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Attorney for Defendant Nida Khalil

SUPERIOR COURT OF THE STATE OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO

PEOPLE OF THE STATE OF CALIFORNIA.

CASE NO.: CRI-24014810

Plaintiff,

**NOTICE OF MOTION AND MOTION TO
DISQUALIFY THE SAN FRANCISCO
DISTRICT ATTORNEY'S OFFICE**

vs.

(PEN. CODE, § 1424)

NIDA KHALIL,

Defendants.

**DATE: OCT. 24, 2024
TIME: 9AM
DEPT: 17**

TO: BROOKE JENKINS, SAN FRANCISCO DISTRICT ATTORNEY, AND THE
ABOVE-ENTITLED COURT:

Please take notice, that on the date and time noted above, or as soon thereafter as the
matter may be heard, the above-named defendant will move to disqualify the San Francisco
District Attorney's Office. This request is made pursuant to Penal Code section 1424 on the
grounds that District Attorney Brooke Jenkins' bias against the Palestine movement has
undermined her office's ability to prosecute this matter fairly.

/S/ Rachel Lederman
Attorney for Defendant Nida Khalil

I. Introduction

II. Statement of Facts

The following day, according to a calendar produced in response to a Public Records Act request, DA Jenkins held a meeting with San Francisco DA staff to specifically discuss the topic of “GGB protestors.” Staff meetings regarding a particular prosecution are relatively rare on the DA’s calendar. (Lederman Declaration.)

1 On April 17, 2024, DA Jenkins took the unprecedented step of putting out a call on social
2 media for individuals who experienced traffic delays on the bridge during the protest to come
3 forward to be named as victims and seek monetary restitution for their delay.¹

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5 On August 13, 2024, the DA -- also unprecedentedly -- filed 44 charges against each of
6 the 26 defendants. She charged eight of the protestors with felony conspiracy and eighteen with
7 misdemeanor conspiracy, and all of them with 38 counts, each, of false imprisonment, plus five
8 other misdemeanor charges.

9 Typically, under these circumstances, the DA would issue warrants and the defendants
10 would appear in court without first returning to jail. But here, the California Highway Patrol
11 issued the warrants, causing the defendants, including the misdemeanor defendants who are
12 required to be released with citations, to spend another day in jail, four months after the original
13 arrests.
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15 **B. The History of Protest on U.S. Bridges**

16 Roads and bridges are traditional protest sites: from the famous 1965 Bloody Sunday
17 march for voting rights on the Edmond Pettus Bridge in Selma, Alabama;² to the Stop AIDS
18 demonstration that stopped traffic on the Golden Gate Bridge in 1989;³ to a 1996 protest in
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25 ¹ Brooke Jenkins, X, 4/17/24, <https://x.com/BrookeJenkinsSF/status/1780616603954204930>, and see Lederman
26 Dec.

27 ² National Museum of African American History and Culture, *#OnThisDay: Bloody Sunday*,
28 <https://nmaahc.si.edu/explore/stories/onthisday-bloody-sunday>

³ LA Times, *State: AIDS Protest Closes Golden Gate*, 1/31/89, <<https://www.latimes.com/archives/la-xpm-1989-01-31-mn-1493-story.html>>

1 which actor Woody Harrelson and others scaled the bridge causing an all-day traffic snarl to save
2 a redwood grove⁴; to a 2016 protest that shut down the Bay Bridge for Black Lives.⁵

3 Over at least the last 35 years, every Bay Area bridge protest has been handled as
4 infractions and/or ultimately dismissed, until the instant case. In fact no nonviolent protestors
5 have been charged with felony conspiracy in San Francisco in the last 35 years. Moreover,
6 Brooke Jenkins is the only local DA to charge bridge protestors with false imprisonment, and
7 both times she has done this, it has involved Palestine protests – the Bay Bridge 78 who were
8 arrested on November 16, 2023, and the 26 Golden Gate Bridge protestors in this case.
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11 (Lederman Dec.)

12 **C. DA Jenkins’s Disparaging Statement About Palestine Protestors**

13 On October 14, 2023, thousands of people attended a rally calling for a ceasefire, in
14 solidarity with Palestinians in Gaza.⁶ Protestors held placards that read “No more human
15 suffering” and “This is not war. This is genocide.”⁷ At that point, Israeli forces had killed over
16 2,300 Gazans.⁸ Organizers described the rally as an “Emergency Protest for Gaza” and called for
17 “No US Aid for Genocide.”⁹
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23 ⁴ Craig Marine, SF Gate, *Lofty protest on GG Bridge*, 11/24/96 <<https://www.sfgate.com/bayarea/article/Lofty-protest-on-GG-Bridge-3113295.php>>

24 ⁵ Julia Carrie Wong, Guardian, *Black Lives Matter protestors block San Francisco’s Bay Bridge*, 1/18/16
25 <<https://www.theguardian.com/us-news/2016/jan/19/black-lives-matter-protestors-block-san-franciscos-bay-bridge>>

26 ⁶ Jennifer Gollan and Warren Pederson, San Francisco Chronicle, *‘All Out for Gaza’: Thousands in S.F. rally for Palestinians*, 10/15/23, <<https://www.sfchronicle.com/bayarea/article/sf-palestinian-rally-18423188.php>>

27 ⁷ *Id.*

28 ⁸ *Id.*

⁹ Middle East Children’s Alliance, SF: Emergency Protest for Gaza, 10/14/23,
<<https://www.mecaforpeace.org/event/sf-emergency-protest-for-gaza/>>

1 The following day, DA Jenkins posted a statement on the social media site X (formerly
2 known as Twitter), falsely describing the demonstration as a “pro-Hamas rally.”¹⁰ She provided
3 no evidence that any of the organizers or protestors who were calling for a ceasefire were
4 affiliated with or supporters of Hamas. Jenkins also baselessly connected the rally to a graffiti
5 incident, stating that the suspects who wrote the graffiti are “assumed to have been associated
6 with the protest” - despite not knowing their identities.¹¹ DA Jenkins later deleted the social
7 media post, but she has never explained or retracted her accusations.¹²

9 **D. ADA Menesini’s Racist Anti-Arab and Anti-Palestinian Emails**

10 On February 8, 2024, the San Francisco Standard revealed that San Francisco Assistant
11 District Attorney Michael Menesini sent emails containing virulent anti-Arab and anti-
12 Palestinian rhetoric from his San Francisco government email address.¹³ The emails were
13 addressed to a news website that had published articles critical of Israel and in support of
14 Palestinian liberation.¹⁴ In his emails, ADA Menesini described Palestinians as “brutal Arab
15 invaders,” “hate mongers,” and “Nazis” who need to be “sent back to their native homelands.”¹⁵

23 ¹⁰ Michael Barba, San Francisco Standard, *DA Brooke Jenkins deletes social media post calling Palestinian rally*
24 *‘pro-Hamas,’* 10/16/23, <<https://sfstandard.com/2023/10/16/da-brooke-jenkins-israel-palestine-hamas-rally-san-francisco>>

