

Mr. Cody G. Winchester
Office of the Sacramento District Attorney
winchesterc@sacda.org

Cc: Councilmember Phil Plukebaum, district4@cityofsacramento.org; Councilmember Lisa Kaplan, District1@cityofsacramento.org; Chief Kathy Lester, Kathy Lester klester@pd.cityofsacramento.org; Captain Bryce Heinlein, BHeinlein@pd.cityofsacramento.org; Lt. Ryan Bullard, RBullard@pd.cityofsacramento.org; District Attorney Thien Ho, daooffice@sacda.org; Sara F. Dudley, sarafdudley@gmail.com

May 29, 2025

Re: People v. Rehman Alam

Dear Mr. Winchester,

This is Raymond Rodriquez. Thank you for talking with me last week regarding the pending criminal matter (hate crime, burglary, assault and unlawful possession of a firearm) against Mr. Rehman Alam, where I am the victim.

I am writing to request further information regarding your office's decision to downgrade Mr. Alam's serious and violent felony charges to a single misdemeanor, to explain how that decision endangers the public, runs counter state policies and programs regarding antisemitism in California, *is not* required under Penal Code § 1016.3, compromises my rights as a victim of a hate crime under the Ralph Act and the Bane Act, and to ask additional questions.

I have cc'd Councilmember Plukebaum, because the crime occurred in his District, as well as Councilmember Kaplan, Chief Kathy Lester, Captain Bruce Heinlein and Lt. Ryan Bullard who have assisted myself and Jewish community regarding this matter; as they will recall, six community members spoke with them personally after the February 11, 2025 City Council Meeting about this specific crime.¹ Also cc'd is Sara Dudley, who in the record as a corroborating witness, and also spoke at the City Council meeting.

I. Factual Background

The uncontroverted facts are these: on Saturday, February 8, 2025, at 16th and J Street in Sacramento, there was a rally organized by Sacramento4Palestine. I attended in order to peacefully show my support for Israel and in solidarity with the Jewish people. I was wearing a tee shirt with a Jewish star and held an Israeli flag on a flagpole. Attending the event with me were my wife, infant son, and my friend, Sara Dudley.

¹ February 11, 2025 Sacramento City Council Meeting, sacramento.granicus.com/player/clip/6176?view_id=22&redirect=true (public comments regarding this matter, starting at approximately 1:10).

At approximately 1pm, after being at the rally for approximately two hours, I was violently tackled from behind by a masked, keffiyah-clad male (Assailant #1 – Mr. Alam). In the course of the assault, he stole my flag and fled the scene. While I was lying face down, prone in the roadway, another assailant jumped on my back, presumably to prevent me from detaining the first assailant and recovering my property (Assailant #2). This second assailant then began beating and choking me with the flagpole. Ms. Dudley called 911. Over 10 officers immediately responded and Assailant #2 was arrested at the scene.

Fearing for my safety and that of my family, my family and Ms. Dudley were escorted from the scene by police officers. I immediately sought medical attention at the UC Davis Medical Center. My medical records are available as evidence, and along with the attached photos. This evidence reflects that I suffered contusions to my forehead, nose, shoulder and leg. My glasses - which I need to see and work - were shattered and my pants were torn. I left the scene limping and bleeding and experienced pain throughout my body for several weeks afterward.

Assailant #1 was arrested by the police, approximately one month later. He has identified as Mr. Reham Alam, a 21-year-old male residing in Sacramento County.

At the time of his arrest, Mr. Alam was further charged with unlawful possession of a firearm, which police officers found at the residence where he was arrested (presumably, his home).

II. Downgraded Charges: Discussion and Objections

I was initially informed that Mr. Alam would be charged with burglary, assault, unlawful possession of a firearm and a hate crime / hate crime enhancement, as a felony.

However, I was dismayed by our conversation last week, where you stated that the charges would be downgraded to a misdemeanor. As you informed me, Mr. Alam would not have a felony conviction and his sentence would include merely probation and some community service.

By way of justification, you merely and briefly stated that charging Mr. Alam with a misdemeanor would be “easier” for you and your office to prove. You did not provide any additional information.

I strongly disagree with this charging decision and do not believe that it is supported by the evidence in the record, is in the interest of public safety, and is wholly inconsistent with state policy, as discussed below.

