



RICOCHET

THE PATH TO JUSTICE IS NOT A STRAIGHT LINE



STUDY GUIDE



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INTRODUCTION

RICOCHET IS A 76 MINUTE DOCUMENTARY about the trial of an undocumented immigrant, José Ines García Zárate, for the accidental shooting of Kate Steinle on Pier 14 in San Francisco in July of 2015. The trial gains national attention when Donald Trump exploits this on the campaign trail, igniting an anti-immigrant movement he rides to the Republican nomination and eventually the White House. The national media take the story and make it a referendum on San Francisco's Sanctuary City policy. So the stakes are high when the trial finally begins in fall 2017, with the defense led by two San Francisco public defenders: Chief Attorney Matt Gonzalez and Francisco Ugarte, head of the office's Immigration Defense Unit.

THEMES

RICOCHET EXAMINES SEVERAL THEMES that intersect with this trial: the criminal justice system, the immigration debate, racism and xenophobia, the messaging we receive from the realms of politics and the media, and the critical role public defenders play in our legal system.



ABOUT THE FILM

“So far as our client, Mr. Zárate is concerned, our obligation is to ensure that he’ll get a fair trial. That’s going to be the challenge here.”—Jeff Adachi

RICOCHET IS THE VISION of former San Francisco Public Defender and documentary filmmaker Jeff Adachi and captures the highest profile case to come out of his office in his day job as San Francisco’s Public Defender. He originally imagined a series about the criminal justice system from the vantage point of public defenders and their clients, highlighting critical issues in the United States today: from Black Lives Matter and justice reform, to immigrant rights and the fight to defend them in a time of mass deportation.

In collaboration with Jim Choi and Chihiro Wimbush, Adachi made the first two films in the series: the short film *The Ride* and its expanded feature version, the feature documentary *Defender*. *Ricochet* was to be the third film in the series. Tragically, Adachi passed away during production in February 2019, and after a period of collective grieving for family and community, the editor on the film, Chihiro Wimbush, took on the challenge of completing the film. Over three years of work later, through pandemic, a new presidential election and insurrection, *Ricochet* was completed and released into a world where all its central themes around criminal justice, immigration, human rights, gun control, politics, media, and our democracy, are as relevant as ever.



DIRECTORS' STATEMENT

JEFF ADACHI'S VISION IN HIS OWN WORDS:

“Immigration policy is one of the most debated issues in our country at this time, in the media and public dialogue, in the courts and in both state and federal legislatures. *Ricochet* provides a framework to intelligently and rationally frame the question of how and why immigrants are often scapegoated and why this case became a vehicle for politicians such as President Trump to further their anti-immigration policies. It exposes the danger in this thinking and how the facts and evidence of the case directly contradict the narrative used to attack immigrant communities. The issue of Immigration is urgent because although the case was tried in Fall of 2017, and was highly publicized, most people don't know what really happened, beyond President Trump's tweet calling the verdict “disgraceful.” This film will help expose what really happened in this case, and will thoroughly expose how this case and similar cases involving anti-immigrant propaganda are being used to urge laws and policies that undermine our country's basic freedoms and treatment of immigrants.”

CHIHIRO WIMBUSH:

“In the tragic wake of Jeff's passing, I have been committed to finishing *Ricochet*, not just for his legacy, but for the still critical themes it explores that still resonate today, ever more strongly as we continue to examine our broken systems of justice and immigration, and combat the false messaging so rampant in our politics and media. If we can examine what happened on Pier 14 and the ripple effect this incident had on not just the individuals involved but the entire country, perhaps the next time we can see through the lies and have the curiosity and insight to seek the truth.”

FILMMAKERS

JEFF ADACHI

Director/Producer



JEFF ADACHI WAS a social justice advocate and filmmaker, writing and directing two PBS award winning films, *The Slanted Screen: Asian Men in Film & Television* and *You Don't Know Jack Soo* and the acclaimed short film *Racial Facial*, a short film about the history of racism in the United States. Jeff's previous film *Defender* was selected to premiere at a sold-out screening at the SF International Film Festival and won the Best Documentary film award at the Independent Television Festival in Vermont in 2017.

