox"/> Welfare and Institutions Code section 261  <input type="checkbox"/> Welfare and Institutions Code section 262 or  <input type="checkbox"/> I believe the child in 3, does not match or does not match. Approximate date of death: _____              If you checked any box, you must sign items 5 and 6.         </p>		
<p><b>Note: You must provide a copy of this form to all interested parties if you have their names and addresses.</b></p>		

PRINTED NAME OF PERSON REQUESTING DISCLOSURE  
 DATE OF REQUEST: (MM/DD/YYYY)  
 COUNTY OF ( )  
 OFFICE OF THE JUVENILE COURT

**Request for Disclosure of Juvenile Case File**

JV-570, Page 1 of 2

PDF Document · 129 KB  
sb-court.org

It's a 2 page form that can be filed with the court

It would just be for the limited  
information of verifying  
veracity of abc7 report



iMessage



8:03



Radley >

I was told that's a pretty involved process, and that I'd be unlikely to be successful. But I'll give it a shot.

I can maybe write something based on my interview with the witness. Depends on what my editors say. But the victim would obviously be preferable. Just maybe check to see she got my email. Could also be that she's wary of talking to another journalist, which is understandable.

Ok

Right

Mon, Jun 7, 5:52 PM

Sorry I forgot about the time difference. Feel free to call at your convenience



iMessage



8:03



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Sorry I forgot about the time difference. Feel free to call at your convenience



iMessage



Apple Pay





Radley Balko &gt;

W

Dion Lim Misrepresentati...

Also to answer your question about whether any other suspects ever identified: police later requested a warrant for an adult they suspected was the driver of the car. But there was not enough evidence to prove that the suspect was actually the driver so SFDA could not sign off on the warrant.

And finally, think best not to quote us but can try to steer you towards some juvenile advocacy folks if you want a quote on the importance of juvenile confidentiality

Delivered







Radley Balko &gt;

iMessage

Wed, Jun 2, 7:07 AM

Hi Radley, good to chat yesterday. Here is the document you asked to see.

W

Dion Lim Misrepresentati...

Also to answer your question about whether any other suspects ever identified: police later requested a warrant for an adult they suspected was the driver of the car. But there was not enough evidence to prove that the suspect was actually the driver so SFDA could not sign off on the warrant.



iMessage





## Done Dion Lim Misrepresentations...



### Dion Lim Distorts NYT Quote on ABC TV Story on March 2, 2021

- Ms. Lim quoted from a [New York Times](#) story in which DA Boudin described Antoine Watson's behavior *prior* to the murder of Vicha Ratanapakdee. Ms. Lim falsely suggested that DA Boudin was referencing the murder itself when he used the term "temper tantrum" and quoted victim family member saying "temper tantrum, you can hit the car, you cannot hit or kill human"
- Ms. Lim tweeted: "'**TEMPER TANTRUM**': that's how District Attorney Chesa Boudin described to the [@nytimes](#) the man police say killed 84-year old Vicha Ratanapakdee."
- NYT piece actually was describing Mr. Watson's conduct *before* the murder.
  - It said: "In the *hours before* the attack, Mr. Watson had a string of setbacks. He left his home because of a family dispute and got in a traffic accident in San Francisco at 2 a.m. He was cited by the San Francisco police for running a stop sign and reckless driving and then slept that night in his car. On that morning a number of security cameras in the area captured Mr. Watson banging a car with his hand, according to Mr. Boudin, the district attorney. "It appears that the defendant was in some sort of a temper tantrum," Mr. Boudin said."
- When DA Boudin reiterated on [Twitter](#) and in statements that the comment was regarding the conduct *before* the attack, Ms. Lim accused him of "backtracking" (see [New York Magazine interview](#))

### Dion Lim Falsely Accuses DA Boudin at Press Conference on March 12, 2021

- In her ABC TV [coverage](#) of a press conference to condemn violence against the AAPI community, Ms. Lim broadcast herself, while on camera, directing DA Boudin to look at her, falsely insinuating he was not
- TV coverage played press conference clip of Ms. Lim saying "it sounds like you're blaming the police"

## Done Dion Lim Misrepresentations...



### Dion Lim Exposes a Victim & Reveals Juvenile Charges

- Dion Lim posted a video of a carjacking, despite the victim's request for privacy
  - Upon the victim's request (communicated to her through an ADA) she blurred the victim's image on the ABC website but left the original videos with the victim's image on her social media accounts
  - When DA spokesperson Rachel Marshall raised this issue to Dion in an email, which Ms. Lim posted on Twitter, she doubled-down, insisting she knew what the victim wanted based on her correspondence with the victim's family and tried to suggest the DA hadn't talked to the victim recently (note that subsequent emails explained that DA's Office had talked to the victim that same day)
- Ms. Lim revealed charges alleged against a minor, along with her home town—privileged information protected by statute to preserve the confidentiality of juvenile proceedings
- Ms. Lim later claimed in a story that aired on ABC7 that all charges were dropped, claiming unnamed sources had confirmed.
  - DA's Office had not confirmed or denied, as they explained they are prohibited by law from commenting on a juvenile case.

### Part III: Unmitigated Bias Against DA Boudin

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## Done Dion Lim Misrepresentations...



- TV coverage played press conference clip of Ms. Lim saying “it sounds like you’re blaming the police” without playing the comments preceding Ms. Lim’s opinion nor any response from DA Boudin to her accusation
- Ms. Lim’s TV story claimed that the family of Vicha Ratanapakdee informed her that DA Boudin had canceled a vigil attendance because they did not want photos or videos taken.
  - No fact-checking was done or opportunity provided to comment on this false accusation.
- In news coverage, Ms. Lim claimed, “Before another question could be asked, Marshall ended the conference.”
  - Misleading; the conference was significantly longer than scheduled and had ended. Ms. Lim spent more time asking questions than any other reporter present.

### **Dion Lim Makes the Inflammatory Suggestion that DA Boudin’s Comments Resembled Those of an Atlanta Sheriff**

- Despite taking DA Boudin’s “temper tantrum” comments out of context, Ms. Lim continued to raise this comment frequently, including to draw comparisons to an Atlanta Sheriff alleged to have made anti-Asian remarks and to have described the Atlanta shooter as having a bad day
  - New York Magazine reference: “The statement from the sheriff’s spokesperson unfortunately echoes some recent comments from San Francisco district attorney Chesa Boudin. He was quoted in the *New York Times* in February regarding 84-year-old Vicha Ratanapakdee, a Thai man who was pushed and killed by a suspect and was caught on camera in a story I broke. The DA was quoted as saying that the suspect was having a “temper tantrum.” I also reported his comments, then he backtracked saying he was just describing the suspect’s mental state before the attack.”
  - Twitter reference

## Done Dion Lim Misrepresentations...



- o [Twitter](#) reference

### Dion Lim Selectively Chooses Facts in Coverage of Roman Banks

- On April 12, 2021, DA Spokesperson Rachel Marshall responded to Ms. Lim's inquiry re: charges filed against Roman Banks and why he was released, explaining in an email, "Our office filed charges against Mr. Banks for the Twin Peaks burglary and he was released on his own recognizance. That case remains pending. In Mr. Banks's more recent case, our office has filed more than 10 felony charges against him and we sought his detention without bail. The court set bail of \$100,000 over our objection and Mr. Banks then posted bail."
- Ms. Lim nonetheless [tweeted](#) "Banks was released in the Twin Peaks burglary on his own recognizance & was arrested for 10 felony charges in the recent case. He's out on \$100K bail. Watching closely to see if charges get dropped & when the charges got filed."
  - o Does not mention DA's office filed 10 felony charges (only arrest)
  - o Does not mention DA objected to bail being set and had sought his detention

### Biases Revealed in Comparing Ms. Lim's Coverage of Crimes Outside of SF

- Despite frequently reporting or tweeting or posting the names of suspects in San Francisco cases, Ms. Lim has emphasized her restraint in doing so in reference to cases outside of San Francisco.
  - o For example, on March 15, 2021, she [tweeted](#) that she was "waiting to hear back from the Alameda County DA" before releasing a suspect's name so as not to "compromise" an investigation
    - According to SFDA's Office, not once has the DA's Office ever been contacted with a similar request
    - To the contrary, on March 16, 2021, Ms. Lim tweeted out confidential information about a juvenile case

## Done Dion Lim Misrepresentations...



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    - According to SFDA's Office, not once has the DA's Office ever been contacted with a similar request
      - To the contrary, on March 16, 2021, Ms. Lim tweeted out confidential information about a juvenile case—privileged information protected by statute and limited to specific sources
- Ms. Lim does not mention uncharged/unfiled cases or releases of defendant in reference to DAs in other counties
  - For example, in a February 5, 2021 ABC TV story, Ms. Lim's story implies DA Boudin was responsible for the tragic killing of Sheria Musyoka and asks the victim's wife who she blames, clearly edits out some airtime and then has her answer "I blame the DA" (obviously referencing DA Boudin)
    - Ms. Lim then tweeted out that quote and mentioned that Mr. Lyons had an uncharged case from San Francisco
      - Ms. Lim's coverage did not mention Mr. Lyons's other uncharged, recent arrests out of neighboring counties nor did she suggest that other county DA was responsible (see story in Examiner that references other criminal convictions and probations out of county, not mentioned by Ms. Lim)

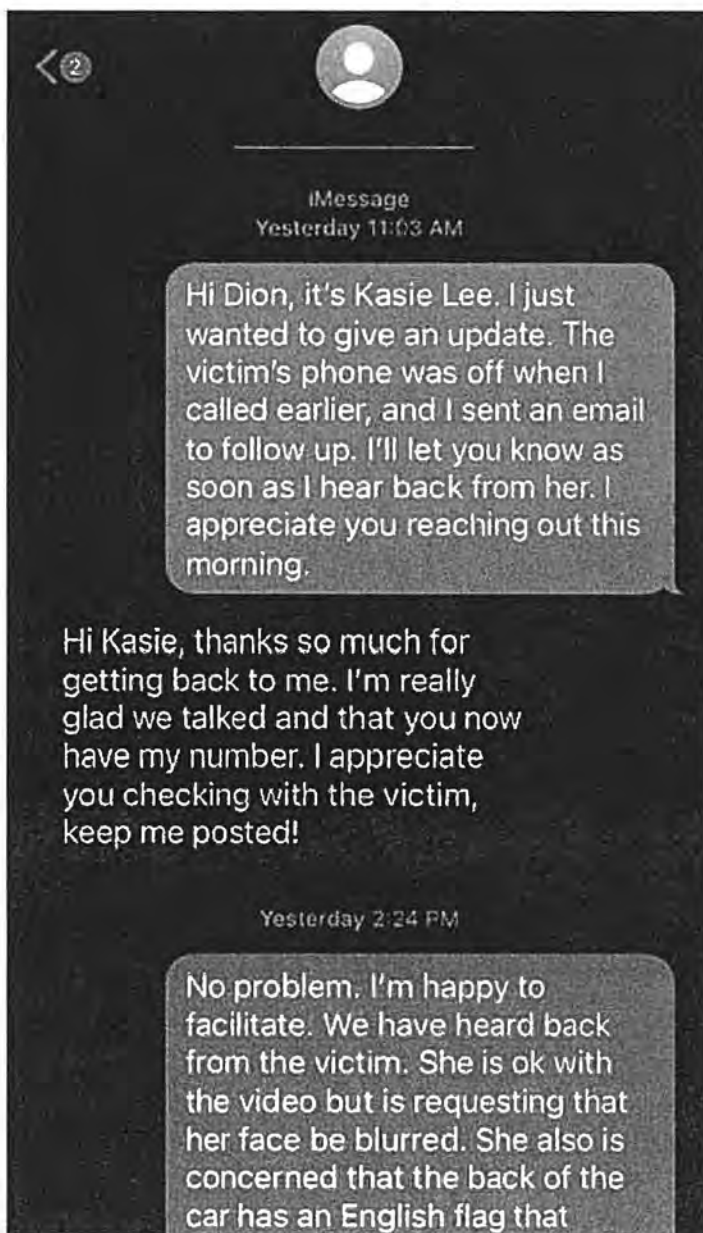
- As another example, Ms. Lim mentioned in a

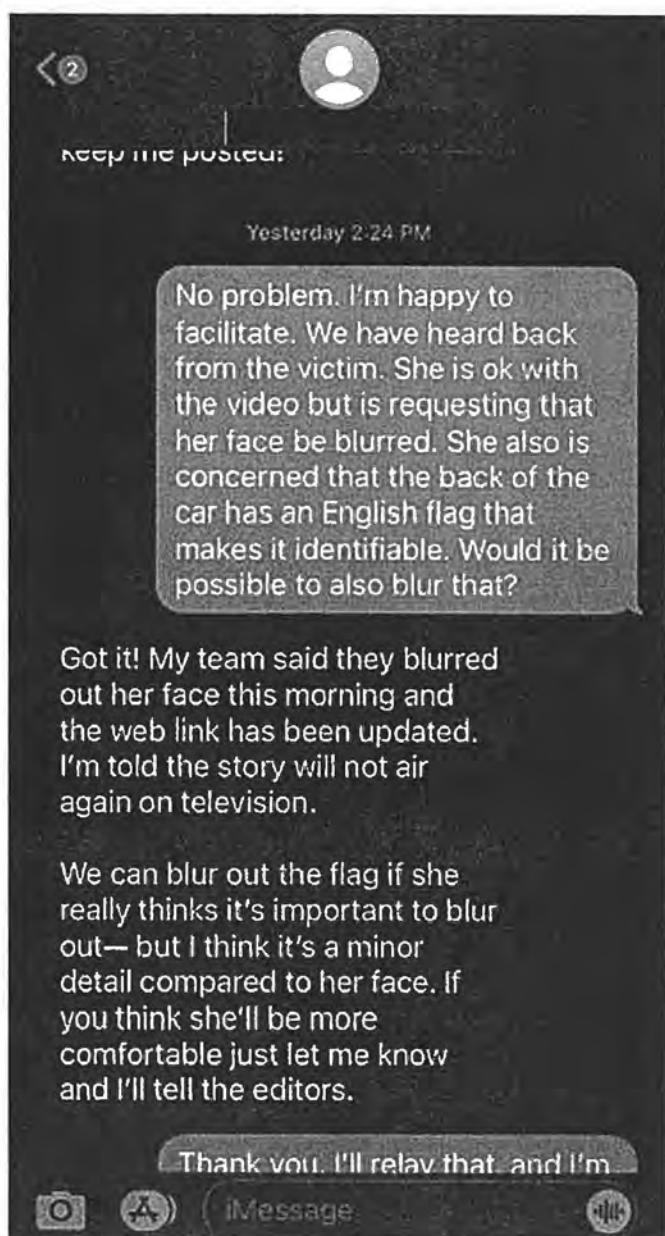
## Done Dion Lim Misrepresentations...

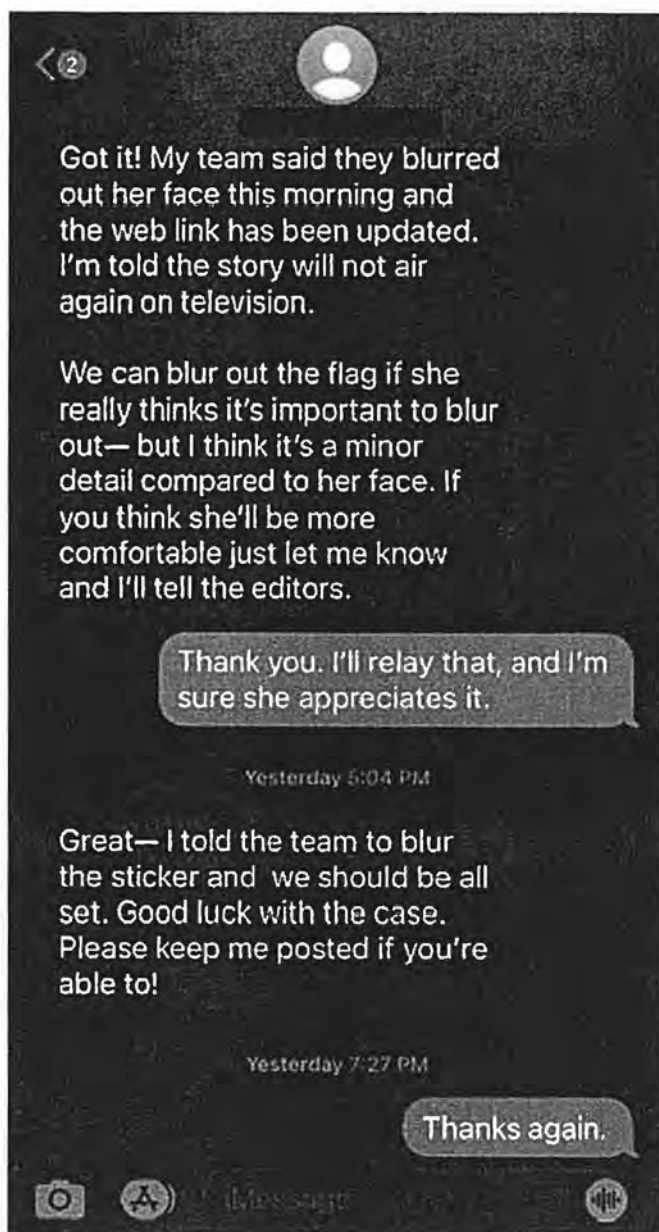


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- As another example, Ms. Lim mentioned in a March 12, 2021 ABC TV story that Mr. Bailey had a prior in which he had been released in San Francisco
  - Ms. Lim mentions that Mr. Bailey had numerous recent felony arrests and priors out of Oakland—not San Francisco—but nonetheless focuses her story on why he was not held in custody longer in *one* San Francisco case, and never raises any questions about why he had been released in any his recent cases in Oakland
- As an additional example, Ms. Lim covered a story on ABC TV on February 5, 2021 about an Oakland case
  - She also never named the suspect (arrested in Alameda County) nor did she ever raise questions about any of his recent priors and his releases in Alameda County.
- As yet another example, when a recent attack happened in Oakland in May, Ms. Lim never once blamed or even mentioned the DA there.







Got it! My team said they blurred out her face this morning and the web link has been updated. I'm told the story will not air again on television.

We can blur out the flag if she really thinks it's important to blur out—but I think it's a minor detail compared to her face. If you think she'll be more comfortable just let me know and I'll tell the editors.

Thank you. I'll relay that, and I'm sure she appreciates it.

Yesterday 5:04 PM

Great—I told the team to blur the sticker and we should be all set. Good luck with the case. Please keep me posted if you're able to!

Yesterday 7:27 PM

Thanks again.





Chesa Boudin  
District Attorney

Dear ABC7 News / KGO-TV,

I am writing in regard to an armed carjacking case that took place on Friday, June 18, 2021 in San Francisco. Our Victim Services Division, along with the Coalition of Community Safety and Justice, has been working closely with the victim since the incident. While working with the victim, we learned that ABC 7 reporter Dion Lim published private information and statements attributed to the victim on her social media accounts that the victim would like immediately removed.

As you can imagine, being a victim of an armed carjacking is an extremely traumatic experience. This is also an open, pending investigation, and the suspect has yet to be apprehended. Putting personal information about the victim along with his statements to the police into the public sphere potentially endangers the victim and his family and, indeed, the victim is fearful as a result of this.

The victim maintains that he did not know how Dion Lim received his telephone number but contacted him out of the blue. He agreed to an interview only to promote awareness and to remind his fellow neighbors to be vigilant. He did not consent to ABC 7 sharing personal details about him publicly or to have specific quotes attributed to him. He did not agree to have his story shared on any social media accounts. He thought the story would be shared on ABC 7's website only. He reached out to the Chinese interpreter who Dion Lim used to interview him and requested that the social media posts be removed; however, the interpreter later responded that the information shared is the same as that provided in the police report so ABC 7 and Dion Lim will not be removing anything. As you know, the police report has not been made public; we are also unclear of why ABC 7 and Dion Lim would have a copy of a police report in an open, pending investigation. The victim also advised us that Dion Lim told them that she read the police report.

The victim has requested the following:

1. In the article by Dion Lim posted on ABC 7's website, please remove the sentence about the victim returning to his Sunset home after dropping off his wife at work. Who the victim resides with is not newsworthy, and he does not wish for this information to be made public. He believes this places his family in danger.
2. On Dion Lim's Twitter account, please remove the tweet with the direct quote, "He doesn't want me sharing his name because the suspect asked him details about his family and who lives with him." The victim did not provide consent for this quote to be attributed to him, does not believe the quote does anything to promote public safety, and would like for it to be removed from all platforms.

P. 2

3. On Dion Lim's social media accounts in which the statement, "I had no choice, if I don't do anything maybe I will die, He will kill me," the victim strongly requests that they be taken down. He only wanted to send a message to the public that vigilance is important; however, he believes the quote itself is extremely provocative, and sharing it is completely against his wishes.

We hope that you can be sympathetic to the victim's valid concerns and respect the victim's above-stated wishes.

Best regards,

A handwritten signature in dark ink, appearing to read "David Campos", with a stylized flourish at the end.

David Campos  
Chief of Staff  
Office of the District Attorney

From: twitter.com/journo\_anon

06/18/2021

Subject: California Public Records Act Request: Boudin-Judge communications - Immediate disclosure ... [Email](#)

Provide any communications (including any group conversations) of any form on personal or govt property between DA Boudin or any DA employee and any person who is a local, state, or federal judge at the time of the communication, Chief Scott, Mayor London Breed, Andy Lynch, Jeff Cretan, Sean Elsbernd, or Andrea Bruss. You may exclude any communication that is formally served on an adversarial party, publicly posted by a Court, or publicly posted on the Internet.

Search at least the following: email, chat, letters, text message, instant message, direct message, private message in all apps or social networks. Preserve all original records pending the final adjudication of all appeals - we may appeal all withholdings.

From: San Francisco District Attorney's office

06/18/2021

Subject: RE: California Public Records Act Request: Boudin-Judge communications - Immediate disclos... [Email](#)

Thank you for your request. As a preliminary matter, the purpose of the immediate disclosure request is to expedite the City's response to a "simple, routine, or otherwise readily answerable request." Admin. Code 67.25(a). The Sunshine Ordinance specifies that for more extensive or demanding requests, the maximum deadlines for responding to a request apply. Id. Accordingly, a requester's mere designation of a request as an immediate disclosure request does not automatically make it so. Rather, Admin. Code 67.25(b) makes clear that the City can invoke an extension of 10 days provided the reasons for the extension are set forth and as long as the requester is notified by the close of business the day following the request.

Processing your request requires searching for, collecting, and examining a voluminous amount of possibly responsive and non-privileged records. We are invoking our extension and will respond within 10 days.

Best,  
SFDA Public Records



~WRD0004

[Download](#)

From: San Francisco District Attorney's office

06/22/2021

Subject: RE: California Public Records Act Request: Boudin-Judge communications - Immediate disclos... [Email](#)


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Processing your request requires searching for, collecting, and examining a voluminous amount of possibly responsive and non-privileged records. We are invoking our extension and will respond within 10 days.


Best,  
SFDA Public Records



image001

 Download

From: Muckrock Staff


07/07/2021 

Subject: RE: California Public Records Act Request: Boudin-Judge communications - Immediate disclos... [Email](#)

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on June 18, 2021. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

**From:** Anonymoose  <arecordsrequestor@protonmail.com>  
**Sent:** Wednesday, July 21, 2021 4:53 PM  
**To:** SFDA Public Records; Marshall, Rachel (DAT); Boudin, Chesa (DAT); Boudin, Chesa (DAT); District Attorney, (DAT); Burke, Robyn (DAT); Records, Supervisor (CAT); FEITELBERG, BRITTANY (CAT); dennis.herrera@sfcityatty.org; SOTF, (BOS)  
**Subject:** Fw: 67.21(d) petition & new SOTF Complaint vs Chesa Boudin and DA's Office 01  
**Attachments:** Exhibit 5 - Boudin\_Radley Balko article records - Immediate disclosure request • MuckRock (1).pdf; Exhibit 4 - Apparent Retractions-f.pdf; signature.asc

#### SOTF & Supervisor of Records Herrera:

This is a first amendment to, but not replacement of, the petition/complaint with all exhibits filed last Friday below, and an addition of the attached exhibits #4 and 5.

*"When public employees break the law, my administration will hold them accountable. No one in San Francisco is above the law."* - Respondent Boudin, July 8, 2021

Respondents now purport to retract from public disclosure certain information, including names, phone numbers, and email addresses of what are apparently witnesses, victims, or their associates in a case with at least one juvenile subject, that were previously disclosed to me in this request (and within the original unredacted exhibits). (If Respondents desire and have the authority to censor the official complaint file with the prior unredacted exhibits, that is a matter they will have to take up with SOTF and Supervisor of Records themselves.) Respondents added the following written justification when purporting to retract the info:

*"In my previous disclosure I inadvertently attached an unredacted version of the responsive records that contained confidential contact information and names which should have been redacted. The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M."*

As context: the purported retractions appear to be part of a text message communication by **Kasie Lee**, Interim Chief of Victim Services Division and Assistant District Attorney, to journalist and non-City-employee **Radley Balko**. Balko appears to have then used this information to write an opinion column in the Washington Post defending Respondents and criticizing another reporter, Dion Lim, <https://www.washingtonpost.com/opinions/2021/06/14/bogus-backlash-against-progressive-prosecutors/> -- after communicating with the witnesses and/or victims apparently through the contact information provided by Respondents.

Therefore, in addition to the original allegations, I also allege the following violations:

- Additional violation of Gov Code 6254.5: This is now additional information selectively disclosed to one journalist and not the public. In fact, Respondents' Director of Communications Rachel Marshall states to Lim in these same records **"Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case..."** (emphasis mine) What is especially troubling is that this selective disclosure was done by Respondents in favor of one supportive journalist, with whom they also shared their own critiques of Lim, even while arguing to Lim their inability to discuss the case with *her* due to juvenile casefile related exemptions. Lim asks for the "status" of the case and is rebuffed on the above citation, but then some info is indeed provided by Respondents to Balko.
- Additional violation of Admin Code 67.26: By disclosing the information to Balko, they must disclose it to the general public. Also, it is unclear how the *names* (as opposed to the private contact info) can be considered an



unwarranted invasion of personal privacy. Of the names, at least one is known publicly – in fact it is stated in the column written by Balko after Respondents' disclosure to him. Generally the Gov Code 6254(c) exemption is applied to the personal contact info, not the name of a person. Even if SOTF decides not to order disclosed some of the information previously disclosed to Balko but now purportedly retracted in order to protect third-party privacy rights in spite of the Respondents' violations, it should nevertheless find Respondents violated the law due to the selective disclosure.

- Violation of Gov Code 6253(d): Respondents are required to identify the name and title of every person *responsible* for withholding the information, but did not do so. Who do we hold responsible here?

Regards,

Anonymous



Twitter [@journon anon](#)

**IMPORTANT:**

1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Friday, July 16th, 2021 at 7:23 PM, Anonymoose    
<arecordsrequestor@protonmail.com> wrote:

**Supervisor of Records:** This is a 67.21(d) to petition to determine in writing some or all records or parts thereof in the 2 attached requests are public and order them disclosed. In request #2 they have actively withheld certain records under apparently all of the cited exemptions and they are not more specific than that. There are also parts of records withheld in the second request in the numbered items.

**SOTF:** Please file a new complaint *Anonymous v Chesa Boudin and District Attorney's Office*.

**Allegations:** SFAC 67.21, 67.26, 67.27, 67.25, 67.24, Gov Code 6253(c), Gov Code 6254.5

This complaint regards two requests both attached.

**On the second request (comms with Dion Lim and Radley Balko):**

For context Lim and Balko are both journalists who wrote about Boudin's actions in a particular alleged crime. What Boudin, Lim, or Balko did or did not do is not relevant to the Sunshine issues, except that any release of info from Boudin/his office to Lim or Balko (who are not City employees) would waive all purported exemptions in that information. ***Namely, the Respondents appear to have discussed information apparently about witnesses or victims in this case with at least Balko on at least pages 61-62 of the public records released.***

This had an untimely response, but also had numerous additional problems. Remember the Respondents bear the burden to prove with specificity that an exemption applies.

1. **Gov Code 6254.5** - For all information that was provided to some other member of the public who has *no* special position in the investigation (namely these two reporters and their employers), all privileges in that information were waived.
2. **SF Admin Code 67.26** - the participant names of the texts/chats have been withheld. You have ruled that the From and To of text messages must be disclosed. SOTF 19098 Anonymous v SFPD. It is unclear who is speaking to Lim/Balko - is it Boudin or his subordinate?
3. **SF Admin Code 67.21** - a copy of a word document attachment communicated outside of the City was not provided. Instead screenshots of this document, which clearly contains hyperlinks impossible to provide via screenshot were provided. More importantly, because this Word file was itself communicated outside of the City, all privileges in the entirety of the file as previously transmitted are waived and I must receive the entirety of the original file, including all history and metadata in that Word file, whose name starts "Dion Lim Misrepresentatio..." on page 69.
4. **SF Admin Code 67.26** - the DA's office also transmitted various hyperlinks in their chat messages that were not provided to me (ex. page 63, 65)
5. **SF Admin Code 67.27** - Respondents withheld records on subrequest 3 based on 8 different justifications: "We are withholding records under the exemptions stated above that would otherwise be responsive to your third request." I do not believe all of these justifications apply and they appear to be just scattershot.
6. **SF Admin Code 67.24(a) and 67.26** - The Respondents withheld records to subrequest 3 based on: "Also, preliminary drafts, notes, or interagency or intra-agency memoranda may be exempt from disclosure under Cal. Govt. Code § 6254(a)." This is not allowed. Only a very small subset of such info is exempt under local draft exemption Admin Code 67.24(a). Namely in order to be exempt they must be "preliminary draft or department memorandum" AND "not normally kept on file and would otherwise be disposed of" AND then, only "the recommendation of the author" of such a document may be withheld within that document.

7. **SF Admin Code 67.27** - The Respondents also withheld records to subrequest 3 based on: "*In addition, "official information," which is acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, is privileged against disclosure per Cal. Evid. Code 1040*". This statement neither specifies which exemption is being used, and also over-states that is exempt. The Official Information privilege does not in fact exempt all "official information." Instead, there are two specific exemptions for subsets of official information: and they must choose which (or both) they are using: Evidence Code 1040(b)(1) and Evidence Code 1040(b)(2). Admin Code 67.27 requires you to choose *specific* exemptions. In (b)(1) they must prove what state or federal law prohibits disclosure. In (b)(2) they must prove that a balancing test *in the interest of justice* prevails for non-disclosure. But neither (b)(1) nor (b)(2) nor both combined simply exempt ALL information acquired in confidence by a public employee, as the City incorrectly believes. (Note that I am not disputing the *applicability* of the balancing test in (b)(2) due to the Mayor's COVID orders in this instance; though I reserve the right to elsewhere challenge the validity of. What I am saying is if that is what they want to use, they need to cite that test and prove with specificity that it applies to all information so exempted.)
8. **SF Admin Code 67.21 and 67.26** - Each, individual, email needs to be provided as an exact copy. The To, From, Cc, Bcc need to be provided with non-private email addresses.
9. **SF Admin Code 67.21 and 67.26** - At the end of the records appears to be some sort of formal letter transmitted to ABC7. I am owed an exact copy of that original file transmitted to ABC7 (and whatever mechanism was used to transmit that file). Any exemption for metadata (for example, any purported history that may otherwise be attorney work-product privileged if it was NOT in a file transmitted outside of the City) in the specific copy of the file sent to ABC7 is waived by transmission to ABC7.