25 ¹¹ *Id.*

26 ¹² *Id.*

27 ¹³ Jonah Owen Lamb, San Francisco Standard, *San Francisco prosecutor calls Arabs ‘hate mongers,’ compares them to Nazis in email*, 2/8/24, <<https://sfstandard.com/2024/02/08/san-francisco-district-attorney-anti-arab-emails/>>

28 ¹⁴ *Id.*

¹⁵ *Id.*

1 **E. SFDA’s Association with the Israeli Consulate and the JCRC**

2 On multiple occasions, DA Jenkins has met with and received gifts from the Israeli
3 Consulate. Her calendar indicates that she met with Marco Sermoneta of the Israeli Consulate on
4 February 1, 2023.¹⁶ She also received a gift from the Israeli Consulate on that date.¹⁷

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6 Marco Sermoneta has repeatedly expressed vehement hostility towards Palestine
7 protestors and indicated that he views such protests as attacks on Israeli interests. Following a
8 June 3, 2024, Palestine protest at the Israeli Consulate offices, he issued a statement calling the
9 peaceful protestors “pro-Hamas rioters” and falsely accusing them of acting “violently.”¹⁸ He
10 further claimed, baselessly, that the protestors “have celebrated the rape, maiming, burning alive,
11 and murder of hundreds of Israelis[.]” He has repeatedly posted anti-Palestinian content on X/
12 Twitter, including content expressing animosity towards American activists who support
13 Palestine.¹⁹ For example, he recently shared a post describing persons protesting the sale of
14 Palestinian land in Gaza to Americans as “Hamasniks” and asking “How can this be permitted in
15 the United States of America?”²⁰ In an interview following the November 16, 2023, ceasefire
16 protest on the Bay Bridge, Sermoneta accused protestors of antisemitism and stated “Calling for
17 a ceasefire is basically telling Israel to stop fighting Hamas and the atrocities that it committed
18 on Oct. 7.”²¹ On August 3, 2023, Marco Sermoneta stated in an interview that it is “part of [the
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24 ¹⁶ Lederman Dec., Ex. A.

25 ¹⁷ Brooke Jenkins, Statement of Economic Interests (Form 700) at 3, 3/28/24 (Lederman Dec., Ex. B).

26 ¹⁸ Bay City News, *Protest at Israeli Consulate in SF underway Monday, 70 arrested*, 6/30/24,
27 <https://www.kron4.com/news/bay-area/protest-at-israeli-consulate-in-sf-underway-monday/>.

28 ¹⁹ See generally Marco Sermoneta, X, @MarcoCSermoneta, <<https://x.com/MarcoCSermoneta>>.

²⁰ Marco Sermoneta, X, @MarcoCSermoneta, 9/15/24
<<https://x.com/MarcoCSermoneta/status/1835396128130638054>>

²¹ Greg Grinsell et al, Fox KTVU, Pro-Palestine protestors shut down Bay Bridge, 11/16/23
<<https://www.ktvu.com/news/pro-palestine-protestors-shut-down-bay-bridge-during-apec-summit>>

consulate's] responsibility . . . to work with local governments" to ensure that perceived anti-Semitic incidents are "dealt with."²²

DA Jenkins received a second gift from the Israeli Consulate on December 12, 2023.²³ She has not provided the public with any information about the context of that gift.

DA Jenkins again met with the Israeli Consulate on January 23, 2024.²⁴ This time she met with Michal Cotler-Wunsh, Israeli Special Envoy for Combatting Antisemitism, and Aleks Mitreski, Director of Government Affairs of the Consulate General of Israel.

Over the past several months, Michal Cotler-Wunsh has been on a speaking tour across the United States, "urging her audiences to stand up for Israel in what she calls a battle for 'our shared civilization.'"²⁵ She has described the debate regarding Israel and Palestine in the United States, as a "war for public opinion,"²⁶ and clearly is invested in advancing the interests of the pro-Israel camp while denigrating the Palestine movement by referring to them as "pro-Hamas."²⁷

Lilly Rapson, Jenkins' Director of Public Affairs, also attended the January 23, 2024, meeting.²⁸ Rapson was formerly the political education director of AIPAC, a powerful pro-Israel lobbying group in the United States.²⁹

²² KTVH Helena, YouTube, *Consul General of Israel Marco Sermoneta visits Helena*, 8/3/23, <https://www.youtube.com/watch?v=_OHTnPClhl0>

²³ Lederman Dec., Ex. B at 3.

²⁴ Lederman Dec., Ex. A.

²⁵ Jacob Cornbluh, *Israel's antisemitism envoy urges American Jews to fight in the war for public opinion*, Forward, 10/27/23, <<https://forward.com/news/567185/cotler-wunsh-israel-antisemitism-envoy-american-jews-war/>>

²⁶ Michal Cotler-Wunsh, X, @cotlerwunsh, 9/16/24, <<https://x.com/CotlerWunsh/status/1835782025065673093>>

²⁷ See e.g., Michal Cotler-Wunsh, X, @cotlerwunsh, <<https://x.com/CotlerWunsh/status/1832794236162334989>>

²⁸ Lederman Dec., Ex. B.

²⁹ Lilly Rapson, LinkedIn, <https://www.linkedin.com/in/lillyrapson>; e.g. AIPAC, *Keeping Congress Pro Israel*, 8/15/24, <<https://aipacorg.app.box.com/s/mv2455ky8mkt39bgmuwtpiby0k8hfiib>>

1 While DA Jenkins has met with other consulates during her term, the Israeli Consulate is
2 the only consulate that she has met with twice.³⁰ She has never accepted gifts from any other
3 consulate.³¹

4
5 On May 21, 2024, DA Jenkins met with the Jewish Community Relations Council.³²
6 One of JCRC’s initiatives is “Bay Area United with Israel.”³³ JCRC provides many political
7 educational materials relating to Israel, including a document describing many common peaceful
8 slogans used by Palestine liberation protestors as “problematic,” “aggressive,” or “threatening.”³⁴
9 In a recent article in Jewish Insider, JCRC leadership criticized Alameda County District
10 Attorney Pamela Price’s handling of Palestine protests.³⁵ The article notes that Price, in contrast
11 to Jenkins, has never met with JCRC.³⁶

13 III. Argument

14 A. Introduction

15 “A district attorney may . . . prosecute vigorously, but both the accused and the public
16 have a legitimate expectation that his zeal . . . will be born of objective and impartial
17 consideration of each individual case.” *People v. Conner* (1983) 34 Cal.3d 141, 146 (“*Conner*”).
18 In service of this important principle, the California Legislature enacted § 1424, which provides
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23 ³⁰ See Lederman Dec. and Ex. A.

24 ³¹ See Ex. B.

25 ³² Lederman Dec., Ex. A.

