

**TENANT RIGHTS ASSOCIATION PAC** FPPC# 132440

2517 Mission Street, Suite 7

San Francisco, CA. 94110

<http://www.sftenantpac.com>

Email: [tenants@yahoo.com](mailto:tenants@yahoo.com)

October 17, 2022

To:

Mr. Christopher Wray, Director

FBI Headquarters

935 Pennsylvania. NW

Washington, DC. 20535-0001

**RE: STATEMENT OF PROBABLE CAUSE - SEARCH WARRANT**

On account of extreme urgency due to exigent circumstances and the public interest, the San Francisco Tenant Rights Association PAC is formally requesting the FBI to open an investigation into whether there is a reasonable basis to believe that a crime may have been committed and to seek authorization from the court for a search & seizure warrants based on relevant state and federal laws justify under Federal Rule of Civil Procedure Rule 34 (a) (1); *Brinegar v. the United States* 338 U.S. 160 (1949); *Illinois v. Gates* 462 U.S. 213, 232 (1983) and *Carroll v. the United States*, 267 U.S. 132 (1925) Case Ruling 7-2. Affirmed. Opinion: Chief Justice William Howard Taft (FMR. United States President). These court cases provide the basis for Federal Jurisdiction over this matter.

#### **Introduction.**

San Francisco Tenant Rights Association PAC is urging the FBI to open an investigation into whether California State Assemblymember Matt Haney, San Francisco, District 17, accepted fraudulent campaign contributions sent via interstate illegal electronic transfer from San Francisco developers; Simon Snellgrove, Pacific Waterfront Partners, LLC, and Urban Land Development Jon Mayeda CEO, which raises concerns about possible federal wire or mail fraud and justify an investigation by the FBI.

#### **Background (timeline).**

On May 03, 2022, the Tenant Rights Association PAC filed a complaint with the San Francisco Ethics Commission, Case No. 2122-134 alleging then District Supervisor Matt Haney - District 6, between December 16, 2021 - December 30, 2021, violated Section 1.127 of the City's Campaign Code which bars any sitting elected official from soliciting or accepting a campaign contribution from anyone who has a contract or development agreement pending with the city if that Supervisor could have a role in approving that contract. Nonetheless, Supervisor Matt Haney knowingly accepted illegal contributions from developers Simon Snellgrove and Jon Mayeda for the Matt Haney for Assembly FPPC 1441330. For more information, view the enclosed attachment titled: San Francisco Ethics Commission Complaint.

On May 14, 2022, Tenant Rights Association PAC pursuant to California Supreme Court Court Case No. S218066, *the City of San Jose v. California Superior Court, March 02, 2017*, which held that communications on private accounts by public officials are public record and thus subject to disclosure under the California Public Record Act § 6250, sent a letter to Assemblymember-elect Matt Haney, requesting copies of all digital messages existing in his private electronic devices (smartphones & computers) or in personal messaging accounts between Haney; Simon Snellgrove and Jon Mayeda during the period December 16, 2021, and March 30, 2022

On June 01, 2022, with malice aforethought, California State Assembly Rules Committee, Ken Cooley, Chairman; Chief Administrative Officer, Debra Gravert sent a materially false statement in a letter to

Tenant Rights Association PAC with the sole purpose to thwart the requests for copies of Assemblymember Matt Haney's emails & messages which will inextricably be linked to the two developers and provide enough evidence to sustain an investigation by the FBI for federal wire & mail fraud. View the attached letter titled: Ken Cooley's letter and the attached response from Tenant Rights Association PAC.

Since the source of over five months, Assemblymember Matt Haney has failed to comply with the Tenant Rights Association PAC's request for the production of documents, in violation of California Public Record Act § 6250 et seq and Federal Code of Civil Procedure Rule 34.