**On the first request (comms with judges and Mayor's Office):**

The District Attorney's office has decided to go radio silent on my request and simply refuses to respond. At this moment there is no substantive response other than a lie that they would respond in 10 days (they did not).

**Violations of Gov Code 6253(c), Admin Code 67.21(b), Admin Code 67.25(b) and/or Admin Code 67.25(d):** In each case, Chesa Boudin and his Office violated Gov Code 6253(c) for failing to provide a determination of disclosable public records and reasons within 10 days and for unreasonably delaying provision of records to my requests. (The prior argument is based on a presumption that the Mayor's emergency COVID orders suspending certain timeliness requirements of the Ordinance are valid, but is not a concession that they are in fact valid, or continue to be in effect at any given time. In



the alternative, Respondents violated Admin Code 67.21(b) and/or 67.25(b) for failing to provide records within 10 days.).

**Violations of Admin Code 67.26 and 67.27:** The failure or refusal of the Respondents to search and produce the records is equivalent to withholding all records in their entirety (Community Youth Athletic Center v. City of National City, ``The effect of the City's inability or unwillingness to locate the records had the same effect as withholding requested information from the public."'). This complete withholding is non-minimal and unjustified in writing. If and when the City eventually responds, these violations may continue as well.

Regards,

Anonymous

Twitter [@journ0\\_anon](#)

***IMPORTANT:***

1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with [ProtonMail](#) Secure Email.

From: twitter.com/journo\_anon

06/14/2021

Subject: California Public Records Act Request: Boudin/Radley Balko article records - Immediate disclo...

Email

To Whom It May Concern:

This is regarding <https://www.washingtonpost.com/opinions/2021/06/14/bogus-backlash-against-progressive-prosecutors/> by Radley Balko

Pursuant to the SF Sunshine Ordinance and California Public Records Act, I hereby request the following records:

1. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between Boudin and Radley Balko or Dion Lim in 2021
2. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between other DA employees and Radley Balko or Dion Lim in 2021
3. Provide evidence of the following: "But in phone interviews, both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week." Such evidence includes: (a) communications between your office and the alleged victim or Mulholland, (b) all filings by your office in the juvenile's case, (c) all communications between Boudin or other DA employees and the judge or clerk in the juvenile's case, (d) all communications between Boudin or other DA employees and the juvenile's attorneys. Obviously you may redact any info identifying persons IF an appropriate citation is provided for each such redaction.
4. Any calendar events showing Boudin or other DA employees meeting with any of the alleged victim, Mulholland, the charged juvenile, or any of their attorneys. As you know, all (physical or virtual/telephonic) meetings of Boudin must be recorded pursuant to SFAC 67.29-5.

Preserve all responsive records. All withholdings or violations may be appealed. Provide rolling responses - this means pursuant to SFAC 67.25(d) you must provide records no later than the end of business day those records are reviewed, without waiting for the other records to be ready.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

twitter.com/journo\_anon

From: San Francisco District Attorney's office

06/15/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Thank you for your request. As a preliminary matter, the purpose of the immediate disclosure request is to expedite the City's response to a "simple, routine, or otherwise readily answerable request." Admin. Code 67.25(a). The Sunshine Ordinance specifies that for more extensive or demanding requests, the maximum deadlines for responding to a request apply. Id. Accordingly, a requester's mere designation of a request as an immediate disclosure request does not automatically make it so. Rather, Admin. Code 67.25(b) makes clear that the City can invoke an extension of 10 days provided the reasons for the extension are set forth and as long as the requester is notified by the close of business the 13<sup>th</sup> day following the request.

requester is notified by the close of business the day following the request.

Processing your request requires searching for, collecting, and examining a voluminous amount of possibly responsive and non-privileged records. We are invoking our extension and will respond within 10 days.

Best,  
SFDA Public Records



image001

Download

From: Muckrock Staff

06/30/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on June 14, 2021. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

07/15/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on June 14, 2021. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

From: San Francisco District Attorney's office

07/16/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Thank you for your patience, we are working on responding to all requests as soon as possible but have limited staff. Attached please find the response and responsive records to this request.

Best,  
SFDA Public Records

*MuckRock Note: Per the agency's request, this original file was removed from the site.*



Anon\_PRA\_7.16\_Lim\_Balko

View Embed Download



~WRD1601

Download

**From: San Francisco District Attorney's office****07/16/2021****Subject: Re: California Public Records Act Request: Boudin/Radley Balko article records - Immediate dis...**[Email](#)

Dear Anonymous,

In my previous disclosure I inadvertently attached an unredacted version of the responsive records that contained confidential contact information and names which should have been redacted. The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M.

Please remove the posting and delete from your inbox these unredacted records and we will send you the corrected version as soon as possible.

Thank you,

SFDA Public Records

**From: San Francisco District Attorney's office****07/16/2021****Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...**[Email](#)

Dear Anonymous,

Attached, please find the redacted version of the responsive records. Per my email below, please remove the posting of the previously disclosed records and use this redacted version instead.

Thank you.

Best,

SFDA Public Records



Responsive Records Lim - Balko correspondence\_Redacted

[View](#)[Embed](#)[Download](#)**From: twitter.com/journo\_anon****07/17/2021****Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...**[Email](#)

Good evening District Attorney's Office:

1. The original records you provided are already exhibits submitted within my complaints to the SOTF and Supervisor of Records (the complaints were not related to this now purported retraction, but numerous other alleged violations). If you believe you have the authority to somehow redact formal complaint filings you will need to take that up with SOTF and SoR directly. While I had already cited Gov Code 6254.21 in the complaint that applies to even more info now that some info you voluntarily disclosed to non-City-employee journalist Balko has been purportedly retracted from me.

2. I have voluntarily, and without conceding you have any authority to forcibly retract any records, put the original document in a less visible mode on this MuckRock thread. But that is not the same as deletion and someone could still find it. MuckRock email addresses are not like normal inboxes - they are completely public to the world. When you send a record to a muckrock request, it's instantly available online, and is often mirrored, sometimes permanently, by various archives. If you want MuckRock or some other mirror to takedown a record, that is between you and them. And as with past attempts by the City to takedown their own released public records, I will then issue further requests monitoring your chilling effects on free speech and free press and



examine all communications re: your office (or your DCAs) attempts to take down the info. The last time the City attempted to retract text messages released to me, they were the allegedly incriminating texts between Harlan Kelly and Walter Wong, so I am highly skeptical of the City's efforts to cover up releases (see: <https://www.kqed.org/news/11863771/sf-corruption-saga-newly-released-messages-between-former-sfpuc-chief-and-city-contractor-suggest-cozy-relationship> ).

-- @journno\_anon

From: twitter.com/journno\_anon

07/17/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

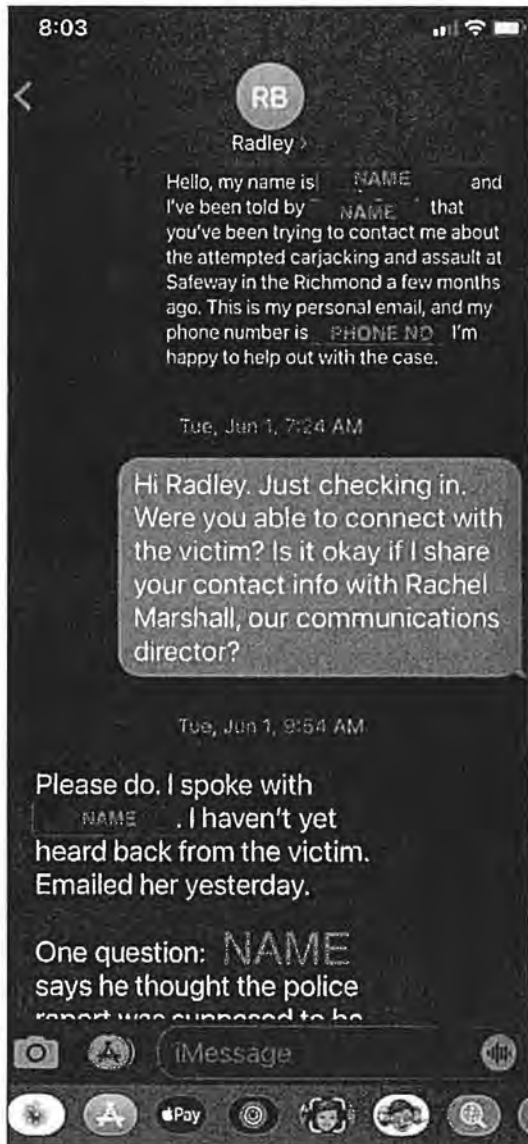
Typo: 6254.21 -> 6254.5

## EXHIBIT 4 – Apparent retractions of information

Red  
annotations  
added  
by me

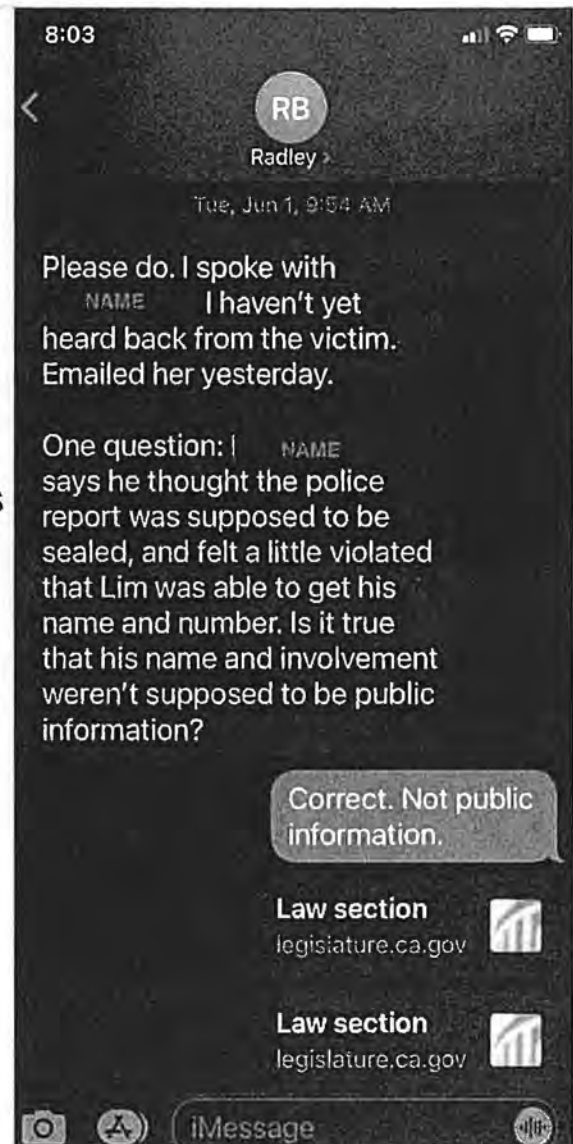






New  
Redactions  
By  
Respondents

Red  
annotations  
added  
by me



**From:** [Anonymoose](#)  
**To:** [Records\\_Supervisor \(CAT\); SOTF \(BOS\)](#)  
**Subject:** 67.21(d) petition & new SOTF Complaint vs Chesa Boudin and DA's Office 01  
**Date:** Friday, July 16, 2021 7:24:09 PM  
**Attachments:** [1 - Boudin-Judge communications - Immediate disclosure request #E2=80=A2 Mu= pdf](#)  
[Anon\\_PRA\\_7.16\\_Lim\\_Balko.pdf](#)  
[responsive-records-lim-balko-correspondence.pdf](#)  
[signature.asc](#)

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**Supervisor of Records:** This is a 67.21(d) to petition to determine in writing some or all records or parts thereof in the 2 attached requests are public and order them disclosed. In request #2 they have actively withheld certain records under apparently **all** of the cited exemptions and they are not more specific than that. There are also parts of records withheld in the second request in the numbered items.

**SOTF:** Please file a new complaint *Anonymous v Chesa Boudin and District Attorney's Office*.  
**Allegations:** SFAC 67.21, 67.26, 67.27, 67.25, 67.24, Gov Code 6253(c), Gov Code 6254.5

This complaint regards two requests both attached.

**On the second request (comms with Dion Lim and Radley Balko):**

For context Lim and Balko are both journalists who wrote about Boudin's actions in a particular alleged crime. What Boudin, Lim, or Balko did or did not do is not relevant to the Sunshine issues, except that any release of info from Boudin/his office to Lim or Balko (who are not City employees) would waive all purported exemptions in that information. ***Namely, the Respondents appear to have discussed information apparently about witnesses or victims in this case with at least Balko on at least pages 61-62 of the public records released.***

This had an untimely response, but also had numerous additional problems. Remember the Respondents bear the burden to prove with specificity that an exemption applies.

1. **Gov Code 6254.5** - For all information that was provided to some other member of the public who has *no* special position in the investigation (namely these two reporters and their employers), all privileges in that information were waived.
2. **SF Admin Code 67.26** - the participant names of the texts/chats have been withheld. You have ruled that the From and To of text messages must be disclosed. SOTF 19098 Anonymous v SFPD. It is unclear who is speaking to Lim/Balko - is it Boudin or his subordinate?
3. **SF Admin Code 67.21** - a copy of a word document attachment communicated outside of the City was not provided. Instead screenshots of this document, which clearly contains hyperlinks impossible to provide via screenshot were provided. More importantly, because this Word file was itself communicated outside of the City, all privileges in the entirety of the file as previously transmitted are waived and I must receive the entirety of the original file, including all history and metadata in that Word file, whose name starts "Dion Lim Misrepresentatio..." on page 69.
4. **SF Admin Code 67.26** - the DA's office also transmitted various hyperlinks in their chat messages that were not provided to me (ex. page 63, 65)
5. **SF Admin Code 67.27** - Respondents withheld records on subrequest 3 based on 8 different justifications: "We are withholding records under the exemptions stated above that would otherwise be responsive to your third request." I do not believe all of these justifications apply and they appear to be just scattershot.

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8. **SF Admin Code 67.21 and 67.26** - Each, individual, email needs to be provided as an exact copy. The To, From, Cc, Bcc need to be provided with non-private email addresses.
9. **SF Admin Code 67.21 and 67.26** - At the end of the records appears to be some sort of formal letter transmitted to ABC7. I am owed an exact copy of that original file transmitted to ABC7 (and whatever mechanism was used to transmit that file). Any exemption for metadata (for example, any purported history that may otherwise be by attorney work-product privileged if it was NOT in a file transmitted outside of the City) in the specific copy of the file sent to ABC7 is waived by transmission to ABC7.

**On the first request (comms with judges and Mayor's Office):**

The District Attorney's office has decided to go radio silent on my request and simply refuses to respond. At this moment there is no substantive response other than a lie that they would respond in 10 days (they did not).

**Violations of Gov Code 6253(c), Admin Code 67.21(b), Admin Code 67.25(b) and/or Admin Code 67.25(d):** In each case, Chesa Boudin and his Office violated Gov Code 6253(c) for failing to provide a determination of disclosable public records and reasons within 10 days and for unreasonably delaying provision of records to my requests. (The prior argument is based on a presumption that the Mayor's emergency COVID orders suspending certain timeliness requirements of the Ordinance are valid, but is not a concession that they are in fact valid, or continue to be in effect at any given time. In the alternative, Respondents violated Admin Code 67.21(b) and/or 67.25(b) for failing to provide records within 10 days.).

**Violations of Admin Code 67.26 and 67.27:** The failure or refusal of the Respondents to search and produce the records is equivalent to withholding all records in their entirety (Community Youth Athletic Center v. City of National City, ``The effect of the City's inability or unwillingness to locate the records had the same effect as withholding requested information from the public." ). This complete withholding is non-minimal and unjustified in writing. If and when the City eventually responds, these violations may continue as well.

Regards,

Anonymous

Twitter [@journos\\_anon](#)

***IMPORTANT:***

1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with [ProtonMail](#) Secure Email.



**From:** Arionymouse  
**To:** SFDA Public Records; Marshall, Rachel (DAT); Boudin, Chesa (DAT); Boudin, Chesa (DAT); District Attorney, (DAT); Burke, Robyn (DAT); Records Supervisor (CAT); FETTELBERG, BRITTANY (CAT); dennis.herrera@sfcityattv.org; SOTF, (BOS)  
**Subject:** Fw: 67.21(d) petition & new SOTF Complaint vs Chesa Boudin and DA's Office 01  
**Date:** Wednesday, July 21, 2021 4:53:01 PM  
**Attachments:** Exhibit 5 - Boudin Radley Balko article records - Immediate disclosure request • MuckRock (1).pdf  
Exhibit 4 - Apparent Retractions-f.pdf  
signature.asc

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### **SOTF & Supervisor of Records Herrera:**

This is a first amendment to, but not replacement of, the petition/complaint with all exhibits filed last Friday below, and an addition of the attached exhibits #4 and 5.

*"When public employees break the law, my administration will hold them accountable. No one in San Francisco is above the law."* - Respondent Boudin, July 8, 2021

Respondents now purport to retract from public disclosure certain information, including names, phone numbers, and email addresses of what are apparently witnesses, victims, or their associates in a case with at least one juvenile subject, that were previously disclosed to me in this request (and within the original unredacted exhibits). (If Respondents desire and have the authority to censor the official complaint file with the prior unredacted exhibits, that is a matter they will have to take up with SOTF and Supervisor of Records themselves.) Respondents added the following written justification when purporting to retract the info:

*"In my previous disclosure I inadvertently attached an unredacted version of the responsive records that contained confidential contact information and names which should have been redacted. The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M."*

As context: the purported retractions appear to be part of a text message communication by **Kasie Lee**, Interim Chief of Victim Services Division and Assistant District Attorney, to journalist and non-City-employee **Radley Balko**. Balko appears to have then used this information to write an opinion column in the Washington Post defending Respondents and criticizing another reporter, Dion

Lim, <https://www.washingtonpost.com/opinions/2021/06/14/bogus-backlash-against-progressive-prosecutors/> -- after communicating with the witnesses and/or victims apparently through the contact information provided by Respondents.

Therefore, in addition to the original allegations, I also allege the following violations:

- Additional violation of Gov Code 6254.5: This is now additional information selectively disclosed to one journalist and not the public. In fact, Respondents' Director of Communications Rachel Marshall states to Lim in these same records **"Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case..."** (emphasis mine) What is especially troubling is that this selective disclosure was done by Respondents in favor of one supportive journalist, with whom they also shared their own critiques of Lim, even

while arguing *to* Lim their inability to discuss the case with *her* due to juvenile casefile related exemptions. Lim asks for the "status" of the case and is rebuffed on the above citation, but then some info is indeed provided by Respondents to Balko.

- Additional violation of Admin Code 67.26: By disclosing the information to Balko, they must disclose it to the general public. Also, it is unclear how the *names* (as opposed to the private contact info) can be considered an unwarranted invasion of personal privacy. Of the names, at least one is known publicly -- in fact it is stated in the column written by Balko after Respondents' disclosure to him. Generally the Gov Code 6254(c) exemption is applied to the personal contact info, not the name of a person. Even if SOTF decides not to order disclosed some of the information previously disclosed to Balko but now purportedly retracted in order to protect third-party privacy rights in spite of the Respondents' violations, it should nevertheless find Respondents violated the law due to the selective disclosure.
- Violation of Gov Code 6253(d): Respondents are required to identify the name and title of every person *responsible* for withholding the information, but did not do so. Who do we hold responsible here?

Regards,

Anonymous

Twitter [@journo\\_anon](#)

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1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
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3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Friday, July 16th, 2021 at 7:23 PM, Anonymoose  
<[arecordsrequestor@protonmail.com](mailto:arecordsrequestor@protonmail.com)> wrote:

**Supervisor of Records:** This is a 67.21(d) to petition to determine in writing some or all records or parts thereof in the 2 attached requests are public and order them disclosed. In request #2 they have actively withheld

certain records under apparently **all** of the cited exemptions and they are not more specific than that. There are also parts of records withheld in the second request in the numbered items.

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**Allegations:** SFAC 67.21, 67.26, 67.27, 67.25, 67.24, Gov Code 6253(c), Gov Code 6254.5

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6. **SF Admin Code 67.24(a) and 67.26** - The Respondents withheld records to subrequest 3 based on: "*Also, preliminary drafts, notes, or interagency or intra-agency memoranda may be exempt from disclosure under Cal. Govt. Code § 6254(a).*" This is not allowed. Only a very small subset of such info is exempt under local draft exemption Admin Code 67.24(a). Namely in order to be exempt they must be "preliminary draft or department memorandum" AND "not normally kept on file and would otherwise be disposed of" AND then, only "the recommendation of the author" of such a document may be withheld within that document.
7. **SF Admin Code 67.27** - The Respondents also withheld records to subrequest 3 based on: "*In addition, "official information," which is acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, is privileged against disclosure per Cal. Evid. Code 1040*". This statement neither specifies which exemption is being used, and also overstates that is exempt. The Official Information privilege does not in fact exempt all "official information." Instead, there are two specific exemptions for subsets of official information: and they must choose which (or both) they are using: Evidence Code 1040(b)(1) and Evidence Code 1040(b)(2). Admin Code 67.27 requires you to choose *specific* exemptions. In (b)(1) they must prove what state or federal law prohibits disclosure. In (b)(2) they must prove that a balancing test *in the interest of justice* prevails for

non-disclosure. But neither (b)(1) nor (b)(2) nor both combined simply exempt ALL information acquired in confidence by a public employee, as the City incorrectly believes. (Note that I am not disputing the *applicability* of the balancing test in (b)(2) due to the Mayor's COVID orders in this instance; though I reserve the right to elsewhere challenge the validity of. What I am saying is if that is what they want to use, they need to cite that test and prove with specificity that it applies to all information so exempted.)

8. **SF Admin Code 67.21 and 67.26** - Each, individual, email needs to be provided as an exact copy. The To, From, Cc, Bcc need to be provided with non-private email addresses.
9. **SF Admin Code 67.21 and 67.26** - At the end of the records appears to be some sort of formal letter transmitted to ABC7. I am owed an exact copy of that original file transmitted to ABC7 (and whatever mechanism was used to transmit that file). Any exemption for metadata (for example, any purported history that may otherwise be attorney work-product privileged if it was NOT in a file transmitted outside of the City) in the specific copy of the file sent to ABC7 is waived by transmission to ABC7.

**On the first request (comms with judges and Mayor's Office):**

The District Attorney's office has decided to go radio silent on my request and simply refuses to respond. At this moment there is no substantive response other than a lie that they would respond in 10 days (they did not).

**Violations of Gov Code 6253(c), Admin Code 67.21(b), Admin Code 67.25(b) and/or Admin Code 67.25(d):** In each case, Chesa Boudin and his Office violated Gov Code 6253(c) for failing to provide a determination of disclosable public records and reasons within 10 days and for unreasonably delaying provision of records to my requests. (The prior argument is based on a presumption that the Mayor's emergency COVID orders suspending certain timeliness requirements of the Ordinance are valid, but is not a concession that they are in fact valid, or continue to be in effect at any given time. In the alternative, Respondents violated Admin Code 67.21(b) and/or 67.25(b) for failing to provide records within 10 days.).

**Violations of Admin Code 67.26 and 67.27:** The failure or refusal of the Respondents to search and produce the records is equivalent to withholding all records in their entirety (Community Youth Athletic Center v. City of National City, ``The effect of the City's inability or unwillingness to locate the records had the same effect as withholding requested information from the public." ). This complete withholding is non-minimal and unjustified in writing. If and when the City eventually responds, these violations may continue as well.

Regards,

Anonymous

Twitter [@journio\\_anon](#)

***IMPORTANT:***

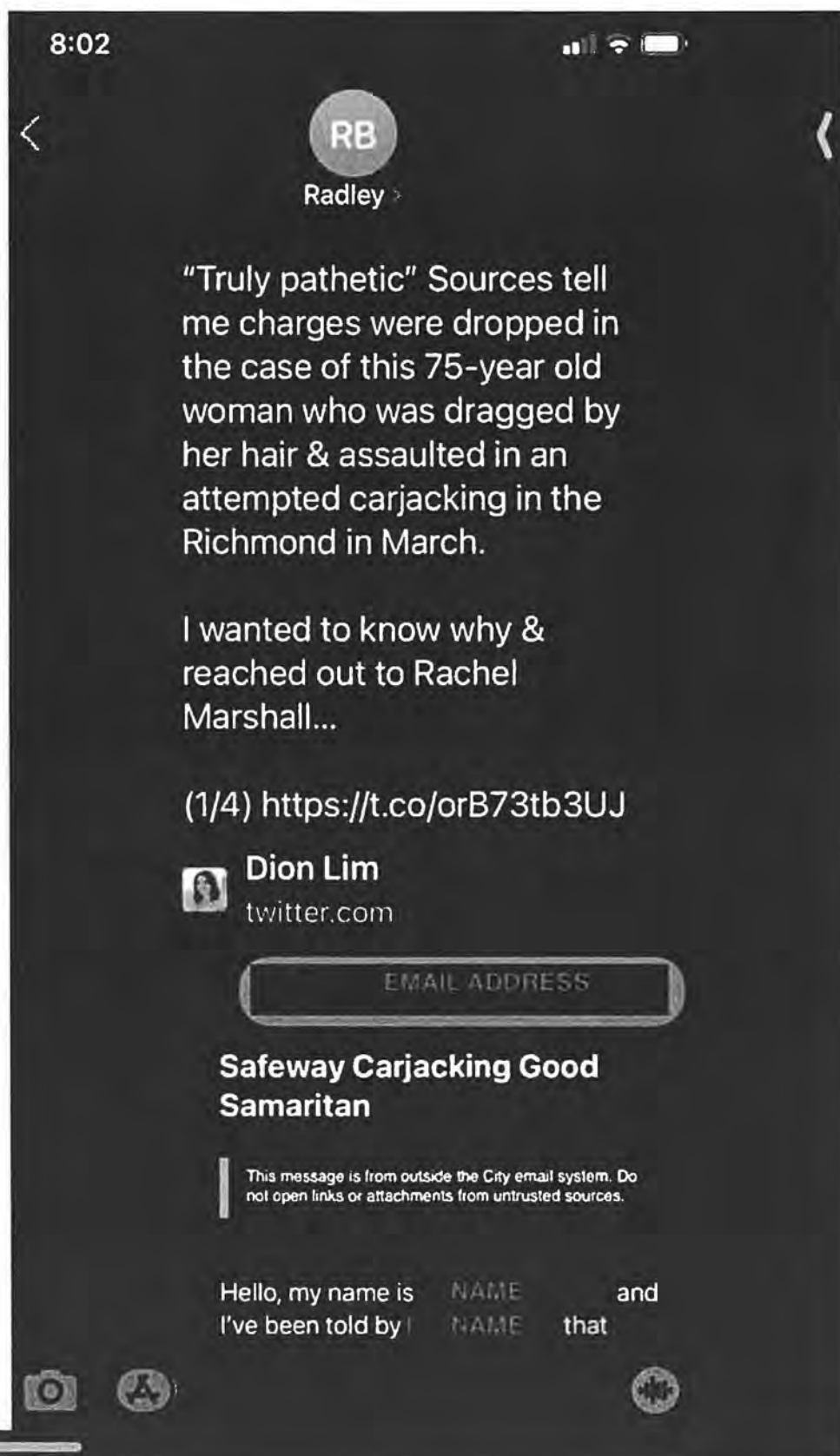
1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

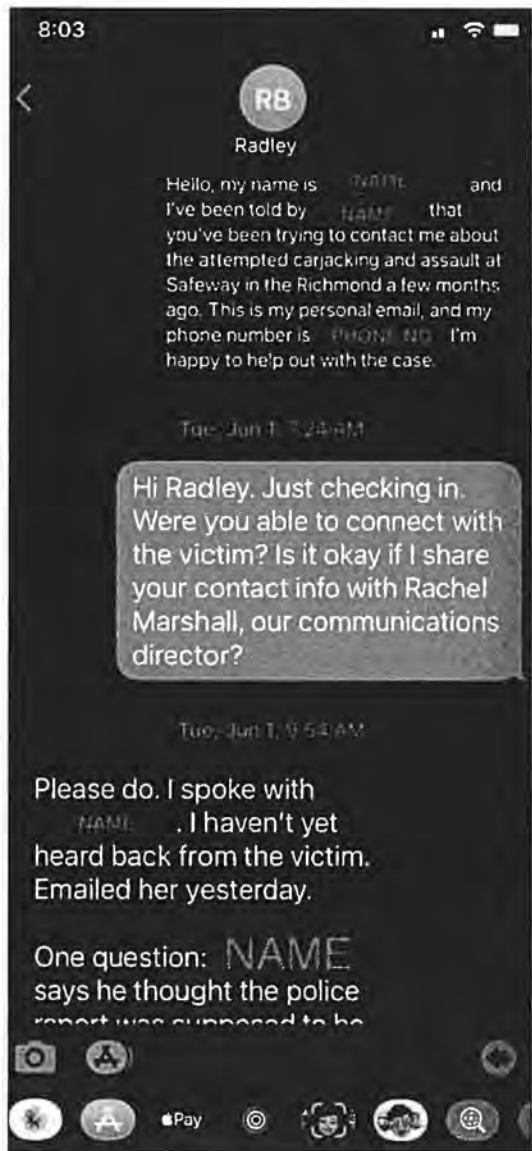
Sent with [ProtonMail](#) Secure Email.

## EXHIBIT 4 – Apparent retractions of information

New  
Redactions  
By  
Respondents

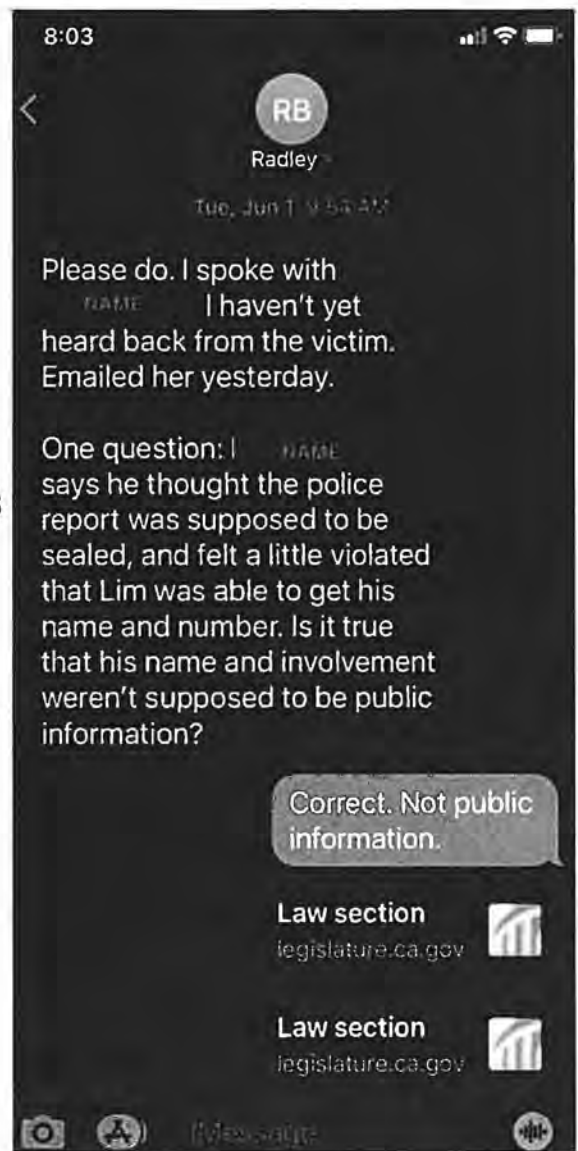
Red  
annotations  
added  
by me





New  
Redactions  
By  
Respondents

Red  
annotations  
added  
by me





July 16, 2021

[114094-50404735@requests.muckrock.com](mailto:114094-50404735@requests.muckrock.com)

Re: Your Public Record Act request received on June 14, 2021.

