

1 [Urging Governor Davis to Abandon the State's Appeal of Prop. 187]
2 URGING GOVERNOR GRAY DAVIS NOT TO MEDIATE THE LEGALITY OF PROPOSITION
3 187 BUT INSTEAD TO WITHDRAW THE APPEAL INITIATED UNDER FORMER
4 GOVERNOR WILSON AND ALLOW THE FEDERAL DISTRICT COURT'S RULING TO BE
5 THE FINAL WORD ON PROPOSITION 187.

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7 WHEREAS, Proposition 187, passed by the voters in 1994, seeks to
8 deny public educational, social and health services to immigrants who
9 are in California illegally; and,

10 WHEREAS, On March 17, 1998, Judge Mariana Pfaelzer of the United
11 States District Court for the Central District of California issued
12 her final ruling in the cases challenging Proposition 187, striking
13 down most of the initiative; and,

14 WHEREAS, Former Governor Pete Wilson, a longtime champion of
15 Proposition 187, filed an appeal to Judge Pfaelzer's ruling with the
16 Ninth Circuit Court of Appeals; and,

17 WHEREAS, There is no legal requirement that Governor Davis
18 continue the Wilson appeal in defense of Proposition 187; and,

19 WHEREAS, Proposition 187's provisions denying children public
20 education and health care threaten public health and safety; and,

21 WHEREAS, Proposition 187's denial of educational rights directly
22 violates the 1982 decision in Plyler v. Doe, 457 U.S. 202, in which
23 the Supreme Court held that denying children education on the basis
24 of immigration status violates the Fourteenth Amendment of the
25 Constitution; and,

**SUPERVISORS BIERMAN, AMMIANO, BROWN, LENO, YAKI, YEE, TENG,
BECERRIL, KATZ
BOARD OF SUPERVISORS

1 WHEREAS, Pursuing the Wilson appeal of Proposition 187 continues
2 a legacy of political divisiveness and scapegoating; now, therefore,
3 be it

4 RESOLVED, That the City and County of San Francisco urges
5 Governor Davis not to mediate the legality of Proposition 187 but
6 instead to withdraw the appeal initiated under former Governor Wilson
7 and allow the Federal District Court's ruling to be the final word on
8 Proposition 187; and, be it

9 FURTHER RESOLVED, That the Clerk of the Board forward this
10 resolution to Governor Davis.

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BECERRIL, KATZ
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails

Resolution

File Number: 990948

Date Passed:

Resolution urging Governor Gray Davis not to mediate the legality of Proposition 187 but instead to withdraw the appeal initiated under former Governor Wilson and allow the Federal District Court's ruling to be the final word on Proposition 187.

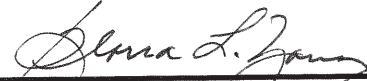
May 17, 1999 Board of Supervisors — ADOPTED

Ayes: 8 - Ammiano, Becerril, Bierman, Katz, Leno, Newsom, Teng, Yaki

Absent: 3 - Brown, Kaufman, Yee

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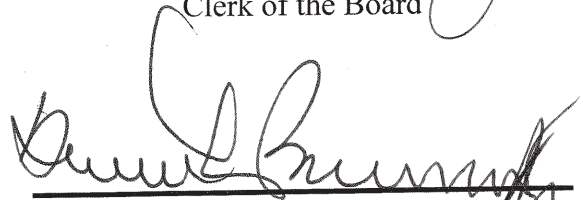
I hereby certify that the foregoing Resolution was ADOPTED on May 17, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY 28 1999

Date Approved



Mayor Willie L. Brown Jr.