26 ³³ Bay Area United with Israel, Bay Area JCRC, last visited 9/19/24, <<https://jcrc.org/blog/bay-area-united-with-israel-resources/>>

27 ³⁴ JCRC Bay Area, A JCRC Bay Area Guide to Recognizing Problematic Rhetoric,
28 https://drive.google.com/file/d/1fFVJv4_TaBo3rZORf01fMSPFTjUcbwLW/view

³⁵ Gaby Deutch, 9<https://jewishinsider.com/2024/09/progressive-prosecutors-anti-israel-demonstrations-jewish-constituents/>

³⁶ *Id.*

1 a mechanism for the courts to order recusal of a district attorney. Courts evaluating § 1424
2 motions determine first, whether a conflict of interests exists, and second, whether that conflict is
3 “so grave as to render it unlikely that defendant will receive fair treatment during all portions of
4 the criminal proceedings.” *People v. Eubanks* (1996) 14 Cal.4th 580, 594, *as modified on denial*
5 *of reh’g* (Feb. 26, 1997) (“*Eubanks*”) (quoting *Conner, supra*, 34 Cal.3d at 148).

7 A disabling conflict of interest exists where a DA is biased against a certain political
8 cause and decides to press excessive charges against a person who engaged in peaceful protest in
9 support of that cause. *Lastra, supra*, 83 Cal.App.5th at 821–22. When the conflict comes from
10 the DA herself, rather than solely arising from an ADA or other staff member, it is necessary to
11 recuse the entire DA’s office. *People v. Pomar* (2023) 95 Cal.App.5th 504, 517, *as modified*
12 (Sept. 29, 2023) (“*Pomar*”).

14 Here, DA Jenkins’s statements, actions, and associations demonstrate a conflict of
15 interest that is likely to undermine—and already has undermined—the fairness of these
16 proceedings.

18 **B. A conflict of interests exists because District Attorney Jenkins harbors animosity**
19 **against the Palestine movement.**

20 A conflict of interests exists when “the circumstances of a case evidence a reasonable
21 possibility that the DA’s office may not exercise its discretionary function in an even-handed
22 manner.” *Conner, supra*, 34 Cal.3d at 148. A DA’s “animosity toward the accused” can create
23 such a conflict. *People v. Hamilton* (1988) 46 Cal.3d 123, 140. Here, several factors demonstrate
24 that at minimum, there is a reasonable possibility that the SFDA will not conduct this case in an
25 even-handed manner. DA Jenkins harbors animosity against Palestine liberation protestors like
26 the defendant and is influenced by outside parties who harbor similar animosities.

1 First, DA Jenkins has publicly disparaged and discredited the Palestinian liberation
2 movement by describing a peaceful protest in solidarity with Palestinians against Israel's
3 genocide in Gaza as "pro-Hamas."³⁷ This revealed that DA Jenkins does not distinguish the
4 people of Palestine and their supporters from members of Hamas and that she believes that all
5 protestors who support a ceasefire and cessation of U.S. military aid to Israel support Hamas'
6 goals and tactics. She also rushed to accuse the protestors of a crime (graffiti) without any
7 evidence.³⁸ She apparently later realized that she should conceal her bias and deleted the post,
8 but she did not disavow its content, and it remains a revealing glimpse into her biased mindset.
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11 Second, anti-Palestinian rhetoric has also appeared elsewhere in the office. ADA
12 Menesini's heinous statements describing Palestinians as "brutal Arab invaders," "hate
13 mongers," and "Nazis" who need to be "sent back to their native homelands"³⁹ reflect poorly on
14 the culture of the office, particularly when considered in the context of DA Jenkins's own
15 comments. Like DA Jenkins's "pro-Hamas" comment, ADA Menesini's racist statements were
16 made in response to criticism of Israel and expression of solidarity with the Palestinian people.⁴⁰
17 These deeply troubling incidents reveal that it is the culture of the DA's office under Jenkins to
18 respond to criticism of Israel regarding the treatment of Palestinians with reflexive, racist
19 accusations.
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25 ³⁷ Michael Barba, San Francisco Standard, *DA Brooke Jenkins deletes social media post calling Palestinian rally*
26 *'pro-Hamas,'* 10/16/23, <<https://sfstandard.com/2023/10/16/da-brooke-jenkins-israel-palestine-hamas-rally-san-francisco>>

26 ³⁸ *Id.*

27 ³⁹ Jonah Owen Lamb, San Francisco Standard, *San Francisco prosecutor calls Arabs 'hate mongers,' compares*
28 *them to Nazis in email,* 2/8/24, <<https://sfstandard.com/2024/02/08/san-francisco-district-attorney-anti-arab-emails/>>

⁴⁰ *Id.*

1 Third, DA Jenkins has met with and received gifts from the Israeli Consulate.⁴¹ The
2 Israeli Consulate is an entity obviously invested in preserving Israel’s reputation. The Consulate
3 views its role as “work[ing] with local governments” to ensure that anti-Semitism is “dealt
4 with.”⁴² Its personnel have repeatedly denigrated Palestine protestors, often falsely labeling them
5 “antisemitic” and using language similar to the phrases employed by DA Jenkins and ADA
6 Menesini.⁴³ One of the consulate staff Jenkins accepted a gift from recently suggested on social
7 media that peaceful protest against theft of Palestinian land should not be permitted in the United
8 States.⁴⁴

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10 The fact that DA Jenkins has also met with consulates of other nations does not erase the
11 impact of her meetings with and acceptance of gifts from the Israeli Consulate. The meetings
12 with the Israeli consulate, and especially the receipt of gifts, are critically relevant when
13 evaluating her impartiality regarding a politically-charged prosecution that closely relates to
14 Israeli interests. DA Jenkins has adopted disparaging language about Palestine protestors—“pro-
15 Hamas”—identical to talking points of the Israeli Consulate. Furthermore, she has never
16 accepted gifts from any other consulate, nor has she met with any other consulate more than
17 once.⁴⁵

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25 ⁴¹ See Lederman Dec., Ex. A; Ex. B.

26 ⁴² KTVH Helena, YouTube, *Consul General of Israel Marco Sermoneta visits Helena*, 8/3/23,
<https://www.youtube.com/watch?v=_0HTnPClhl0>

27 ⁴³ See *supra* n.23 –n.27 and accompanying text.

28 ⁴⁴ Marco Sermoneta, X, @MarcoCSermoneta, 9/15/24
<<https://x.com/MarcoCSermoneta/status/1835396128130638054>>

⁴⁵ See Ex. A; Ex. B.

1 Fourth, one of DA Jenkins’s senior staff members, who attended at least one meeting
2 with DA Jenkins and the Israeli Consulate, worked for a pro-Israel, anti-Palestine lobbyist
3 organization for several years.⁴⁶

4 Fifth, DA Jenkins has met with JCRC, a group that describes pro-Palestine sloganeering
5 as “threatening” and “aggressive.”⁴⁷

6 The Court should not consider each of these facts in isolation, but instead, evaluate the
7 cumulative impact of “the entire complex of facts surrounding the conflict.” *Eubanks, supra*, 14
8 Cal.4th 580 at 599. Taken together, these facts are sufficient to demonstrate a reasonable
9 possibility that the SFDA will not prosecute this case in an evenhanded manner.