To Whom it May Concern:

This letter is in response to your Public Record Act request received by our office via email on June 14, 2021, making the following request:

- "1. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between Boudin and Radley Balko or Dion Lim in 2021*
- 2. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between other DA employees and Radley Balko or Dion Lim in 2021*
- 3. Provide evidence of the following: "But in phone interviews, both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week." Such evidence includes: (a) communications between your office and the alleged victim or Mulholland, (b) all filings by your office in the juvenile's case, (c) all communications between Boudin or other DA employees and the judge or clerk in the juvenile's case, (d) all communications between Boudin or other DA employees and the juvenile's attorneys. Obviously you may redact any info identifying persons IF an appropriate citation is provided for each such redaction.*
- 4. Any calendar events showing Boudin or other DA employees meeting with any of the alleged victim, Mulholland, the charged juvenile, or any of their attorneys. As you know, all (physical or virtual/telephonic) meetings of Boudin must be recorded pursuant to SFAC 67.29-5."*

Under the Public Records Act and the Sunshine Ordinance, a "public record" is broadly defined to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Cal. Govt. Code §6252(e). If the department has no records responsive to the specific request, the department has no duty to create or recreate one.

Records that contain the work product of an attorney for the People of the State of California are protected from disclosure. Cal. Govt. Code § 6254(k); Cal. Code Civ. Proc. §2018.030. The attorney work-product doctrine functions as a privilege, protecting from disclosure "[a] writing that reflects an attorney's impressions, conclusions, opinions or legal research or theories." Cal. Code Civ. Proc. § 2018.030(a). The attorney work-product doctrine also extends beyond records prepared for litigation purposes.

The investigatory records of a law enforcement agency are exempt from disclosure under the California Public Records Act. Cal. Govt. Code § 6254(f). Case law specifically holds that a District Attorney's investigatory records cannot be subject to compelled disclosure, whether the investigation is opened or closed, under conflicting laws. *Rivero v. Superior Court* (1997) 54 Cal. App. 4th 1048, 1059-1060.



CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE DISTRICT ATTORNEY

Also, preliminary drafts, notes, or interagency or intra-agency memoranda may be exempt from disclosure under Cal. Govt. Code § 6254(a). In addition, "official information," which is acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, is privileged against disclosure per Cal. Evid. Code 1040 and Cal. Govt. Code § 6254(k).

Additionally, release of records regarding a juvenile would be a violation of Welfare and Institutions code 831. Additionally, the right to privacy protected by Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M prevents these records from release.

The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M. These authorities may protect private information or records from disclosure even absent a statutory or constitutional provision addressing the specific information or type of record in question.

Please see the attached responsive records to your first, second, and third request. Under the right to privacy statutes stated above, we have redacted personal cell phone numbers and emails from the records. We are withholding records under the exemptions stated above that would otherwise be responsive to your third request. We do not have any responsive records to your fourth request.

Sincerely,  
San Francisco District Attorney's Public Records

From: twitter.com/journo\_anon

06/14/2021

Subject: California Public Records Act Request: Boudin/Radley Balko article records - Immediate disclo...

Email

To Whom It May Concern:

This is regarding <https://www.washingtonpost.com/opinions/2021/06/14/bogus-backlash-against-progressive-prosecutors/> by Radley Balko

Pursuant to the SF Sunshine Ordinance and California Public Records Act, I hereby request the following records:

1. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between Boudin and Radley Balko or Dion Lim in 2021
2. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between other DA employees and Radley Balko or Dion Lim in 2021
3. Provide evidence of the following: "But in phone interviews, both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week." Such evidence includes: (a) communications between your office and the alleged victim or Mulholland, (b) all filings by your office in the juvenile's case, (c) all communications between Boudin or other DA employees and the judge or clerk in the juvenile's case, (d) all communications between Boudin or other DA employees and the juvenile's attorneys. Obviously you may redact any info identifying persons IF an appropriate citation is provided for each such redaction.
4. Any calendar events showing Boudin or other DA employees meeting with any of the alleged victim, Mulholland, the charged juvenile, or any of their attorneys. As you know, all (physical or virtual/telephonic) meetings of Boudin must be recorded pursuant to SFAC 67.29-5.

Preserve all responsive records. All withholdings or violations may be appealed. Provide rolling responses - this means pursuant to SFAC 67.25(d) you must provide records no later than the end of business day those records are reviewed, without waiting for the other records to be ready.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

twitter.com/journo\_anon

From: San Francisco District Attorney's office

06/15/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Thank you for your request. As a preliminary matter, the purpose of the immediate disclosure request is to expedite the City's response to a "simple, routine, or otherwise readily answerable request." Admin. Code 67.25(a). The Sunshine Ordinance specifies that for more extensive or demanding requests, the maximum deadlines for responding to a request apply. Id. Accordingly, a requester's mere designation of a request as an immediate disclosure request does not automatically make it so. Rather, Admin. Code 67.25(b) makes clear that the City can invoke an extension of 10 days provided the reasons for the extension are set forth and as long as the requester is notified by the close of business the 364 day following the request.

requester is notified by the close of business the day following the request.

Processing your request requires searching for, collecting, and examining a voluminous amount of possibly responsive and non-privileged records. We are invoking our extension and will respond within 10 days.

Best,  
SFDA Public Records



image001

Download

From: Muckrock Staff

06/30/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

[Email](#)

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on June 14, 2021. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

07/15/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

[Email](#)

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on June 14, 2021. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

From: San Francisco District Attorney's office

07/16/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

[Email](#)

Thank you for your patience, we are working on responding to all requests as soon as possible but have limited staff. Attached please find the response and responsive records to this request.

Best,  
SFDA Public Records

*MuckRock Note: Per the agency's request, this original file was removed from the site.*

\* Anon\_PRA\_7.16\_Lim\_Balko

View Embed Download



~WRD1601

Download

From: San Francisco District Attorney's office

07/16/2021

Subject: Re: California Public Records Act Request: Boudin/Radley Balko article records - Immediate dis... Email

Dear Anonymous,

In my previous disclosure I inadvertently attached an unredacted version of the responsive records that contained confidential contact information and names which should have been redacted. The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M.

Please remove the posting and delete from your inbox these unredacted records and we will send you the corrected version as soon as possible.

Thank you,  
SFDA Public Records

From: San Francisco District Attorney's office

07/16/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di... Email




Dear Anonymous,

Attached, please find the redacted version of the responsive records. Per my email below, please remove the posting of the previously disclosed records and use this redacted version instead.

Thank you.

Best,  
SFDA Public Records

Responsive Records Lim - Balko correspondence\_Redacted

 View  Embed  Download

From: twitter.com/journo\_anon

07/17/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di... Email

Good evening District Attorney's Office:

1. The original records you provided are already exhibits submitted within my complaints to the SOTF and Supervisor of Records (the complaints were not related to this now purported retraction, but numerous other alleged violations). If you believe you have the authority to somehow redact formal complaint filings you will need to take that up with SOTF and SoR directly. While I had already cited Gov Code 6254.21 in the complaint that applies to even more info now that some info you voluntarily disclosed to non-City-employee journalist Balko has been purportedly retracted from me.


2. I have voluntarily, and without conceding you have any authority to forcibly retract any records, put the original document in a less visible mode on this MuckRock thread. But that is not the same as deletion and someone could still find it. MuckRock email addresses are not like normal inboxes - they are completely public to the world. When you send a record to a muckrock request, it's instantly available online, and is often mirrored, sometimes permanently, by various archives. If you want MuckRock or some other mirror to takedown a record, that is between you and them. And as with past attempts by the City to takedown their own released public records, I will then issue further requests monitoring your chilling effects on free speech and free press and



examine all communications re: your office (or your DCAs) attempts to take down the info. The last time the City attempted to retract text messages released to me, they were the allegedly incriminating texts between Harlan Kelly and Walter Wong, so I am highly skeptical of the City's efforts to cover up releases (see: <https://www.kqed.org/news/11863771/sf-corruption-saga-newly-released-messages-between-former-sfpuc-chief-and-city-contractor-suggest-cozy-relationship> ).

-- @journno\_anon

From: twitter.com/journno\_anon

07/17/2021 

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Typo: 6254.21 -> 6254.5



**Anonymoose**

Hi there. I had express permission to share, as noted in the text thread. [documentcloud.org/documents/2101...](https://documentcloud.org/documents/2101...) We do not have permission to share with the public so thank you for redacting it, even if as a courtesy.

Friday 8:52 PM

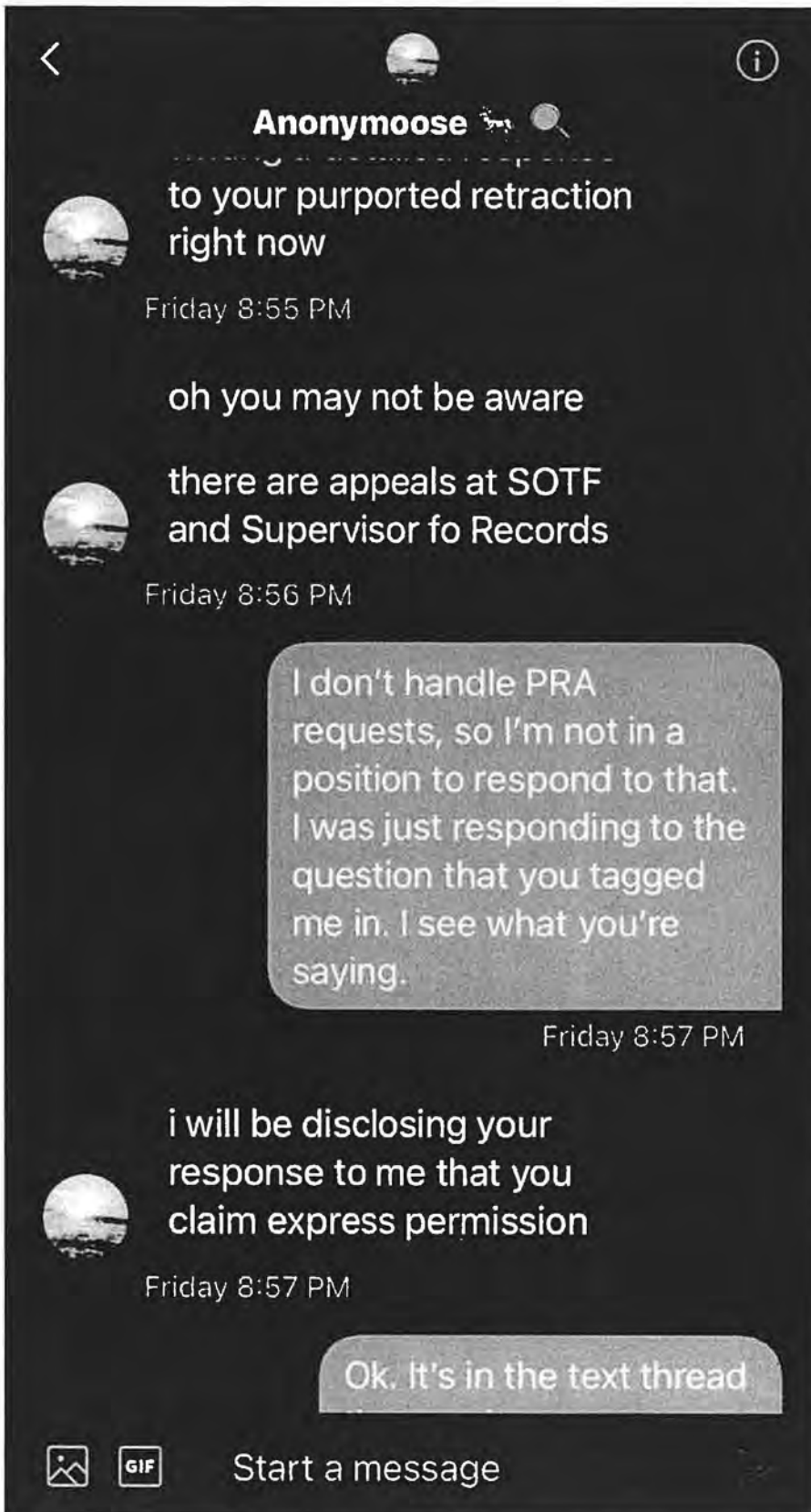
As you are aware I am disputing this by appeal. Gov Code 6254.5 says nothing of third party approval to let you choose who gets the info or not.

btw, while that url is hidden

your office will need to issue takedowns to muckrock and others if you want the originals deleted from the internet. i'm writing a detailed response





Start a message







**Anonymoose**  

that you have.

Friday 8:58 PM

where do you see that....

i see a discussion of a "her"  
email



but not the witness you  
have now redacted

Friday 9:00 PM

I had that, too.

Friday 9:01 PM

Sorry to bother you again.  
Can we have an exchange  
in confidence?

Saturday 8:27 AM

no i'm not ok with that,  
communications between  
us need to be public and  
disclosable, esp given that i  
and your office are  
adversarial parties in my



Start a message



**Anonymoose** 🐾 🔍

disclosable, esp given that i  
and your office are  
adversarial parties in my  
pra/sunshine appeals.  
please transmit whatever  
requests the DA's office  
has through the SOTF  
appeal official file.



Saturday 8:29 AM

Ok that's fine. I personally  
don't have anything against  
what you're doing with  
SOTF and I don't handle  
that for the office so I will  
just stay out of that part.

Saturday 8:31 AM

Well, if the DA's office is  
requesting additional info  
be redacted, I need that in  
the record, and may further  
appeal it.



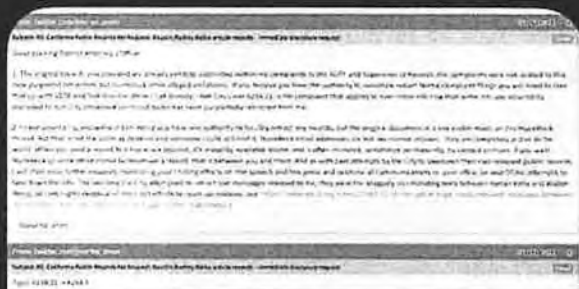
Saturday 8:31 AM



Start a message



Anonymoose



this was my response to  
your office

Saturday 8:33 AM



I was going to say by not  
posting the url like you did  
originally which provides  
context and instead using  
just a few screenshots, the  
issue is framed in a way  
that doesn't reflect what  
happened. I read some of  
your tweets and I think your  
overall goal is to provide a  
full picture to whoever  
wants to access it. I don't  
think you purposely take  
one side or another.

Saturday 8:34 AM



Start a message



**Anonymoose**  

Unfortunately I cannot post  
the url

In order to protect the other  
file's url

i can only embargo the full  
request or none of it

if you have some specific  
page number you'd like to  
post, i can screenshot it  
and post it, and will state  
that you referred me to it



Saturday 8:35 AM

I don't want to get involved  
that. As you can see from  
my texts I was reluctant to  
get involved at all in the first  
place. There was a very  
upset victim and witness  
who felt manipulated by  
Dion Lim and wanted me to  
pass on the contact  
information. I did nothing



Start a message



**Anonymoose**

beyond that. And when asked about the facts, I even have the reporter the court form that he would have to fill out to get that information. But all of that is omitted.

Saturday 8:38 AM

And now I see a tweet from the Marina Times using this to attack me and tying this to an article about an Asian woman going to speak to "fearful Asian residents" about Prop 47 when I attended no such event. Not all Asian women are the same.

Saturday 8:39 AM

I try not to respond publicly even when they are outright wrong because I don't want to be involved in the



Start a message



**Anonymoose**  

Saturday 8:39 AM

I try not to respond publicly even when they are outright wrong because I don't want to be involved in the politics. I just want to do my work and serve the community. But this feels all very unfair.

Saturday 8:40 AM

1/2: I cannot judge why you or your office operates the way it does. I am highlighting this because I don't think it is appropriate for your office (or others, like Herrera's) to get friendly press with people who you can selectively disclose info to.

2/2: I also don't think it is really fair for you to claim that you don't want to be involved with the press and still



Start a message



**Anonymoose**

involved with Balko and still  
communicate with him.

I am still happy to  
screenshot certain pages,  
but I will certainly state you  
referred me to them. That  
seems only fair.



Saturday 8:42 AM

Let me see if I can get  
permission to make that  
request.

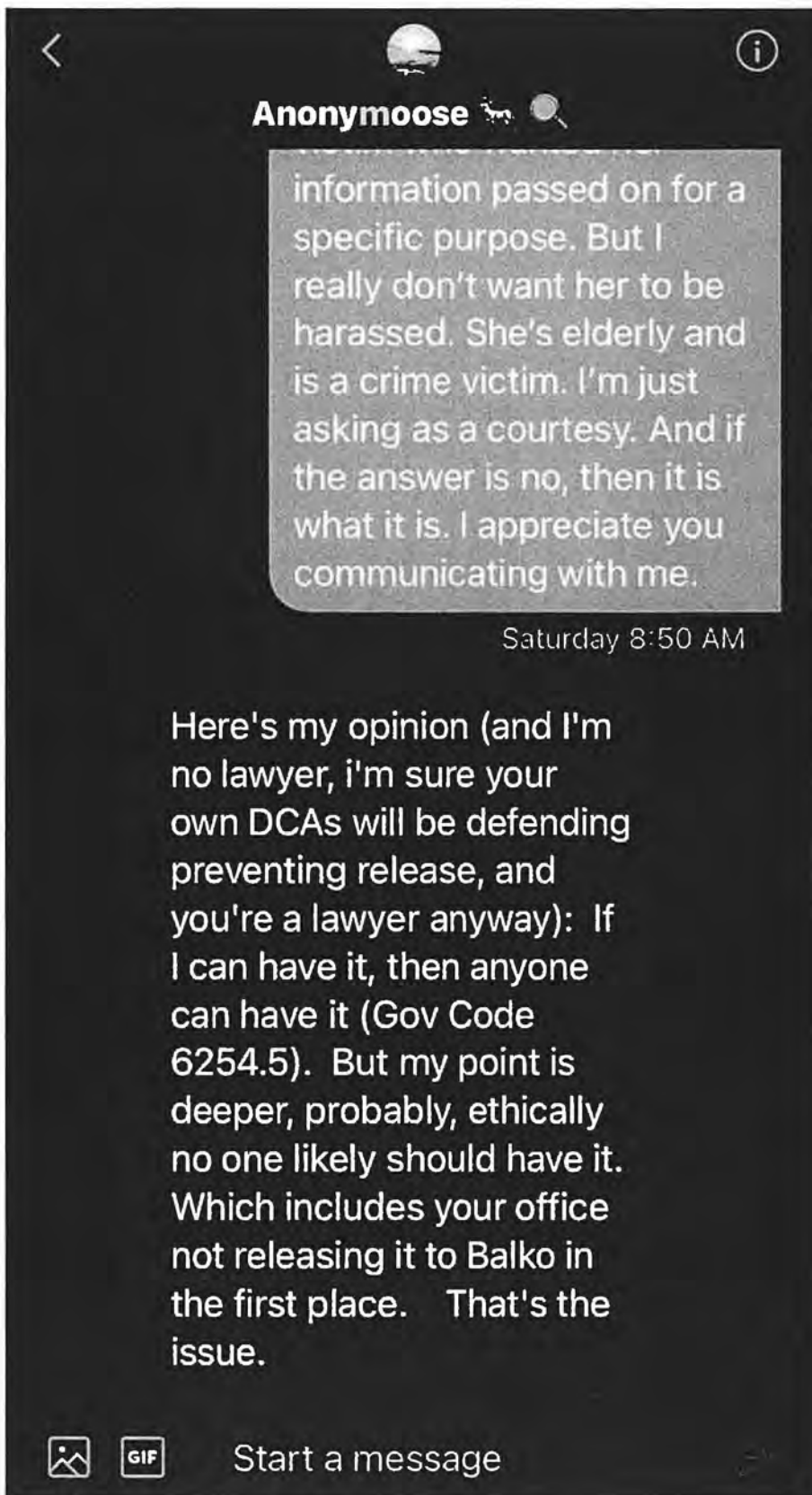
Saturday 8:45 AM

I guess my last question is...  
I'll let the office  
communicate with you  
regarding the appeal and  
redaction but if the only  
redactions are the email  
and phone number - if it's  
true that you are entitled to  
them, does it have to be  
posted publicly? This was a  
victim who wanted her



Start a message





information passed on for a specific purpose. But I really don't want her to be harassed. She's elderly and is a crime victim. I'm just asking as a courtesy. And if the answer is no, then it is what it is. I appreciate you communicating with me.

Saturday 8:50 AM

Here's my opinion (and I'm no lawyer, i'm sure your own DCAs will be defending preventing release, and you're a lawyer anyway): If I can have it, then anyone can have it (Gov Code 6254.5). But my point is deeper, probably, ethically no one likely should have it. Which includes your office not releasing it to Balko in the first place. That's the issue.



**Anonymoose** 🐾 🔍

Now afaik, you only  
released witness, not  
victim, contact info.

If you see victim contact  
info somewhere, feel free to  
lmk.



Saturday 8:52 AM

i have no interest in third  
party non-public officials  
being harmed by your  
office's releases. i have  
every interest to enforce to  
the stricted interpretation i  
can any sunshine law that  
your office i believe is  
violating tho.

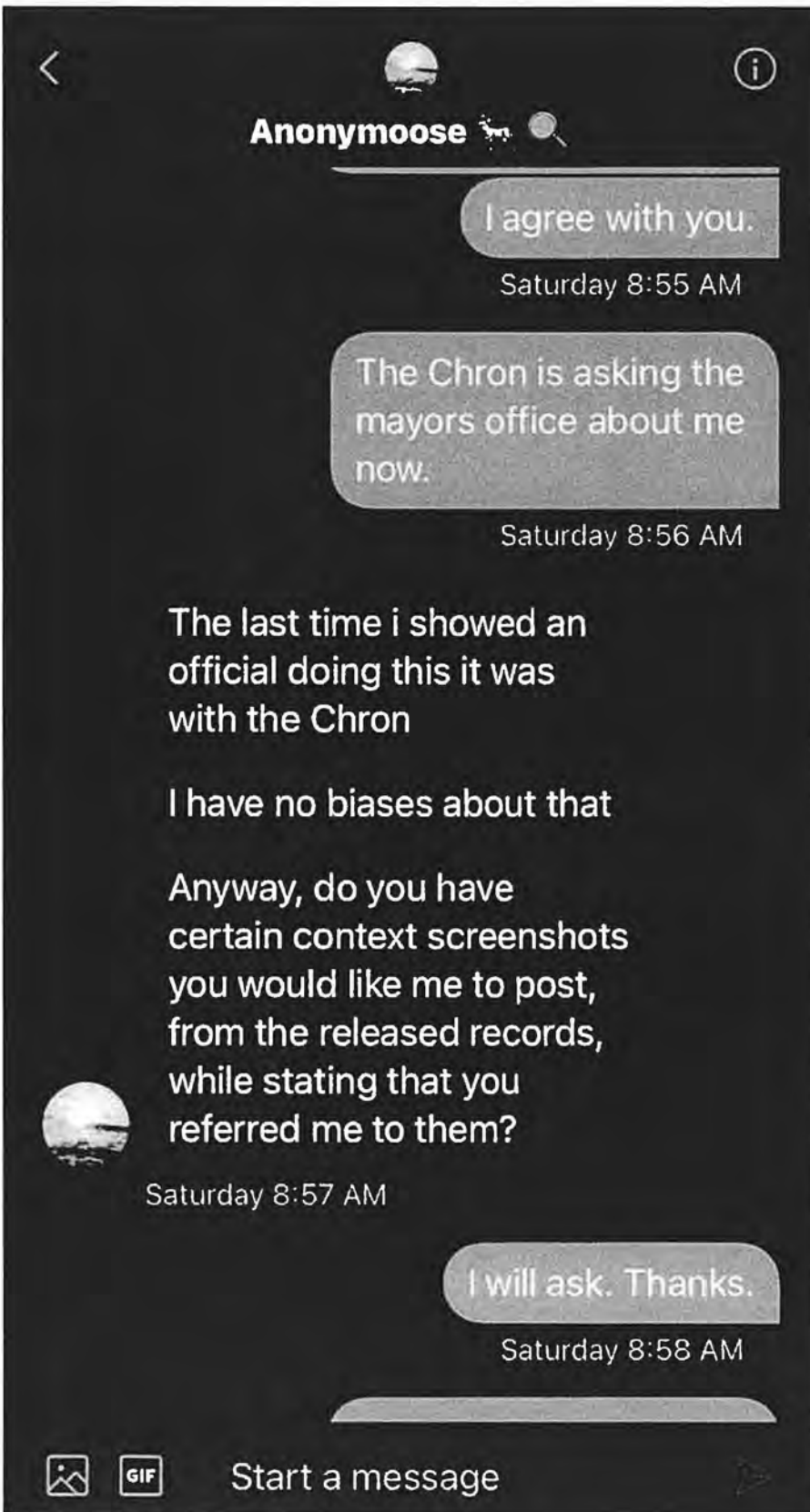


Saturday 8:54 AM

I think what should have  
happened is when  
reporters contacted me I  
should have just passed  
along \*their information



Start a message





**Anonymoose**

Saturday 8:57 AM

I will ask. Thanks.

Saturday 8:58 AM

Are you saying the url is disabled by our office?

They are saying you should have everything.

Saturday 9:09 AM

No, I can either release to full visibility both the unredacted and now newly redacted files

or neither



MuckRock doesn't let me do one or the other

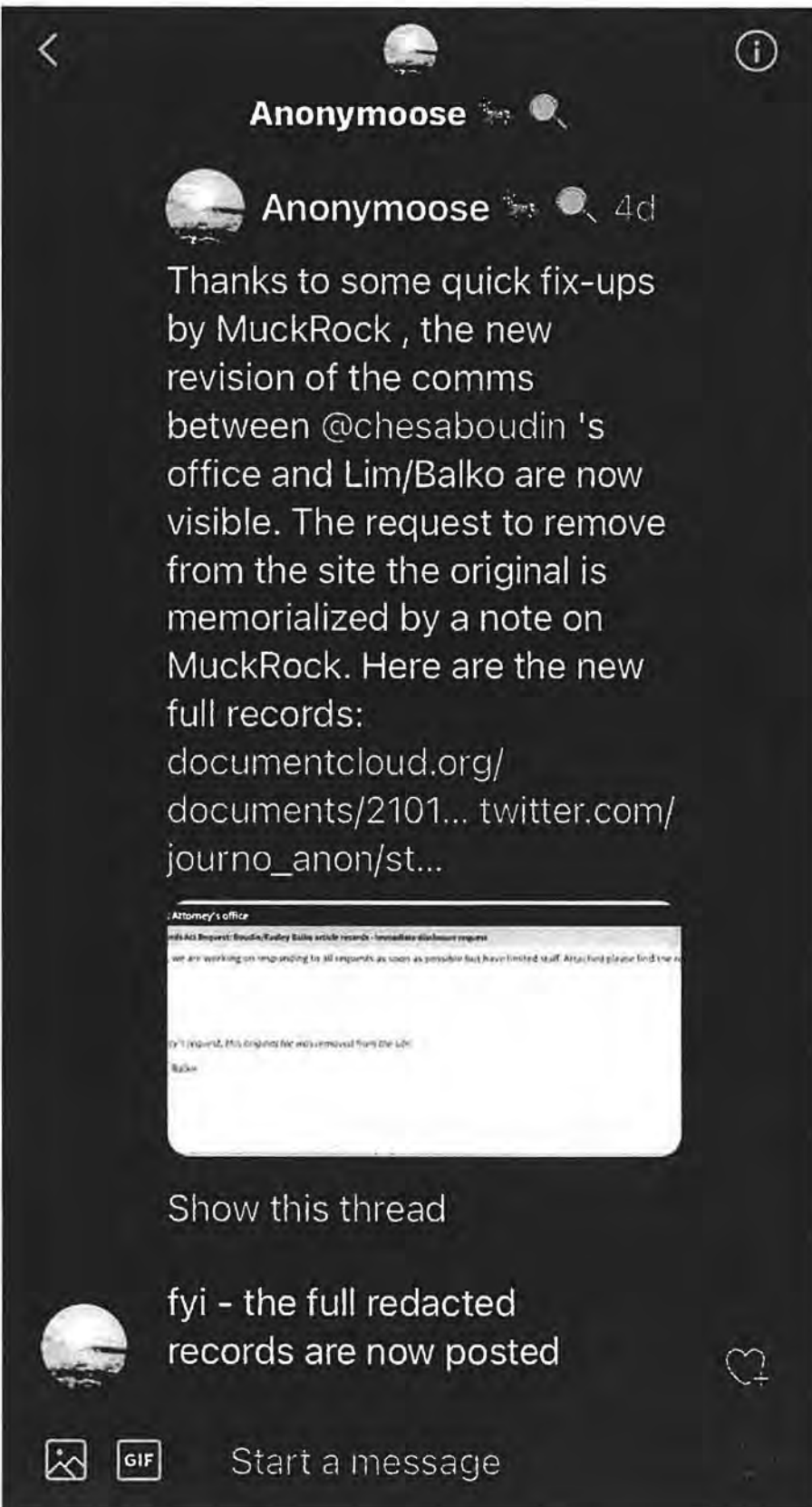
Saturday 9:09 AM

Ok. I understand.

Saturday 9:10 AM



Start a message





**Anonymoose** 🐻 🔍

MuckRock. Here are the new  
full records:

[documentcloud.org/  
documents/2101...](https://documentcloud.org/documents/2101...) [twitter.com/  
journo\\_anon/st...](https://twitter.com/journo_anon/st...)



Show this thread



**fyi - the full redacted  
records are now posted**



Saturday 1:12 PM

Thanks for letting me know.

Saturday 1:43 PM

**Did you know?**

You can quickly add a reaction  
by double-tapping any message.



i have no interest in third party non-public officials being harmed by your office's releases. i have every interest to enforce to the stricted interpretation i can any sunshine law that your office i believe is violating tho.

Saturday 8:54 AM

I think what should have happened is when reporters contacted me I should have just passed along \*their information



Start a message




**Anonymoose**



I agree with you.

