

1 [Reaffirming Non-Cooperation with Identity-Based Registry Ordinance]

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3 **Resolution reaffirming San Francisco's commitment to upholding the City's Non-**
4 **Cooperation with Identity-Based Registry Ordinance, preventing the use of City**
5 **resources to assist in any way with a government registry or database based on**
6 **religion, national origin, or ethnicity, and preventing the City from disclosing personal**
7 **information regarding any individual that could be used to create such a registry or**
8 **database.**
9

10 WHEREAS, The United States has long cherished the principle of religious freedom, as
11 enshrined in the First Amendment of the U.S. Constitution, which states that "Congress shall
12 make no law respecting an establishment of religion, or prohibiting the free exercise thereof;"
13 similarly, Article VI of the Constitution prohibits a religious test for federal officeholders; and

14 WHEREAS, California's Constitution upholds these principles, guaranteeing free
15 exercise and enjoyment of religion without discrimination, while prohibiting any law respecting
16 the establishment of religion; and

17 WHEREAS, San Francisco shares this commitment to religious freedom and diversity,
18 reflected in local laws including the City's official policy to eliminate discrimination based on
19 religion (Police Code, Section 3301); and

20 WHEREAS, The Civil Rights Act of 1964, the Fair Housing Act of 1968, and the
21 Religious Freedom Restoration Act of 1993 all affirm the fundamental rights to practice
22 religion freely without discrimination or government interference; and

23 WHEREAS, Any proposal to create a government registry based on religion, national
24 origin, or ethnicity would be contrary to these core principles of freedom, equality, and human
25 dignity, would foster prejudice, discrimination, and potentially violence against religious and

1 ethnic minorities, and would pose a grave risk to the relationship between the government and
2 the people, undermining trust and cooperation, especially among vulnerable communities;
3 and

4 WHEREAS, San Francisco made it clear by enacting Chapter 103 of the Administrative
5 Code – the Non-Cooperation with Identity-Based Registry Ordinance – that it will not support,
6 assist, or cooperate with any governmental program designed to create, implement, or
7 enforce a religious or ethnic registry or database; and

8 WHEREAS, If the federal government attempts to create databases or registries to
9 target individuals based on religion, ethnicity, or national origin, the City will continue to uphold
10 its responsibility to protect its residents from these discriminatory practices by complying with
11 the requirements of Chapter 103 that limit disclosure of personal information for these
12 purposes; and

13 WHEREAS, The Board of Supervisors recommends the City re-evaluate its relationship
14 holistically with the FBI's Federal Joint Terrorism Taskforce (JTTF) due to the recent change
15 in federal administration, and while the City does not currently participate in JTTF, the City
16 should take a renewed look at JTTF's potential impacts on residents' civil liberties; and

17 WHEREAS, The City affirms its commitment to upholding the civil rights of its residents
18 and to equality, fairness, and respect for diversity; and

19 WHEREAS, If federal authorities attempt to implement registries based on religion,
20 ethnicity, or national origin, San Francisco will continue to stand united with its residents, in
21 opposition to efforts to target, harass, or subject individuals to prejudice based on their
22 religious affiliation, ethnicity, or national origin; now, therefore, be it

23 RESOLVED, That San Francisco reaffirms its commitment to religious freedom,
24 tolerance, and diversity, and rejects any proposal to create or support any government
25 registry or database based on religious affiliation, national origin, or ethnicity; and, be it

1 FURTHER RESOLVED, That San Francisco will continue to oppose efforts by the
2 federal government or other entities to infringe on the religious and civil rights of City
3 residents; and, be it

4 FURTHER RESOLVED, That the City's officers, employees, departments, and
5 agencies will continue to adhere to Chapter 103 of the San Francisco Administrative Code
6 and ensure the protection of personal information against misuse or disclosure that could aid
7 in the creation of such discriminatory registries or databases; and, be it

8 FURTHER RESOLVED, That the Clerk of the Board of Supervisors is directed to
9 transmit this Resolution to Governor Gavin Newsom, Attorney General Rob Bonta, Speaker of
10 the California State Assembly Robert Rivas, and California Senate President pro Tempore
11 Mike McGuire, as a demonstration of the Board's solidarity with state efforts to uphold the
12 California Religious Freedom Act.