A. Significant and Compelling Evidence Supports Felony Charges

While no outcome is guaranteed, there is significant and compelling evidence in the record sufficient to support a felony charge. This includes:

1. Two corroborating witnesses – my wife and my friend Sara Dudley, who is a local attorney. Both of them have provided statements to the police. There is no indication that

they are not credible witnesses. It is troubling, however, that your office has not, to date, interviewed either of them in order to assess their credibility before making this proposed change in your charging decision. Please also review the City Council meeting footage, where you can hear Ms. Dudley speak about these events; she has also met with Chief Kathy Lester, Captain Bryce Heinlein, Lt. Ryan Bullard; you have no reason to doubt her perception, memory, ability to communicate or sincerity, nor that of my wife or myself.

2. Video evidence – the entire crime was caught on security footage, which was reviewed by the investigating police. This footage can be authenticated by the police. There is no doubt that the crime occurred, and the video evidence supports my testimony and that of the corroborating witnesses.
3. Medical records and photographic evidence of injuries - as noted above, I sought immediate medical attention. My medical records are available to be submitted into evidence. My medical providers can authenticate this evidence and provide testimony. Moreover, Sara Dudley took pictures of me at the scene, immediately after the attack. She can authenticate these photos and additional photos were taken of me in the hospital, clearly demonstrating my injuries – bruises, cuts and contusions, which had worsened over time. I have attached these photos, which are already in the record.
4. Responding officers – per my recollection, over 10 officers responded to the scene. They apprehended Assailant #2 at that time and can testify as to other relevant details as they unfolded in real time. They also have bodycam footage.

In short, your office has physical evidence, documentary evidence and credible testimony from nonparty corroborating witnesses in open cooperation with the police who are ready, willing and able to testify, all regarding serious, unprovoked and violent crimes – both the crime that occurred on February 8 and the further alarming crime of Mr. Alam being in unlawful possession of a firearm.

While it certainly may be “easier” to get Mr. Alam to plead to a misdemeanor, cases should be evaluated on their merits, not convenience. The merits here support felony charges.

B. There are No Extenuating Circumstances That Justify Downgrading These Charges, Including Mr. Alam’s Immigration Status

Moreover, there are no extenuating circumstances that support downgrading these charges:

- Mr. Alam is a 21-year old adult, not a minor.
- The attack was unprovoked. As the video evidence demonstrates, I was attacked suddenly from behind. I had not been interacting with Mr. Alam. This is not a “mutual combat” situation.

Finally, I truly hope that Mr. Alam’s immigration status was not the dispositive extenuating circumstance considered in this decision. I myself am Latino, from a family of immigrants. Although I do not know Mr. Alam’s immigration status, if it is the case that he is not an

American citizen, California Penal Code section 1016.3 merely requires that prosecutors “shall consider the avoidance of adverse immigration consequences in the plea negotiation process *as one factor* in an effort to reach a just resolution.”²

As the Code makes clear, this is but *one factor* and does not stand in the way of reaching a *just resolution*, which includes providing justice for the victim – me.

Therefore, neither the law nor California DOJ guidance require a prosecutor to drop or downgrade charges – particularly regarding crimes of violence – solely due to immigration status. It is but one factor, among many. Other factors to be considered are the nature of the crime (i.e., a crime a violence), justice for the victim, the strength of the evidence (discussed above), and other statewide priorities – here, that this was a hate crime. This factor is discussed more fully below.

C. A Violent, Antisemitic Hate Crime with an Additional Firearm Charges are Particularly Unsuitable for Downgraded Charges

The context in which this occurred – a hate crime on the basis of religion, by a perpetrator who was later found to be unlawfully in possession of a firearm – cannot be ignored and supports a felony charge, in the interest of public safety and the state’s priorities regarding antisemitic hate crimes.

Just last week, on May 21, 2025, Sarah Milgrim and Yaron Lishinsky, two Israeli embassy workers, were viciously gunned down in front of the Capital Jewish Museum in Washington D.C. as they innocently exited the venue. Ms. Milgrim was shot 26 times, including after she attempted to crawl away.

