

1 [Pursuit of federal and state charges.]

2 **Resolution urging the District Attorney and City Attorney to explore with Federal and**  
3 **State legal authorities the possibility of pursuing Racketeer Influenced and Corrupt**  
4 **Organizations Act (RICO) charges and any other federal or state violations against the**  
5 **organizers of the March 20<sup>th</sup> protests and subsequent days in the City and County of**  
6 **San Francisco.**

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8 WHEREAS, Organizers of the protests on March 20, 2003 and subsequent days have  
9 been very clear that their intent was not simply to voice their disagreement with our country's  
10 foreign policy and thereby exercise their First Amendment right, but instead to "shut down the  
11 financial district of San Francisco and stop business as usual" (<http://www.actagainstwar.org>);  
12 and,

13 WHEREAS, These organizers have, thereby, declared their true intent of interfering  
14 with interstate commerce; and,

15 WHEREAS, Numerous businesses suffered financial hardships directly attributable to  
16 these protests and the organizers of the protests achieved their goal of interfering with  
17 interstate commerce; and,

18 WHEREAS, Thousands of individuals were unable to arrive at their workplace on time,  
19 and in some cases at all, and, as a result, earn a living for themselves and their families; and,

20 WHEREAS, An unknown amount of judges, attorneys, police officers, jurors,  
21 witnesses, and Court staff within every level of the federal and state judicial branch were  
22 impeded from executing their functions as officers of the court; and,

23 WHEREAS, San Francisco has a long history of supporting the First Amendment; and,  
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1           WHEREAS, San Francisco also has a long history of protecting the rights of all  
2 individuals, including those individuals who simply want to operate their businesses free of  
3 criminal disruption; and,

4           WHEREAS, The Racketeer Influenced and Corrupt Organizations Act (“RICO”) allows  
5 federal prosecutors to prosecute and dismantle criminal enterprises that function like  
6 businesses; and,

7           WHEREAS, The Racketeer Influenced and Corrupt Organizations Act may prohibit  
8 organizations from conspiring to interfere with interstate commerce; and,

9           WHEREAS, The Racketeer Influenced and Corrupt Organizations Act may also  
10 prohibit organizations from conspiring to obstruct justice;

11           WHEREAS, Under federal law, the United States Attorney is responsible for  
12 prosecuting RICO charges; now, therefore, be it

13           RESOLVED, That the Board of Supervisors urges the District Attorney and City  
14 Attorney to explore with Federal and State legal authorities the possibility of pursuing  
15 Racketeer Influenced and Corrupt Organizations Act (RICO) charges and any other federal or  
16 state violations against the organizers of the March 20<sup>th</sup> protests and subsequent days in the  
17 City and County of San Francisco.

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