10 DA Jenkins’s ties to the Israeli Consulate, AIPAC, and JCRC are important here because
11 “a prosecutor may have a conflict if institutional arrangements link the prosecutor too closely to
12 a private party who in turn has a personal interest in the defendant’s prosecution and conviction.”
13 *Id.* at 596. A prosecutor “is not disinterested if he has, or is *under the influence of others* who
14 have, an axe to grind against the defendant.” *Id.* (quoting *Wright v. United States*, 732 F.2d 1048,
15 1056 (2d Cir. 1984)).

16 This case closely resembles *Lastra, supra*, 83 Cal.App.5th at 816. There, the Court of
17 Appeal affirmed the trial court’s recusal of the San Luis Obispo County District Attorney’s
18 office from prosecuting false imprisonment and other charges arising from a nonviolent Black
19 Lives Matter protest march that blocked traffic. *Id.* at 819–20. The trial court relied on evidence

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27 ⁴⁶ Lilly Rapson, LinkedIn, last visited 9/19/24, <<https://www.linkedin.com/in/lillyrapson>>

28 ⁴⁷ See Lederman Dec., Ex. A; JCRC Bay Area, A JCRC Bay Area Guide to Recognizing Problematic Rhetoric, https://drive.google.com/file/d/1fFVJv4_TaBo3rZORf01fMSPFTjUcbwLW/view

1 that the DA had associated with and attended events with vocal critics of Black Lives Matter and
2 participated in an online forum where members described the Black Lives Matter movement as
3 “domestic terrorism.” *Id.* at 821. The appellate court determined that evidence was sufficient to
4 conclude that the DA’s conflict of interest would prevent the defendants from receiving a fair
5 trial. *Id.* at 822.

7 The reasoning of *Lastra* is persuasive here. Like the San Luis Obispo DA, DA Jenkins
8 has associated closely with vehement critics of a protest movement. She even took things one
9 step further than the San Luis Obispo DA by stating that she views peaceful protestors who are
10 part of the movement she disfavors as “pro-Hamas”. The entire complex of facts described
11 herein demonstrate a bias against the Palestine liberation protestors that is likely to prevent the
12 SFDA from prosecuting this case in an even-handed manner.

14 **A. The defendant will not receive fair treatment because of the DA’s bias.**

15 The San Francisco DA’s bias against the Palestinian liberation movement is a conflict of
16 interest that is “so grave as to render it unlikely that defendant will receive fair treatment during
17 all portions of the criminal proceedings.” *Eubanks, supra*, 14 Cal.4th at 594. Indeed, the
18 defendants have *already* been denied fair treatment by Jenkins. Deviation from prosecutorial
19 norms to treat a defendant more harshly “evidences a reasonable possibility the prosecutor [i]s
20 treating [the defendant] less favorably.” *Fregoso v. Kramer*, No. CV 08-01115-GW CT (C.D.
21 Cal. Apr. 10, 2009) 2009 WL 1025569, at *16 (applying California law).

24 The unprecedented, trumped-up charges brought against these 26 protestors are
25 fundamentally unfair and stem from DA Jenkins’s bias. This is the only case in which San
26 Francisco protestors have been charged with conspiracy in the last 35 years, and one of only two
27 cases in which Bay Area protestors accused of blocking traffic have ever been charged with false
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1 imprisonment -- and both were brought by DA Jenkins against Palestine protestors. *See also*
2 *Lastra*, 83 Cal. App. 5th at 822. (recusing prosecutor who filed unusual false imprisonment
3 charges against a peaceful protestor). Historically, many others have participated in similar
4 protests without facing such extreme charges. This is no coincidence—this is unfair treatment.
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6 In this case, DA Jenkins has taken things even further than she did in the Bay Bridge
7 prosecution. She sought out victims on social media to claim restitution in an apparent attempt to
8 create harsher financial penalties for the defendants. She also filed unprecedented felony
9 conspiracy and misdemeanor conspiracy charges. Her bias is leading to increasingly punitive
10 prosecutions of Palestine protestors in violation of their right to due process and a fair trial.
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12 DA Jenkins has an “axe to grind” against pro-Palestine activists and that personal bias
13 has already interfered with her impartiality. Indeed, these excessive charges appear to be a
14 brazen effort to intimidate or shut down the Palestine movement in San Francisco. Defendants
15 cannot receive a fair trial with a DA who believes protestors are supporters of terrorism because
16 they criticize the government of Israel and its genocidal war in Gaza.
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18 **B. Jenkins’s bias against the Palestine movement has permeated her office, requiring**
19 **that the entire office be recused.**

20 Recusal of the entire San Francisco DA’s office is warranted because “the conduct of any
21 deputy district attorney assigned to the case, or of the office as a whole, would likely be
22 influenced by the personal interest of the district attorney.” *People v. Vasquez* (2006) 39 Cal.4th
23 47, 57.
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25 In a recent case, the Court of Appeal affirmed the superior court’s recusal of the entire
26 San Francisco DA’s office where DA Jenkins had “a deep, personal interest” in this case and
27 “harbored animosity” towards the defendants. *Pomar, supra*, 95 Cal.App.5th at 517. As the
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1 Court explained, the DA’s views are likely to affect every ADA in the office because she has
2 broad discretion to hire, fire, promote, and demote each of them. *Id.* at 516; *see also People v.*
3 *Choi* (2000) 80 Cal.App.4th 476, 483; *People v. Lepe* (1985) 164 Cal.App.3d 685, 689. “Indeed,
4 attorneys serving under the district attorney cannot ‘be freed from real or perceived concerns as
5 to what their boss wants. The power to review, hire, and fire is a potent one.’” *Pomar, supra*, 95
6 Cal.App.5th at 517 (quoting *City and County of San Francisco v. Cobra Solutions, Inc.* (2006)
7 38 Cal.4th 839, 853–54).