Saturday 8:55 AM ✓



**From:** Anonymoose (@journon\_anon)  <arecordsrequestor@protonmail.com>  
**Sent:** Thursday, October 20, 2022 9:36 PM  
**To:** SOTF, (BOS); District Attorney, (DAT); Jenkins, Brooke (DAT); SFDA Public Records  
**Subject:** Cover Letter - SOTF 21086 Anonymous v. Chesa Boudin & DA's Office re: Dion Lim and Radley Balko  
**Attachments:** Exhibit 4 - Apparent Retractions-f.pdf; Req-Resp.pdf; Anon\_PRA\_7.16\_Lim\_Balko.pdf; Twitter - Anon and KL (1).pdf; Screen Shot 2022-10-20 at 8.34.10 PM.png; signature.asc

Dear Clerk - Please make sure all of these documents are included. Please confirm receipt as there are a lot of attachments that I'm resending.

Dear SOTF:

- On July 16th, 2021, I filed this complaint against Chesa Boudin and the District Attorney's Office regarding, primarily, selective disclosures made to a Boudin-supporting journalist Radley Balko, but not to me, used to publish an article supporting Boudin in the Washington Post.
- On July 21st, 2021, I amended my complaint (below) with further evidence. I've re-included some attachments below. [https://sfgov.org/sunshine/sites/default/files/eotc\\_101221\\_item5.pdf](https://sfgov.org/sunshine/sites/default/files/eotc_101221_item5.pdf)
- On Sept 21st, 2021, the SOTF Clerk served Respondent Boudin and his staff members David Campos and Robyn Burke with the complaint as amended July 21.
- On Oct 12th, 2021, the SOTF EOT Committee conducted an initial hearing on the matter, and concluded by referring the matter to SOTF and also recommended finding that Respondents violated certain provisions of the law. It does not appear that Boudin provided a written response for this hearing, nor does any appear in the agenda packet, but he did send a representative.
- During the Oct 12th hearing, Respondent representative Burke states in testimony at 40m19sec on the tape - **"I'll... I'll get that from... from the person who wrote that and send it over to him"** referring to a Word document Boudin's office produced making various allegations about journalist Dion Lim. Respondents had sent that Word document as an attachment to Radley Balko. Because they sent that entire file to Balko, they were required to disclose it *in its entirety to me*, without any parts withheld. As Burke describes on the tape, they had previously disclosed some parts of screenshots to me, but had not produced the full Word document to me. She represents to the SOTF on the tape that she will produce the Word document to me.
  - **Over a year since that Oct 2021 hearing, Respondents have to my knowledge never produced the record Burke testified to the EOT Committee that she would produce to me. Respondents Chesa Boudin and the District Attorney's Office, by and through their representative Burke, lied to the SOTF, did not produce the promised documents, and thus willfully violated the Sunshine Ordinance, committing official misconduct.**
- On approx. July 8, 2022, Boudin was removed from office by recall [1]. SOTF has informed me that they have noticed Boudin personally about the upcoming November 2022 hearing, using his State Bar email address.
- **Please find that Chesa Boudin and the District Attorney's Office violated:**
  - Admin Code 67.26 for not keeping withholding to a minimum
  - Admin Code 67.27 for citing justifications that do not apply (they just copy-paste cited numerous exemptions unrelated to the records)
  - Admin Code 67.24(a) for citing CPRA Gov Code 6254(a) for drafts not exempt under local law.
  - Admin Code 67.21(b) for an incomplete response, and/or Gov Code 6253(c) for the same reason (this request was made during the Mayor's purported suspensions of certain timelines)
  - CPRA Gov Code 6254.5 for selective disclosure (by waiving exemptions by disclosing to Balko, but not to me)
  - CPRA Gov Code 6253(d) for not identifying the name and title of every person responsible for withholding information from me
  - Admin Code 67.34 for willful violation of the Sunshine Ordinance and refer Chesa Boudin to the Ethics Commission, for lying that they would produce a document.

- There are at least two types of information withheld from me which I discuss separately:
  - (1) certain contact information about witnesses/victims sent to Balko (which was sent to me, and then they purported to retract);
    - Boudin's Asst District Attorney and Chief of Victim Services Kasie Lee (one of the staffers who released info to Balko) reached out to me from her personal account admitting that she "agree[d] with [Anonymous]" that "what should have happened is when reporters contacted me I should just passed along their information". That is correct. **Respondents were free to pass along Balko's information to the witness/victim and they could separately communicate as they wished. However, Respondents SHOULD NOT have passed along the confidential witness/victim information to Balko and by doing so waived its exemption.** Waiver of exemption cannot be selectively done.
    - I then immediately sunshined Kasie Lee's messages to me to ensure they could be authenticated, and will use that as evidence (attached here). Because the messages are from her account, she appears on the right and I appear on the Left.
  - (2) names of witnesses/victims, attachments, hyperlinks, and exact files that they sent to Balko, ABC7, and/or Dion Lim.
- **Because I do not believe that ethically Boudin should have ever released the information in (1) to Balko, please order Respondents pursuant to SFAC 67.21(e) to produce only the items in #(2) names of witnesses/victims, attachments, hyperlinks, and exact files that they sent to Balko, ABC7, and/or Dion Lim, to me.**

NOTE: I am now dropping all allegations under the heading "On the first request (comms with judges and Mayor's Office)" to be filed as a separate complaint.

Regards,


Anonymoose

[twitter.com/journo\\_snot](https://twitter.com/journo_snot)

2022 Society of Professional Journalists James Madison Freedom of Information Award Winner, Northern California

I'm not a lawyer; nothing herein is legal advice. If you are a public official, I may publish any of your communications regardless of any notice you send to me.

----- Original Message -----

On Wednesday, July 21st, 2021 at 4:52 PM, Anonymoose  <arecordsrequestor@protonmail.com> wrote:

#### **SOTF & Supervisor of Records Herrera:**

This is a first amendment to, but not replacement of, the petition/complaint with all exhibits filed last Friday below, and an addition of the attached exhibits #4 and 5.

*"When public employees break the law, my administration will hold them accountable. No one in San Francisco is above the law."* - Respondent Boudin, July 8, 2021

Respondents now purport to retract from public disclosure certain information, including names, phone numbers, and email addresses of what are apparently witnesses, victims, or their associates in a case with at least one juvenile subject, that were previously disclosed to me in this request (and within the original unredacted exhibits). (If Respondents desire and have the authority to censor the official complaint file with the prior unredacted exhibits, that is a matter they will have to take up with SOTF and Supervisor of Records themselves.) Respondents added the following written justification when purporting to retract the info:

*"In my previous disclosure I inadvertently attached an unredacted version of the responsive records that contained confidential contact information and names which should have been redacted. The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M."*

As context: the purported retractions appear to be part of a text message communication by **Kasie Lee**, Interim Chief of Victim Services Division and Assistant District Attorney, to journalist and non-City-employee **Radley Balko**. Balko appears to have then used this information to write an opinion column in the Washington Post defending Respondents and criticizing another reporter, Dion Lim, <https://www.washingtonpost.com/opinions/2021/06/14/bogus-backlash-against-progressive-prosecutors/> -- after communicating with the witnesses and/or victims apparently through the contact information provided by Respondents.

Therefore, in addition to the original allegations, I also allege the following violations:

- Additional violation of Gov Code 6254.5: This is now additional information selectively disclosed to one journalist and not the public. In fact, Respondents' Director of Communications Rachel Marshall states to Lim in these same records **"Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case..."** (emphasis mine) What is especially troubling is that this selective disclosure was done by Respondents in favor of one supportive journalist, with whom they also shared their own critiques of Lim, even while arguing to Lim their inability to discuss the case with *her* due to juvenile casefile related exemptions. Lim asks for the "status" of the case and is rebuffed on the above citation, but then some info is indeed provided by Respondents to Balko.
- Additional violation of Admin Code 67.26: By disclosing the information to Balko, they must disclose it to the general public. Also, it is unclear how the *names* (as opposed to the private contact info) can be considered an unwarranted invasion of personal privacy. Of the names, at least one is known publicly -- in fact it is stated in the column written by Balko after Respondents' disclosure to him. Generally the Gov Code 6254(c) exemption is applied to the personal contact info, not the name of a person. Even if SOTF decides not to order disclosed some of the information previously disclosed to Balko but now purportedly retracted in order to protect third-party privacy rights in spite of the Respondents' violations, it should nevertheless find Respondents violated the law due to the selective disclosure.
- Violation of Gov Code 6253(d): Respondents are required to identify the name and title of every person *responsible* for withholding the information, but did not do so. Who do we hold responsible here?

Regards,

Anonymous

Twitter [@journo\\_anon](#)



**IMPORTANT:**

1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.

3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Friday, July 16th, 2021 at 7:23 PM, Anonymoose    
<arecordsrequestor@protonmail.com> wrote:

**Supervisor of Records:** This is a 67.21(d) to petition to determine in writing some or all records or parts thereof in the 2 attached requests are public and order them disclosed. In request #2 they have actively withheld certain records under apparently all of the cited exemptions and they are not more specific than that. There are also parts of records withheld in the second request in the numbered items.

**SOTF:** Please file a new complaint *Anonymous v Chesa Boudin and District Attorney's Office*.

**Allegations:** SFAC 67.21, 67.26, 67.27, 67.25, 67.24, Gov Code 6253(c), Gov Code 6254.5

This complaint regards two requests both attached.

**On the second request (comms with Dion Lim and Radley Balko):**

For context Lim and Balko are both journalists who wrote about Boudin's actions in a particular alleged crime. What Boudin, Lim, or Balko did or did not do is not relevant to the Sunshine issues, except that any release of info from Boudin/his office to Lim or Balko (who are not City employees) would waive all purported exemptions in that information. ***Namely, the Respondents appear to have discussed information apparently about witnesses or victims in this case with at least Balko on at least pages 61-62 of the public records released.***

This had an untimely response, but also had numerous additional problems. Remember the Respondents bear the burden to prove with specificity that an exemption applies.



1. **Gov Code 6254.5** - For all information that was provided to some other member of the public who has *no* special position in the investigation (namely these two reporters and their employers), all privileges in that information were waived.
2. **SF Admin Code 67.26** - the participant names of the texts/chats have been withheld. You have ruled that the From and To of text messages must be disclosed. SOTF 19098 Anonymous v SFPD. It is unclear who is speaking to Lim/Balko - is it Boudin or his subordinate?
3. **SF Admin Code 67.21** - a copy of a word document attachment communicated outside of the City was not provided. Instead screenshots of this document, which clearly contains hyperlinks impossible to provide via screenshot were provided. More importantly, because this Word file was itself communicated outside of the City, all privileges in the entirety of the file as previously transmitted are waived and I must receive the entirety of the original file, including all history and metadata in that Word file, whose name starts "Dion Lim Misrepresentatio..." on page 69.
4. **SF Admin Code 67.26** - the DA's office also transmitted various hyperlinks in their chat messages that were not provided to me (ex. page 63, 65)
5. **SF Admin Code 67.27** - Respondents withheld records on subrequest 3 based on 8 different justifications: "We are withholding records under the exemptions stated above that would otherwise be responsive to your third request." I do not believe all of these justifications apply and they appear to be just scattershot.
6. **SF Admin Code 67.24(a) and 67.26** - The Respondents withheld records to subrequest 3 based on: "*Also, preliminary drafts, notes, or interagency or intra-agency memoranda may be exempt from disclosure under Cal. Govt. Code § 6254(a).*" This is not allowed. Only a very small subset of such info is exempt under local draft exemption Admin Code 67.24(a). Namely in order to be exempt they must be "preliminary draft or department memorandum" AND "not normally kept on file and would otherwise be disposed of" AND then, only "the recommendation of the author" of such a document may be withheld within that document.

7. **SF Admin Code 67.27** - The Respondents also withheld records to subrequest 3 based on: "*In addition, "official information," which is acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, is privileged against disclosure per Cal. Evid. Code 1040*". This statement neither specifies which exemption is being used, and also over-states that is exempt. The Official Information privilege does not in fact exempt all "official information." Instead, there are two specific exemptions for subsets of official information: and they must choose which (or both) they are using: Evidence Code 1040(b)(1) and Evidence Code 1040(b)(2). Admin Code 67.27 requires you to choose *specific* exemptions. In (b)(1) they must prove what state or federal law prohibits disclosure. In (b)(2) they must prove that a balancing test *in the interest of justice* prevails for non-disclosure. But neither (b)(1) nor (b)(2) nor both combined simply exempt ALL information acquired in confidence by a public employee, as the City incorrectly believes. (Note that I am not disputing the *applicability* of the balancing test in (b)(2) due to the Mayor's COVID orders in this instance; though I reserve the right to elsewhere challenge the validity of. What I am saying is if that is what they want to use, they need to cite that test and prove with specificity that it applies to all information so exempted.)
8. **SF Admin Code 67.21 and 67.26** - Each, individual, email needs to be provided as an exact copy. The To, From, Cc, Bcc need to be provided with non-private email addresses.
9. **SF Admin Code 67.21 and 67.26** - At the end of the records appears to be some sort of formal letter transmitted to ABC7. I am owed an exact copy of that original file transmitted to ABC7 (and whatever mechanism was used to transmit that file). Any exemption for metadata (for example, any purported history that may otherwise be attorney work-product privileged if it was NOT in a file transmitted outside of the City) in the specific copy of the file sent to ABC7 is waived by transmission to ABC7.

On the first request (comms with judges and Mayor's Office):

The District Attorney's office has decided to go radio silent on my request and simply refuses to respond. At this moment there is no substantive response other than a lie that they would respond in 10 days (they did not).

**Violations of Gov Code 6253(c), Admin Code 67.21(b), Admin Code 67.25(b) and/or Admin Code 67.25(d):** In each case, Chesa Boudin and his Office violated Gov Code 6253(c) for failing to provide a determination of disclosable public records and reasons within 10 days and for unreasonably delaying provision of records to my requests. (The prior argument is based on a presumption that the Mayor's emergency COVID orders suspending certain timeliness requirements of the Ordinance are valid, but is not a concession that they are in fact valid, or continue to be in effect at any given time. In the alternative, Respondents violated Admin Code 67.21(b) and/or 67.25(b) for failing to provide records within 10 days.).

**Violations of Admin Code 67.26 and 67.27:** The failure or refusal of the Respondents to search and produce the records is equivalent to withholding all records in their entirety (Community Youth Athletic Center v. City of National City, "The effect of the City's inability or unwillingness to locate the records had the same effect as withholding requested information from the public."). This complete withholding is non-minimal and unjustified in writing. If and when the City eventually responds, these violations may continue as well.

Regards,

Anonymous  
Twitter [@journ0 anon](#)

**IMPORTANT:**

1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited



to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.

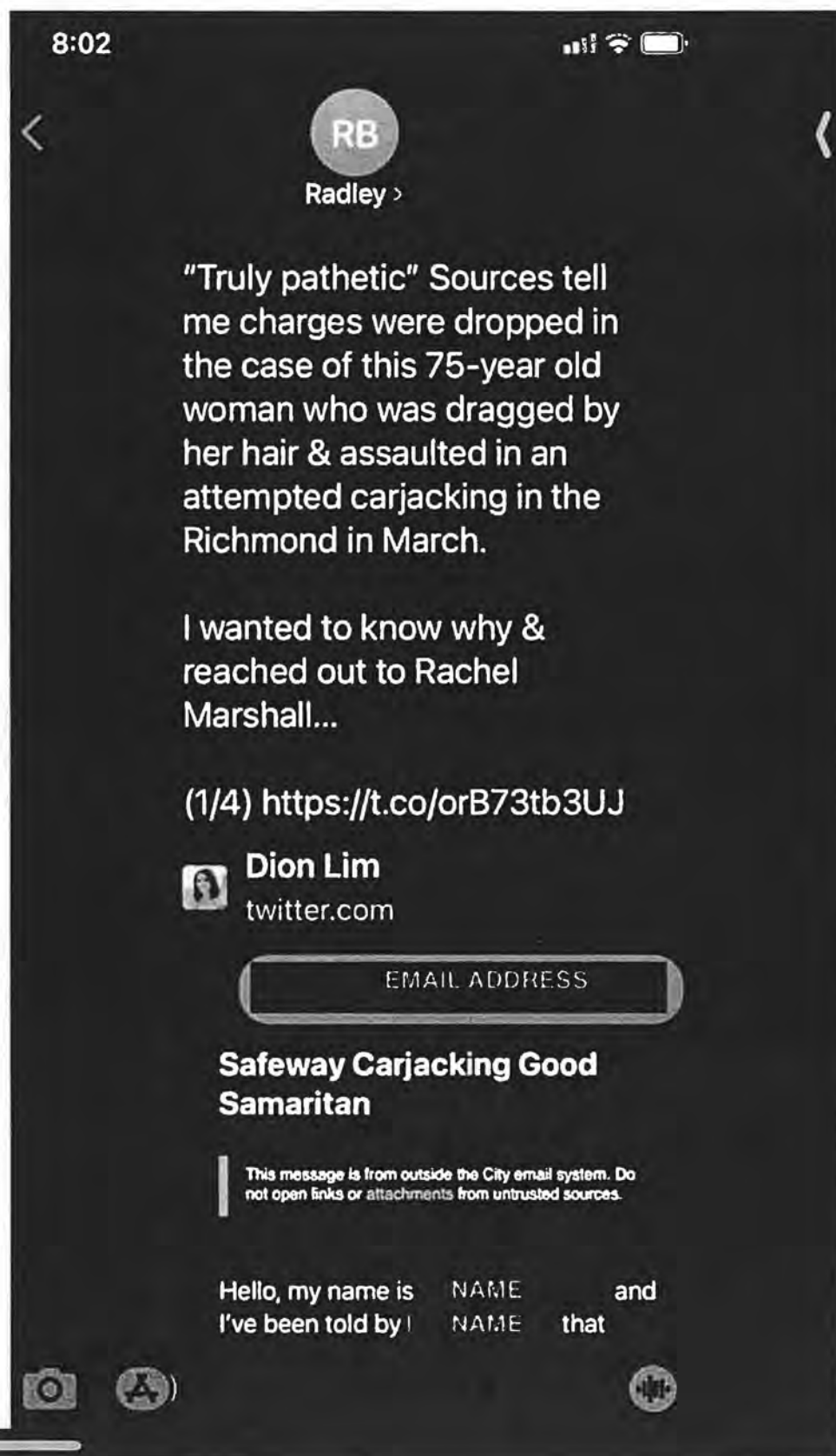
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

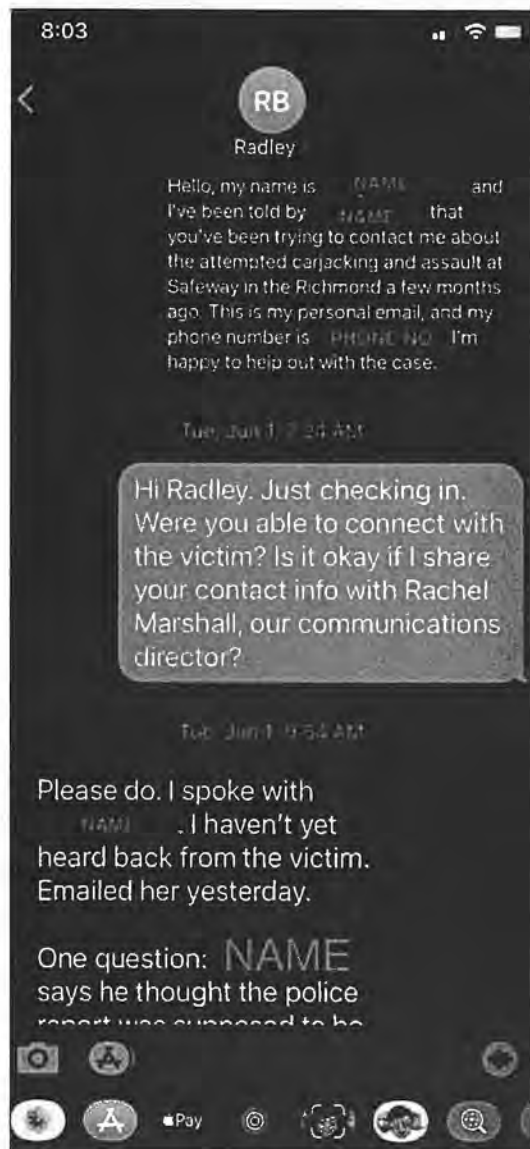
Sent with ProtonMail Secure Email.

## EXHIBIT 4 – Apparent retractions of information

New  
Redactions  
By  
Respondents

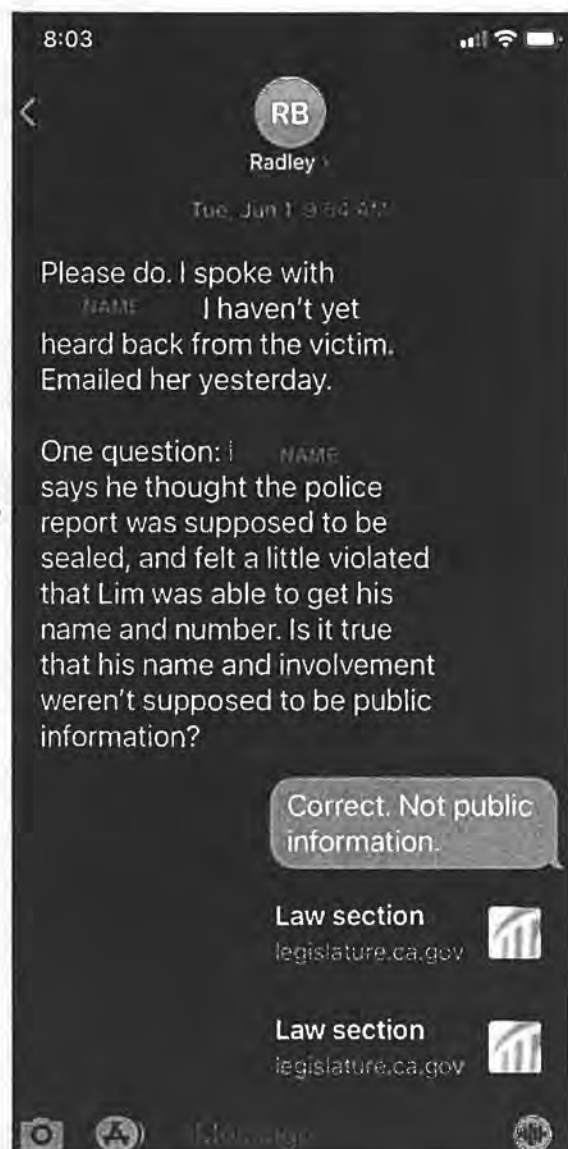
Red  
annotations  
added  
by me





New  
Redactions  
By  
Respondents

Red  
annotations  
added  
by me



From: twitter.com/journo\_anon

06/14/2021

Subject: California Public Records Act Request: Boudin/Radley Balko article records - Immediate disclo...

Email

To Whom It May Concern:

This is regarding <https://www.washingtonpost.com/opinions/2021/06/14/bogus-backlash-against-progressive-prosecutors/> by Radley Balko

Pursuant to the SF Sunshine Ordinance and California Public Records Act, I hereby request the following records:

1. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between Boudin and Radley Balko or Dion Lim in 2021
2. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between other DA employees and Radley Balko or Dion Lim in 2021
3. Provide evidence of the following: "But in phone interviews, both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week." Such evidence includes: (a) communications between your office and the alleged victim or Mulholland, (b) all filings by your office in the juvenile's case, (c) all communications between Boudin or other DA employees and the judge or clerk in the juvenile's case, (d) all communications between Boudin or other DA employees and the juvenile's attorneys. Obviously you may redact any info identifying persons IF an appropriate citation is provided for each such redaction.
4. Any calendar events showing Boudin or other DA employees meeting with any of the alleged victim, Mulholland, the charged juvenile, or any of their attorneys. As you know, all (physical or virtual/telephonic) meetings of Boudin must be recorded pursuant to SFAC 67.29-5.

Preserve all responsive records. All withholdings or violations may be appealed. Provide rolling responses - this means pursuant to SFAC 67.25(d) you must provide records no later than the end of business day those records are reviewed, without waiting for the other records to be ready.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

[twitter.com/journo\\_anon](https://twitter.com/journo_anon)

From: San Francisco District Attorney's office

06/15/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Thank you for your request. As a preliminary matter, the purpose of the immediate disclosure request is to expedite the City's response to a "simple, routine, or otherwise readily answerable request." Admin. Code 67.25(a). The Sunshine Ordinance specifies that for more extensive or demanding requests, the maximum deadlines for responding to a request apply. Id. Accordingly, a requester's mere designation of a request as an immediate disclosure request does not automatically make it so. Rather, Admin. Code 67.25(b) makes clear that the City can invoke an extension of 10 days provided the reasons for the extension are set forth and as long as the requester is notified by the close of business the 395 days following the request.

requester is notified by the close of business the day following the request.

Processing your request requires searching for, collecting, and examining a voluminous amount of possibly responsive and non-privileged records. We are invoking our extension and will respond within 10 days.

Best,  
SFDA Public Records



image001

Download

From: Muckrock Staff

06/30/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on June 14, 2021. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

07/15/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on June 14, 2021. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

From: San Francisco District Attorney's office

07/16/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Thank you for your patience, we are working on responding to all requests as soon as possible but have limited staff. Attached please find the response and responsive records to this request.

Best,  
SFDA Public Records

*MuckRock Note: Per the agency's request, this original file was removed from the site.*

\* Anon\_PRA\_7.16\_Lim\_Balko

View Embed Download



~WRD1601

Download



From: San Francisco District Attorney's office

07/16/2021

Subject: Re: California Public Records Act Request: Boudin/Radley Balko article records - Immediate dis...

Email

Dear Anonymous,

In my previous disclosure I inadvertently attached an unredacted version of the responsive records that contained confidential contact information and names which should have been redacted. The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M.

Please remove the posting and delete from your inbox these unredacted records and we will send you the corrected version as soon as possible.

Thank you,

SFDA Public Records

From: San Francisco District Attorney's office

07/16/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Dear Anonymous,




Attached, please find the redacted version of the responsive records. Per my email below, please remove the posting of the previously disclosed records and use this redacted version instead.

Thank you.

Best,

SFDA Public Records

Responsive Records Lim - Balko correspondence\_Redacted

 View
  Embed
  Download

From: twitter.com/journo\_anon

07/17/2021

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Good evening District Attorney's Office:

1. The original records you provided are already exhibits submitted within my complaints to the SOTF and Supervisor of Records (the complaints were not related to this now purported retraction, but numerous other alleged violations). If you believe you have the authority to somehow redact formal complaint filings you will need to take that up with SOTF and SoR directly. While I had already cited Gov Code 6254.21 in the complaint that applies to even more info now that some info you voluntarily disclosed to non-City-employee journalist Balko has been purportedly retracted from me.


2. I have voluntarily, and without conceding you have any authority to forcibly retract any records, put the original document in a less visible mode on this MuckRock thread. But that is not the same as deletion and someone could still find it. MuckRock email addresses are not like normal inboxes - they are completely public to the world. When you send a record to a muckrock request, it's instantly available online, and is often mirrored, sometimes permanently, by various archives. If you want MuckRock or some other mirror to takedown a record, that is between you and them. And as with past attempts by the City to takedown their own released public records, I will then issue further requests monitoring your chilling effects on free speech and free press and



examine all communications re: your office (or your DCAs) attempts to take down the info. The last time the City attempted to retract text messages released to me, they were the allegedly incriminating texts between Harlan Kelly and Walter Wong, so I am highly skeptical of the City's efforts to cover up releases (see: <https://www.kqed.org/news/11863771/sf-corruption-saga-newly-released-messages-between-former-sfpuc-chief-and-city-contractor-suggest-cozy-relationship> ).

-- @journno\_anon

From: [twitter.com/journno\\_anon](https://twitter.com/journno_anon)

07/17/2021 

Subject: RE: California Public Records Act Request: Boudin/Radley Balko article records - Immediate di...

Email

Typo: 6254.21 -> 6254.5



July 16, 2021

[114094-50404735@requests.muckrock.com](mailto:114094-50404735@requests.muckrock.com)

Re: Your Public Record Act request received on June 14, 2021.

To Whom it May Concern:

This letter is in response to your Public Record Act request received by our office via email on June 14, 2021, making the following request:

- "1. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between Boudin and Radley Balko or Dion Lim in 2021*
- 2. Provide exact copies of any communications (of any form, in any or no app, on govt or personal property, with all attachments) between other DA employees and Radley Balko or Dion Lim in 2021*
- 3. Provide evidence of the following: "But in phone interviews, both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week." Such evidence includes: (a) communications between your office and the alleged victim or Mulholland, (b) all filings by your office in the juvenile's case, (c) all communications between Boudin or other DA employees and the judge or clerk in the juvenile's case, (d) all communications between Boudin or other DA employees and the juvenile's attorneys. Obviously you may redact any info identifying persons IF an appropriate citation is provided for each such redaction.*
- 4. Any calendar events showing Boudin or other DA employees meeting with any of the alleged victim, Mulholland, the charged juvenile, or any of their attorneys. As you know, all (physical or virtual/telephonic) meetings of Boudin must be recorded pursuant to SFAC 67.29-5. "*

Under the Public Records Act and the Sunshine Ordinance, a "public record" is broadly defined to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Cal. Govt. Code §6252(e). If the department has no records responsive to the specific request, the department has no duty to create or recreate one.

Records that contain the work product of an attorney for the People of the State of California are protected from disclosure. Cal. Govt. Code § 6254(k); Cal. Code Civ. Proc. §2018.030. The attorney work-product doctrine functions as a privilege, protecting from disclosure "[a] writing that reflects an attorney's impressions, conclusions, opinions or legal research or theories." Cal. Code Civ. Proc. § 2018.030(a). The attorney work-product doctrine also extends beyond records prepared for litigation purposes.

The investigatory records of a law enforcement agency are exempt from disclosure under the California Public Records Act. Cal. Govt. Code § 6254(f). Case law specifically holds that a District Attorney's investigatory records cannot be subject to compelled disclosure, whether the investigation is opened or closed, under conflicting laws. *Rivero v. Superior Court* (1997) 54 Cal. App. 4th 1048, 1059-1060.

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE DISTRICT ATTORNEY

Also, preliminary drafts, notes, or interagency or intra-agency memoranda may be exempt from disclosure under Cal. Govt. Code § 6254(a). In addition, "official information," which is acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, is privileged against disclosure per Cal. Evid. Code 1040 and Cal. Govt. Code § 6254(k).



Additionally, release of records regarding a juvenile would be a violation of Welfare and Institutions code 831. Additionally, the right to privacy protected by Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M prevents these records from release.

The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M. These authorities may protect private information or records from disclosure even absent a statutory or constitutional provision addressing the specific information or type of record in question.

Please see the attached responsive records to your first, second, and third request. Under the right to privacy statutes stated above, we have redacted personal cell phone numbers and emails from the records. We are withholding records under the exemptions stated above that would otherwise be responsive to your third request. We do not have any responsive records to your fourth request.

Sincerely,  
San Francisco District Attorney's Public Records



**Anonymoose**  

Hi there. I had express permission to share, as noted in the text thread. [documentcloud.org/documents/2101...](https://documentcloud.org/documents/2101...) We do not have permission to share with the public so thank you for redacting it, even if as a courtesy.