The *Slanted Screen*, co-produced by the Center for Asian American Media, premiered at the Academy of Motion Pictures and Sciences in 2007, and went on to receive both national and international broadcasts and screenings in the United States, Israel, China, Japan, Canada and Australia. The *Slanted Screen* won top awards at the New York International Independent Film & Video Festival and at the Berkeley Film Festival. *You Don't Know Jack Soo* won the best documentary film at the Accolade Film Festival, and was chosen to air on Comcast's on demand following its national PBS broadcast. *Racial Facial* won the best short documentary at the Hollywood Independent Documentary Film Festival awards in 2016 and earned a distribution deal by the Films for the Humanities and Sciences later that year.

Between 1995-1999, Jeff produced the Asian American Arts Foundation's televised Golden Ring Awards. Jeff also served as the elected Public Defender of San Francisco. His office provided legal representation to over 20,000 people each year, mostly of color. Through his legal work and activism, Jeff was a strong advocate for the civil rights of all Americans.

FILMMAKERS (continued)

CHIHIRO WIMBUSH

Director/Producer/Editor

CHIHIRO WIMBUSH IS AN award-winning, Emmy-nominated documentary filmmaker dedicated to telling stories of empathy, empowerment and positive transformation in the world. He is a former Bay Area Video Coalition Fellow, Sundance Creative Producing Institute invitee, and a participant in the Oakland Hatchlab as well as the On Being Gathering hosted by Krista Tippett with change-makers from around the world.

Chihiro co-directed/co-produced and shot the documentary feature *Dogtown Redemption* spending several years following the lives of homeless shopping cart recyclers in West Oakland. The film went on to win an Audience Award at the Mill Valley Film Festival, aired on Independent Lens on PBS and was nominated for a News & Documentary Emmy in 2017. Chihiro edited the award-winning documentary feature *Changing Season* (for the Center for Asian American Media) about four generations of a Japanese-American peach farming family fighting prejudice in the Central Valley of California which also aired nationally on PBS.

Chihiro served as editor for former San Francisco Public Defender Jeff Adachi on his trilogy of award-winning films following the work of the San Francisco Public Defender's Office: *The Ride*, *Defender* and now *Ricochet* which he also co-directed/produced after Jeff's passing during production. Chihiro is also co-producing/directing the short documentary *Every Step A Prayer* about a collective of Indigenous women leading a series of Healing Walks in the Refinery Corridor of the Bay Area.



LEAD PARTICIPANTS



MATT GONZALEZ is Chief Attorney at the San Francisco Public Defender's Office, a position he has held for more than a decade. He represented José Ines García Zárate as co-counsel in state court.



FRANCISCO UGARTE manages the Immigration Defense Unit at the San Francisco Public Defender's Office, which formed in 2017 and is now California's largest detained deportation defense provider. He represented José Ines Garcia Zaraté in state court as co-counsel.



"In the United States there was jail, and in Mexico there never was in all my life. That was the only difference." —**JOSÉ INES GARCÍA ZARATÉ**

JOSÉ INES GARCÍA ZÁRATE was born and raised in Guanajuato Mexico, but as a teenager, decided to leave his home because of crushing poverty. He moved to Phoenix, Arizona to find work, and lived in Tacoma, Washington, Portland, Oregon, and briefly in San Francisco, California. He has spent more than seventeen years incarcerated in a federal prison for the crime of illegal reentry, a felony which criminalizes the act of walking across the border without permission.



JEFF ADACHI San Francisco Public Defender

QUESTIONS

POLITICS AND MEDIA:



“The allegation that García Zárate had murdered somebody was an integral part of Donald Trump becoming president,” said Matt Gonzalez, an attorney for García Zárate and chief attorney for the Public Defender’s Office. “A lot has transpired because of the ability to [defer] to a narrative about this case which is now known to be false.”

—SAN FRANCISCO EXAMINER (DECEMBER 4, 2019)

1. How was García Zárate’s case used by the Trump campaign to lift up his candidacy for president?
2. How was the incident represented by the national media? What facts did they get wrong? What facts did they get right?
3. How did the political and media representation of García Zárate affect the public perception of who he was and of the trial?
4. Why was there so much attention on this incident? What is so significant about the case and trial?
5. In the end, was justice served? If so, how? If not, why not?
6. How are the ripple effects of this incident and trial still being felt in the United States today?

