

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
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TDD/TTY No. 554-5227

October 14, 2020

San Francisco Immigration Court
100 Montgomery Street, Suite 800
San Francisco, CA 94104

Re: Board of Supervisors Resolution No. 427-20

Dear Sir/Madam:


On September 22, 2020, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 427-20 (Urging the Full Pardon of Charles Joseph), which was enacted on October 2, 2020.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 427-20 (File No. 201068)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

jw:ll:ams

c: Members of the Board of Supervisors
Sophia Kittler, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Rebecca Peacock, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

1 [Urging the Full Pardon of Charles Joseph]

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3 **Resolution urging the Honorable Gavin Newsom, Governor of California, to grant**
4 **Charles Joseph a full pardon to allow him to remain in the United States with his family**
5 **and to continue contributing to his community.**

6

7 WHEREAS, The history of the City and County of San Francisco includes welcoming
8 individuals of diverse racial, ethnic, religious, and national backgrounds. Immigrants are an
9 integral part of our city and have made enormous positive contributions to San Francisco,
10 where all families are valued; and

11 WHEREAS, Charles Joseph, an immigrant from Fiji who has lived in California lawfully
12 for more than 20 years; and

13 WHEREAS, Mr. Joseph entered the United States lawfully with his family in May 2000
14 at the age of fourteen; his father was a leader in Fiji's Labor Party, and was the target of
15 racialized attacks due to his Indo-Fijian ancestry; Mr. Joseph experienced violence inside and
16 outside the home in Fiji; and

17 WHEREAS, Mr. Joseph thrived in the United States; he was a strong student, and
18 participated in music, sports and other extra-curricular activities; but at the age of fifteen, his
19 father was arrested on a domestic violence offense, and deported; and

20 WHEREAS, Without his father, Mr. Joseph's life began to spiral out of control; he was
21 arrested several times, and used alcohol to escape his problems; and

22 WHEREAS, At the age of twenty-two years old, and without his father to help guide
23 him, he robbed a convenience store where he worked; and

24 WHEREAS, Mr. Joseph was arrested, prosecuted, and convicted by jury for that crime;
25 he was sentenced to 13 years state prison; and

1 WHEREAS, Despite the challenging circumstances, Mr. Joseph began to heal, and
2 engage in self-inquiry that led to a process of true rehabilitation; and

3 WHEREAS, Mr. Joseph developed his voice, both as a leader and as an artist. He
4 explored his indigenous roots, joined with other indigenous prisoners, and used his learnings
5 and practices to heal; and

6 WHEREAS, Mr. Joseph would become a leader in many rehabilitative programs in
7 custody. He took an alternative to violence class, which he described as “awakening;” and

8 WHEREAS, He participated in a group therapy class called Personal Transformation in
9 which he unpacked childhood traumas; and

10 WHEREAS, He became a leader in a Restorative Justice class, in which he learned to
11 hold himself accountable for harm; and

12 WHEREAS, Mr. Joseph also evolved as a musician and dancer. He wrote and
13 performed music about love, anger, loss, and deep pain, under the tutelage of Lacy J. Dalton,
14 a member of the Country Music Hall of Fame. Ms. Dalton describes Mr. Joseph’s music as
15 passionate, exquisite, unifying, and life-changing; he also taught music classes at the prison,
16 and regularly performed the traditional islander haka dance. He contributed to the
17 transformation of many people within prison; and

18 WHEREAS, While incarcerated, Mr. Joseph worked with Special Olympians for two
19 years, helping to raise funds for the group and organizing a performance of the haka dance
20 for a Special Olympics event; he loved this work, took on a leadership role, and formed
21 connections with Olympians, who constantly inspired him; and

22 WHEREAS, Mr. Joseph served his sentence and was released from prison, but on May
23 19, 2019, instead of being reunited with his family, Mr. Joseph was transferred to ICE custody
24 and was detained at Mesa Verde ICE Processing Center for 11 months; and

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1 WHEREAS, While in detention and incarceration, Mr. Joseph was a leader in
2 advocating for the rights, health, and safety of incarcerated people, working tirelessly to get
3 them the proper protection and care in light of public health concerns such as Valley Fever
4 and COVID-19; and

