

1 [Supporting Eddy Zheng's Application to Remain Lawfully in the United States.]

2 **Resolution urging the Department of Justice to grant Xiao Fei ("Eddy") Zheng's**
3 **application to remain lawfully in the United States and calling on the Department of**
4 **Homeland Security to exercise its discretion not to appeal the grant of a waiver that**
5 **would allow Eddy Zheng to remain in the United States.**
6

7 WHEREAS, Xiao Fei ("Eddy") Zheng lawfully immigrated to the United States from the
8 People's Republic of China with his family in 1982, and has lived in the United States since
9 the age of twelve as a lawful permanent resident; and,

10 WHEREAS, He was granted parole by the California Board of Prison Terms in 2004,
11 and that parole grant was reviewed and allowed to stand by Governor Arnold
12 Schwarzenegger in 2005 based on the uncontested evidence of Eddy Zheng's rehabilitation
13 and suitability for parole into the community after 19 years of successful progress within the
14 California Department of Corrections following his adult conviction for kidnapping for purposes
15 of robbery at the age of 16; and,

16 WHEREAS, Rehabilitation is a primary goal of incarceration and Eddy Zheng is an
17 embodiment of the complete achievement of that goal through his accomplishments while
18 incarcerated; showing extensive remorse for his crime, learning English, obtaining a G.E.D.
19 and an A.A. degree, serving in leadership capacities in Toastmasters, S.Q.U.I.R.E.S. (San
20 Quentin Utilization of Inmates Resources Experiences and Studies), Anti-Violence Project
21 workshops, and dedicating his life and his actions to encouraging and helping others achieve
22 a similar level of rehabilitation; and,
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1 WHEREAS, Eddy Zheng has committed to working with young people, particularly the
2 underserved population of Asian-American at-risk youth, from following a path of delinquent or
3 criminal behavior; and,

4 WHEREAS, Eddy Zheng possesses the unique combination of experience, desire and
5 ability to communicate effectively and in a credible manner, with underserved at-risk youth;
6 and,

7 WHEREAS, Eddy Zheng has and continues to make positive contributions to our local
8 community which will help our communities become safer and less violent places to live; and,

9 WHEREAS, The removal of Eddy Zheng from the United States would be a complete
10 waste of the resources already spent on his rehabilitation and would be a significant loss of a
11 valuable asset to the community; and,

12 WHEREAS, The removal of Eddy Zheng cannot be justified as punishment since the
13 19 years of incarceration before his parole were found by the Board of Prison Terms to be
14 sufficient punishment for the offense and would not be justified by the nature of the offense
15 given his rehabilitation; and,

16 WHEREAS, The value of having Eddy Zheng as a full participant and member of the
17 local community has been recognized by the Asian Pacific Islander Legislative Caucus of the
18 California Legislature including Wilma Chan, 16th District; Judy Chu, 49th District; Carol Liu,
19 44th District; Leland Yee, Speaker Pro Tempore, 12th District; and,

20 WHEREAS, The value of keeping Eddy Zheng in the community has been recognized
21 by elected and community leaders, including Congressman Michael M. Honda, California
22 State Senator Sheila J. Kuehl, State Assemblyman Mark Leno, State Assemblywoman Loni
23 Hancock, San Francisco Board of Education member Eric Mar, Reverend Norman Fong,
24 former San Quentin State Prison Warden Art Calderon, and by both the prosecuting attorney
25

1 and the sentencing judge, who have recognized that Eddy Zheng's rehabilitation justifies his
2 release back to the community; and,

3 WHEREAS, It is within the discretion of the Immigration Court, in the United States
4 Department of Justice's Executive Office for Immigration Review, to grant Eddy Zheng
5 permission to remain lawfully in the United States, and it is within the discretion of the
6 Department of Homeland Security to not oppose or appeal such a grant; and,

7 WHEREAS, It is in the interest of the City and County of San Francisco, as well as the
8 larger community that Eddy Zheng be permitted to remain lawfully in the United States; now,
9 therefore, be it

10 RESOLVED, That the City and County of San Francisco does not support the removal
11 of Xiao Fei ("Eddy") Zheng from the United States; and, be it

12 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the
13 Department of Justice to grant Eddy Zheng the appropriate waiver to be able to remain
14 lawfully in the United States, with his wife and family, and in his community; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors calls on the Department of
16 Homeland Security to exercise its discretion not to oppose the grant of an appropriate waiver
17 to allow Eddy Zheng to remain lawfully in the United States, not to appeal the grant of such
18 waiver, and not to advocate for, enforce, or execute, the removal of Eddy Zheng from the
19 United States; and, be it

20 FURTHER RESOLVED, That copies of this resolution be sent to the Department of
21 Homeland Security, Immigration and Customs Enforcement, in San Francisco and in
22 Washington, D.C., Senator Dianne Feinstein, Senator Barbara Boxer, U.S. Representatives
23 Nancy Pelosi, and Barbara Lee, and provided to Eddy Zheng's counsel for the purpose of
24 distribution to the Immigration Court, Executive Office for Immigration Review, Department of
25 Justice.



City and County of San Francisco

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

Tails Resolution

File Number: 060234

Date Passed:

Resolution urging the Department of Justice to grant Xiao Fei ("Eddy") Zheng's application to remain lawfully in the United States and calling on the Department of Homeland Security to exercise its discretion not to appeal the grant of a waiver that would allow Eddy Zheng to remain in the United States.


February 28, 2006 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval

Absent: 1 - Dufty


File No. 060234

I hereby certify that the foregoing Resolution was ADOPTED on February 28, 2006 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board


MAR 10 2006

Date Approved


Mayor Gavin Newsom

Date: March 10, 2006

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, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.


Clerk of the Board

File No.
060234