

File No. 230178

Committee Item No. _____

Board Item No. 37

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: February 28, 2023

Cmte Board

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|--------------------------|-------------------------------------|--|
| ☐ | ☐ | Motion |
| ☐ | ☒ | Resolution |
| ☐ | ☐ | Ordinance |
| ☐ | ☐ | Legislative Digest |
| ☐ | ☐ | Budget and Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
| ☐ | ☒ | Introduction Form |
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| ☐ | ☐ | MOU |
| ☐ | ☐ | Grant Information Form |
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| ☐ | ☐ | Award Letter |
| ☐ | ☐ | Application |
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OTHER

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Prepared by: Arthur Khoo

Date: February 23, 2023

Prepared by: _____

Date: _____

1 [Upholding San Francisco Values to Protect our Sanctuary City]

2
3 **Resolution urging the Department of Homeland Security (DHS) and the Biden**
4 **Administration to reject the recent attack on San Francisco's long-standing Sanctuary**
5 **Ordinance and urging DHS to extradite the accused individuals without further delay.**
6

7 WHEREAS, Refugees and immigrants comprise one in every three San Franciscans,
8 and are a vital part of San Francisco's heart and identity; and

9 WHEREAS, San Francisco's Sanctuary Ordinance, adopted in 1989 in response to
10 attacks on Central American immigrants under the Reagan Administration, is the first
11 Ordinance in the country prohibiting the use of local resources and personnel from assisting
12 the federal government with targeting, arresting, and detaining immigrants for deportation; and
13 thereby, helps to create an inclusive environment which integrates and respects all of
14 residents equally, and upholds due process for all San Franciscans; and

15 WHEREAS, Under the Trump Administration in January 2019, to further an anti-
16 immigrant agenda, the Department of Homeland Security (DHS) attempted to extort San
17 Francisco by threatening to not extradite an accused person if the City did not provide an
18 assurance that we would violate our Sanctuary Ordinance and turn the person over to
19 Immigration and Customs Enforcement (ICE) if charges are dismissed or they are found not
20 guilty; and

21 WHEREAS, The Biden Administration and DHS are following in the Trump
22 Administration's footsteps by again attempting to erode the San Francisco Sanctuary
23 Ordinance, claiming that they will only extradite two accused individuals in two different
24 criminal cases if the City waives the Sanctuary Ordinance, which is unnecessary for
25 extradition; and

1 WHEREAS, There is no legal requirement that federal authorities need any waiver of
2 San Francisco's Sanctuary Ordinance in order to extradite these two suspects, as evidenced
3 in 2019, when the Trump Administration and DHS extradited an individual from Canada, who
4 was charged with sexual assault allegations in San Francisco without any Sanctuary
5 Ordinance waiver whatsoever; and

6 WHEREAS, The lengthy, controversial, legislative process the Biden Administration
7 and DHS are pressing the City to undertake, could allow the two individuals accused of
8 heinous crimes to avoid extradition and prosecution, making the public less safe wherever the
9 accused reside; and

10 WHEREAS, DHS' budget is over \$115 billion in 2023 and has ample resources to
11 detain and deport people without burdening limited City and County resources; and

12 WHEREAS, The San Francisco Board of Supervisors rejected this attack in January
13 2019 and refused to weaken the Sanctuary Ordinance, and the accused individual was still
14 extradited to San Francisco; and

15 WHEREAS, The Department of Homeland Security has once again made similar
16 threats against San Francisco; and

17 WHEREAS, The Department of Homeland Security is trying to bully our City into
18 weakening fundamental due process protections and should not be playing games with public
19 safety; and

20 WHEREAS, It is legally unnecessary for San Francisco to pass an Ordinance in order
21 for the accused to be extradited; and

22 WHEREAS, The alleged actions of the two accused individuals are devastating; and

23 WHEREAS, San Francisco stands with survivors of rape and sexual violence and
24 embraces healing, safety and self-determination for survivors, and is against the exploitation
25 of incidents of rape and sexual assault for political gain; now, therefore, be it

1 RESOLVED, That San Francisco will send this Resolution to the Department of
2 Homeland Security and the Biden Administration rejecting this recent attack on San
3 Francisco's long-standing Sanctuary Ordinance and urging DHS to extradite the accused
4 individuals without further delay.

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor inquiries..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: