

1 [Resisting the Federal Government’s Intervention in a San Francisco Investigation]

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3 **Resolution resisting the federal government’s intervention in the City and County of**
4 **San Francisco’s investigation of the July 8th, 2005 G-8 protest and expressing**
5 **support for the California Shield Law.**

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7 WHEREAS, The City and County of San Francisco and its residents are governed
8 under the California State Constitution and other state laws; and

9 WHEREAS, The California Constitution under the California Evidence Code 1070
10 establishes protections for news-gatherers under the California Shield Law; and

11 WHEREAS, The California Court of Appeals recently ruled that the California Shield
12 Law “is intended to protect the gathering and dissemination of news,” and that the law
13 protects Internet “bloggers” and other new forms of journalism just as it does traditional
14 journalists; and,

15 WHEREAS, A federal grand jury is investigating the events that occurred at a July 8th,
16 2005 protest of the G-8 Summit in Scotland, and the stated subject of the investigation is the
17 alleged vandalism of a San Francisco Police Department patrol vehicle; and

18 WHEREAS, The United States Government asserts that this case is under federal
19 jurisdiction because the patrol vehicle is paid for out of San Francisco’s general fund, and the
20 City and County receive money from the federal government; and

21 WHEREAS, This attempt to circumvent the local judicial system stands to damage the
22 efficacy of the California Shield Law and the California State Constitution; and

23 WHEREAS, There is an ongoing local investigation in the matters of the July 8th
24 demonstration; and

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1 WHEREAS, Josh Wolf, an independent journalist in the City and County of San
2 Francisco, and therein protected by the California Shield Law, has been subpoenaed to
3 testify before the Federal Grand Jury and to furnish his unedited footage for the jury; and

4 WHEREAS, Josh Wolf was reporting on protected First Amendment activities on the
5 night of July 8th, 2005; and

6 WHEREAS, The US Government has a recent and extensive history of overstepping
7 its limitations in its efforts to investigate political protest; now, therefore be it

8 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
9 oppose these attempts by the federal government and the federal grand jury to intervene in
10 this matter that is within the jurisdiction of the City and County of San Francisco; and, be it
11 further

12 RESOLVED, The Board of Supervisors urges the federal government and the federal
13 grand jury to respect the protection of journalists afforded under the California Shield Law;
14 and, be it further

15 RESOLVED, The City and County of San Francisco reinforces the need for a free
16 press as stipulated in the First Amendment of the US Constitution and is deeply concerned
17 that this attempt to erode the protections afforded to journalists under state law can not only
18 have a chilling effect, but stands to potentially erode the trust relationship between journalists
19 and their contacts and is essential to journalistic practices.