9 The reasoning of *Pomar* is directly applicable here and likewise requires recusal of the
10 entire SFDA office. As the *Pomar* court noted, DA Jenkins exercises control over the entire
11 DA’s office and has authority to hire, fire, promote, and demote employees. *Id.* at 516.
12 Additionally, DA Jenkins has been at the helm of this prosecution and has given it special
13 attention from the start. She held a staff meeting to discuss the case the next day after the
14 underlying protest, and then used her X/ Twitter account to solicit “victims”. Her bias
15 undoubtedly influenced the course of the investigation, which needlessly expended the time and
16 resources of many staff members. It is likely that any ADA assigned to the case would be
17 influenced by her bias. Furthermore, certain members of her staff have conflicts of their own, as
18 discussed above, which likely also influenced their colleagues. Thus, the San Francisco DA’s
19 office will be unable to prosecute this case fairly and disqualification of the entire office is
20 required.
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1 **IV. Conclusion**

2 For these reasons, Defendant’s motion to disqualify the District Attorney should be
3 granted.

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5 Dated: SEPT. 24, 2024 Respectfully submitted,

6 */S/ Rachel Lederman*
7 Attorney for Defendant Nida Khalil
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DECLARATION OF COUNSEL

I, Rachel Lederman, declare:

1. I am an attorney licensed to practice in California. I represent Nida Khalil in the matter of *People v. Khalil*, San Francisco County Superior Court Case No. CRI-24014810, part of the 26-defendant Golden Gate Bridge protest case.
2. I have practiced law in the Bay Area since 1988. My career has focused on defending the right to protest. For many years, I served as chair of the National Lawyers Guild's Demonstrations Committee, coordinating legal support for Bay Area progressive protestors. This has included organizing legal support during protests, criminal defense after arrests, and litigating impact civil rights cases that have changed police practices toward protests. Since May, 2023, I have been Senior Counsel at the Center for Protest Law and Litigation, heading its West Coast office, and continuing to play a central role in coordinating legal support for Bay Area progressive protestors.
3. Throughout my over 35 years of practice, I have closely followed all major prosecutions of protestors in the Bay Area. Based on that experience, I have observed that this prosecution is highly unusual.
4. In the last 35 years, the San Francisco District Attorney has never before charged nonviolent protestors with felony conspiracy.
5. In the last 35 years, the San Francisco District Attorney has never before charged nonviolent protestors accused of blocking traffic with false imprisonment, with one exception—the November 16, 2023, Bay Bridge action, also a pro-Palestine protest.
6. Before this case, no San Francisco District Attorney has ever posted on social media asking "victims" of a nonviolent protest to come forward and claim restitution.

1 7. It was also unusual that the District Attorney, after filing charges, did not issue warrants
2 which would have allowed the defendants to simply appear in court. Instead, the DA had
3 the California Highway Patrol issue the warrants, which required all of the defendants in
4 this case, including misdemeanor defendants who were eligible for release with
5 citations, to spend an additional day in jail.

6
7 8. Exhibit A to this motion consists of a true and accurate copy of relevant excerpts from
8 District Attorney Brooke Jenkins's calendar, which the District Attorney's Office
9 produced to me in response to a California Public Records Act request.

10
11 9. My review of the DA's calendar shows that on April 16, 2024, the DA held a staff
12 meeting to discuss the topic of "GGB protestors." While the DA has had other staff
13 meetings regarding particular cases, this is relatively rare.

14 10. I have reviewed the entirety of the 341-page calendar, which covers Ms. Jenkins' entire
15 term, and attest that the statement of facts included in the memorandum above is true
16 and accurate, including that the calendar shows that the Israeli Consulate is the only
17 consulate DA Jenkins has met with more than once.

18
19 11. Exhibit B to this motion consists of true and accurate copies of District Attorney
20 Jenkins's Statements of Economic Interest (Form 700). These documents were
21 downloaded from the City & County of San Francisco Ethics Commission,
22 <<https://public.netfile.com/pub/?aid=SFO>> on September 19, 2024.

23
24 I declare under penalty of perjury that the foregoing is true and correct. Executed this
25 September 23, 2024, at Oakland, California.

26 */S/ Rachel Lederman*

EXHIBIT A

August 16, 2022 Continued

Tuesday

6:00 PM - 8:30 PM

AAPI Community Town Hall w/ Chief Scott. -- 827 Stockton Street

August 17, 2022

Wednesday

11:00 AM - 12:00 PM

In Person meeting w/ Chris Larsen. Location: The Battery - 717 Battery St, SF 94111 -- 717 Battery St, SF 94111

1:00 PM - 1:30 PM

Copy: Daily Comms briefing -- DA's Office Room 423

Attendees: SFDA Staff

2:00 PM - 3:00 PM

Copy: Monthly Chief/DA Staff Meeting RE: Collaboration -- TEAMS

Chief – William Scott
Asst. Chief - Lazar, David
Vaswani, Raj - SFPD
Eric Vintero – SFPD
Oliva-Aroche, Diana - SFPD
Chief Ana Gonzalez
Chief Julius DeGuia
Chief David Merin

3:30 PM - 4:30 PM

Copy: Executive Staff mtg -- DA's Office Ginsburg Conf room

Attendees: SFDA Staff

5:00 PM - 5:30 PM

Copy: Interview w/ Univision -- Virtual via ZOOM

6:00 PM - 7:00 PM

Copy: Meeting with Jewish Community Relations Council Leadership. Location: 934 Church Street, SF, 94114 (Staffer - Lilly) -- 934 Church Street, SF, 94114

August 18, 2022

Thursday

9:00 AM - 9:30 AM

In Person meeting w/ CHP Captain Garside RE: her plans for her coverage area -- DA's Office Ginsburg Conference room

Attendees: CHP Captain Sunshine Garside

9:30 AM - 10:00 AM

Copy: Daily Comms briefing -- DA's Office Room 423

Attendees: SFDA Staff

Tuesday

Copy: DA Investigators Quarterly Mtg -- MLK/ Motley Conf room
Attendees: SFDA Staff

Copy: Meeting w/ Central City SRO Collaborative/ Tenderloin Housing Clinic Resident Leaders RE: Public Safety/ Open Air Drug Markets -- 470 Ellis Street, SF 94103

Wednesday

Copy: Executive Staff mtg -- DA's office Ginsburg conf room

Copy: Discussion on Street Conditions -- Microsoft Teams Meeting
Participants:
 District Attorney Brooks Jenkins
 SFPD Chief William Scott
 DEM Executive Director Mary Ellen Carroll

Meeting re: Case status w/ Victim -- DA's office Ginsburg conf room
Attendees: G [REDACTED] C [REDACTED]
Nancy Tung, Chief – Venerable Victims Unit

Copy: Daily Comms briefing -- Virtual via TEAMS

Copy: Meeting with Federation Security (Staffer: Lilly) Re: Public Safety/ Partnership -- 121 Steuart Street, SF 94105
Attendees:

Tyler Gregory, CEO of JCRC
Rafi Brinner, Director of Security
Beth Cousins, Chief Impact Officer
Lilly Rapson - Director of Public Affairs, SFDA

Copy: Call with Chronicle Re: Motions to Detain

Copy: SFPD Station roll call -- Southern Station -- 1251 3rd St, 1st Fl

Call w/ SF Examiner Re: Motions to Detain

January 31, 2023 Continued

Tuesday

6:50 PM - 7:45 PM

SHARP (Sunset Heights Association of Responsible People) RE: Public Safety -- Virtua via Zoom

