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REQUEST FOR PROTECTIVE ORDER

May 15, 2012

Chairperson Benedict Y. Hur
San Francisco Ethics Commission
25 Van Ness Avenue, Suite 220
San Francisco, CA 94102

Dear Chairperson Hur,

This afternoon, San Francisco Superior Court Judge Garrett Wong ruled that a video made by Ivory Madison of Eliana Lopez could be released to the San Francisco City Attorney's Office for use in its prosecution of Sheriff Mirkarimi before the Ethics Commission. We write to respectfully request that you issue a protective order as soon as possible to prevent the City Attorney from disclosing this video to anyone other than the members of the Ethics Commission in closed session.

Such an order is warranted because, should the video be released, Ms. Lopez and the son of Ms. Lopez will be irreparably harmed by public dissemination of the video. To the extent the video is relevant to the impending proceeding before the Ethics Commission, the video should be shown only in closed session. The public is not served by dissemination of a video that will have no value other than inflicting further embarrassment and recrimination upon Ms. Lopez and her son.

Deputy City Attorney Peter Keith informed counsel for Ms. Lopez, Paula Canny, that the City Attorney would release the video to any member of the public who asked for it. It is deeply troubling that the City Attorney would publicly release the video without informing or seeking approval from the Ethics Commission. Public dissemination of the video would further undermine the legitimacy of this process, as again, this case would be tried in the press.

Judge Wong ordered the release of the video to the City Attorney for the limited purpose of the Ethics Commission hearings. We respectfully request that you take action to protect the integrity of the Ethics Commission process by ordering that the video not be publicly released by the City Attorney, and that the video only be shown in closed session.

Thank you for your consideration of this extraordinary request.

Sincerely,

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