

Q1

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Q2

*What are your qualifications for District Attorney?*

When I was a baby, my parents were incarcerated for driving the getaway car in an armed robbery that tragically took three people's lives. My mother spent twenty-two years in prison. My father may never get out. Growing up, I had to go through metal detectors and steel gates just to give my parents a hug. Visiting prisons my whole life has given me perspective and experience on how badly our criminal justice system is failing. Professionally, I've spent most of my legal career in San Francisco's criminal courts as a public defender where I've tried more than two dozen cases to verdict and handled more than 300 felony cases. I was the founding chair of the board of Civil Rights Corps, a DC-based non-profit doing criminal justice reform policy and litigation work across the country. I coordinated a state-wide impact litigation campaign to end money bail in California. I envisioned the public defender's early representation unit and helped launch the immigration unit. Before becoming a public defender, I clerked for two federal judges. I attended Yale College, Yale Law School, and was a Rhodes Scholar at Oxford. I've published criminal justice research in the Journal of Criminal Law and Criminology and the Yale Law Policy Review, among others.

Q3

*Would you support creation of Environmental Justice Unit at the DA's Office to investigate and prosecute cases related to pollution or contamination? Please describe the reasons for your answer below.*

Yes. More than any other crime, crimes to the environment affect the entire community. They also disproportionately affect marginalized communities, communities of color, and immigrants. I promise to keep San Francisco safe for everyone, and to do that, we must start by proactively protecting the environment. For me, this issue is not just good policy, it's also personal. I live a block away from Ocean Beach and surf regularly. I'm also an avid hiker and outdoor adventurer (when I'm not on the campaign trail). I understand that what happens in San Francisco has a ripple effect, not only politically and culturally but also literally. Because of our unique geography, environmental crimes committed in San Francisco can have far reaching consequences in other locations. I will ensure that environmental crimes will be prosecuted if they occur in San Francisco, regardless of where their deepest impact is felt. For example, PG&E is responsible for massive amounts of damage to the environment and loss of life, in San Francisco and beyond. It's time to enforce criminal laws and hold PG&E accountable.

Q4

*What would your priorities for an Environmental Justice Unit at the DA's Office if one existed be? How would you identify cases?*

Today, there is virtually no criminal enforcement of environmental laws in San Francisco. That must change. As DA, I will prioritize investigating and prosecuting dumping and industrial emissions violations. To do so, I'll work in partnership with local environmental advocates, community groups, and the City Attorney. For example, in the United States, air quality is the biggest environmental risk factor resulting in about 100,000 deaths a year. In studying fine particulate matter (PM2.5, tiny particles easily inhaled and lodged deep in the lungs and cause or exacerbate myriad health problems), researchers looked at consumption patterns, adjusted for population size, and found that black and latinx people are exposed to far more pollutants than white

people; while white people are emitting a larger amount of air pollution than either other community. Thus prosecuting illegal emissions is both a racial justice issue and an environmental justice issue. Similarly, the crisis unfolding with the Hunter's Point Shipyard Cleanup is a perfect local example of how environmental crimes unfairly disproportionately impact black and brown communities and go unpunished. Dubbed San Francisco's "radioactive basement," it is a largely black community that suffers the consequences of the massive fraud in cleaning up what used to be the United States' largest nuclear lab. Crimes were committed and when I'm DA I'll prosecute them.

Q5

*What types of remedies would you seek if you were to create Environmental Justice Unit, e.g., probation, fines, jail time?*

The sentences available upon conviction of a crime are set in place by the legislature, and no district attorney may change that. In egregious cases of environmental crimes, lives are lost as a result and serious sanctions may be appropriate. However, I am committed to decreasing our reliance on mass incarceration and will seek restorative justice outcomes wherever possible. In the context of environmental crimes, that would mean requiring offenders to fix the damage they've done and help prevent it from occurring in the future. Too often wealthy corporations cut corners when it comes to abiding by environmental laws and regulations, knowing that if they get into trouble they can simply pay a fine which often times is less expensive than abiding by the laws in the first place. It is almost as though they know they can pay a "crime tax" but get their projects completed more quickly and on their terms. To change this corrupt culture, to meaningfully deter this behavior by sophisticated actors, it is essential that we pursue criminal, not just civil remedies to protect the environment and the community.

Q6

*Would you work with the City Attorney's Office to pursue cases through an Environmental Justice Unit from both a criminal and civil perspective? Please describe your reasons for your answer below.*

Yes. Like any other systemic problem, a change in the way we protect and care for our environment requires a multi-pronged approach. Not every case of environmental injustice can be charged as an environmental crime. This can be due to lack of legislation, or a lack of evidence to support a charge, or simply because while an injustice may have occurred it may not amount to a crime in the legal sense. Civil litigation is a useful tool in many of these situations. Where I cannot file a criminal charges, but where there is environmental injustice, I will not hesitate to collaborate with the City Attorney, who may be better positioned to address the situation. In cases where I can pursue criminal charges, involving the City Attorney in a parallel civil suit will be a critical part of collaboratively leveraging City resources to beat the often-deep pocketed defendants in environmental cases. Moreover, I will continue the San Francisco DA's participation in the Coordinated Environmental Enforcement Agency Task Force, a collaboration between the district attorney, Bay Area Air Quality Management District and Regional San Francisco Water Quality Control Board who meet quarterly in a combined effort to maintain and uphold the regulations of USEPA.

Q7

*Would you work with local environmental groups to coordinate on citizen enforcement actions and criminal prosecution through an Environmental Justice Unit from both a criminal and civil perspective?*

Yes. Several environmental statutes authorize citizens to file suits seeking compliance against companies allegedly in violation of a federal statute, regulation, or permit. It is the District Attorney's primary responsibility to investigate and prosecute crimes, however, as stated above, because the overall goal is to keep

communities safe for everyone a multi-pronged approach is necessary. I support and encourage residents to exercise their legal and constitutional rights in defending the environment. I want to work with and follow the lead of those most directly impacted by and working the longest on issues of environmental justice.

Q8

*Why should SFLCV endorse you?*

We share a belief in the power of a grassroots campaign and the need for environmental justice for all. Three of my core platform issues address environmental crimes. First, I have promised to focus resources on serious and violent felonies. Right now, two-thirds of cases that go to trial are misdemeanors, a tremendous waste of resources. Instead, I promise to prosecute serious crimes such as the environmental crimes and fraud that occurred in Hunters Point, and violent crimes. Second, I promise to enforce the law equally - specifically to include focus resources on prosecuting groups and actors who are traditionally above the law, such as corporate environmental criminals. I will divert resources away from victimless misdemeanors to focus on large scale pollution and contamination crimes committed by corporations. Third, I promise to end racist disparities. It can not be that crimes committed by one group, and that harm the environment and disproportionately affect certain groups, go unprosecuted - while those marginalized communities suffer heightened policing and prosecution. This racist disparity must end, and diverting resources from low level misdemeanors towards environmental crimes will start to correct this particular injustice. My goal in becoming SFDA is to keep communities safe for everyone. Environmental crimes hurt everyone, they are truly our one common enemy.