Friday 8:52 PM

As you are aware I am disputing this by appeal. Gov Code 6254.5 says nothing of third party approval to let you choose who gets the info or not.

btw, while that url is hidden


your office will need to issue takedowns to muckrock and others if you want the originals deleted from the internet. i'm writing a detailed response



Start a message





**Anonymoose**  



to your purported retraction  
right now

Friday 8:55 PM

oh you may not be aware



there are appeals at SOTF  
and Supervisor fo Records

Friday 8:56 PM

I don't handle PRA  
requests, so I'm not in a  
position to respond to that.  
I was just responding to the  
question that you tagged  
me in. I see what you're  
saying.

Friday 8:57 PM



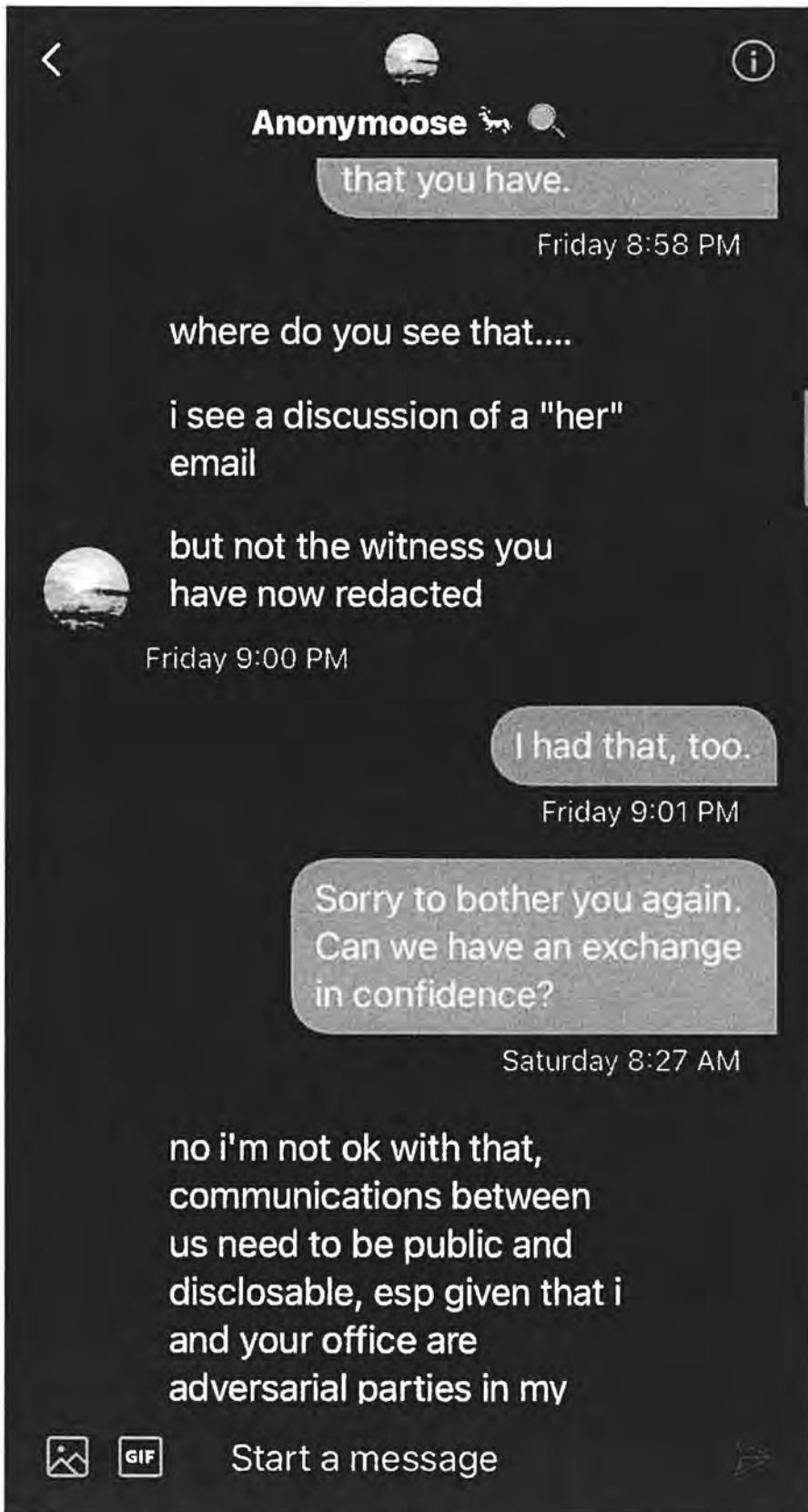
i will be disclosing your  
response to me that you  
claim express permission

Friday 8:57 PM

Ok. It's in the text thread



Start a message



that you have.

Friday 8:58 PM

where do you see that....

i see a discussion of a "her"  
email



but not the witness you  
have now redacted

Friday 9:00 PM

I had that, too.

Friday 9:01 PM

Sorry to bother you again.  
Can we have an exchange  
in confidence?

Saturday 8:27 AM

no i'm not ok with that,  
communications between  
us need to be public and  
disclosable, esp given that i  
and your office are  
adversarial parties in my



Start a message



**Anonymoose** 🦌🔍

disclosable, esp given that i  
and your office are  
adversarial parties in my  
pra/sunshine appeals.  
please transmit whatever  
requests the DA's office  
has through the SOTF  
appeal official file.



Saturday 8:29 AM

Ok that's fine. I personally  
don't have anything against  
what you're doing with  
SOTF and I don't handle  
that for the office so I will  
just stay out of that part.

Saturday 8:31 AM

Well, if the DA's office is  
requesting additional info  
be redacted, I need that in  
the record, and may further  
appeal it.



Saturday 8:31 AM



Start a message







Anonymoose



this was my response to  
your office

Saturday 8:33 AM

I was going to say by not posting the url like you did originally which provides context and instead using just a few screenshots, the issue is framed in a way that doesn't reflect what happened. I read some of your tweets and I think your overall goal is to provide a full picture to whoever wants to access it. I don't think you purposely take one side or another.



Saturday 8:34 AM



Start a message





**Anonymoose**  

Unfortunately I cannot post  
the url

In order to protect the other  
file's url

i can only embargo the full  
request or none of it

if you have some specific  
page number you'd like to  
post, i can screenshot it  
and post it, and will state  
that you referred me to it



Saturday 8:35 AM

I don't want to get involved  
that. As you can see from  
my texts I was reluctant to  
get involved at all in the first  
place. There was a very  
upset victim and witness  
who felt manipulated by  
Dion Lim and wanted me to  
pass on the contact  
information. I did nothing



GIF

Start a message



**Anonymoose**  

beyond that. And when asked about the facts, I even have the reporter the court form that he would have to fill out to get that information. But all of that is omitted.

Saturday 8:38 AM

And now I see a tweet from the Marina Times using this to attack me and tying this to an article about an Asian woman going to speak to "fearful Asian residents" about Prop 47 when I attended no such event. Not all Asian women are the same.

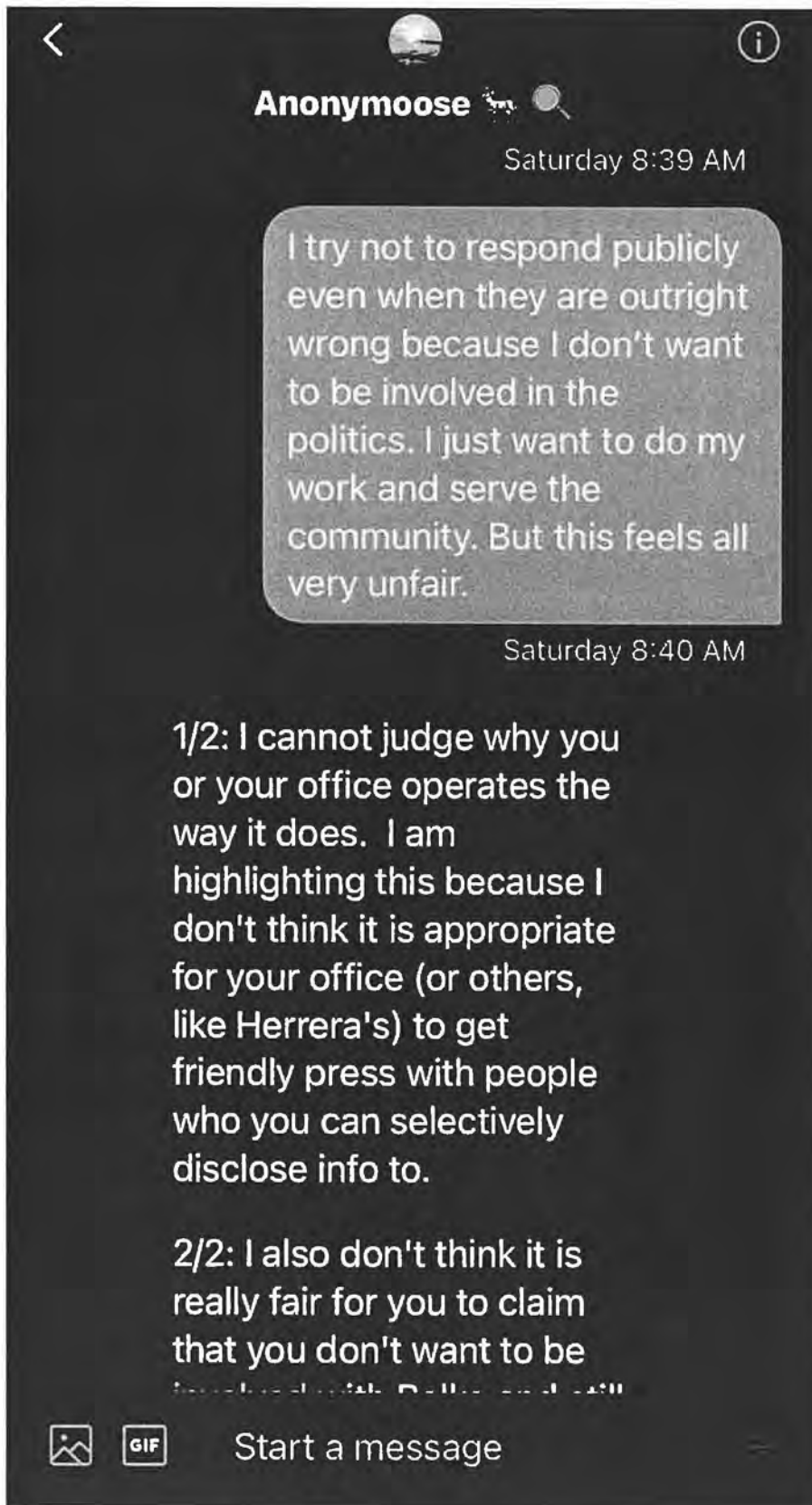
Saturday 8:39 AM

I try not to respond publicly even when they are outright wrong because I don't want to be involved in the



Start a message







**Anonymoose**

involved with Balko and still communicate with him.

I am still happy to screenshot certain pages, but I will certainly state you referred me to them. That seems only fair.



Saturday 8:42 AM

Let me see if I can get permission to make that request.


Saturday 8:45 AM

I guess my last question is... I'll let the office communicate with you regarding the appeal and redaction but if the only redactions are the email and phone number - if it's true that you are entitled to them, does it have to be posted publicly? This was a victim who wanted her



Start a message



**Anonymoose**  

information passed on for a specific purpose. But I really don't want her to be harassed. She's elderly and is a crime victim. I'm just asking as a courtesy. And if the answer is no, then it is what it is. I appreciate you communicating with me.

Saturday 8:50 AM

Here's my opinion (and I'm no lawyer, i'm sure your own DCAs will be defending preventing release, and you're a lawyer anyway): If I can have it, then anyone can have it (Gov Code 6254.5). But my point is deeper, probably, ethically no one likely should have it. Which includes your office not releasing it to Balko in the first place. That's the issue.



Start a message





**Anonymoose** 🐾 🔍

Now afaik, you only  
released witness, not  
victim, contact info.

If you see victim contact  
info somewhere, feel free to  
lmk.



Saturday 8:52 AM

i have no interest in third  
party non-public officials  
being harmed by your  
office's releases. i have  
every interest to enforce to  
the stricted interpretation i  
can any sunshine law that  
your office i believe is  
violating tho.



Saturday 8:54 AM

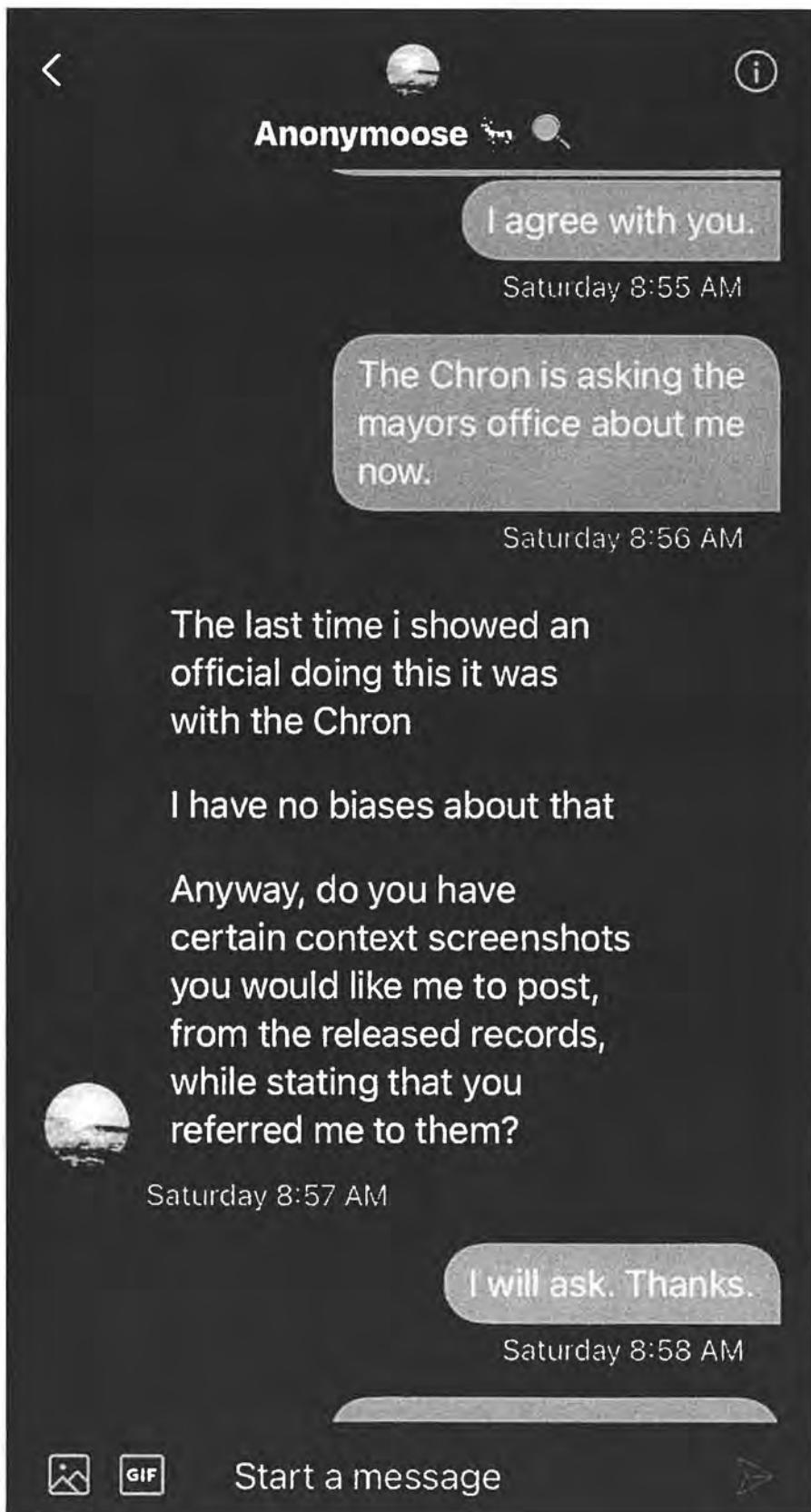
I think what should have  
happened is when  
reporters contacted me I  
should have just passed  
along \*their information



Start a message











**Anonymoose**



**Anonymoose** 4d

Thanks to some quick fix-ups by MuckRock, the new revision of the comms between @chesaboudin 's office and Lim/Balko are now visible. The request to remove from the site the original is memorialized by a note on MuckRock. Here are the new full records:

[documentcloud.org/documents/2101...](https://documentcloud.org/documents/2101...) [twitter.com/journo\\_anon/st...](https://twitter.com/journo_anon/st...)



Show this thread



**fyi - the full redacted records are now posted**



Start a message



**Anonymoose** 🐾 🔍

MuckRock. Here are the new  
full records:  
[documentcloud.org/  
documents/2101...](https://documentcloud.org/documents/2101...) [twitter.com/  
journo\\_anon/st...](https://twitter.com/journo_anon/st...)



Show this thread



**fyi - the full redacted  
records are now posted**



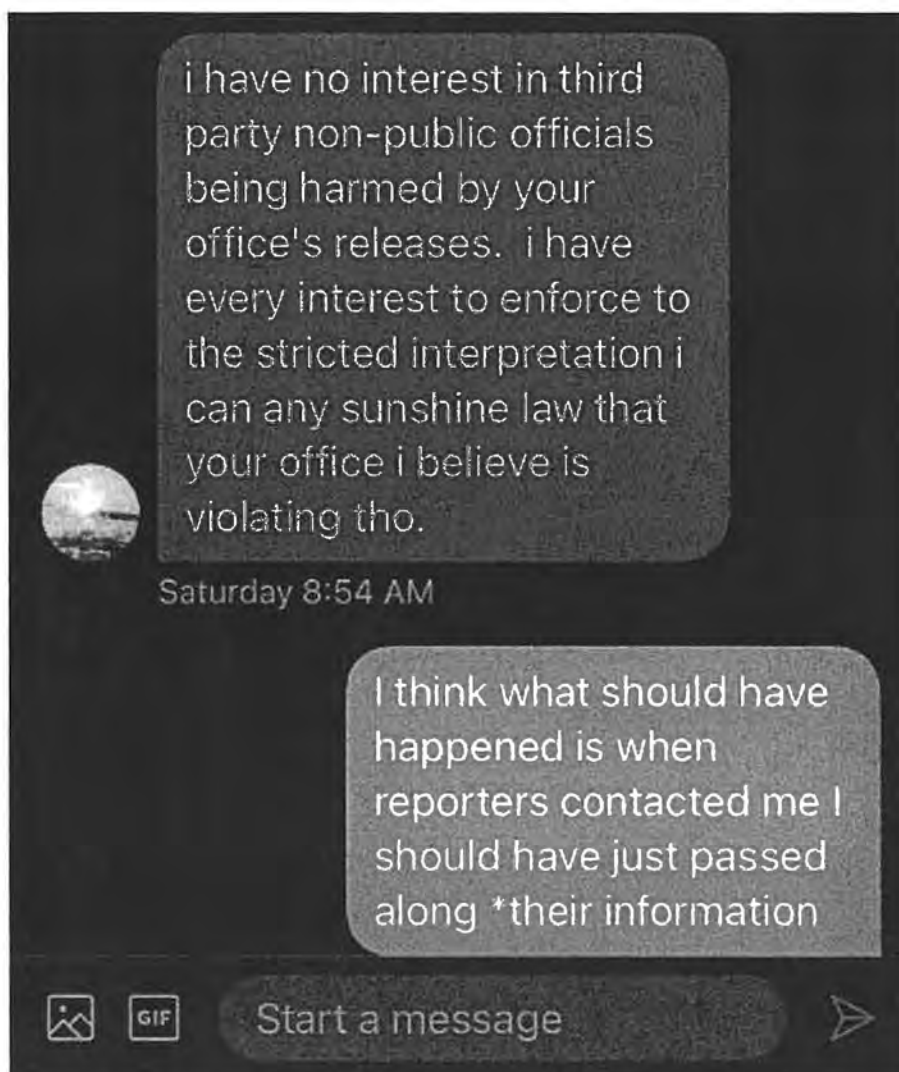
Saturday 1:12 PM

Thanks for letting me know.

Saturday 1:43 PM

**Did you know?**

You can quickly add a reaction  
by double-tapping any message.



# Respondent's Response

## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Friday, May 21, 2021 4:00 PM  
**To:** Lim, Dion F. (KGO-TV); Boudin, Chesa (DAT)  
**Cc:** Mulligan, Jeff A. (KGO-TV); Tuggle, Heather  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

Your information is inaccurate.

We have spoken to the victim repeatedly, including today, and she told us that she has never spoken to you directly. She has spoken with us and confirmed she would like her face blurred, which we learned has not been done on your social media accounts.

Thank you,

Rachel

--

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 2:31 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Rachel,

It is our understanding that one suspect in this case is a minor. "California Welfare and Institutions Code" does not prohibit the DA's office from discussing the other parts of the case involving individuals who are over 18.



The victim's family and I have been corresponding and they are aware of my prior Tweets and what they would like to be included or excluded in our story.

Please be mindful of the victim's most up-to-date requests to ABC7 going forward.

Be Well,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>

**Sent:** Friday, May 21, 2021 1:23 PM

**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>; Boudin, Chesa (DAT) <chesa@sfgov.org>

**Cc:** Mulligan, Jeff A. (KGO-TV) <Jeff.A.Mulligan@abc.com>; Tuggle, Heather <Heather.Tuggle@abc.com>

**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case, and this should not be interpreted as confirming or denying anything about the case status or the claims you made. Additionally, my understanding is that you spoke with an ADA in our juvenile unit a while back regarding privacy concerns with this case and that you agreed to blur out the face of the victim in this case per the victim's request. We were advised that it has not been blurred on your social media accounts. Please be mindful of the victim's request in any update.

Thank you.

---

**Rachel Marshall**

Director of Communications & Policy Advisor

Assistant District Attorney

Office of San Francisco District Attorney Chesa Boudin

[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)

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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 11:12 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

We are running an update to a story I covered a few months ago involving a 75-year old woman who was assaulted and targeted in an attempted carjacking at a Safeway store in the Richmond District.

We realize the suspects involved include minors-- but we are not asking for information on the suspects themselves, rather information on the status of the case.

It has come to our attention your office dropped the case due to a lack of DNA evidence.

Was DNA evidence needed despite multiple cell phone videos provided by witnesses and surveillance from the store itself? There were also witnesses who gave statements to law enforcement after the incident happened.

Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**

**415-517-8264 | [abc7news.com](http://abc7news.com)**



## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Friday, May 21, 2021 1:24 PM  
**To:** Lim, Dion F. (KGO-TV);Boudin, Chesa (DAT)  
**Cc:** Mulligan, Jeff A. (KGO-TV);Tuggle, Heather  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

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Thank you.

---

### Rachel Marshall

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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 11:12 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

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Hi Rachel,

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Was DNA evidence needed despite multiple cell phone videos provided by witnesses and surveillance from the store itself? There were also witnesses who gave statements to law enforcement after the incident happened.

Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**

415-517-8264 | [abc7news.com](http://abc7news.com)



**Burke, Robyn (DAT)**

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Monday, May 3, 2021 2:54 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Subject:** Re: DION Lim: ABC7 Story Request

Dion,

Our office is charging Mr. Hammond with multiple felonies and misdemeanors for the assault that occurred on April 30, 2021 and we will seek his detention at arraignment. He has a pending case for allegedly stealing eggs from a local market and then pushing a store employee on his way out. There were no injuries in connection with that case.

The DA's Office is continually seeking increased tools to promote public safety.

---

**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, May 3, 2021 at 12:51 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "chesa@sfglv.org" <chesa@sfglv.org>  
**Subject:** DION Lim: ABC7 Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Rachel,

I'm seeking comment from Chesa/your office for a story I'm working on today.

Sidney Hammond is one example of someone who committed offenses such as robbery and then released only to then commit an assault weeks later.

While I can not comment or confirm if this person has mental health issues— nor do I expect or want confirmation or comment on his health— what are some of the measures being put into the place to ensure those who are/might be in need of medical assistance (for something such as mental health) are treated versus let back out into the general public to re-offend?

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
[415-517-8264](tel:415-517-8264) | [abc7news.com](http://abc7news.com)

**Burke, Robyn (DAT)**

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Friday, April 23, 2021 3:07 PM  
**To:** Lim, Dion F. (KGO-TV);Boudin, Chesa (DAT)  
**Subject:** Re: Dion Lim: Inquiry into Carlos Claros

Hi Dion,

Our office has charged Mr. Claros in this recent incident with six counts (four felonies and two misdemeanors), including attempted robbery with a gun.

We filed a motion for his detention, which was granted by a judge.

Mr. Claros is on felony probation from a 2018 incident.

Given that this is a pending case, we are limited in what else we can share at this time.

Thank you,

Rachel

## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Thursday, April 22, 2021 2:20 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Cc:** Boudin, Chesa (DAT)  
**Subject:** Re: Dion Lim: ABC7 News Story Quote Request

Hi Dion,

DA Boudin cares about everyone in San Francisco being and feeling safe, whether they live in his own community or any other. He has filed more than 5,000 new prosecutions since taking office and is focused on continuing to promote public safety.

Rachel

---

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Thursday, April 22, 2021 at 12:37 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Cc:** "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Subject:** Dion Lim: ABC7 News Story Quote Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Looking for comment to the question below. Our deadline is a hard 2:30pm. Thanks in advance.

Chesa Boudin has reported overall crime to be down across the city. Despite this messaging, residents in his neighborhood are currently angered and frustrated over a recent string of crimes. This includes an incident involving a woman in her 60's who was attacked and robbed in broad daylight by men who ambushed her while on a walk several days ago.



This was only a few houses down from where Mr. Boudin lived and a few blocks from his current residence.

Knowing these crimes can happen anywhere and to anyone-- and because this one happened so close to where Mr. Boudin lives and one of his loved ones could have been targeted-- what would he like to see happen when the perpetrators are apprehended and what is he doing to combat the problem?

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**

415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Monday, April 12, 2021 2:54 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

Our office filed charges against Mr. Banks for the Twin Peaks burglary and he was released on his own recognizance. That case remains pending. In Mr. Banks's more recent case, our office has filed more than 10 felony charges against him and we sought his detention without bail. The court set bail of \$100,000 over our objection and Mr. Banks then posted bail. His preliminary hearing is set for April 15.

Thanks so much,

Rachel

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 2:21 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Re: Inquiry Into Roman Banks

Thanks very much. I'll be on the lookout.

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | [abc7news.com](http://abc7news.com)



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Monday, April 12, 2021 2:16 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

I will have an answer for you shortly.

Rachel

---

**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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---

**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 10:42 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Inquiry Into Roman Banks

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Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

Can you shed some light as to why he was released after the Twin Peaks incident and his other priors?

Deadline is around 2:30 this afternoon.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Marshall, Rachel (DAT)  
**Sent:** Monday, April 12, 2021 2:16 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

I will have an answer for you shortly.

Rachel

---

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 10:42 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Inquiry Into Roman Banks

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Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

Can you shed some light as to why he was released after the Twin Peaks incident and his other priors?

Deadline is around 2:30 this afternoon.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Burris, Courtney (DAT)  
**Sent:** Friday, March 5, 2021 4:29 PM  
**To:** Lim, Dion F. (KGO-TV)  
**Subject:** RE: Dion Lim: ABC7 News Story Request

Hi Dion,

Yes, I am the assigned ADA. I took over the matter when he picked up the new case while out of custody, currently handling both. We are working with Ms. Martinez and she has made recent contact with our office.

Best regards,

Courtney Burris  
Assistant District Attorney  
Child Assault Sex Assault Unit  
District Six Liason Team  
San Francisco District Attorney's Office  
350 Rhode Island St. Suite 400N, San Francisco California  
(415) 553-1801

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 5, 2021 12:59 PM  
**To:** Burris, Courtney (DAT) <courtney.burris@sfgov.org>  
**Subject:** Dion Lim: ABC7 News Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Courtney,

Looking for confirmation you are working with a woman named Miriam Martinez involved in a kidnapping and false imprisonment case from September of 2020.

Have you spoken with her or attempted contact recently? I believe the email for Ms. Martinez's Victims Services Advocate, Amanda Esquivel is no longer working.

Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | abc7news.com





8:01



Radley >

iMessage

Sun, May 30, 11:18 AM

Hi Radley. This is Kasie Lee in San Francisco. I'm so sorry I missed your call. Do you have time today to touch base?

Sent as Text Message

Thanks for getting back to me. I'm traveling today. How about tomorrow?

Tomorrow works, too.

Anytime. I'm flexible.

Mon, May 31, 8:57 AM

Terrific. How about 1pm your time?

Sounds good.

Mon, May 31, 1:03 PM



iMessage



8:01



RB

Radley >

Mon, May 31, 1:03 PM

Hi Radley. Is now still a good time?

Sorry about that. Can you talk in a half hour?

Yep that's perfect

"If you'd like I'll just inform you - and perhaps you can forward this to your mom, that I have double sourcing that all charges in her case against the perpetrators have been dropped. The DA's office is citing lack of DNA guidance despite multiple cameras recording the incident and positive IDs on all suspects. They are all back on the streets."

To which I responded

*' That is truly pathetic. I did not know that they had found the other perpetrators, just the one 16 year old. Give a bunch of thieves some gloves and let them loose to do whatever they want and to enjoy the stolen money and the nearly thousand dollars it cost me to re-key the house and fix my broken glasses and get a new drivers license etc. and the \$5,000 plus to fix the car, although the insurance company is out of pocket for that'*

She then texted to my son :

**"Off the record on my end entirely, .... I am not surprised.**

**I cover many cases that are frankly more heinous than what happened to your mother and even those are dropped at times for lack of evidence or other more trivial issues. My sourcing streams say law enforcement is quite frustrated on this one.**

**I will double check on who exactly was**



iMessage



Done

1 of 4

I am going to send you the texts that the reporter sent to my son, and which prompted my 'quote'. I am copying them from the texts.

**"If you'd like I'll just inform you - and perhaps you can forward this to your mom, that I have double sourcing that all charges in her case against the perpetrators have been dropped. The DA's office is citing lack of DNA guidance despite multiple cameras recording the incident and positive IDs on all suspects. They are all back on the streets."**

To which I responded

*' That is truly pathetic. I did not know that they had found the other perpetrators, just the one 16 year old. Give a bunch of thieves some gloves and let them loose to do whatever they want and to enjoy the stolen money and the nearly thousand dollars it cost me to re-key the house and fix my broken glasses and get a new drivers license etc. and the \$5,000 plus to fix the car, although the insurance company is out of pocket for that'*

She then texted to my son :

**"Off the record on my end entirely, .... I am not surprised.**

**I cover many cases that are frankly more heinous than what happened to your mother and even those are dropped at times for lack of evidence or other more trivial issues. My sourcing streams say law enforcement is quite frustrated on this one.**

**I will double check on who exactly was apprehended. Though since I am not doing this as a story I cant look into this much more - and juveniles are challenging to find information on. Totally crazy but sadly this happens more times**



Done

2 of 4

She then texted to my son :

**"Off the record on my end entirely, .... I am not surprised.**

**I cover many cases that are frankly more heinous than what happened to your mother and even those are dropped at times for lack of evidence or other more trivial issues. My sourcing streams say law enforcement is quite frustrated on this one.**

**I will double check on who exactly was apprehended. Though since I am not doing this as a story I cant look into this much more - and juveniles are challenging to find information on. Totally crazy but sadly this happens more times than not these days. In Oakland I was on a case last week involving an 11 year old who has multiple assaults on seniors on his record and every time he gets released back to his mother. Same goes to 16 year olds.**

**Will keep you posted. I'll circle back with my sources this afternoon (\*This was Friday) and get back more details if there are any of note"**

Then she goes on a bit later :

**"I told my editorial team about what happened and they're very fired up and have me following up on this case after all. It looks like another source is not certain all of the suspects were apprehended but confirm the case was dropped entirely.**

**I am going to ask the DA's office what happened. I dont think they'll be forthcoming but I'd like to hold someone accountable for letting the case go with no consequence.**

**While your mother does not want to be on camera or be involved in any way- it would strengthen the case for community service or for the case to be revived if you or someone who knows her would speak.**

**Even if it were anonymously - or if I could paraphrase and convey your reaction without**



6:56



18 Messages

< 444

SF Case - District Atto...



knows her would speak.