### **Court Cases.**

The Probable Cause Statement supports the legal conclusions expressed by case laws. For instance, the *Federal Rule of Civil Procedure 34 (a) (1)* is intended to be broad enough to cover all current types of computer-based information and flexible enough to encompass future changes and development. Furthermore, *Rule 34 (b) (2) (B)* was amended to reflect the common practice of producing copies of documents or electronically stored information rather than simply permitting inspection. Specifically, California Supreme Court Case, No. S218066 *the City of San Jose v. Superior Court, March 02, 2017*, ruled unanimously that emails & text messages from personal accounts of public officials are public records and thus subject to disclosure under the California Public Records Act § 6250 et seq. The decision reinforces California's Statutory and Constitutional commitment to a broad interpretation of laws if they further the public's right access to information. Case significance is the decision by California Supreme Court is a binding, mandatory authority in the State of California. Suffice it to say, the Federal Communication Act allows phone companies to divulge information if there are specific facts or reasonable probable cause that are relevant and material to a criminal investigation. The Federal Rule of Civil Procedure 34 does not exonerate publicly elected lawmakers.

It is particularly clear in the court case *Illinois v. Gates 462 U.S. 213, 232 (1983)*, the court favored a flexible approach viewing Probable Cause as a "practical" non-technical standard. Indeed, the court often adopts a broader, more flexible view of Probable Cause when the alleged offenses are serious. Moreover, It should be noted in *Brinegar v. the United States 338 U.S. 160 (1949)* the court in this instant approved the authorization of a search warrant based on the FBI to have within the minimum and maximum range (30-50 percent likelihood) justified under the theory of reasonable suspicion but less than beyond a reasonable doubt that an offense has been committed. This allows the FBI to make decisions; predictions about what is likely going on and what is likely to happen.

The penultimate court case *Carroll v. United States 267 U.S. 132 (1925)* makes a warrantless search constitutional. The case has been cited as widening the scope of the warrantless search. The court justifies federal agents may search without a warrant if they have probable cause to believe they will uncover evidence of a crime; an emergency situation requires swift action to prevent the destruction of relevant evidence and the seriousness of the crime.

### **Names, titles, business addresses, and telephone numbers of each person who committed the alleged violations.**

California State Assemblymember Matt Haney  
455 Golden Gate Avenue, Suite 14300  
San Francisco, CA. 94102  
(415) 557-3013

Developer Simon Snellgrove, Founder & Principal  
Pacific Waterfront Parterners, LLC  
101 Embarcadero, Suite 200  
San Francisco, CA. 94105  
(415) 675-2100

Developer Jon Mayeda  
Urban Land Development  
33 New Montgomery, Suite 1810  
San Francisco, CA. 94105  
(415) 431-3800

**Persons of interest.**

Derek Lee  
Matt Haney for Assembly FPPC 1441330 campaign treasurer.  
490 Post Street, Suite 1700  
San Francisco, CA. 94102  
(415) 488-5071

FastAction (powered by NGP Van, INC.  
Interstate Online Money Transfer c  
Company  
655 15th Street, NW, Suite 650  
Washington, DC. 20005  
[fastaction.ngpvan.com](http://fastaction.ngpvan.com)

Ashley Mockett  
SF Ethics Commission  
25 Van Ness Avenue, Suite 220  
San Francisco. CA 9410S  
(415) 252.3100  
[ashley.mockett@sfgov.org](mailto:ashley.mockett@sfgov.org)

To ensure the Rule of Law implementation is carried out in full and absolute compliance, the search & seizure warrant may be served at any time of the day. The place to be searched is 455 Golden Gate Avenue, Suite 14300, San Francisco, CA. 94102.  
Items to be searched & seize are Assemblymember Matt Haney's cell phone and computer.

Submitted by:



Otto Duke. President.  
Tenant Rights Association  
[www.sftenantpac.com](http://www.sftenantpac.com)  
Email: [tenants@yahoo.com](mailto:tenants@yahoo.com)

*The tenant Rights Association PAC office is currently closed to the public due to the new COVID subvariant XBB and the Monkey Pox.  
Alternatively, please reach out to us via email which may be an efficient way that our volunteers can respond to your email.*