February 1, 2023

Wednesday

9:30 AM - 10:00 AM

Copy: Check-in w/ Policy & Comms Manager -- DA's office Ginsburg conf room

Attendees: SFDA Staff

10:00 AM - 10:30 AM

Copy: Daily Comms mtg -- DA's office Ginsburg conf room; Teams when necessary

Attendees: SFDA Staff

11:00 AM - 11:30 AM

Copy: Executive Staff mtg -- DA's office Ginsburg conf room

Attendees: SFDA Staff

12:00 PM - 12:30 PM

Copy: Consulate General of Israel Ambassador Marco Sermoneta RE: Public Safety -- DA's Office Ginsburg conf room

Attendees: Consulate General of Israel Ambassador Marco Sermoneta

3:00 PM - 3:30 PM

Meeting with Mayor London Breed RE: Public Safety -- Mayor's Office Room 200

3:30 PM - 4:00 PM

In person Meeting RE: Public Safety (Location: City Hall, Mayor's Office Room 200) -- Mayor's Office Room 200

Attendees: Chief William Scott

Sheriff Miyamoto

Mayor London Breed

February 2, 2023

Thursday

10:00 AM - 10:30 AM

Copy: Daily Comms mtg -- SFDA-O'Connor Conference Room 432

Attendees: SFDA Staff

10:30 AM - 11:30 AM

Copy: RE: Offer Standards -- DA's office Ginsburg cnf room

11:30 AM - 12:00 PM

Copy: RE: case update -- DA's office Ginsburg conf room

Attendees: SFDA Staff

January 17, 2024 Continued

Wednesday

5:00 PM - 6:00 PM

SFDA Community Advisory Board Meeting -- DA's office - Library

January 22, 2024

Monday

9:30 AM - 9:45 AM

Daily Comms Meeting -- DA's office - Ginsburg conf room

Attendees: SFDA staff

10:00 AM - 10:30 AM

Exec Staff Meeting -- Microsoft Teams meeting

Attendees: SFDA staff

January 23, 2024

Tuesday

11:15 AM - 11:26 AM

RE: Grants -- DA's office - Ginsburg conf room

Attendees: SFDA Staff

11:27 AM - 12:00 PM

Israeli Consul and Special Envoy re: Antisemitism -- DA's office - Ginsburg conf room

Attendees:

ADA Jamal Anderson, Hate Crimes – SFDA

Dir. Lilly Rapson, Public Affairs - SFDA

Ms. Michal Cotler-Wunsh, Special Envoy for Combatting Antisemitism of the Government of Israel

Aleks Mitreski, Director of Government Affairs - Consulate General of Israel

1:20 PM - 1:36 PM

Case briefings -- DA's office - Ginsburg conf room

Attendees: SFDA staff

2:00 PM - 3:30 PM

San Francisco Chamber of Commerce re: Organized Retail Theft -- Gap (2 Folsom St, San Francisco, CA 94105)

4:00 PM - 5:16 PM

Family of deceased victim -- DA's office - Ginsburg conf room

Attendees:

Chief Gonzalez, SFDA

Chief du Bain, SFDA

MA Julia Cervantes – Juvenile, SFDA

MA Heather Trevisan - Major Crimes, SFDA

Samantha Greenhalgh – Victim Advocate, SFDA

Ruben Marquez - Victim Advocate, SFDA

M. T. [REDACTED], Mother of deceased

R. O. M. [REDACTED], Father of deceased

[REDACTED] M. [REDACTED], Sister of deceased

April 10, 2024 Continued

Wednesday

4:20 PM - 5:20 PM

1:1 Chief Gonzalez re: Dept. updates -- DA's office - Ginsburg conf room

April 16, 2024

Tuesday

10:00 AM - 10:30 AM

Daily Comms mtg -- DA's office - Ginsburg conf room

Attendees: SFDA staff

10:30 AM - 11:30 AM

1:1 Chief Gonzalez re: Dept updates -- DA's office - Ginsburg conf room

11:30 AM - 12:00 PM

Executive Staff Mtg -- Microsoft Teams Meeting

12:00 PM - 12:15 PM

Events Check-in -- Ginsburg conf room

12:15 PM - 12:45 PM

re: Legislation Updates -- DA's office - Ginsburg conf room ; / TEAMs - Hybrid

Attendees: SFDA staff

1:00 PM - 2:00 PM

Latino Task Force re: Public Safety/ Community Initiatives -- Mission Rock Resort (817 Terry A Francois Blvd, San Francisco, CA 94158)

Attendees:

Joanna Hernandez – Latino Task Force

Dir. Ranon Ross - SFDA

2:15 PM - 2:45 PM

RE: GGB protestors -- DA's office - Ginsburg conf room

Attendees: SFDA staff

2:45 PM - 3:45 PM

Press Gaggle re: protestors

6:50 PM - 7:15 PM

Raj Matthai re: public safety -- virtual

April 17, 2024

Wednesday

9:30 AM - 9:55 AM

Daily Comms Meeting -- Microsoft Teams meeting

Attendees: SFDA staff

10:00 AM - 10:30 AM

Nor Cal Carpenters Union - Tax Fraud Days of Action Rally -- 333 90th St, Daly City, CA 94015

11:00 AM - 11:30 AM

DMACC Department Head Weekly Check in -- DMACC HQ 1155 Market Street, SF

May 21, 2024

Tuesday

9:30 AM - 9:50 AM

Daily Comms Meeting -- Microsoft Teams meeting
Attendees: SFDA staff

10:00 AM - 11:00 AM

USAO x SFDA's Office [re: Tenderloin] -- U.S. Attorney's Office - 450 Golden Gate Ave., 11th Floor, San Francisco, CA 94102

12:45 PM - 1:45 PM

James Logan HS - New Haven Schools Foundation "Pathway to Success" Scholarship Awards Ceremony -- James Logan High School (1800 H St, Union City, CA 94587); -Theater
Keynote remarks

3:15 PM - 4:15 PM

Case discussion -- DA's office - Ginsburg conf room
Attendees: SFDA staff

4:30 PM - 5:30 PM

Jewish Community Relations Council re: Public Safety -- virtual via Zoom

May 22, 2024

Wednesday

10:00 AM - 10:20 AM

Daily Comms Meeting -- Microsoft Teams meeting
Attendees: SFDA staff

10:30 AM - 11:30 AM

DMACC Department Head Weekly Check in -- 1145 Market - 8th Floor

3:00 PM - 4:00 PM

1:1 Chief Willis re: Dept. updates -- Microsoft Teams

4:00 PM - 4:30 PM

Copy: re: Juvenile Division -- DA's office - Ginsburg conf room

5:00 PM - 5:40 PM

Asian CAB (2nd Meeting) -- DA's office - Ginsburg conf room
Attendees:

Fanny Lam – APA Family Support Services

George Chan – Chinese Newcomers

Lilly Ho – Delta Chinatown

Marlene Tran – Visitation Valley

Cally Wong – API Counsel

*Greg Palomares – API Legal Outreach

EXHIBIT B**STATEMENT OF ECONOMIC INTERESTS****COVER PAGE***A Public Document*Date Initial Filing Received
Filing Official Use Only**CALIFORNIA FORM 700**
FAIR POLITICAL PRACTICES COMMISSIONE-Filed
08/08/2022
15:19:29Filing ID:
204388978

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)

Jenkins, Brooke

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

City and County of San Francisco

Division, Board, Department, District, if applicable

Your Position

District Attorney Office of the

District Attorney

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: _____

Position: _____

2. Jurisdiction of Office (Check at least one box)☐ State☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner
(Statewide Jurisdiction)☐ Multi-County _____☒ County of San Francisco☐ City of _____☐ Other _____**3. Type of Statement (Check at least one box)**☐ **Annual:** The period covered is January 1, 2021 through
December 31, 2021.