5 WHEREAS, Mr. Joseph was reunited with his family on April 14, 2020, after a federal
6 judge ordered his release from ICE custody because he was at a higher risk of developing
7 serious symptoms if he were to contract the coronavirus; and

8 WHEREAS, Mr. Joseph has been fighting his immigration case for over a year, and it is
9 now on appeal before the 9th Circuit; he has applied for deferred action under the Convention
10 Against Torture (“CAT”) because he fears he will be tortured if deported to Fiji; and

11 WHEREAS, Since his release, Mr. Joseph has continued to share his experience with
12 law students, graduate students, elected officials and community organizations; Mr. Joseph
13 has also been providing spiritual and biblical reflections to faith communities; and

14 WHEREAS, Mr. Joseph is a model father and husband, and his family is central in his
15 life. He has been with his wife, Shelly, since 2005, and they have two daughters, Hope and
16 Carly, and they reside in Sacramento, California; and

17 WHEREAS, News outlets such as KQED, the Sacramento Bee, NBC Bay Area, KALW,
18 and the San Francisco Chronicle have all featured Mr. Joseph and his experiences with the
19 immigration and criminal systems; and

20 WHEREAS, If Mr. Joseph is granted a pardon by Governor Newsom, he will no longer
21 be deportable and will be able to remain with his wife and daughters and contribute his skills
22 and gifts to his Sacramento community; and

23 WHEREAS, The Chair of the Asian Pacific Islander Legislative Caucus and former San
24 Francisco Supervisor David Chiu, supports Mr. Joseph’s pardon application; and

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1 WHEREAS, The Assistant Majority Leader of the California Legislature, Rob Bonta,
2 Assemblymember for the 18th District, supports Mr. Joseph's pardon application; and

3 WHEREAS, California State Senator Richard Pan of the 6th Senate District supports
4 Mr. Joseph's pardon application; and

5 WHEREAS, Faith communities and organizations throughout the Bay Area and the
6 state support Mr. Joseph's pardon application, including the Interfaith Movement for Human
7 Integrity and the Unitarian Universalist Justice Ministry of California; and

8 WHEREAS, San Francisco houses one of the country's largest immigration courts for
9 detained immigrants facing deportation; and

10 WHEREAS, The San Francisco Public Defender's Office houses a deportation defense
11 unit and currently represents Charles in his removal case; and

12 WHEREAS, Following a contested hearing, the San Francisco Immigration Court
13 ordered Charles Joseph deported; and

14 WHEREAS, Governor Newsom is originally from San Francisco, was Mayor of San
15 Francisco for seven years, and continues to have deep ties to San Francisco; and

16 WHEREAS, Charles Joseph has been deeply involved in local immigrant rights efforts
17 in San Francisco to fight for state-wide immigration reform, particularly around the issue of
18 transfers from prison to ICE, and the treatment of detainees in ICE detention centers; and

19 WHEREAS, Mr. Joseph has conducted extensive trainings for the San Francisco
20 Public Defender's Office on these issues, presented to a masters-level class on migration
21 studies at the University of San Francisco, and has worked closely with the Asian Law
22 Caucus-Advancing Justice on immigrant rights policy and advocacy campaigns; now,
23 therefore, be it

24 RESOLVED, That the City and County of San Francisco opposes the removal of
25 Charles Joseph from the United States; and, be it

1 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Governor
2 Newsom to grant Mr. Joseph a full pardon in order for him to remain lawfully in the United
3 States with his wife, his family, and his community; and, be it

4 FURTHER RESOLVED, That Copies of this Resolution shall be sent to Governor
5 Newsom, other Federal and State Representatives in San Francisco, the San Francisco
6 Immigration Court and Mr. Joseph's counsel for appropriate distribution.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 201068

Date Passed: September 22, 2020

Resolution urging the Honorable Gavin Newsom, Governor of California, to grant Charles Joseph a full pardon to allow him to remain in the United States with his family and to continue contributing to his community.

September 22, 2020 Board of Supervisors - ADOPTED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201068

I hereby certify that the foregoing Resolution was ADOPTED on 9/22/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

10/2/20

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

10/02/2020

Date