Even if it were anonymously - or if I could paraphrase and convey your reaction without revealing your name or identity in any way it would add impact to an otherwise one-dimensional piece. I'd like others to understand the ramifications of what is happening in our criminal justice system"

She goes on :

"OK so here is what I have learned from my sources which are high-level law-enforcement and within the DAs office.

This is the direct quote I'm allowed to use from the DA source '*I spoke with someone within the DAs office who has filed hundreds of cases and it is illogical not to file this case given the state of the evidence*'

Law enforcement triple confirm the three suspects were apprehended. One was a minor. The woman who was the getaway driver apparently was able to get your mothers credit card. The getaway driver's mother was later caught making some kind of cash transfer using you mom's card onto an app.

Police issued a warrant for that mother's arrest but the DA refused it citing she was not part of the original investigation.

TheDA cited he needed 'video of the actual cash transfer' - despite there being a digital record of the fraud on the app and probably on your mom's bank statements/Cc statement.

The district attorney also asked the investigators for the black hoodie the suspect was wearing as evidence. Completely disregarding the fact there was surveillance and witness video"

And more :

"I just have one quick question. TheDAs office gave me a statement that they 'do not confirm or deny' the dropping of the charges - even though I know for a rock solid fact they were dropped. They are also trying to say I blurred your Mom's





Done

4 of 5

And more :

**"I just have one quick question. TheDAs office gave me a statement that they 'do not confirm or deny' the dropping of the charges - even though I know for a rock solid fact they were dropped. They are also trying to say I blurred your Mom's face in the story at her request - but did not delete the initial Tweet I made where your moms face is not blurred out.**

**In order to have more ammunition to rebut the DAs office and hold them accountable - may I tell the DAs office that you and I have spoken that you are OK with my initial tweet as long as I continue to blur her face out in any additional coverage?**

**A high level source WITHIN the DA's office also sent this to me : *'I spoke with someone within the DA's office who has filed hundreds of cases and says it is illogical not to file this case given the state of evidence'*. It's a quote he/she is allowing me to use."**





8:02



RB

Radley >

"Truly pathetic" Sources tell me charges were dropped in the case of this 75-year old woman who was dragged by her hair & assaulted in an attempted carjacking in the Richmond in March.

I wanted to know why & reached out to Rachel Marshall...

(1/4) <https://t.co/orB73tb3UJ>



**Dion Lim**

twitter.com

[Romeybooth@gmail.com](mailto:Romeybooth@gmail.com)

### **Safeway Carjacking Good Samaritan**

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello, my name is Harry Mulholland and I've been told by Romey Booth that



iMessage



8:03



RB

Radley >

Hello, my name is Harry Mulholland and I've been told by Romey Booth that you've been trying to contact me about the attempted carjacking and assault at Safeway in the Richmond a few months ago. This is my personal email, and my phone number is 415-672-8140. I'm happy to help out with the case.

Tue, Jun 1, 7:24 AM

Hi Radley. Just checking in. Were you able to connect with the victim? Is it okay if I share your contact info with Rachel Marshall, our communications director?

Tue, Jun 1, 9:54 AM

Please do. I spoke with Mullholland. I haven't yet heard back from the victim. Emailed her yesterday.

One question: Mullholland says he thought the police report was supposed to be



iMessage



8:03



Radley >

Tue, Jun 1, 9:54 AM

Please do. I spoke with Mullholland. I haven't yet heard back from the victim. Emailed her yesterday.

One question: Mullholland says he thought the police report was supposed to be sealed, and felt a little violated that Lim was able to get his name and number. Is it true that his name and involvement weren't supposed to be public information?

Correct. Not public information.

**Law section**  
legislature.ca.gov



**Law section**  
legislature.ca.gov



iMessage



3:14 1442

8:03



RB

Radley >

legislature.ca.gov



Those two sections govern confidentiality of information from juvenile cases, including police reports

Wed, Jun 2, 8:39 AM

Thanks. Still haven't heard from the victim. Does she know I'm trying to get in touch? Given that the DA's office can't officially comment, I'm not sure I can write this unless she's up for talking to me.

Right. I can call her later today.

I'm trying not to be too involved. She said she wanted to clear this up and asked me to pass on her email. I'll follow up on that to see if that's what she still wants.



iMessage



1443

8:03



RB

Radley &gt;

You could verify it though with an 827 petition.

**JV-570 Request for Disclosure of Juvenile Case File**

*If you are requesting a copy of the record about the juvenile case file of a child who is under 18, fill out and submit this form and file it with the court. You must also fill out and file Proof of Service - Request for Disclosure form JV-569.*

*If you are a member of the public requesting the juvenile case file of a child who is deceased, you can:*

- File out items 1-4 and file this form and file it with the court. You must also provide a copy of this form to the Custodian of Records of the county child welfare agency, who will then provide a copy of the request.*
- Do not complete the form and request the juvenile case file from the child welfare agency, under Welfare and Institutions Code section 827.1.*

1. Your name: \_\_\_\_\_  
 Relationship to child of case: \_\_\_\_\_  
 Street address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_  
 Copy of any former address, telephone number and home fax number: \_\_\_\_\_

2. Name of child of interest: \_\_\_\_\_

3. Child's date of birth of interest: \_\_\_\_\_

4. I am requesting the child in 3 has been filed under:  
☐ Welfare and Institutions Code section 827.1  
☐ Welfare and Institutions Code section 827.2  
☐ Welfare and Institutions Code section 827.3  
☐ Welfare and Institutions Code section 827.4

5. I believe the child in 3 died as a result of abuse or neglect. Approximate date of death: \_\_\_\_\_  
 If you were told that, you may also file items 6 and 7.

**Note: You must provide a copy of this form to all interested parties if you know their names and addresses.**

FOR THE COURT OF CALIFORNIA AND ALL COUNTY CLERKS  
 JUVENILE COURT - REQUEST FOR DISCLOSURE OF JUVENILE CASE FILE  
 (JVS-570) (Rev. 10/2018) (Page 1 of 2)

**Request for Disclosure of Juvenile Case File** JV-570, Page 1 of 2

jv570

PDF Document · 129 KB  
 sb-court.org

It's a 2 page form that can be filed with the court

It would just be for the limited information of verifying veracity of abc7 report



iMessage





8:03



Radley >

I was told that's a pretty involved process, and that I'd be unlikely to be successful. But I'll give it a shot.

I can maybe write something based on my interview with the witness. Depends on what my editors say. But the victim would obviously be preferable. Just maybe check to see she got my email. Could also be that she's wary of talking to another journalist, which is understandable.

Ok

Right

Mon, Jun 7, 5:52 PM

Sorry I forgot about the time difference. Feel free to call at your convenience



iMessage



8:03



RB

Radley >

I was told that's a pretty involved process, and that I'd be unlikely to be successful. But I'll give it a shot.

I can maybe write something based on my interview with the witness. Depends on what my editors say. But the victim would obviously be preferable. Just maybe check to see she got my email. Could also be that she's wary of talking to another journalist, which is understandable.

Ok

Right

Mon, Jun 7, 5:52 PM

Sorry I forgot about the time difference. Feel free to call at your convenience



iMessage



Apple Pay







Radley Balko &gt;

W

Dion Lim Misrepresentati...

Also to answer your question about whether any other suspects ever identified: police later requested a warrant for an adult they suspected was the driver of the car. But there was not enough evidence to prove that the suspect was actually the driver so SFDA could not sign off on the warrant.

And finally, think best not to quote us but can try to steer you towards some juvenile advocacy folks if you want a quote on the importance of juvenile confidentiality

Delivered





Radley Balko &gt;

iMessage

Wed, Jun 2, 7:07 AM

Hi Radley, good to chat yesterday. Here is the document you asked to see.

W

Dion Lim Misrepresentati...

Also to answer your question about whether any other suspects ever identified: police later requested a warrant for an adult they suspected was the driver of the car. But there was not enough evidence to prove that the suspect was actually the driver so SFDA could not sign off on the warrant.



iMessage



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, May 21, 2021 4:30 PM  
**To:** Marshall, Rachel (DAT)  
**Cc:** Boudin, Chesa (DAT);Mulligan, Jeff A. (KGO-TV);Tuggle, Heather  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Rachel,

Perhaps you are mistaken— my previous email reads “family” meaning her son. He provided me a statement from his mother.

Here is also the portion of our previous email that was not addressed. Could you please respond with context surrounding the other suspects who are not minors and the circumstances pertaining to them. Again, not the minor.

*It is our understanding that one suspect in this case is a minor. "California Welfare and Institutions Code" does not prohibit the DA's office from discussing the other parts of the case involving individuals who are over 18.*

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
[415-517-8264](tel:415-517-8264) | [abc7news.com](http://abc7news.com)

On May 21, 2021, at 4:00 PM, Marshall, Rachel (DAT) <rachel.marshall@sfgov.org> wrote:

Hi Dion,

Your information is inaccurate.

We have spoken to the victim repeatedly, including today, and she told us that she has never spoken to you directly. She has spoken with us and confirmed she would like her face blurred, which we learned has not been done on your social media accounts.

Thank you,

Rachel

—  
**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N

San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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---

**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 2:31 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Rachel,

It is our understanding that one suspect in this case is a minor. "California Welfare and Institutions Code" does not prohibit the DA's office from discussing the other parts of the case involving individuals who are over 18.

The victim's family and I have been corresponding and they are aware of my prior Tweets and what they would like to be included or excluded in our story.

Please be mindful of the victim's most up-to-date requests to ABC7 going forward.

Be Well,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com  
<image001.png>

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**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Friday, May 21, 2021 1:23 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>; Boudin, Chesa (DAT) <chesa@sfgov.org>  
**Cc:** Mulligan, Jeff A. (KGO-TV) <Jeff.A.Mulligan@abc.com>; Tuggle, Heather <Heather.Tuggle@abc.com>  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Dion,

Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case, and this should not be interpreted as confirming or denying anything about the case status or the claims you made. Additionally, my understanding is that you spoke with an ADA in our juvenile unit a while back regarding privacy concerns with this case and that you agreed to blur out the face of the victim in this case per the victim's request. We were advised that it has not been blurred on your social media accounts. Please be mindful of the victim's request in any update.

Thank you.

—  
**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Friday, May 21, 2021 at 11:12 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

We are running an update to a story I covered a few months ago involving a 75-year old woman who was assaulted and targeted in an attempted carjacking at a Safeway store in the Richmond District.

We realize the suspects involved include minors-- but we are not asking for information on the suspects themselves, rather information on the status of the case.

It has come to our attention your office dropped the case due to a lack of DNA evidence.

Was DNA evidence needed despite multiple cell phone videos provided by witnesses and surveillance from the store itself? There were also witnesses who gave statements to law enforcement after the incident happened.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area

415-517-8264 | abc7news.com  
<image002.png>

## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, May 21, 2021 2:31 PM  
**To:** Marshall, Rachel (DAT);Boudin, Chesa (DAT)  
**Cc:** Mulligan, Jeff A. (KGO-TV);Tuggle, Heather  
**Subject:** Re: Dion Lim: Safeway Attempted Carjacking Incident Update

Hi Rachel,

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Please be mindful of the victim's most up-to-date requests to ABC7 going forward.

Be Well,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Friday, May 21, 2021 1:23 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>; Boudin, Chesa (DAT) <chesa@sfgov.org>  
**Cc:** Mulligan, Jeff A. (KGO-TV) <Jeff.A.Mulligan@abc.com>; Tuggle, Heather <Heather.Tuggle@abc.com>  
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Thank you.

—  
Rachel Marshall  
Director of Communications & Policy Advisor



Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
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**Date:** Friday, May 21, 2021 at 11:12 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>, "Boudin, Chesa (DAT)" <chesa@sfgov.org>  
**Cc:** "Mulligan, Jeff A. (KGO-TV)" <Jeff.A.Mulligan@abc.com>, "Tuggle, Heather" <Heather.Tuggle@abc.com>  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

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It has come to our attention your office dropped the case due to a lack of DNA evidence.

Was DNA evidence needed despite multiple cell phone videos provided by witnesses and surveillance from the store itself? There were also witnesses who gave statements to law enforcement after the incident happened.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, May 21, 2021 11:11 AM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Cc:** Mulligan, Jeff A. (KGO-TV); Tuggle, Heather  
**Subject:** Dion Lim: Safeway Attempted Carjacking Incident Update

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Hi Rachel,

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Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Thursday, May 20, 2021 12:53 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** Story Inquiry: Chinatown Today

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Working on a piece for today's newscasts about the incident involving Fanly Chen over the weekend.

Community leaders and members of the media seemed to be under the impression Chesa would be appearing to speak to the Ms. Chen in person and to possibly empathize with her frustrations and pain. Chesa did not show up to the store today.

Can you please elaborate on why Chesa was not there and what he was attending to instead?

Note: we are not looking for comment on the suspect, as he is a minor-- but solely on the circumstances surrounding Chesa's decision not to be in attendance.

Thanks,  
**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, May 3, 2021 12:51 PM  
**To:** Boudin, Chesa (DAT)  
**Subject:** Fwd: DION Lim: ABC7 Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** May 3, 2021 at 12:50:55 PM PDT  
**To:** Rachel Marshall <rachel.marshall@sfgov.org>, chesa@sfglv.org  
**Subject:** DION Lim: ABC7 Story Request

Hello Rachel,

I'm seeking comment from Chesa/your office for a story I'm working on today,

Sidney Hammond is one example of someone who committed offenses such as robbery and then released only to then commit an assault weeks later.

While I can not comment or confirm if this person has mental health issues— nor do I expect or want confirmation or comment on his health— what are some of the measures being put into the place to ensure those who are/might be in need of medical assistance (for something such as mental health) are treated versus let back out into the general public to re-offend?

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
[415-517-8264](tel:415-517-8264) | [abc7news.com](http://abc7news.com)

**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, May 3, 2021 12:51 PM  
**To:** Marshall, Rachel (DAT); chesa@sfglv.org  
**Subject:** DION Lim: ABC7 Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Rachel,

I'm seeking comment from Chesa/your office for a story I'm working on today.

Sidney Hammond is one example of someone who committed offenses such as robbery and then released only to then commit an assault weeks later.

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Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
[415-517-8264](tel:415-517-8264) | [abc7news.com](http://abc7news.com)

**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, April 26, 2021 1:36 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** Dion Lim: ABC7 News Information Request-- Dewayne Kemp

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Checking in to learn more about Mr. Dewayne Kemp.

He was arrested and is currently in custody after an attack on two older Asian Americans along Broadway in San Francisco earlier this month.

It appears Kemp was sentenced to 5 years in federal prison but then was placed on probation. In June of 2020 his probation was terminated. Less than 10 months later he was arrested for this incident along Broadway which resulted in one victim to lose consciousness.

We have a hard deadline of 3pm.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, April 23, 2021 4:06 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** Re: Dion Lim: Inquiry into Carlos Claros

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Thanks Rachel-- have a great weekend.

Regards,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Friday, April 23, 2021 3:07 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>; Boudin, Chesa (DAT) <chesa@sfgov.org>  
**Subject:** Re: Dion Lim: Inquiry into Carlos Claros

Hi Dion,

Our office has charged Mr. Claros in this recent incident with six counts (four felonies and two misdemeanors), including attempted robbery with a gun.

We filed a motion for his detention, which was granted by a judge.

Mr. Claros is on felony probation from a 2018 incident.

Given that this is a pending case, we are limited in what else we can share at this time.

Thank you,

Rachel



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, April 23, 2021 12:14 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** Dion Lim: Inquiry into Carlos Claros

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

We are looking for comment from Chesa on a 22-year old man named Carlos Claros. He was recently arrested for robbery, carrying a concealed firearm, possession of a firearm by a felon etc.

He appears to have quite a lengthy record including multiple strong-armed robberies including one where 3 minors were assaulted, drug possession and being in possession of a stolen car.

Can Chesa/someone at the DA's office explain the reasoning why Mr. Claros was on probation despite his extensive criminal history and Mr. Boudin's words to the victims in this recent incident?

Thank you for your help. We are turning this for our afternoon/evening newscasts and have a hard deadline of 3:15pm.

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Thursday, April 22, 2021 12:36 PM  
**To:** Marshall, Rachel (DAT)  
**Cc:** Boudin, Chesa (DAT)  
**Subject:** Dion Lim: ABC7 News Story Quote Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Looking for comment to the question below. Our deadline is a hard 2:30pm. Thanks in advance.

Chesa Boudin has reported overall crime to be down across the city. Despite this messaging, residents in his neighborhood are currently angered and frustrated over a recent string of crimes. This includes an incident involving a woman in her 60's who was attacked and robbed in broad daylight by men who ambushed her while on a walk several days ago.

This was only a few houses down from where Mr. Boudin lived and a few blocks from his current residence.

Knowing these crimes can happen anywhere and to anyone-- and because this one happened so close to where Mr. Boudin lives and one of his loved ones could have been targeted-- what would he like to see happen when the perpetrators are apprehended and what is he doing to combat the problem?

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, April 12, 2021 3:43 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Re: Inquiry Into Roman Banks

Very helpful-- I'll be sure to add this into my coverage.

Will let you know if we have any questions. Thanks, Rachel--

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Monday, April 12, 2021 2:53 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

Our office filed charges against Mr. Banks for the Twin Peaks burglary and he was released on his own recognizance. That case remains pending. In Mr. Banks's more recent case, our office has filed more than 10 felony charges against him and we sought his detention without bail. The court set bail of \$100,000 over our objection and Mr. Banks then posted bail. His preliminary hearing is set for April 15.

Thanks so much,

Rachel

**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 2:21 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Re: Inquiry Into Roman Banks

Thanks very much. I'll be on the lookout.

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Monday, April 12, 2021 2:16 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

I will have an answer for you shortly.

Rachel

—  
**Rachel Marshall**

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 10:42 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Inquiry Into Roman Banks

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

Can you shed some light as to why he was released after the Twin Peaks incident and his other priors?

Deadline is around 2:30 this afternoon.

Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, April 12, 2021 2:21 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Re: Inquiry Into Roman Banks

Thanks very much. I'll be on the lookout.

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | abc7news.com



---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Monday, April 12, 2021 2:16 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: Inquiry Into Roman Banks

Hi Dion,

I will have an answer for you shortly.

Rachel

---

### Rachel Marshall

Director of Communications & Policy Advisor  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
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**From:** "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Date:** Monday, April 12, 2021 at 10:42 AM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Subject:** Inquiry Into Roman Banks

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

Can you shed some light as to why he was released after the Twin Peaks incident and his other priors?

Deadline is around 2:30 this afternoon.

Many Thanks,

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
415-517-8264 | [abc7news.com](http://abc7news.com)





**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, April 12, 2021 10:42 AM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Inquiry Into Roman Banks

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

I'm looking for some information about an individual named Roman Banks. He appears to have been part of a car burglary near Twin Peaks in December then was part of a hot prowl burglary a couple months later involving Asian senior citizens and a weapon.

Can you shed some light as to why he was released after the Twin Peaks incident and his other priors?

Deadline is around 2:30 this afternoon.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 26, 2021 4:17 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Re: Inquiry re: Young/Pasene prosecution status

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Thanks very much— hope to speak with you again soon.

**Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area**  
**415-517-8264 | [abc7news.com](http://abc7news.com)**

On Mar 26, 2021, at 2:42 PM, Marshall, Rachel (DAT) <[rachel.marshall@sfgov.org](mailto:rachel.marshall@sfgov.org)> wrote:

Hi Dion,

ADA Reinstedt referred your inquiry to me.

Our office is prosecuting Zion Young and Fagamalama Pasene for murder charges. The case was on for trial today but the court continued the trial to April 16.

Hope that helps.

Rachel

--

### **Rachel Marshall**

Director of Communications & Policy Adviser  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 26, 2021 12:40 PM  
**To:** Reinstedt, Dane (DAT)  
**Subject:** Dion Lim: ABC7 News Kelvin Chew's Family

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Dane,

This is Dion Lim, anchor/reporter at ABC7 News.

I've been talking with the Chew family and conducted an interview with them today. They recommended I reach out to you.

I'm looking for some details as to where the case stands now.

Can you please give me a call at the number below? I'm on deadline for this afternoon.

Much Appreciated,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 5, 2021 5:41 PM  
**To:** Burris, Courtney (DAT)  
**Subject:** Re: Dion Lim: ABC7 News Story Request

Thank you for your reply.

I believe Ms. Martinez has been reaching out to the Da's office to obtain a restraining order against her assailant. Can you shed some light into why she was not able to get one-- and are you able to help her get one quickly?

Despite her perpetrator being in custody she is quite traumatized knowing he raped a woman and is afraid for her safety if he gets out.

I believe a restraining order would allow her to return to some sense of normalcy.

Many Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



---

**From:** Burris, Courtney (DAT) <courtney.burris@sfgov.org>  
**Sent:** Friday, March 5, 2021 4:29 PM  
**To:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** RE: Dion Lim: ABC7 News Story Request

Hi Dion,

Yes, I am the assigned ADA. I took over the matter when he picked up the new case while out of custody, currently handling both. We are working with Ms. Martinez and she has made recent contact with our office.

Best regards,

Courtney Burris  
Assistant District Attorney  
Child Assault Sex Assault Unit  
District Six Liason Team  
San Francisco District Attorney's Office  
350 Rhode Island St. Suite 400N, San Francisco California  
(415) 553-1801

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 5, 2021 12:59 PM  
**To:** Burris, Courtney (DAT) <courtney.burris@sfgov.org>  
**Subject:** Dion Lim: ABC7 News Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Courtney,

Looking for confirmation you are working with a woman named Miriam Martinez involved in a kidnapping and false imprisonment case from September of 2020.

Have you spoken with her or attempted contact recently? I believe the email for Ms. Martinez's Victims Services Advocate, Amanda Esquivel is no longer working.

Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, March 5, 2021 12:59 PM  
**To:** Burris, Courtney (DAT)  
**Subject:** Dion Lim: ABC7 News Story Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Courtney,

Looking for confirmation you are working with a woman named Miriam Martinez involved in a kidnapping and false imprisonment case from September of 2020.

Have you spoken with her or attempted contact recently? I believe the email for Ms. Martinez's Victims Services Advocate, Amanda Esquivel is no longer working.

Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Thursday, March 4, 2021 11:33 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** ABC7 News Story Friday

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello:

Seeking comment from Chesa on a story set to air tomorrow pertaining to a man in custody named Allan Stewart.

Has Chesa been in contact with the victims of the September felony kidnapping and false imprisonment-- and the assault and rape later in November?

Can Chesa elaborate more on the decision of allowing Stewart to wear an ankle monitor versus keeping him behind bars despite his extensive criminal history?

Thank you,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | [abc7news.com](http://abc7news.com)





## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, March 1, 2021 11:18 AM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** New York Times Article Quote

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Looking for reaction from Chesa to the New York Times piece where he is quoted as stating Antoine Watson was "in some sort of temper tantrum".

Can he please elaborate on his definition of "temper tantrum"?

Does he find the actions of Mr. Watson (banging his hand on a nearby car) in line with the term "temper tantrum" and an appropriate reason for his actions in pushing and killing Mr. Ratanapakdee?

Our piece is airing tonight.

Thanks,

Dion Lim | Anchor/Reporter | ABC7 KGO-TV Bay Area  
415-517-8264 | abc7news.com



**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, February 5, 2021 5:55 PM  
**To:** Marshall, Rachel (DAT);Boudin, Chesa (DAT)  
**Subject:** Re: ABC7 Statement Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Note: we are going on the air in about 25 minutes.

Thanks Much,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

---

**From:** Lim, Dion F. (KGO-TV)  
**Sent:** Friday, February 5, 2021 5:42 PM  
**To:** Rachel.Marshall@sfgov.org <Rachel.Marshall@sfgov.org>; chesa@sfgov.org <chesa@sfgov.org>  
**Subject:** ABC7 Statement Request

Hello:

Looking to see if we can get a reaction to documents we have received showing the DA dropped Jerry Lyons' stolen vehicle arrest from October of 2020.

Thank you,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Friday, February 5, 2021 5:43 PM  
**To:** Marshall, Rachel (DAT); Boudin, Chesa (DAT)  
**Subject:** ABC7 Statement Request

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello:

Looking to see if we can get a reaction to documents we have received showing the DA dropped Jerry Lyons' stolen vehicle arrest from October of 2020.

Thank you,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

**Burke, Robyn (DAT)**

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Thursday, January 28, 2021 12:21 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Dion Lim: ABC7 News Story Inquiry

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Rachel,

Looking to see if I can get a response from Chesa on the mayor and Catherine Stefani asking SFPD to pull robbery, burglary, gang arrests to see how many cases include suspects who were deferred to other agencies or dropped.

Thanks Much,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264

## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, January 4, 2021 2:14 PM  
**To:** Marshall, Rachel (DAT)  
**Subject:** Fw: MEDIA ADVISORY: SFPOA Calls for Independent Oversight Panel to Review DA Charging Decisions & Conflicts of Interest

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Also: any response from the DA's office on this?

Dion Lim  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>



**MEDIA ADVISORY  
TODAY  
Monday, January 4, 2021**

**Contact:**

Tom Saggau  
(408) 209-6813  
[tom@saggau-derollo.com](mailto:tom@saggau-derollo.com)

Dustin DeRollo  
(408) 499-6195  
[dustin@saggau-derollo.com](mailto:dustin@saggau-derollo.com)

## **SFPOA Calls for Independent Oversight Panel to Review DA Charging Decisions & Conflicts of Interest**

*Demand comes following two people killed by a repeat offender  
Chesa Boudin refused to charge for past crimes*

**San Francisco, CA**—Following the New Year's Eve double vehicle homicide of Hanako Abe and Elizabeth Platt by Troy McAlister, a violent repeat offender who was released after a plea bargain by the District Attorney, the San Francisco Police Officers Association is demanding the creation of an Independent Oversight Panel to review Chesa Boudin's criminal charging decisions.

Furthermore, based on preliminary information that Chesa Boudin, as a public defender, may have represented McAlister in a 2015-armed robbery case, the SFPOA is requesting that the District Attorney's Office go under a thorough independent review of potential conflicts of interests in criminal cases, including a full analysis of individuals and cases that are still active of former Office of the Public Defender employees who are now employed by Chesa Boudin. Additionally, the SFPOA requests that all records related to the court proceedings for the 2015 armed-robbery case be released publicly, including the plea deal.

"Two people were killed on New Year's Eve because Chesa Boudin refused to do his job, which is to hold criminals and victimizers accountable," said Tony Montoya, President of the San Francisco Police Officers' Association. "Now, rather than accept any responsibility for the deadly impacts of his failures, he's blamed no less than three other public agencies for his own mistake. It's arrogant, juvenile and pathetic."

In March of 2020, McAlister and Boudin's office came to a sentencing agreement for a 2015-armed robbery with a firearm that resulted in McAlister not serving another day in prison, he was released immediately on parole. Since that time, McAlister has been arrested multiple times by SFPD and potentially other law enforcement agencies operating in San Francisco. Chesa Boudin has failed to file criminal charges in each of these cases.

"From secret Grand Jury proceedings to sweetheart deals for career criminals being cut by Mr. Boudin behind closed doors, the public deserves transparency and accountability from their District Attorney," Montoya continued. "It's time for a public, independent review of the District Attorney's actions and for a full accounting of conflicts of interest in his office before anyone else gets killed by another career criminal."

**What:**

Interviews with SFPOA President Tony Montoya on calls for DA oversight

**Who:**

Tony Montoya, President, SFPOA

Tracy McCray, Vice President, SFPOA

**When:**

TODAY 2:00 PM to 3:00 PM; 3:30 PM to 7:00 PM. Please call to arrange an appointment time.

**Where:**

Via Zoom or call to arrange a COVID compliant interview.

###

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## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Monday, January 4, 2021 1:10 PM  
**To:** Marshall, Rachel (DAT)  
**Cc:** #KGOTV Assignment Desk  
**Subject:** Re: 11:30 pm. live Zoom interview link

Rachel,

Thanks for your help facilitating last night's 11:30 Zoom interview.

Wanted to circle back and see if Chesa will be commenting on today's response from DCPD and SFPD's POA that they acted in accordance to protocol when dealing with Mr. McAlister.

Thanks,

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Sunday, January 3, 2021 10:38 PM  
**To:** Walsh, Ed <Ed.Walsh@abc.com>  
**Cc:** Stone, JR <JR.Stone@abc.com>; Stuerenberg, Shari M. (KGO-TV) <Shari.M.Stuerenberg@abc.com>; Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: 11:30 pm. live Zoom interview link

Great, thanks!

## Rachel Marshall

Director of Communications & Policy Adviser  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Walsh, Ed" <Ed.Walsh@abc.com>  
**Date:** Sunday, January 3, 2021 at 10:37 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Cc:** JR Stone Abc Stone <JR.Stone@abc.com>, "Stuerenberg, Shari M. (KGO-TV)" <Shari.M.Stuerenberg@abc.com>, "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Subject:** RE: 11:30 pm. live Zoom interview link

If you could have him log in by around 11:20 p.m. or earlier that would be great, so we can make sure the connection is OK.

Thanks again



**Ed Walsh • Assignment Editor**

<33#Eurgw/vwhhw#7dq#LdqfJvfr/ED#7444  
Z -#748,#870:654#ph{w#748,<;8096<:  
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**From:** Marshall, Rachel (DAT)  
**Sent:** Sunday, January 3, 2021 10:35 PM  
**To:** Walsh, Ed  
**Cc:** Stone, JR; Stuerenberg, Shari M. (KGO-TV); Lim, Dion F. (KGO-TV)  
**Subject:** Re: 11:30 pm. live Zoom interview link

Just to clarify—the DA should log in right at 11:30?

**Rachel Marshall**

Director of Communications & Policy Adviser  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
Desk: (628) 652-4193  
Cell: (415) 416-4468

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**From:** "Walsh, Ed" <Ed.Walsh@abc.com>  
**Date:** Sunday, January 3, 2021 at 9:50 PM  
**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>

**Cc:** JR Stone Abc Stone <JR.Stone@abc.com>, "Stuerenberg, Shari M. (KGO-TV)" <Shari.M.Stuerenberg@abc.com>, "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
**Subject:** 11:30 pm. live Zoom interview link

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Thanks for doing this.

This is the Zoom link for the 11:30 p.m. live interview with Chesa Boudin.