-or-

The period covered is ____/____/____, through
December 31, 2021.☒ **Assuming Office:** Date assumed 07 / 08 / 2022☐ **Leaving Office:** Date Left ____/____/____
(Check one circle)☐ The period covered is January 1, 2021 through the date of
leaving office.☐ The period covered is ____/____/____, through the date
of leaving office.☐ **Candidate:** Date of Election _____ and office sought, if different than Part 1: _____**4. Schedule Summary (must complete)**

► Total number of pages including this cover page: 3

Schedules attached☐ **Schedule A-1 - Investments** – schedule attached☒ **Schedule C - Income, Loans, & Business Positions** – schedule attached☐ **Schedule A-2 - Investments** – schedule attached☐ **Schedule D - Income – Gifts** – schedule attached☐ **Schedule B - Real Property** – schedule attached☐ **Schedule E - Income – Gifts – Travel Payments** – schedule attached

-or-

☐ **None - No reportable interests on any schedule****5. Verification**MAILING ADDRESS STREET CITY STATE ZIP CODE
(Business or Agency Address Recommended - Public Document)

San Francisco

CA

94103

DAYTIME TELEPHONE NUMBER

E-MAIL ADDRESS

()

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 08/08/2022
(month, day, year)Signature Brooke Jenkins
(File the originally signed paper statement with your filing official.)

SCHEDULE C

Income, Loans, & Business Positions

(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
Name
Jenkins, Brooke
▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
GlobalSF
ADDRESS (Business Address Acceptable)
San Francisco, CA 94105
BUSINESS ACTIVITY, IF ANY, OF SOURCE
501c3 non-profit organization
YOUR BUSINESS POSITION
Consultant
GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☒ \$10,001 - \$100,000

☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☒ Salary ☐ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
Grocery Delivery E-Services USA Inc.
ADDRESS (Business Address Acceptable)
New York, NY 10005
BUSINESS ACTIVITY, IF ANY, OF SOURCE
YOUR BUSINESS POSITION
Warehouse Manager
GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☒ \$10,001 - \$100,000

☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☐ Salary ☒ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*
ADDRESS (Business Address Acceptable)
BUSINESS ACTIVITY, IF ANY, OF LENDER
HIGHEST BALANCE DURING REPORTING PERIOD
☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000

☐ OVER \$100,000

INTEREST RATE

 _____% ☐ None

TERM (Months/Years)
SECURITY FOR LOAN
☐ None

☐ Personal residence

☐ Real Property _____
Street address

City

☐ Guarantor _____

☐ Other _____
(Describe)

Comments: _____

SCHEDULE C

Income, Loans, & Business Positions

(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
Name
Jenkins, Brooke
▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
Neighbors for a Better San Francisco 501c3
ADDRESS (Business Address Acceptable)
San Rafael, CA 94901
BUSINESS ACTIVITY, IF ANY, OF SOURCE
501c3 non-profit organization
YOUR BUSINESS POSITION
Consultant
GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000

☒ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☒ Salary ☐ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
Sister's Circle Women Support Network
ADDRESS (Business Address Acceptable)
San Francisco, CA 94117
BUSINESS ACTIVITY, IF ANY, OF SOURCE
501c3 non-profit organization
YOUR BUSINESS POSITION
Consultant
GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☒ \$10,001 - \$100,000

☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☒ Salary ☐ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*
ADDRESS (Business Address Acceptable)
BUSINESS ACTIVITY, IF ANY, OF LENDER
HIGHEST BALANCE DURING REPORTING PERIOD
☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000

☐ OVER \$100,000

INTEREST RATE

 _____% ☐ None

TERM (Months/Years)
SECURITY FOR LOAN
☐ None

☐ Personal residence

☐ Real Property _____
Street address

City

☐ Guarantor _____

☐ Other _____
(Describe)

Comments: _____

STATEMENT OF ECONOMIC INTERESTS
COVER PAGE
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NAME OF FILER	(LAST)	(FIRST)	(MIDDLE)
Jenkins, Brooke			

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

City and County of San Francisco

Division, Board, Department, District, if applicable

Your Position

District Attorney Office of the

District Attorney

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: _____ Position: _____

2. Jurisdiction of Office (Check at least one box)☐ State☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner
(Statewide Jurisdiction)☐ Multi-County _____☒ County of San Francisco☐ City of _____☐ Other _____**3. Type of Statement (Check at least one box)**☒ **Annual:** The period covered is January 1, 2022 through
December 31, 2022.☐ **Leaving Office:** Date Left ____/____/____
(Check one circle)

-or-

The period covered is 07 / 09 / 2022, through
December 31, 2022.☐ The period covered is January 1, 2022 through the date
of leaving office.☐ **Assuming Office:** Date assumed ____/____/____☐ The period covered is ____/____/____, through the date
of leaving office.☐ **Candidate:** Date of Election _____ and office sought, if different than Part 1: _____**4. Schedule Summary (required)**► Total number of pages including this cover page: 3**Schedules attached**☐ **Schedule A-1 - Investments** – schedule attached☒ **Schedule C - Income, Loans, & Business Positions** – schedule attached☐ **Schedule A-2 - Investments** – schedule attached☒ **Schedule D - Income – Gifts** – schedule attached☐ **Schedule B - Real Property** – schedule attached☐ **Schedule E - Income – Gifts – Travel Payments** – schedule attached

-or-

☐ **None - No reportable interests on any schedule****5. Verification**

MAILING ADDRESS	STREET	CITY	STATE	ZIP CODE
(Business or Agency Address Recommended - Public Document)				

San Francisco

CA

94103

DAYTIME TELEPHONE NUMBER

E-MAIL ADDRESS

()

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 04/03/2023
(month, day, year)Signature Brooke Jenkins
(File the originally signed paper statement with your filing official.)

