



Chesa Boudin
District Attorney

September 11, 2020

The Honorable London Breed
Mayor
City and County of San Francisco
1 Dr. Carlton B. Goodlett, Room 200
San Francisco, CA 94102

Honorable Norman Yee
Board President
San Francisco Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RE: Urgent Supplemental Budget Appropriation Request to Meet Constitutional Obligations

Dear Mayor Breed and President Norman Yee,

I write to alert you that San Francisco District Attorney's Office (SFDA) was recently notified that an Office of Chief Medical Examiner (OCME) Forensic Laboratory Analyst was arrested in the State of Utah with controlled substances in his car. In addition to the alleged controlled substances seized, we were informed that a search conducted at the time of arrest yielded chain of custody documentation that appears to be the property of OCME. We believe that the controlled substances in his car may have been taken from the custody of OCME.

OCME further informed us that that the OCME Analyst has been assigned to the forensic laboratory for almost thirteen (13) years and has played a role in the testing, collection, and preservation of evidence in more than 2500 law enforcement investigations including: 500 death investigations, 1,200 sexual-assault investigations, and 800 DUI investigations. In each of those investigations, the role of a laboratory analyst minimally involves receiving, logging, accessioning, storing, disposing, screening, and preparing biological and toxicological specimens for forensic purposes. In short, the alleged misconduct here may have far reaching implications that bear on important questions of guilt or innocence for the accused and for the victims of crime.

In order to discharge our Constitutional obligation to notify, identify, and investigate the impact of the potential mishandling and misappropriation of OCME property, SFDA additional resources. SFDA must immediately individually review every case that this analyst was involved in to ensure that no conviction or punishment has been improperly tainted. In addition, SFDA

expect a surge in appellate filings and requests for new trials that will have a significant workload impact on current resources. Given the volume of case review and SFDA's current staffing shortage, I estimate the projected costs associated with appropriately handling these new matters are approximately \$455,731. This estimate includes costs associated with additional staffing, digitizing files, ordering transcripts, expert fees and other relevant litigation expenses. I respectfully request your consideration for a supplemental budget appropriation totaling \$455,731 to meet the immediate staffing and administrative costs critical to ensuring equitable execution of our constitutional obligation brought about by the alleged criminal conduct of a longstanding staff member at the OCME.

Sincerely,

A handwritten signature in blue ink that reads "Chesa Boudin". The signature is fluid and cursive, with the first name "Chesa" and the last name "Boudin" clearly distinguishable.

Chesa Boudin
District Attorney