Their alleged assailant was caught on camera yelling “Free, Free Palestine” and “I did it for Gaza.”³

On February 8, in Sacramento, we heard the same rhetoric, and other invective was relentless screamed at us by Sacramento4Palestine protesters – we stood silently, while we were called “genocide enablers,” “pedophiles,” “babykillers,” and worse. This occurred before the crime, during the crime, and brazenly continued even after the police had arrived on the scene. Even though the video footage does not contain sound, it reflects that the Sacramento4Palestine protesters were physically provocative with me, my wife, my infant and Ms. Dudley – waving flags in our faces, attempting to trip us, following closely and other intimidating actions. The responding officers’ bodycam video and testimony can corroborate this.

² California Dept. of Justice, *Obligations under 1016.6 of the Penal Code*, <https://oag.ca.gov/system/files/media/1016.3-guidance-for-prosecutors-and-defense-counsel.pdf>

³ CBS News, May 23, 2025, <https://www.cbsnews.com/news/israeli-embassy-staff-shooting-suspect-elias-rodriquez-washington-dc/> (confirming that DC shooting suspect Elias Rodriques was caught on security camera footage shouting “Free free Palestine” and that he stated to arresting officers “I did it for Palestine, I did it for Gaza”)

Sarah and Yaron were a young couple, who were set to become engaged. This reminds me of my young family. *What if Mr. Alam had had his gun on him on February 8? Would my son no longer have a father? My wife was beside me when the crime occurred. She easily could have been targeted, like Sarah. Would my son be an orphan at the age of 13 months? Would he have killed my son? Would my entire family have been annihilated?*

These questions keep my wife and I up at night, concerns that have only increased since you informed me that Mr. Alam would face no jail time: *Mr. Alam is on the streets right now, perhaps obtaining yet another illegal firearm.*

The similarities between my family and Sarah and Yaron do not end there. Although initially described as Jewish and Israeli, further reports provide that they were either Messianic Jews or Christian Zionists, like my wife and I. And we were all targeted on basis that the assailants thought we were Jewish and/or Israeli – although targeting Christians like us on the basis of our religious beliefs is an equally unlawful hate crime.

I don't know Mr. Alam's criminal history (I assume that you do) but even assuming that he does not have a prior criminal history, I note that Sarah and Yaron's alleged perpetrator, Elias Rodriquez, had no criminal record. In the wake of increased antisemitic and politically motivated violence, there is now wide bipartisan recognition that prior criminal history is no indicator of dangerousness, when crimes are motivated by political ideology and animus.⁴ For example, neither Thomas Crooks nor Luigi Mangioni had prior criminal records.

Hate crimes against Jewish people, and those perceived to be Jewish, particularly as a result of the "Free Palestine" movement, are on the rise in California. The California Attorney General publishes an annual Hate Crime Report. The *2023 Hate Crime Report*, currently the most recent, already reflects that hate crimes against Jews and those perceived to be Jewish are the number one form of religious hate crime in California, even before October 7. The report states: "Anti-Jewish bias events rose from 189 in 2022 to 289 in 2023, an increase of 52.9%" This is a factor of eight (8) higher than the next form of religious bias.⁵

Since October 7, hate crimes against Jewish people and those perceived to be Jewish, have risen dramatically. The Anti-Defamation League (ADL) recorded over 10,000 antisemitic incidents in

⁴ Gabriel Hays, *Former Biden diplomat says there's 'no question' that 'free Palestine' slogan has become a call for violence*, May 23, 2025, <https://www.foxnews.com/media/former-biden-diplomat-no-question-free-palestine-slogan-become-call-violence>; Audrey Conklin, *Social media support for accused killers Luigi Mangione, Elias Rodriguez an 'exceptionally bad sign': expert*, May 26, 2025, [Social media support for accused killers Luigi Mangione, Elias Rodriguez an 'exceptionally bad sign': expert](https://www.foxnews.com/social-media/social-media-support-for-accused-killers-luigi-mangione-elias-rodriguez-an-exceptionally-bad-sign-expert) (social media support for Luigi Mangione, Elias Rodriguez, Rodney Hinton and Thomas Crooks encourages violence in support of political and social causes).

⁵ *Golden State Plan to Counter Antisemitism (2024)* https://data-openjustice.doj.ca.gov/sites/default/files/2024-06/Hate%20Crime%20In%20CA%202023f_0.pdf

the U.S. between October 7, 2023 and September 2024. This is the highest number of antisemitic incidents ever recorded by the ADL in a single year.⁶

i. Downgrading a Violent Antisemitic Hate Crime Runs Counter to State Wide Priorities, including the Governor's Guidance to Local Prosecutors.