<https://us02web.zoom.us/j/84564768652?pwd=YnlrWlVlTk5nOHhFTUh3SjBYdXJ1dz09>  
Meeting ID: 845 6476 8652  
Password: 644908



**Ed Walsh • Assignment Editor**

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Z #748,#870:654#h{w#748,<;8096<:  
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## Burke, Robyn (DAT)

---

**From:** Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Sent:** Sunday, January 3, 2021 10:36 PM  
**To:** Marshall, Rachel (DAT); Walsh, Ed  
**Cc:** Stone, JR; Stuerenberg, Shari M. (KGO-TV)  
**Subject:** Re: 11:30 pm. live Zoom interview link

Hi Rachel,

It's best if he logs in a few minutes before hand so we can test his signal and adjust his shot if needed.

Please try for 11:25 if he can.

**Dion Lim**  
ABC7 News  
Anchor/Reporter  
415-517-8264  
IG: [www.instagram.com/DionLimTV](https://www.instagram.com/DionLimTV)  
THE BOOK: <https://amzn.to/2WXPk8t>  
THE CHRONICLE: <https://bit.ly/2Z3BioD>

---

**From:** Marshall, Rachel (DAT) <rachel.marshall@sfgov.org>  
**Sent:** Sunday, January 3, 2021 10:34 PM  
**To:** Walsh, Ed <Ed.Walsh@abc.com>  
**Cc:** Stone, JR <JR.Stone@abc.com>; Stuerenberg, Shari M. (KGO-TV) <Shari.M.Stuerenberg@abc.com>; Lim, Dion F. (KGO-TV) <Dion.F.Lim@abc.com>  
**Subject:** Re: 11:30 pm. live Zoom interview link

Just to clarify—the DA should log in right at 11:30?

### Rachel Marshall

Director of Communications & Policy Adviser  
Assistant District Attorney  
Office of San Francisco District Attorney Chesa Boudin  
[Rachel.Marshall@sfgov.org](mailto:Rachel.Marshall@sfgov.org)  
San Francisco District Attorney  
350 Rhode Island Street, North Building, Suite 400N  
San Francisco, CA 94103  
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**To:** "Marshall, Rachel (DAT)" <rachel.marshall@sfgov.org>  
**Cc:** JR Stone Abc Stone <JR.Stone@abc.com>, "Stuerenberg, Shari M. (KGO-TV)" <Shari.M.Stuerenberg@abc.com>, "Lim, Dion F. (KGO-TV)" <Dion.F.Lim@abc.com>  
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Meeting ID: 845 6476 8652

Password: 644908



**Ed Walsh** • Assignment Editor

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**Leger, Cheryl (BOS)**

---

**From:** McCaffrey, Edward (DAT)  
**Sent:** Friday, October 21, 2022 11:57 AM  
**To:** SOTF, (BOS); Young, Victor (BOS)  
**Cc:** Moore, Nicole (DAT)  
**Subject:** Re: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Hi Victor,

Thank you so much for reaching out and letting us know that File No. 21086 will be on the agenda for the November 2, 2022 meeting. Can you help provide a historical context on why this item was agendized for the 11/2/22 meeting? From a preliminary review of the files, it seems that this original complaint was filed in July 2021 and so unsure if there have been SOTF meetings between the months of July 2021 - October 2022 where this item was raised and discussed.

Our staff is only now beginning to review the file's contents, which as I'm sure you are aware are over 200 pages.

Thank you.  
Eddie

---

Edward McCaffrey  
San Francisco District Attorney's Office  
350 Rhode Island Street  
North Building, Suite 400  
San Francisco, California 94103

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---

**From:** Anderson, Tara (DAT) <tara.anderson@sfgov.org>  
**Sent:** Wednesday, October 19, 2022 3:22 PM  
**To:** Moore, Nicole (DAT) <Nikki.Moore@sfgov.org>; McCaffrey, Edward (DAT) <edward.mccaffrey@sfgov.org>  
**Subject:** FW: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Hi Niki and Eddie,

I just received this. File No. 21086 names our office. I typically have not been involved in these. Let me know if anything is needed from me.

Best,  
Tara

Tara Regan Anderson, MPP  
Director of Policy  
San Francisco District Attorney's Office  
[Tara.Anderson@sfgov.org](mailto:Tara.Anderson@sfgov.org)  
Pronouns: she, her, hers

San Francisco District Attorney's Office  
350 Rhode Island Street  
North Building, Suite 400N  
San Francisco, CA 94103  
New Phone Number 628-652-4000  
New Fax Number 628-652-4001

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**From:** SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
**Sent:** Wednesday, October 19, 2022 3:16 PM  
**Cc:** myankee.sotf@gmail.com; Leger, Cheryl (BOS) <[cheryl.leger@sfgov.org](mailto:cheryl.leger@sfgov.org)>; Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>  
**Subject:** SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee. ***Please confirm your attendance for this hearing with the Sunshine Task Force Administrator at [sotf@sfgov.org](mailto:sotf@sfgov.org).***

Date: November 2, 2022

Location: Remote Meeting

Time: 4:00 p.m.

(Please note that discussion of complaints will not begin earlier than 5:00 p.m. Copies of the agenda with login information will be provided when finalized by October 28, 2022.)

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

If you would like to provide any additional supplemental/supporting documents related to the complaint they must be received by **5:00 pm, October 26, 2022**, for inclusion in the agenda packet. Please be sure to reference the complaint number when submitting documents.

Complaints:

- **File No. 22013: Hearing Regarding Request for Reconsideration of Complaint 22013.** Complaint filed by Yuli Huang against David Steinberg and Public Works for finding no violation of Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.
- **File No. 21109: Hearing Regarding Request for Reconsideration of Complaint 18086.** Complaint filed by Mark Sullivan against the Mission Dolores Green Benefit District Formation Committee for allegedly violating Administrative Code (Sunshine Ordinance),



Section 67.14, by failing to allow video and audio recording filming and still photography of a policy body.

- **File No. 22030:** Complaint filed by Gizelle Rabi and Karl Kramer against Karen Fletcher and the Adult Probation Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to respond to a request for public records in a timely and/or complete manner.
- **File No. 21148:** Complaint filed by Jordan Santagata and Karl Kramer against the San Francisco Employees' Retirement System for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, 67.24, and 67.25 and California Public Records Act, Section(s) 6254.26, by failing to respond to a request for public records in a timely and/or complete manner.
- **File No. 21086:** Complaint filed by Anonymous against District Attorney Chesa Boudin and the Office of the District Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26, 67.27, 67.25, 67.24 and California Government Code 6254.5 by failing to respond to a public records request in a timely and/or complete manner.

Victor Young  
Assistant Clerk, Board of Supervisors



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**Leger, Cheryl (BOS)**

---

**From:** McCaffrey, Edward (DAT)  
**Sent:** Friday, October 21, 2022 3:40 PM  
**To:** SOTF, (BOS); Young, Victor (BOS)  
**Cc:** Moore, Nicole (DAT); Calvillo, Angela (BOS)  
**Subject:** Re: 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Victor,

As always, thank you so much for the detailed information and additional documents. Considering the volume of documents associated with this agenda item, we would like to explore the possibility of having this item continued to a future meeting. Might you be able to share what steps need to be taken in order to make this request?

Best,  
Eddie

---

Edward McCaffrey  
San Francisco District Attorney's Office  
350 Rhode Island Street  
North Building, Suite 400  
San Francisco, California 94103

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---

**From:** SOTF, (BOS) <sotf@sfgov.org>  
**Sent:** Friday, October 21, 2022 2:10 PM  
**To:** McCaffrey, Edward (DAT) <edward.mccaffrey@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>  
**Cc:** Moore, Nicole (DAT) <Nikki.Moore@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>  
**Subject:** 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Edward:

Looking back on the history of complaint 21086, it was review by the Education Outreach and Training Committee on 10/12/21 and referred to the SOTF for hearing to discuss possible violations of "Sections 67.26 by failing to keep withholding to a minimum and 67.27 for citing justifications that do not apply".

It was most likely delayed from being heard by the full SOTF due to the large volume of complaints filed by Anonymoose (the complainant) and the limited number of hearing dates available.

I have attached the documents I have on file for the complaint to assist you in preparing for the hearing. Let me know if you have any other questions.

Victor Young  
Assistant Clerk  
Board of Supervisors  
phone 415-554-7723 | fax 415-554-5163  
[victor.young@sfgov.org](mailto:victor.young@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**From:** McCaffrey, Edward (DAT) <[edward.mccaffrey@sfgov.org](mailto:edward.mccaffrey@sfgov.org)>  
**Sent:** Friday, October 21, 2022 11:57 AM  
**To:** SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>; Young, Victor (BOS) <[victor.young@sfgov.org](mailto:victor.young@sfgov.org)>  
**Cc:** Moore, Nicole (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
**Subject:** Re: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

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Our staff is only now beginning to review the file's contents, which as I'm sure you are aware are over 200 pages.

Thank you.  
Eddie

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San Francisco District Attorney's Office  
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San Francisco, California 94103

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**Sent:** Wednesday, October 19, 2022 3:22 PM  
**To:** Moore, Nicole (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>; McCaffrey, Edward (DAT) <[edward.mccaffrey@sfgov.org](mailto:edward.mccaffrey@sfgov.org)>  
**Subject:** FW: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

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Best,  
Tara

Tara Regan Anderson, MPP  
Director of Policy  
San Francisco District Attorney's Office  
[Tara.Anderson@sfgov.org](mailto:Tara.Anderson@sfgov.org)  
Pronouns: she, her, hers

San Francisco District Attorney's Office  
350 Rhode Island Street  
North Building, Suite 400N  
San Francisco, CA 94103  
New Phone Number 628-652-4000  
New Fax Number 628-652-4001

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**Sent:** Wednesday, October 19, 2022 3:16 PM  
**Cc:** [myankee.sotf@gmail.com](mailto:myankee.sotf@gmail.com); Leger, Cheryl (BOS) <[cheryl.leger@sfgov.org](mailto:cheryl.leger@sfgov.org)>; Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>  
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Victor Young  
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## Done Dion Lim Misrepresentations...



### Dion Lim Distorts NYT Quote on ABC TV Story on March 2, 2021

- Ms. Lim quoted from a [New York Times](#) story in which DA Boudin described Antoine Watson's behavior *prior* to the murder of Vicha Ratanapakdee. Ms. Lim falsely suggested that DA Boudin was referencing the murder itself when he used the term "temper tantrum" and quoted victim family member saying "temper tantrum, you can hit the car, you cannot hit or kill human"
- Ms. Lim tweeted: "'**TEMPER TANTRUM**': that's how District Attorney Chesa Boudin described to the [@nytimes](#) the man police say killed 84-year old Vicha Ratanapakdee."
- NYT piece actually was describing Mr. Watson's conduct *before* the murder.
  - It said: "In the *hours before* the attack, Mr. Watson had a string of setbacks. He left his home because of a family dispute and got in a traffic accident in San Francisco at 2 a.m. He was cited by the San Francisco police for running a stop sign and reckless driving and then slept that night in his car. On that morning a number of security cameras in the area captured Mr. Watson banging a car with his hand, according to Mr. Boudin, the district attorney. "It appears that the defendant was in some sort of a temper tantrum," Mr. Boudin said."
- When DA Boudin reiterated on [Twitter](#) and in statements that the comment was regarding the conduct *before* the attack, Ms. Lim accused him of "backtracking" (see [New York Magazine interview](#))

### Dion Lim Falsely Accuses DA Boudin at Press Conference on March 12, 2021

- In her ABC TV [coverage](#) of a press conference to condemn violence against the AAPI community, Ms. Lim broadcast herself, while on camera, directing DA Boudin to look at her, falsely insinuating he was not
- TV coverage played press conference clip of Ms. Lim saying "it sounds like you're blaming the police"

## Done Dion Lim Misrepresentations...



### Dion Lim Exposes a Victim & Reveals Juvenile Charges

- Dion Lim posted a video of a carjacking, despite the victim's request for privacy
  - Upon the victim's request (communicated to her through an ADA) she blurred the victim's image on the ABC website but left the original videos with the victim's image on her social media accounts
  - When DA spokesperson Rachel Marshall raised this issue to Dion in an email, which Ms. Lim posted on Twitter, she doubled-down, insisting she knew what the victim wanted based on her correspondence with the victim's family and tried to suggest the DA hadn't talked to the victim recently (note that subsequent emails explained that DA's Office had talked to the victim that same day)
- Ms. Lim revealed charges alleged against a minor, along with her home town—privileged information protected by statute to preserve the confidentiality of juvenile proceedings
- Ms. Lim later claimed in a story that aired on ABC7 that all charges were dropped, claiming unnamed sources had confirmed.
  - DA's Office had not confirmed or denied, as they explained they are prohibited by law from commenting on a juvenile case.

### Part III: Unmitigated Bias Against DA Boudin

#### Dion Lim Distorts NYT Quote on ABC TV Story on March 2, 2021

- Ms. Lim quoted from a New York Times story in which DA Boudin described Antoine Watson's behavior *prior* to the murder of Vicha Ratanapakdee. Ms. Lim falsely suggested that DA Boudin was referencing the murder itself when he used the term "temper tantrum" and quoted victim family member saying "temper tantrum, you can hit the car, you cannot hit or kill human"
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## Done Dion Lim Misrepresentations...



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- TV coverage played press conference clip of Ms. Lim saying "it sounds like you're blaming the police" without playing the comments preceding Ms. Lim's

## Done Dion Lim Misrepresentations...



- TV coverage played press conference clip of Ms. Lim saying “it sounds like you’re blaming the police” without playing the comments preceding Ms. Lim’s opinion nor any response from DA Boudin to her accusation
- Ms. Lim’s TV story claimed that the family of Vicha Ratanapakdee informed her that DA Boudin had canceled a vigil attendance because they did not want photos or videos taken.
  - No fact-checking was done or opportunity provided to comment on this false accusation.
- In news coverage, Ms. Lim claimed, “Before another question could be asked, Marshall ended the conference.”
  - Misleading: the conference was significantly longer than scheduled and had ended. Ms. Lim spent more time asking questions than any other reporter present.

### **Dion Lim Makes the Inflammatory Suggestion that DA Boudin’s Comments Resembled Those of an Atlanta Sheriff**

- Despite taking DA Boudin’s “temper tantrum” comments out of context, Ms. Lim continued to raise this comment frequently, including to draw comparisons to an Atlanta Sheriff alleged to have made anti-Asian remarks and to have described the Atlanta shooter as having a bad day
  - New York Magazine reference: “The statement from the sheriff’s spokesperson unfortunately echoes some recent comments from San Francisco district attorney Chesa Boudin. He was quoted in the *New York Times* in February regarding 84-year-old Vicha Ratanapakdee, a Thai man who was pushed and killed by a suspect and was caught on camera in a story I broke. The DA was quoted as saying that the suspect was having a “temper tantrum.” I also reported his comments, then he backtracked saying he was just describing the suspect’s mental state before the attack.”
  - Twitter reference

## Done Dion Lim Misrepresentations...



- o [Twitter](#) reference

### Dion Lim Selectively Chooses Facts in Coverage of Roman Banks

- On April 12, 2021, DA Spokesperson Rachel Marshall responded to Ms. Lim's inquiry re: charges filed against Roman Banks and why he was released, explaining in an email, "Our office filed charges against Mr. Banks for the Twin Peaks burglary and he was released on his own recognizance. That case remains pending. In Mr. Banks's more recent case, our office has filed more than 10 felony charges against him and we sought his detention without bail. The court set bail of \$100,000 over our objection and Mr. Banks then posted bail."
- Ms. Lim nonetheless [tweeted](#) "Banks was released in the Twin Peaks burglary on his own recognizance & was arrested for 10 felony charges in the recent case. He's out on \$100K bail. Watching closely to see if charges get dropped & when the charges got filed."
  - o Does not mention DA's office filed 10 felony charges (only arrest)
  - o Does not mention DA objected to bail being set and had sought his detention

### Biases Revealed in Comparing Ms. Lim's Coverage of Crimes Outside of SF

- Despite frequently reporting or tweeting or posting the names of suspects in San Francisco cases, Ms. Lim has emphasized her restraint in doing so in reference to cases outside of San Francisco.
  - o For example, on March 15, 2021, she [tweeted](#) that she was "waiting to hear back from the Alameda County DA" before releasing a suspect's name so as not to "compromise" an investigation
    - According to SFDA's Office, not once has the DA's Office ever been contacted with a similar request
    - To the contrary, on March 16, 2021, Ms. Lim tweeted out confidential information about a juvenile case

## Done Dion Lim Misrepresentations...



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    - According to SFDA’s Office, not once has the DA’s Office ever been contacted with a similar request
      - To the contrary, on March 16, 2021, Ms. Lim tweeted out confidential information about a juvenile case—privileged information protected by statute and limited to specific sources
- Ms. Lim does not mention uncharged/unfiled cases or releases of defendant in reference to DAs in other counties
  - For example, in a February 5, 2021 ABC TV story, Ms. Lim’s story implies DA Boudin was responsible for the tragic killing of Sheria Musyoka and asks the victim’s wife who she blames, clearly edits out some airtime and then has her answer “I blame the DA” (obviously referencing DA Boudin)
    - Ms. Lim then tweeted out that quote and mentioned that Mr. Lyons had an uncharged case from San Francisco
      - Ms. Lim’s coverage did not mention Mr. Lyons’s other uncharged, recent arrests out of neighboring counties nor did she suggest that other county DA was responsible (see story in Examiner that references other criminal convictions and probations out of county, not mentioned by Ms. Lim)

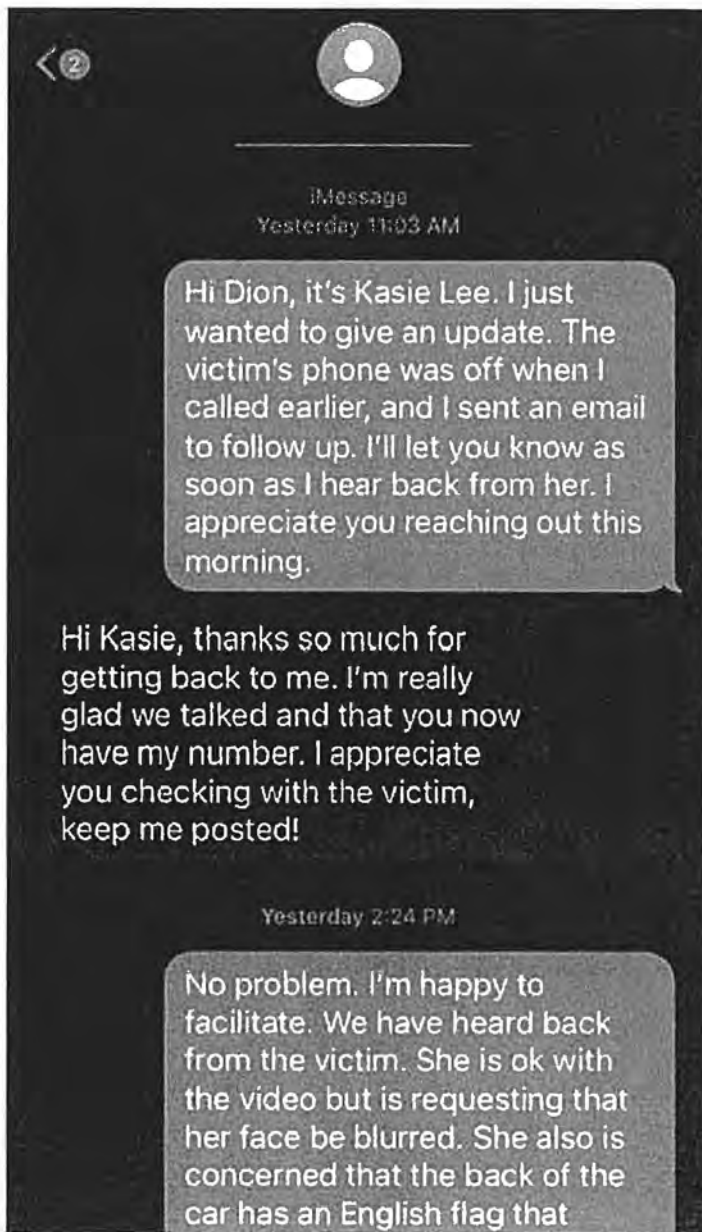
- As another example, Ms. Lim mentioned in a

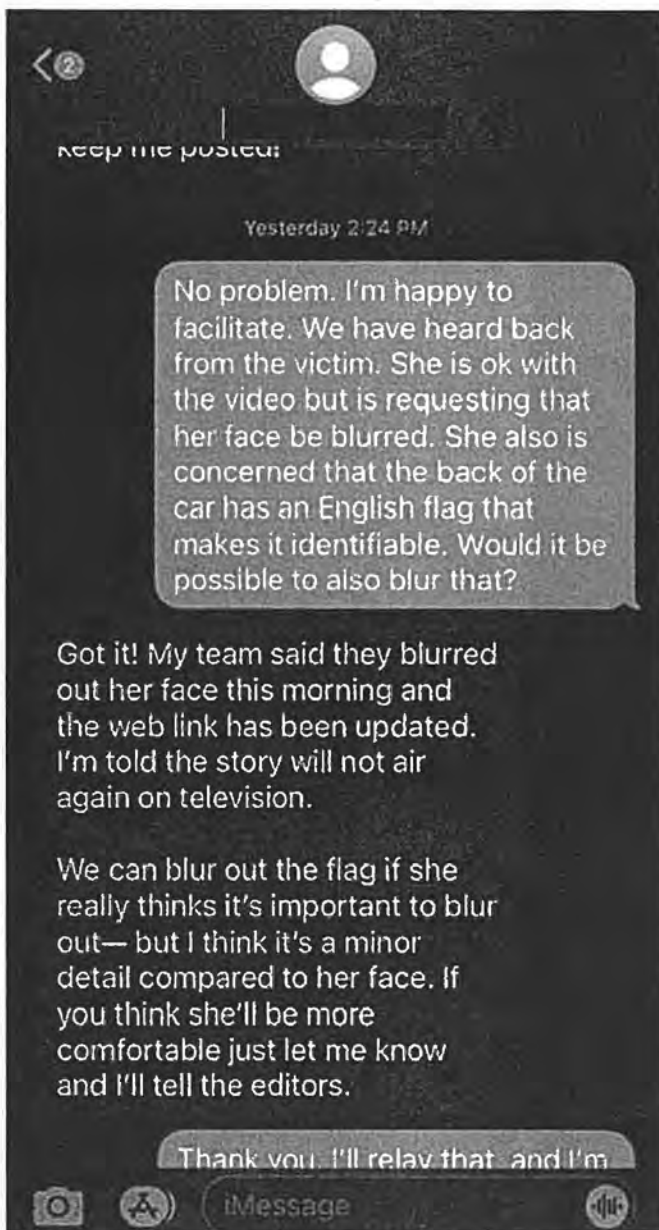
## Done Dion Lim Misrepresentations...



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- As another example, Ms. Lim mentioned in a March 12, 2021 ABC TV story that Mr. Bailey had a prior in which he had been released in San Francisco
  - Ms. Lim mentions that Mr. Bailey had numerous recent felony arrests and priors out of Oakland—not San Francisco—but nonetheless focuses her story on why he was not held in custody longer in *one* San Francisco case, and never raises any questions about why he had been released in any his recent cases in Oakland
- As an additional example, Ms. Lim covered a story on ABC TV on February 5, 2021 about an Oakland case
  - She also never named the suspect (arrested in Alameda County) nor did she ever raise questions about any of his recent priors and his releases in Alameda County.
- As yet another example, when a recent attack happened in Oakland in May, Ms. Lim never once blamed or even mentioned the DA there.









Got it! My team said they blurred out her face this morning and the web link has been updated. I'm told the story will not air again on television.

We can blur out the flag if she really thinks it's important to blur out— but I think it's a minor detail compared to her face. If you think she'll be more comfortable just let me know and I'll tell the editors.

Thank you. I'll relay that, and I'm sure she appreciates it.

Yesterday 5:04 PM

Great— I told the team to blur the sticker and we should be all set. Good luck with the case. Please keep me posted if you're able to!

Yesterday 7:27 PM

Thanks again.



iMessage





Chesa Boudin  
District Attorney

Dear ABC7 News / KGO-TV,

I am writing in regard to an armed carjacking case that took place on Friday, June 18, 2021 in San Francisco. Our Victim Services Division, along with the Coalition of Community Safety and Justice, has been working closely with the victim since the incident. While working with the victim, we learned that ABC 7 reporter Dion Lim published private information and statements attributed to the victim on her social media accounts that the victim would like immediately removed.

As you can imagine, being a victim of an armed carjacking is an extremely traumatic experience. This is also an open, pending investigation, and the suspect has yet to be apprehended. Putting personal information about the victim along with his statements to the police into the public sphere potentially endangers the victim and his family and, indeed, the victim is fearful as a result of this.

The victim maintains that he did not know how Dion Lim received his telephone number but contacted him out of the blue. He agreed to an interview only to promote awareness and to remind his fellow neighbors to be vigilant. He did not consent to ABC 7 sharing personal details about him publicly or to have specific quotes attributed to him. He did not agree to have his story shared on any social media accounts. He thought the story would be shared on ABC 7's website only. He reached out to the Chinese interpreter who Dion Lim used to interview him and requested that the social media posts be removed; however, the interpreter later responded that the information shared is the same as that provided in the police report so ABC 7 and Dion Lim will not be removing anything. As you know, the police report has not been made public; we are also unclear of why ABC 7 and Dion Lim would have a copy of a police report in an open, pending investigation. The victim also advised us that Dion Lim told them that she read the police report.

The victim has requested the following:

1. In the article by Dion Lim posted on ABC 7's website, please remove the sentence about the victim returning to his Sunset home after dropping off his wife at work. Who the victim resides with is not newsworthy, and he does not wish for this information to be made public. He believes this places his family in danger.
2. On Dion Lim's Twitter account, please remove the tweet with the direct quote, "He doesn't want me sharing his name because the suspect asked him details about his family and who lives with him." The victim did not provide consent for this quote to be attributed to him, does not believe the quote does anything to promote public safety, and would like for it to be removed from all platforms.

P. 2

3. On Dion Lim's social media accounts in which the statement, "I had no choice, if I don't do anything maybe I will die, He will kill me," the victim strongly requests that they be taken down. He only wanted to send a message to the public that vigilance is important; however, he believes the quote itself is extremely provocative, and sharing it is completely against his wishes.

We hope that you can be sympathetic to the victim's valid concerns and respect the victim's above-stated wishes.

Best regards,



David Campos  
Chief of Staff  
Office of the District Attorney

**From:** Anonymoose  
**To:** SFDA Public Records; Marshall, Rachel (DAT); Boudin, Chesa (DAT); Roudin, Chesa (DAT); District Attorney (DAT); Burke, Robyn (DAT); Records Supervisor (CAT); FEITELBERG, BRITTANY (CAT); dennis.herrera@sfcityattv.org; SOTF, (BOS)  
**Subject:** Fw: 67.21(d) petition & new SOTF Complaint vs Chesa Boudin and DA's Office 01  
**Date:** Wednesday, July 21, 2021 4:53:01 PM  
**Attachments:** Exhibit 5 - Boudin Radley Balko article records - Immediate disclosure request • MuckRock (1).pdf  
Exhibit 4 - Apparent Retractions-f.pdf  
signature.asc

---

### **SOTF & Supervisor of Records Herrera:**

This is a first amendment to, but not replacement of, the petition/complaint with all exhibits filed last Friday below, and an addition of the attached exhibits #4 and 5.

*"When public employees break the law, my administration will hold them accountable. No one in San Francisco is above the law."* - Respondent Boudin, July 8, 2021

Respondents now purport to retract from public disclosure certain information, including names, phone numbers, and email addresses of what are apparently witnesses, victims, or their associates in a case with at least one juvenile subject, that were previously disclosed to me in this request (and within the original unredacted exhibits). (If Respondents desire and have the authority to censor the official complaint file with the prior unredacted exhibits, that is a matter they will have to take up with SOTF and Supervisor of Records themselves.) Respondents added the following written justification when purporting to retract the info:

*"In my previous disclosure I inadvertently attached an unredacted version of the responsive records that contained confidential contact information and names which should have been redacted. The California Constitution includes an individual right to privacy. Both state and local law recognize as a general principle that the right to personal privacy sometimes precludes disclosure of public records or information contained in those records. Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §§ 1, 3(b); Admin. Code §67.1(g); Admin. Code Chapter 12M."*

As context: the purported retractions appear to be part of a text message communication by **Kasie Lee**, Interim Chief of Victim Services Division and Assistant District Attorney, to journalist and non-City-employee **Radley Balko**. Balko appears to have then used this information to write an opinion column in the Washington Post defending Respondents and criticizing another reporter, Dion

Lim, <https://www.washingtonpost.com/opinions/2021/06/14/bogus-backlash-against-progressive-prosecutors/> -- after communicating with the witnesses and/or victims apparently through the contact information provided by Respondents.

Therefore, in addition to the original allegations, I also allege the following violations:

- Additional violation of Gov Code 6254.5: This is now additional information selectively disclosed to one journalist and not the public. In fact, Respondents' Director of Communications Rachel Marshall states to Lim in these same records **"Pursuant to the California Welfare and Institutions Code, we are legally prohibited from discussing anything related to a juvenile case..."** (emphasis mine) What is especially troubling is that this selective disclosure was done by Respondents in favor of one supportive journalist, with whom they also shared their own critiques of Lim, even

while arguing *to* Lim their inability to discuss the case with *her* due to juvenile casefile related exemptions. Lim asks for the "status" of the case and is rebuffed on the above citation, but then some info is indeed provided by Respondents to Balko.

- Additional violation of Admin Code 67.26: By disclosing the information to Balko, they must disclose it to the general public. Also, it is unclear how the *names* (as opposed to the private contact info) can be considered an unwarranted invasion of personal privacy. Of the names, at least one is known publicly -- in fact it is stated in the column written by Balko after Respondents' disclosure to him. Generally the Gov Code 6254(c) exemption is applied to the personal contact info, not the name of a person. Even if SOTF decides not to order disclosed some of the information previously disclosed to Balko but now purportedly retracted in order to protect third-party privacy rights in spite of the Respondents' violations, it should nevertheless find Respondents violated the law due to the selective disclosure.
- Violation of Gov Code 6253(d): Respondents are required to identify the name and title of every person *responsible* for withholding the information, but did not do so. Who do we hold responsible here?

Regards,

Anonymous

Twitter [@journo\\_anon](#)

**IMPORTANT:**

1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Friday, July 16th, 2021 at 7:23 PM, Anonymoose  
<[arecordsrequestor@protonmail.com](mailto:arecordsrequestor@protonmail.com)> wrote:

**Supervisor of Records:** This is a 67.21(d) to petition to determine in writing some or all records or parts thereof in the 2 attached requests are public and order them disclosed. In request #2 they have actively withheld

certain records under apparently all of the cited exemptions and they are not more specific than that. There are also parts of records withheld in the second request in the numbered items.

**SOTF:** Please file a new complaint *Anonymous v Chesa Boudin and District Attorney's Office*.

**Allegations:** SFAC 67.21, 67.26, 67.27, 67.25, 67.24, Gov Code 6253(c), Gov Code 6254.5

This complaint regards two requests both attached.