“I don’t think political activity is limited to electoral politics. And so I’m still engaged in trying to affect ideas.”

—MATT GONZALEZ



IMMIGRATION

“As somebody that grew up on the Mexico-Texas border, I see someone like García Zárate and I see a guy that’s coming to try to improve his life.”

—MATT GONZALEZ

1. What were the factors in García Zárate coming to the United States? Why would he keep returning despite being jailed for several years and deported? Do you believe imprisonment is a just and effective tactic to prevent illegal immigration? If not, what could be effective alternatives? Should any immigration be illegal?
2. How did this become a case about immigration in the United States? What parts of that argument do you agree with? Disagree with? And why?
3. Much was made of Sanctuary City policy being on trial, along with García Zárate. What is the heart of Sanctuary City policy? What purpose does it serve in society? What is its relevance to this case?
4. Was Kate’s Law an appropriate response to the incident on Pier 14? Would this have prevented the incident on Pier 14?
5. What do you think an effective and compassionate immigration policy is?

“We’re looking at someone who spent 17 years in federal prison for the act of trying to come into the country.”

—FRANCISCO UGARTE



CRIMINAL JUSTICE

“If not, for a full throated, incredibly thorough defense, this guy might have gotten railroaded, and that would’ve been that. And nobody would have said a word about it.”
—DAVE EGGERS

1. Did García Zárate commit a crime? Why or why not? What does it mean that he is described as a “five-time felon?”
2. What were the factors that contributed to this tragic incident?
3. Why is this link made between criminal justice and immigration in the United State so significant?
4. Do you think the jury made the right decision? Why or why not?
5. What role did the public defenders play in the outcome?
6. How did García Zárate’s nationality and ethnicity affect the outcome?
7. Why do you think the Federal Government decided to prosecute García Zárate after the gun possession charge was overturned and the San Francisco District Attorney declined to retry the case?
8. What is a just outcome for García Zárate now?

QUESTIONS (continued)



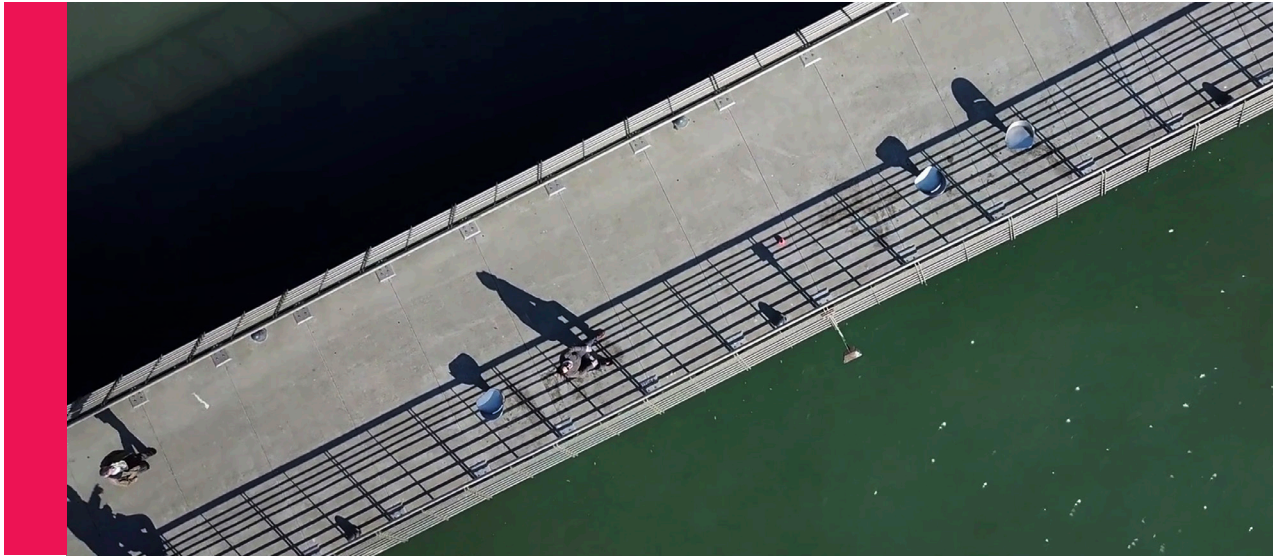
GUN CONTROL

“When we found out this was a ricochet, it was a remarkable turning point and a very moving experience ‘cause we knew at that moment that our client was innocent.”