To address the alarming rise in antisemitism since October 7, the California Governor convened a *Golden State Plan to Counter Antisemitism (2024)*.⁷ The *Plan* states that as a matter of policy, "California is committed to fighting the scourge of antisemitism and protecting our diverse communities."⁸ To accomplish this, the Governor is committed to "continued engagement around incidents of antisemitism **and hate violence**".⁹

The *Plan* specifically addresses the role of local prosecutors in the Governor's effort to address violent hate crimes, like the one at issue here:

Since October 7, 2023, the Hate Crimes Coordinator has directly spoken with the hate crimes prosecutors in 38 District Attorney and City Attorney offices throughout the state to convey the assistance and resources available to support local hate crimes prosecution and enforcement efforts.¹⁰

To that end, the Governor has created a new position within the DOJ, a "hate crimes coordinator"¹¹ and has made resources available on its website to assist local prosecutors in prosecuting antisemitic hate crimes, available here - <https://oag.ca.gov/hatecrimes>, with links to *The California Attorney General Guidance to Prosecutors on Hate Crimes*, <https://oag.ca.gov/system/files/media/hc-prosecutor-guidance.pdf>.

Sadly, my family and I are now part of those terrifying statistics. I note that this hate crime was reported to the ADL and to the California Attorney General, Civil Rights Department. If you are unwilling or unable to fully prosecute this matter as a felony, please consider referring this matter to the California Attorney General's Hate Crimes Coordinator for assistance and further action.

///

⁶ ADL, Press Release, <https://www.adl.org/resources/press-release/over-10000-antisemitic-incidents-recorded-us-oct-7-2023-according-adl>

⁷ *Golden State Plan to Counter Antisemitism (2024)* <https://www.gov.ca.gov/wp-content/uploads/2024/04/Golden-State-Plan-to-Counter-Antisemitism.pdf>

⁸ *Ibid.* at p. 3

⁹ *Ibid.* at p. 6.

¹⁰ *Ibid.* at p. 9.

¹¹ *Id.*

D. Downgraded Charges Compromise My Ability to Seek Recovery Under the Bane Act and the Ralph Act

The Attorney General's resources for victims of hate crimes specifically provides that the Court "may also order the defendant to pay you \$25,000 or more for violating your civil rights" under the Ralph Act and the Bane Act.¹²

Mr. Winchester did not apprise me of this important remedy. I was injured. My family and I have suffered deep distress due this hate crime. It is unclear if under the downgraded charges Mr. Alam is even being charged with a hate crime. If he is no longer convicted of a hate crime, then this remedy is no longer available to me. This comprises my rights under applicable law.

E. Downgraded Charges Jeopardize Public Safety and are an Inefficient Use of Police Resources

The downgraded charges do not promote public safety and in this case, also represent an inefficient use of police resources.

One purpose of punishment is to remove the perpetrators from society, so that they no longer pose a threat to the community. Mr. Alam will face no jail time, there is no indication that his ideological beliefs have changed, *and he may well be re-arming*. Therefore, Mr. Alam poses a continuing threat to society, particularly the Jewish, Christian and Israeli community, as long as he remains at liberty, which he will under this proposed plea agreement and downgraded charges.

Another purpose of punishment is to deter other potential offenders. The decision to downgrade the charges does not accomplish this goal. In the immediate aftermath of the rally, two swastikas were graffitied onto buildings in the area – clearly, these ideologically motivated bigots do not fear a strong law enforcement response. Your decision to downgrade these felonies confirms this. Charging Mr. Alam with a misdemeanor with no jail time and lack of hate crime charges, sends a clear message to Mr. Alam's community that they can continue to harass, assault and vandalize with impunity and that protecting Jewish and Christian people is not a priority in Sacramento.

Moreover, your decision to downgrade this charge flies in the face of the hard and dedicated work of the Sacramento PD, who through their determination and skill were actually able to identify and apprehend Mr. Alam, despite his attempts to conceal his identity, lack of cooperation from Sacramento Palestine participants with the police investigation, and him having fled the scene. By failing to fully bring Mr. Alam to justice, your office has squandered these considerable resources.