**On the second request (comms with Dion Lim and Radley Balko):**

For context Lim and Balko are both journalists who wrote about Boudin's actions in a particular alleged crime. What Boudin, Lim, or Balko did or did not do is not relevant to the Sunshine issues, except that any release of info from Boudin/his office to Lim or Balko (who are not City employees) would waive all purported exemptions in that information. *Namely, the Respondents appear to have discussed information apparently about witnesses or victims in this case with at least Balko on at least pages 61-62 of the public records released.*

This had an untimely response, but also had numerous additional problems. Remember the Respondents bear the burden to prove with specificity that an exemption applies.

1. **Gov Code 6254.5** - For all information that was provided to some other member of the public who has *no* special position in the investigation (namely these two reporters and their employers), all privileges in that information were waived.
2. **SF Admin Code 67.26** - the participant names of the texts/chats have been withheld. You have ruled that the From and To of text messages must be disclosed. SOTF 19098 Anonymous v SFPD. It is unclear who is speaking to Lim/Balko - is it Boudin or his subordinate?
3. **SF Admin Code 67.21** - a copy of a word document attachment communicated outside of the City was not provided. Instead screenshots of this document, which clearly contains hyperlinks impossible to provide via screenshot were provided. More importantly, because this Word file was itself communicated outside of the City,



all privileges in the entirety of the file as previously transmitted are waived and I must receive the entirety of the original file, including all history and metadata in that Word file, whose name starts "Dion Lim Misrepresentatio..." on page 69.

4. **SF Admin Code 67.26** - the DA's office also transmitted various hyperlinks in their chat messages that were not provided to me (ex. page 63, 65)
5. **SF Admin Code 67.27** - Respondents withheld records on subrequest 3 based on 8 different justifications: "We are withholding records under the exemptions stated above that would otherwise be responsive to your third request." I do not believe all of these justifications apply and they appear to be just scattershot.
6. **SF Admin Code 67.24(a) and 67.26** - The Respondents withheld records to subrequest 3 based on: "*Also, preliminary drafts, notes, or interagency or intra-agency memoranda may be exempt from disclosure under Cal. Govt. Code § 6254(a).*" This is not allowed. Only a very small subset of such info is exempt under local draft exemption Admin Code 67.24(a). Namely in order to be exempt they must be "preliminary draft or department memorandum" AND "not normally kept on file and would otherwise be disposed of" AND then, only "the recommendation of the author" of such a document may be withheld within that document.
7. **SF Admin Code 67.27** - The Respondents also withheld records to subrequest 3 based on: "*In addition, "official information," which is acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, is privileged against disclosure per Cal. Evid. Code 1040*". This statement neither specifies which exemption is being used, and also overstates that is exempt. The Official Information privilege does not in fact exempt all "official information." Instead, there are two specific exemptions for subsets of official information: and they must choose which (or both) they are using: Evidence Code 1040(b)(1) and Evidence Code 1040(b)(2). Admin Code 67.27 requires you to choose *specific* exemptions. In (b)(1) they must prove what state or federal law prohibits disclosure. In (b)(2) they must prove that a balancing test *in the interest of justice* prevails for



non-disclosure. But neither (b)(1) nor (b)(2) nor both combined simply exempt ALL information acquired in confidence by a public employee, as the City incorrectly believes. (Note that I am not disputing the *applicability* of the balancing test in (b)(2) due to the Mayor's COVID orders in this instance; though I reserve the right to elsewhere challenge the validity of. What I am saying is if that is what they want to use, they need to cite that test and prove with specificity that it applies to all information so exempted.)

8. **SF Admin Code 67.21 and 67.26** - Each, individual, email needs to be provided as an exact copy. The To, From, Cc, Bcc need to be provided with non-private email addresses.
9. **SF Admin Code 67.21 and 67.26** - At the end of the records appears to be some sort of formal letter transmitted to ABC7. I am owed an exact copy of that original file transmitted to ABC7 (and whatever mechanism was used to transmit that file). Any exemption for metadata (for example, any purported history that may otherwise be attorney work-product privileged if it was NOT in a file transmitted outside of the City) in the specific copy of the file sent to ABC7 is waived by transmission to ABC7.

**On the first request (comms with judges and Mayor's Office):**

The District Attorney's office has decided to go radio silent on my request and simply refuses to respond. At this moment there is no substantive response other than a lie that they would respond in 10 days (they did not).

**Violations of Gov Code 6253(c), Admin Code 67.21(b), Admin Code 67.25(b) and/or Admin Code 67.25(d):** In each case, Chesa Boudin and his Office violated Gov Code 6253(c) for failing to provide a determination of disclosable public records and reasons within 10 days and for unreasonably delaying provision of records to my requests. (The prior argument is based on a presumption that the Mayor's emergency COVID orders suspending certain timeliness requirements of the Ordinance are valid, but is not a concession that they are in fact valid, or continue to be in effect at any given time. In the alternative, Respondents violated Admin Code 67.21(b) and/or 67.25(b) for failing to provide records within 10 days.).

**Violations of Admin Code 67.26 and 67.27:** The failure or refusal of the Respondents to search and produce the records is equivalent to withholding all records in their entirety (*Community Youth Athletic Center v. City of National City*, "The effect of the City's inability or unwillingness to locate the records had the same effect as withholding requested information from the public."). This complete withholding is non-minimal and unjustified in writing. If and when the City eventually responds, these violations may continue as well.

Regards,

Anonymous  
Twitter [@journos\\_anon](#)

***IMPORTANT:***

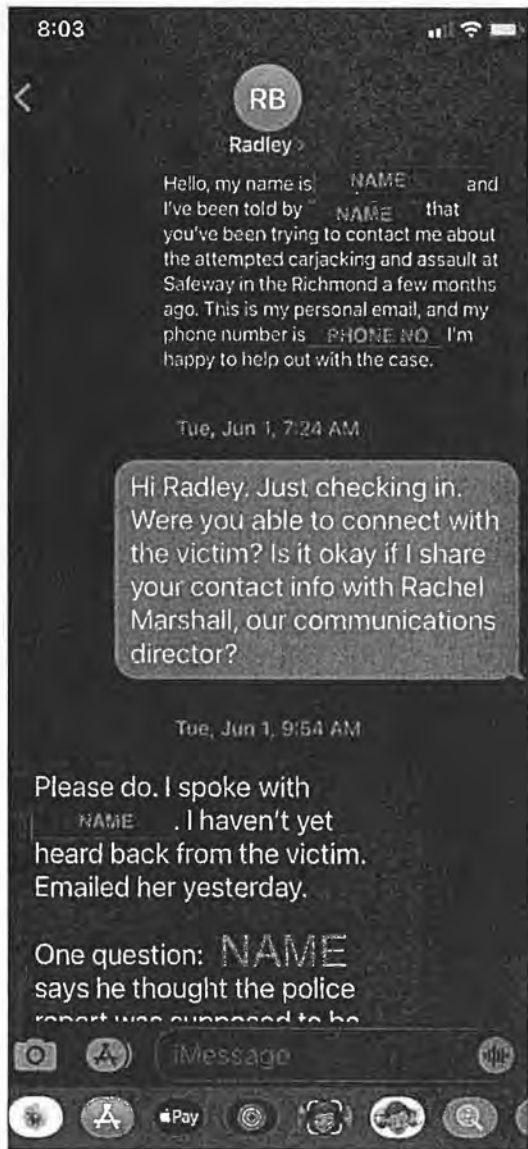
1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary.
2. If you are NOT a public official: This communication is confidential and may contain unpublished information or confidential source information, protected by the California Shield Law, Evidence Code sec. 1070. I am a member of the electronic media and regularly publish information about the conduct of public officials.
3. I am not a lawyer. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever.
4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sent with [ProtonMail](#) Secure Email.

## EXHIBIT 4 – Apparent retractions of information

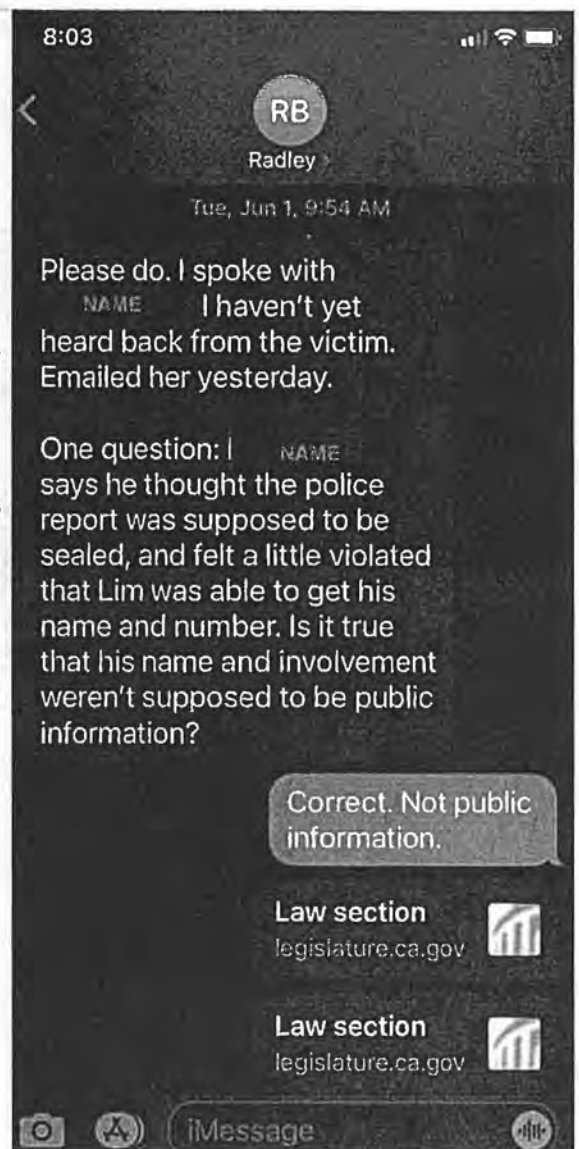
Red  
annotations  
added  
by me






New  
Redactions  
By  
Respondents

Red  
annotations  
added  
by me



**From:** SOTF, (BOS)  
**To:** Burke, Robyn (DAT); Campos, David (DAT); Boudin, Chesa (DAT)  
**Cc:** Anonymoose   
**Subject:** SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 21086  
**Attachments:** SOTF - Complaint Procedure 2019-10-02 FINAL.pdf; 21086 Complaint.pdf

Good Afternoon:

Chesa Boudin and the Office of the District Attorney have been named as Respondents in the attached complaint filed with the Sunshine Ordinance Task Force. Please respond to the attached complaint/request within five business days.

**The Respondent is required to submit a written response to the allegations including any and all supporting documents, recordings, electronic media, etc., to the Task Force within five (5) business days of receipt of this notice.** This is your opportunity to provide a full explanation to allow the Task Force to be fully informed in considering your response prior its meeting.

Please include the following information in your response if applicable:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
2. Date the relevant records were provided to the Complainant.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
5. Copy of the original request for records (if applicable).
6. Statement/declaration that all relevant documents have been provided, does not exist, or Acknowledgement of noncompliance with the Sunshine Ordinance or declaration of no-contest.

Please refer to the File Number when submitting any new information and/or supporting documents pertaining to this complaint.

The Complainant alleges:  
*Complaint Attached.*

Cheryl Leger  
Assistant Clerk, Board of Supervisors  
Tel: 415-554-7724



Click to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means*



SUNSHINE ORDINANCE TASK FORCE

Tel: 415 554-7724  
Fax: 415 554-7854  
TDD/TTY: 415 554-5227



City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco 94102-4689

October 19, 2022

Nikki Moore  
Nikki.Moore@sfgov.org

Re: Sunshine Ordinance Task Force, File No. 21086

Dear Ms. Moore:

Please review the complaint as described below and acknowledge your department's position on File No. 21086 regarding an alleged violation of the Sunshine Ordinance.

**File No. 21086:** Complaint filed by Anonymous against District Attorney Chesa Boudin and the Office of the District Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26, 67.27, 67.25, 67.24 and California Government Code 6254.5 by failing to respond to a public records request in a timely and/or complete manner.

Please choose ONE answer. You may, if you wish, also attach any additional explanation.

- [a] acknowledge noncompliance for all allegations below
- [b] department/agency declares no-contest to all allegations below
- [c] deny one or more allegations below (please state an additional explanation which of the allegations you deny, and supporting evidence and/or argument)

If you or your entity acknowledges noncompliance or declares no-contest, the SOTF may, at its discretion, issue an Order of Determination against you or your entity for the allegations listed above without a hearing, and thereafter refer the matter to the Compliance & Amendments Committee for monitoring as needed.



Please respond within the next five business days of the date on this notice, with your acknowledgment. If it is not received within five business days, we will assume that you have acknowledged no-contest.

Very Truly Yours,


Matthew Yankee, Chair  
Sunshine Ordinance Task Force

MY:cal

cc: Anonymous (arecordsrequestor@protonmail.com)

**Leger, Cheryl (BOS)**

---

**From:** Anonymoose (@journno\_anon)  <arecordsrequestor@protonmail.com>  
**Sent:** Wednesday, October 19, 2022 4:01 PM  
**To:** SOTF, (BOS); District Attorney, (DAT)  
**Cc:** Leger, Cheryl (BOS); Calvillo, Angela (BOS); myankee.sotf@gmail.com; SFDA Public Records; Jenkins, Brooke (DAT)  
**Subject:** File 21086 issues - Re: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force  
**Attachments:** signature.asc

Dear Chair,

Please request that the Clerk serve not only the current DA office but also the named respondent Chesa Boudin if not already done so, who was removed from office \*after\* being originally served by this complaint by SOTF and \*after\* the initial committee hearing which his representative attended. According to the State Bar he may be emailed at chesa@chesaboudin.com . I don't want anyone to whine for yet another redo and it wastes SOTF'S time otherwise. Official contact info:

<https://ap0s.calbar.ca.gov/attorney/Licensee/Detail/284577>

Please confirm notice to Boudin. Thank you.

Dear Clerk,

Please provide the current file for 21086 and any committee conclusion (I'd like to find the tape of the hearing based on the date). Thank you.

Dear SOTF and DA Jenkins,

I have reason to believe Boudin through his representative may have lied during testimony to the Committee during the initial hearing and if and when I confirm on the tape I will be asking orally during the final hearing for a finding of willful violation constituting official misconduct and referral of Boudin to the Ethics Commission under 67.34 , and if production does not occur by Boudin or the DA office within 5 days of your order a referral of Boudin and the current DA Jenkins (who is the department head of the DA Office now and has responsibility for the department records) to the Attorney General under Admin Code 67.21(e). These are separate referrals.

It is unclear to me whether Jenkins plans on defending Boudin's actions at SOTF. DA Jenkins is welcome to contact me to see which if any parts the DAs office will not contest.

I am also dropping one of the two parts of this complaint, with the dropped parts to be filed separately. Specifically I maintain in this complaint solely the allegations regarding the Balko/Lim request and records and not the Mayor/Judges request and records. I will follow-up with an attachment clearly striking out the allegations I am dropping.

This case will be complex enough even with one part and the most important request is the one showing selective records disclosures for political gain.

Regards,

Anonymous  
twitter.com/journno\_anon  
a 2022 SPJ NorCal Freedom of Information Award Winner

----- Original Message -----

On Oct 19, 2022, 3:15 PM, SOTF, (BOS) <soff@sfgov.org> wrote:

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee. ***Please confirm your attendance for this hearing with the Sunshine Task Force Administrator at [soff@sfgov.org](mailto:soff@sfgov.org).***

Date: November 2, 2022

Location: Remote Meeting

Time: 4:00 p.m.

(Please note that discussion of complaints will not begin earlier than 5:00 p.m. Copies of the agenda with login information will be provided when finalized by October 28, 2022.)

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

If you would like to provide any additional supplemental/supporting documents related to the complaint they must be received by **5:00 pm, October 26, 2022**, for inclusion in the agenda packet. Please be sure to reference the complaint number when submitting documents.

Complaints:

- **File No. 22013: Hearing Regarding Request for Reconsideration of Complaint 22013.** Complaint filed by Yuli Huang against David Steinberg and Public Works for finding no violation of Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.
- **File No. 21109: Hearing Regarding Request for Reconsideration of Complaint 18086.** Complaint filed by Mark Sullivan against the Mission Dolores Green Benefit District Formation Committee for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.14, by failing to allow video and audio recording filming and still photography of a policy body.
- **File No. 22030:** Complaint filed by Gizelle Rabi and Karl Kramer against Karen Fletcher and the Adult Probation Department for allegedly violating

Administrative Code (Sunshine Ordinance), Section(s) 67.21 by failing to respond to a request for public records in a timely and/or complete manner.

- **File No. 21148:** Complaint filed by Jordan Santagata and Karl Kramer against the San Francisco Employees' Retirement System for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, 67.24, and 67.25 and California Public Records Act, Section(s) 6254.26, by failing to respond to a request for public records in a timely and/or complete manner.
- **File No. 21086:** Complaint filed by Anonymous against District Attorney Chesa Boudin and the Office of the District Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26, 67.27, 67.25, 67.24 and California Government Code 6254.5 by failing to respond to a public records request in a timely and/or complete manner.

Victor Young  
Assistant Clerk, Board of Supervisors



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**Leger, Cheryl (BOS)**

---

**From:** Moore, Nicole (DAT)  
**Sent:** Wednesday, October 19, 2022 4:06 PM  
**To:** Leger, Cheryl (BOS); SOTF, (BOS)  
**Subject:** Fwd: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Hi: I was hoping that the contact information for our office could be updated to include me on all correspondence. I am handling public records for the office.

Also, can I be forwarded the complaint referenced in this email? I don't think I have received it.

Thank you so much,

Nikki Moore  
Assistant District Attorney

Begin forwarded message:

**From:** "Anderson, Tara (DAT)" <tara.anderson@sfgov.org>  
**Date:** October 19, 2022 at 3:22:22 PM PDT  
**To:** "Moore, Nicole (DAT)" <Nikki.Moore@sfgov.org>, "McCaffrey, Edward (DAT)" <edward.mccaffrey@sfgov.org>  
**Subject:** FW: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Hi Niki and Eddie,

I just received this. File No. 21086 names our office. I typically have not been involved in these. Let me know if anything is needed from me.

Best,  
Tara

Tara Regan Anderson, MPP  
Director of Policy  
San Francisco District Attorney's Office  
[Tara.Anderson@sfgov.org](mailto:Tara.Anderson@sfgov.org)  
Pronouns: she, her, hers

San Francisco District Attorney's Office  
350 Rhode Island Street  
North Building, Suite 400N  
San Francisco, CA 94103  
New Phone Number 628-652-4000  
New Fax Number 628-652-4001

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to whom it is addressed. If you are not the intended recipient, you are hereby notified that any use, dissemination or copying of this communication is strictly prohibited. If you have received this electronic message in error, please delete the original message from your e-mail system. Thank you.

**From:** SOTF, (BOS) <sotf@sfgov.org>

**Sent:** Wednesday, October 19, 2022 3:16 PM

**Cc:** myankee.sotf@gmail.com; Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>

**Subject:** SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee. ***Please confirm your attendance for this hearing with the Sunshine Task Force Administrator at [sotf@sfgov.org](mailto:sotf@sfgov.org).***

**Date:** November 2, 2022

**Location:** Remote Meeting

**Time:** 4:00 p.m.

(Please note that discussion of complaints will not begin earlier than 5:00 p.m. Copies of the agenda with login information will be provided when finalized by October 28, 2022.)

**Complainants:** Your attendance is required for this meeting/hearing.

**Respondents/Departments:** Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

If you would like to provide any additional supplemental/supporting documents related to the complaint they must be received by **5:00 pm, October 26, 2022**, for inclusion in the agenda packet. Please be sure to reference the complaint number when submitting documents.

**Complaints:**

1. **File No. 22013: Hearing Regarding Request for Reconsideration of Complaint 22013.** Complaint filed by Yuli Huang against David Steinberg and Public Works for finding no violation of Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.



2. **File No. 21109: Hearing Regarding Request for Reconsideration of Complaint 18086.** Complaint filed by Mark Sullivan against the Mission Dolores Green Benefit District Formation Committee for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.14, by failing to allow video and audio recording filming and still photography of a policy body.
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Victor Young  
Assistant Clerk, Board of Supervisors

<image001.png>

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**From:** SOTF, (BOS)  
**Sent:** Thursday, October 20, 2022 8:58 AM  
**To:** chesa@chesaboudin.com  
**Cc:** Matt Yankee; Leger, Cheryl (BOS); Calvillo, Angela (BOS)  
**Subject:** SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Good Afternoon:

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Date: November 2, 2022

Location: Remote Meeting

Time: 4:00 p.m.

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Victor Young  
Assistant Clerk, Board of Supervisors





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**Leger, Cheryl (BOS)**

---



**From:** Matt Yankee <myankee.sotf@gmail.com>  
**Sent:** Thursday, October 20, 2022 1:44 PM  
**To:** Anonymoose (@journno\_anon)    
**Cc:** SOTF, (BOS); District Attorney, (DAT); Leger, Cheryl (BOS); Calvillo, Angela (BOS); SFDA Public Records; Jenkins, Brooke (DAT)  
**Subject:** Re: File 21086 issues - Re: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

The Clerk's Office has confirmed to me that a copy of the notice has been forwarded to Mr. Boudin at the email address you provided.

Regards,

Matt Yankee  
Chair, Sunshine Ordinance Task Force  
City and County of San Francisco

On Wed, Oct 19, 2022 at 4:01 PM Anonymoose (@journno\_anon)   <[arecordsrequestor@protonmail.com](mailto:arecordsrequestor@protonmail.com)> wrote:  
Dear Chair,

Please request that the Clerk serve not only the current DA office but also the named respondent Chesa Boudin if not already done so, who was removed from office \*after\* being originally served by this complaint by SOTF and \*after\* the initial committee hearing which his representative attended. According to the State Bar he may be emailed at [chesa@chesaboudin.com](mailto:chesa@chesaboudin.com). I don't want anyone to whine for yet another redo and it wastes SOTF'S time otherwise. Official contact info: <https://apps.calbar.ca.gov/attorney/Licensee/Detail/284577>

Please confirm notice to Boudin. Thank you.

Dear Clerk,

Please provide the current file for 21086 and any committee conclusion (I'd like to find the tape of the hearing based on the date). Thank you.

Dear SOTF and DA Jenkins,

I have reason to believe Boudin through his representative may have lied during testimony to the Committee during the initial hearing and if and when I confirm on the tape I will be asking orally during the final hearing for a finding of willful violation constituting official misconduct and referral of Boudin to the Ethics Commission under 67.34, and if production does not occur by Boudin or the DA office within 5 days of your order a referral of Boudin and the current DA Jenkins (who is the department head of the DA Office now and has responsibility for the department records) to the Attorney General under Admin Code 67.21(e). These are separate referrals.

It is unclear to me whether Jenkins plans on defending Boudin's actions at SOTF. DA Jenkins is welcome to contact me to see which if any parts the DAs office will not contest.

I am also dropping one of the two parts of this complaint, with the dropped parts to be filed separately. Specifically I maintain in this complaint solely the allegations regarding the Balko/Lim request and records and not the Mayor/Judges request and records. I will follow-up with an attachment clearly striking out the allegations I am dropping.

This case will be complex enough even with one part and the most important request is the one showing selective records disclosures for political gain.

Regards,

Anonymous

[twitter.com/journo\\_anon](https://twitter.com/journo_anon)

a 2022 SPJ NorCal Freedom of Information Award Winner

----- Original Message -----

On Oct 19, 2022, 3:15 PM, SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)> wrote:

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee. ***Please confirm your attendance for this hearing with the Sunshine Task Force Administrator at [sotf@sfgov.org](mailto:sotf@sfgov.org).***

Date: November 2, 2022

Location: Remote Meeting

Time: 4:00 p.m.

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Victor Young

Assistant Clerk, Board of Supervisors



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**Leger, Cheryl (BOS)**

---

**From:** SOTF, (BOS)  
**Sent:** Friday, October 21, 2022 5:00 PM  
**To:** McCaffrey, Edward (DAT)  
**Cc:** Anonymous; Leger, Cheryl (BOS); myankee.sotf@gmail.com; Calvillo, Angela (BOS)  
**Subject:** Request for continuance RE: 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Edward:

Through this email I am forwarding your request for continuance to the Complainant and the SOTF Chair. Below is the section of our procedures regarding continuance in which we need agreement of the Complainant to continue a matter prior to the meeting. Otherwise it will be at the discretion of the SOTF on the meeting date.

**Continuances:**

(a) A complainant may waive the 45-day rule and request a continuance. If the request is received five business days in advance of the scheduled hearing it shall be granted. For requests submitted less than five business days in advance or for requests for subsequent continuances, the request may be granted by a simple majority vote of the members present.

(b) If a respondent submits a request for continuance at least five business days in advance, upon agreement of the complainant the continuance shall be granted. If the complainant does not agree to the continuance, the request for continuance is not made within five business days, or the respondent is requesting a subsequent continuance, such continuance shall be granted by a simple majority vote of the members present.

(c) In order to provide determinations in a timely manner the SOTF will schedule complaints for hearing as soon as possible at the discretion of the Chair. If the Complainant is unable or refuses to attend a scheduled hearing on a specific date within 120 days, the SOTF may schedule a hearing to consider taking no further action and to close the file due to inactivity.

(d) It shall be the policy to grant continuances if requested by the Complainant for the first time. The SOTF Chair and their designee is authorized to grant a first-time continuance request at their discretion. Further continuances are at the discretion of the Chair.

**Victor Young**  
Assistant Clerk  
Board of Supervisors  
phone 415-554-7723 | fax 415-554-5163  
[victor.young@sfgov.org](mailto:victor.young@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**From:** McCaffrey, Edward (DAT) <edward.mccaffrey@sfgov.org>  
**Sent:** Friday, October 21, 2022 3:40 PM  
**To:** SOTF, (BOS) <sotf@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>



**Cc:** Moore, Nicole (DAT) <Nikki.Moore@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>

**Subject:** Re: 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Victor,

As always, thank you so much for the detailed information and additional documents. Considering the volume of documents associated with this agenda item, we would like to explore the possibility of having this item continued to a future meeting. Might you be able to share what steps need to be taken in order to make this request?

Best,  
Eddie

---

Edward McCaffrey

San Francisco District Attorney's Office

350 Rhode Island Street

North Building, Suite 400

San Francisco, California 94103

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**Leger, Cheryl (BOS)**

---

**From:** Anonymoose (@journo\_anon) 🐾 🔍 <arecordsrequestor@protonmail.com>  
**Sent:** Friday, October 21, 2022 5:55 PM  
**To:** SOTF, (BOS); McCaffrey, Edward (DAT)  
**Cc:** Leger, Cheryl (BOS); myankee.sotf@gmail.com; Calvillo, Angela (BOS); chesa  
**Subject:** Re: Request for continuance RE: 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force  
**Attachments:** signature.asc

Pursuant to the complaint procedures, I, the complainant, **\*\*do not consent to the request for continuance by Respondents.\*\*** This complaint was initially heard over a year ago by the committee and Respondents did not even comply with SOTF rules and provide a written response in the agenda packet. They should not now have even more time.

Moreover Respondents falsely stated to the Committee they would produce a certain outstanding document and failed to do so. They should not be rewarded with yet more time for that either.

I believe that means 6 members would have to consent to the continuance.

Regards,

Anonymous  
twitter.com/journo\_anon  
a 2022 SPJ NorCal Freedom of Information Award Winner

----- Original Message -----

On Oct 21, 2022, 4:59 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Edward:

Through this email I am forwarding your request for continuance to the Complainant and the SOTF Chair. Below is the section of our procedures regarding continuance in which we need agreement of the Complainant to continue a matter prior to the meeting. Otherwise it will be at the discretion of the SOTF on the meeting date.

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**Victor Young**  
Assistant Clerk  
Board of Supervisors  
phone 415-554-7723 | fax 415-554-5163  
[victor.young@sfgov.org](mailto:victor.young@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**From:** McCaffrey, Edward (DAT) <edward.mccaffrey@sfgov.org>  
**Sent:** Friday, October 21, 2022 3:40 PM  
**To:** SOTF, (BOS) <sotf@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>  
**Cc:** Moore, Nicole (DAT) <Nikki.Moore@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>  
**Subject:** Re: 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

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San Francisco District Attorney's Office

350 Rhode Island Street

North Building, Suite 400

San Francisco, California 94103

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hereby notified that any use, dissemination or copying of this communication is strictly prohibited. If you have received this electronic message in error, please delete the original message from your e-mail system. Thank you.

---

**Leger, Cheryl (BOS)**

---

**From:** McCaffrey, Edward (DAT)  
**Sent:** Monday, October 24, 2022 2:43 PM  
**To:** SOTF, (BOS)  
**Cc:** Anonymous; Leger, Cheryl (BOS); myankee.sotf@gmail.com; Calvillo, Angela (BOS)  
**Subject:** Re: Request for continuance RE: 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Victor,

Thank you for the information.

To clarify and correct your assertion in your Friday email ( dated 4:59pm on 10/21/22), I did not formally request a continuance. I simply asked for additional information and next steps. Please respond and confirm that this is your understanding of my original communication.

Thank you.  
Eddie

---

Edward McCaffrey  
San Francisco District Attorney's Office  
350 Rhode Island Street  
North Building, Suite 400  
San Francisco, California 94103

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**Sent:** Friday, October 21, 2022 4:59 PM  
**To:** McCaffrey, Edward (DAT) <edward.mccaffrey@sfgov.org>  
**Cc:** Anonymous <arecordsrequestor@protonmail.com>; Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; myankee.sotf@gmail.com <myankee.sotf@gmail.com>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>  
**Subject:** Request for continuance RE: 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

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Continuances:

(a) A complainant may waive the 45-day rule and request a continuance. If the request is received five business days in advance of the scheduled hearing it shall be granted. For requests submitted less than five business days in advance or

for requests for subsequent continuances, the request may be granted by a simple majority vote of the members present.

(b) If a respondent submits a request for continuance at least five business days in advance, upon agreement of the complainant the continuance shall be granted. If the complainant does not agree to the continuance, the request for continuance is not made within five business days, or the respondent is requesting a subsequent continuance, such continuance shall be granted by a simple majority vote of the members present.

(c) In order to provide determinations in a timely manner the SOTF will schedule complaints for hearing as soon as possible at the discretion of the Chair. If the Complainant is unable or refuses to attend a scheduled hearing on a specific date within 120 days, the SOTF may schedule a hearing to consider taking no further action and to close the file due to inactivity.

(d) It shall be the policy to grant continuances if requested by the Complainant for the first time. The SOTF Chair and their designee is authorized to grant a first-time continuance request at their discretion. Further continuances are at the discretion of the Chair.

**Victor Young**

Assistant Clerk

Board of Supervisors

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**From:** McCaffrey, Edward (DAT) <edward.mccaffrey@sfgov.org>

**Sent:** Friday, October 21, 2022 3:40 PM

**To:** SOTF, (BOS) <sotf@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>

**Cc:** Moore, Nicole (DAT) <Nikki.Moore@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>

**Subject:** Re: 21086 RE: SOTF - Notice of Hearing- November 2, 2022 at 4:00 PM - Sunshine Ordinance Task Force

Victor,

As always, thank you so much for the detailed information and additional documents. Considering the volume of documents associated with this agenda item, we would like to explore the possibility of having this item continued to a future meeting. Might you be able to share what steps need to be taken in order to make this request?

Best,  
Eddie

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Edward McCaffrey  
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