SCHEDULE C

Income, Loans, & Business Positions

(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
Name
Jenkins, Brooke
▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
Grocery Delivery E-Services USA Inc.
ADDRESS (Business Address Acceptable)
New York, NY 10005
BUSINESS ACTIVITY, IF ANY, OF SOURCE
YOUR BUSINESS POSITION
Warehouse Manager
GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☒ \$10,001 - \$100,000

☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☐ Salary ☒ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
The Rare Wine Company
ADDRESS (Business Address Acceptable)
Brisbane, CA 94005
BUSINESS ACTIVITY, IF ANY, OF SOURCE
YOUR BUSINESS POSITION
Operations Manager
GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☒ \$10,001 - \$100,000

☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☐ Salary ☒ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*
ADDRESS (Business Address Acceptable)
BUSINESS ACTIVITY, IF ANY, OF LENDER
HIGHEST BALANCE DURING REPORTING PERIOD
☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000

☐ OVER \$100,000

INTEREST RATE

_____% ☐ None

TERM (Months/Years)
SECURITY FOR LOAN
☐ None

☐ Personal residence

☐ Real Property _____
Street address

City

☐ Guarantor _____

☐ Other _____
(Describe)

Comments: _____

SCHEDULE D

Income – Gifts

Name

Jenkins, Brooke

▶ NAME OF SOURCE (Not an Acronym)

Brandon Shorenstein

ADDRESS (Business Address Acceptable)

San Francisco, CA 94104

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
12 / 05 / 22	\$ 500.00	Warriors ticket
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

Comments: _____

STATEMENT OF ECONOMIC INTERESTS
COVER PAGE
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NAME OF FILER	(LAST)	(FIRST)	(MIDDLE)
Jenkins, Brooke			

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

City and County of San Francisco

Division, Board, Department, District, if applicable

Your Position

District Attorney Office of the

District Attorney

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: _____ Position: _____

2. Jurisdiction of Office (Check at least one box)☐ State☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner
(Statewide Jurisdiction)☐ Multi-County _____☒ County of San Francisco☐ City of _____☐ Other _____**3. Type of Statement (Check at least one box)**☒ **Annual:** The period covered is January 1, 2023 through
December 31, 2023.

-or-

The period covered is ____/____/____, through
December 31, 2023.☐ **Leaving Office:** Date Left ____/____/____
(Check one circle)☐ The period covered is January 1, 2023 through the date
of leaving office.☐ **Assuming Office:** Date assumed ____/____/____☐ The period covered is ____/____/____, through the date
of leaving office.☐ **Candidate:** Date of Election _____ and office sought, if different than Part 1: _____**4. Schedule Summary (required)**► Total number of pages including this cover page: 3**Schedules attached**☐ **Schedule A-1 - Investments** – schedule attached☒ **Schedule C - Income, Loans, & Business Positions** – schedule attached☐ **Schedule A-2 - Investments** – schedule attached☒ **Schedule D - Income – Gifts** – schedule attached☐ **Schedule B - Real Property** – schedule attached☐ **Schedule E - Income – Gifts – Travel Payments** – schedule attached

-or-

☐ **None - No reportable interests on any schedule****5. Verification**

MAILING ADDRESS	STREET	CITY	STATE	ZIP CODE
(Business or Agency Address Recommended - Public Document)				
		San Francisco	CA	94103
DAYTIME TELEPHONE NUMBER		E-MAIL ADDRESS		
()				

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

 Date Signed 03/28/2024
 (month, day, year)

 Signature Brooke Jenkins
 (File the originally signed paper statement with your filing official.)

SCHEDULE C

Income, Loans, & Business Positions

(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
Name
Jenkins, Brooke
▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
Grocery Delivery E-Services USA Inc.
ADDRESS (Business Address Acceptable)
New York, NY 10005
BUSINESS ACTIVITY, IF ANY, OF SOURCE
YOUR BUSINESS POSITION
Warehouse Manager
GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000 ☒ \$1,001 - \$10,000

☐ \$10,001 - \$100,000 ☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☐ Salary ☒ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME
The Rare Wine Company
ADDRESS (Business Address Acceptable)
Brisbane, CA 94005
BUSINESS ACTIVITY, IF ANY, OF SOURCE
YOUR BUSINESS POSITION
Operations Manager
GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000

☒ \$10,001 - \$100,000 ☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☐ Salary ☒ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*
ADDRESS (Business Address Acceptable)
BUSINESS ACTIVITY, IF ANY, OF LENDER
HIGHEST BALANCE DURING REPORTING PERIOD
☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000

☐ OVER \$100,000

INTEREST RATE

_____% ☐ None

TERM (Months/Years)
SECURITY FOR LOAN
☐ None ☐ Personal residence

☐ Real Property _____
Street address

City

☐ Guarantor _____

☐ Other _____
(Describe)

Comments: _____

SCHEDULE D

Income – Gifts

Name

Jenkins, Brooke

► NAME OF SOURCE (Not an Acronym)

Consulate of Israel

ADDRESS (Business Address Acceptable)

San Francisco, CA 94014

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
12 / 12 / 23	\$ 17.49	Wine
02 / 01 / 23	\$ 60.00	Mid Bar Syrah Wine
____ / ____ / ____	\$ _____	_____

► NAME OF SOURCE (Not an Acronym)

Sherry Baltodano

ADDRESS (Business Address Acceptable)

N/A, CA N/A

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
05 / 11 / 23	\$ 6.00	Trader Joe's Candle
05 / 11 / 23	\$ 65.00	Ultimate Shoe Charm Bracelet
____ / ____ / ____	\$ _____	_____

► NAME OF SOURCE (Not an Acronym)

Sephora

ADDRESS (Business Address Acceptable)

San Francisco, CA 94105

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
11 / 09 / 23	\$ 146.00	Beauty and skincare items
____ / ____ / ____	\$ _____	_____
____ / ____ / ____	\$ _____	_____

► NAME OF SOURCE (Not an Acronym)

Jen Foxworth

ADDRESS (Business Address Acceptable)

N/A, CA N/A

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
04 / 07 / 23	\$ 21.95	Book - Trauma Stewardship
____ / ____ / ____	\$ _____	_____
____ / ____ / ____	\$ _____	_____

► NAME OF SOURCE (Not an Acronym)

Andrew Clark

ADDRESS (Business Address Acceptable)

N/A, CA N/A

BUSINESS ACTIVITY, IF ANY, OF SOURCE

SFDA Attorney (Retired 6/30/23)

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
06 / 29 / 23	\$ 176.00	Amulet Wine
____ / ____ / ____	\$ _____	_____
____ / ____ / ____	\$ _____	_____

► NAME OF SOURCE (Not an Acronym)

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____ / ____ / ____	\$ _____	_____
____ / ____ / ____	\$ _____	_____
____ / ____ / ____	\$ _____	_____

Comments: _____

- 1
- 2
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I am employed in the City and County of San Francisco, State of California. I am over the age of eighteen years and am not a party to the within-entitled action. My business address is 1720 Broadway, Suite 430, Oakland, CA 94612.

Assistant District Attorney Austin Weis, austin.weis@sfgov.org
District Attorney Brooke Jenkins, districtattorney@sfgov.org

Office of the Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004

/S/ Rachel Lederman