¹² Office of the California Attorney General, *Information for Victims*, [Hate Crimes | State of California - Department of Justice - Office of the Attorney General](#)

III. Additional Questions

Your proposed decision to downgrade these charges leaves me with several questions, which I would like answered:

1. How does the Sacramento District Attorney's decision to downgrade a felony antisemitic hate crime involving violence to a misdemeanor further the mission and goals of the Governor's *Golden State Plan to Counter Antisemitism (2024)*, <https://www.gov.ca.gov/wp-content/uploads/2024/04/Golden-State-Plan-to-Counter-Antisemitism.pdf>
2. Has your office availed itself of the Office of the Attorney General's resources, made resources available on its website to assist local prosecutors in prosecuting antisemitic hate crimes, available here for local prosecutors in prosecuting hate crimes at made resources available on its website to assist local prosecutors in prosecuting antisemitic hate crimes, or sought the input and assistance of the state Hate Crimes Coordinator before making the decision to downgrade this violent hate crime to a misdemeanor, and if not, why not?
3. How does the Sacramento District Attorney's decision to downgrade a felony antisemitic hate crime involving violence to a misdemeanor address the alarming increase in antisemitic hate crimes as demonstrated in the California Attorney General's *Hate Crime Report* (which tracks data from Sacramento County), https://data-openjustice.doj.ca.gov/sites/default/files/2024-06/Hate%20Crime%20In%20CA%202023f_0.pdf
4. Where can I review the Sacramento District Attorney's charging policies, including policies concerning downgrading felony crimes?
5. Was Mr. Alam's immigration status the deciding or dispositive factor in your charging decision?
6. What is the name and job title of the supervising attorneys who reviewed and approved your decision to downgrade these charges?
7. What is the status of the charges against Assailant #2 who was arrested at the scene? Despite repeated requests, I have not received any information regarding this matter, including the Defendant's name. It was my expectation that Assailant #2 would be charged and tried with his co-defendant.
8. Why have you not contacted the corroborating witnesses – my wife and Ms. Dudley (cc'd here) to obtain their testimony and assess their credibility?
9. Have you made this offer, has it been accepted and can it be rescinded?

To summarize, I object to your proposal to downgrade these serious and violent crimes to a single misdemeanor, your decision has increased my fear for my safety and that of my family, I hope that you reconsider this decision and I also request a timely and full response to my questions.

Attached are references to material cited above as well as the photos of my injuries (which may be sent as a separate email, due to file size).

I look forward to speaking with you soon.

Yours,

Raymond Rodriquez

rodriguez.family.business84@gmail.com

References

February 11, 2025 Sacramento City Council Meeting, sacramento.granicus.com/player/clip/6176?view_id=22&redirect=true (public comments regarding this matter from six Jewish community members, including witness Sara Dudley, starting at approximately 1:10)

Golden State Plan to Counter Antisemitism (2024), <https://www.gov.ca.gov/wp-content/uploads/2024/04/Golden-State-Plan-to-Counter-Antisemitism.pdf>

The California Attorney General Guidance to Prosecutors on Hate Crimes, <https://oag.ca.gov/system/files/media/hc-prosecutor-guidance.pdf>.

California Attorney General, *Hate Crime Report (2023)*, https://data-openjustice.doj.ca.gov/sites/default/files/2024-06/Hate%20Crime%20In%20CA%202023f_0.pdf

Office of the California Attorney General, *Information for Victims*, [Hate Crimes | State of California - Department of Justice - Office of the Attorney General](#)

Gabriel Hays, *Former Biden diplomat says there's 'no question' that 'free Palestine' slogan has become a call for violence*, May 23, 2025, <https://www.foxnews.com/media/former-biden-diplomat-no-question-free-palestine-slogan-become-call-violence>

Combat Antisemitism Movement, *Far-Left Group Linked to DC Gunman Faces Scrutiny for Antisemitic Incitement*, May 23, 2025, <https://combatantisemitism.org/studies-reports/far-left-group-linked-to-dc-gunman-faces-scrutiny-for-antisemitic-incitement/> (Party for Socialism and Liberation (PSL) and Democrat Party links to May 21, 2025 gunman Elias Rodriques).

Audrey Conklin, *Social media support for accused killers Luigi Mangione, Elias Rodriguez an 'exceptionally bad sign': expert*, May 26, 2025, [Social media support for accused killers Luigi Mangione, Elias Rodriguez an 'exceptionally bad sign': expert](#) (social media support for Luigi Mangione, Elias Rodriguez, Rodney Hinton and Thomas Crooks encourages violence in support of political and social causes).