—FRANCISCO UGARTE

1. What do you think are the primary factors that resulted in Kate Steinle’s tragic death? What role did the park ranger leaving a loaded weapon in a backpack in his car play in this tragedy?
2. What was significant about the type of gun that García Zárata left on the pier? What characteristics did it have that made it susceptible to an accidental discharge?
3. One gun expert in the film reveals how 3 people every 2 days die from an accidental discharge in the United States. Why is this information not more widely known?
4. What are the primary things an investigator looks at when determining whether or not an accidental discharge took place? Which of these factors are relevant to this case?
5. Why was this storyline overshadowed by the immigration narrative in the coverage of the trial?

RESOURCES



**AN OPEN LETTER TO THE BIDEN ADMINISTRATION:
IT'S TIME TO DROP CHARGES AGAINST JOSÉ INES GARCÍA ZÁRATE**

<https://bit.ly/3taSvv0>

WHAT EVERYBODY MISSED ABOUT THE LEGAL CASE THAT HELPED ELECT A PRESIDENT

<https://bit.ly/3tTBp3K>

JOSE INES GARCIA ZARATE DID NOT RECEIVE A FAIR TRIAL: 10 EXAMPLES

<https://bit.ly/3qb237s>

THE GARCIA ZARATE VERDICT, 12 REASONS WHY WE WON

<https://bit.ly/3lsjUgj>

NO SANCTUARY FOR LAW-BREAKING FEDS

<https://bit.ly/3te4JD5>

FEDERAL AGENT'S LOADED GUN, LEFT UNSECURED IN A CAR, KILLED KATE STEINL

<https://bit.ly/3tdhQEw>

A 'DANGEROUS FELON' WHO WAS NEVER CONVICTED OF A VIOLENT CRIME

<https://bit.ly/3MRcZ3H>

A GUN'S HISTORY OF ACCIDENTAL DISCHARGES

<https://bit.ly/3MVGwcm>

PROPOSED KATE'S LAW WOULD NOT HAVE SAVED KATE STEINLE

<https://bit.ly/3q5uHqA>

DON'T LET TRUMP EXPLOIT AN ACCIDENT TO FOMENT HATE

<https://bit.ly/3JgBSnj>

TAKE ACTION



THERE ARE MANY ORGANIZATIONS doing vital work on behalf of immigrants facing injustice. For those moved or inspired by our film, we encourage you to get involved or support:

BAY AREA IMMIGRATION BOND FUND: <https://www.bayareaimmigrationbondfund.org>

The Bay Area Immigration Bond Fund intervenes in the unjust and cruel immigration system by posting immigration bond for those who cannot afford to pay it on their own—freeing them from civil detention, allowing them to return to their families and communities, and increasing their ability to defend their immigration case and remain in the US. We serve clients incarcerated in civil immigration detention around the country.

CALIFORNIA COLLABORATIVE FOR IMMIGRANT JUSTICE (CCIJ) www.ccijustice.org

The California Collaborative for Immigrant Justice (CCIJ) utilizes coordination, advocacy, and legal services to fight for the liberation of immigrants in detention. CCIJ moves beyond traditional legal services and supports innovative approaches to the liberation and empowerment of detained immigrants and their communities.

TAKE ACTION (continued)



IMMIGRANT LEGAL RESOURCE CENTER: www.ilrc.org

Working with and educating immigrants, community organizations, and the legal sector to help build a democratic society that values diversity and the rights of all people.

NATIONAL DAY LABORER ORGANIZING NETWORK: <https://ndlon.org>

NDLON improves the lives of day laborers, migrants and low-wage workers. We build leadership and power among those facing injustice so they can challenge inequality and expand labor, civil and political rights for all.

NATIONAL IMMIGRATION PROJECT OF THE NATIONAL LAWYERS GUILD: www.nipnlg.org

The National Immigration Project of the National Lawyers Guild (NIPNLG) is a national non-profit organization that provides technical assistance and support to community-based immigrant organizations, legal practitioners, and all advocates seeking and working to advance the rights of noncitizens.



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