

File No. 211240

Committee Item No. 5

Board Item No. 20

## COMMITTEE/BOARD OF SUPERVISORS

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Committee: Budget and Finance Committee Date January 26, 2022

Board of Supervisors Meeting Date February 1, 2022

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#### OTHER (Use back side if additional space is needed)

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Completed by: Brent Jalipa Date January 19, 2022

Completed by: Brent Jalipa Date January 28, 2022

1 [Apologizing to Chinese Immigrants and Their Descendants]

2  
3 **Resolution apologizing on behalf of the Board of Supervisors of the City and County of**  
4 **San Francisco to Chinese immigrants and their descendants for systemic and**  
5 **structural discrimination, targeted acts of violence, and atrocities; and committing to**  
6 **the rectification and redress of past policies and misdeeds.**

7  
8 WHEREAS, The shameful history of structural and systematic racism and  
9 discrimination against Chinese immigrants and the Chinese American community by the City  
10 and County of San Francisco reaches back over 150 years and touched every aspect of life  
11 including employment, housing, education, and culture; and

12 WHEREAS, In 1860, California’s Education Code explicitly prohibited Asian students  
13 from attending public schools with white students; and

14 WHEREAS, San Francisco Unified School District closed the segregated Chinese  
15 School in 1870, and for the next fifteen years there were no public schools for Chinese  
16 students who remained barred from attending the public schools reserved solely for white  
17 students; and

18 WHEREAS, In 1885 the California Supreme Court decision in Tape v. Hurley ruled that  
19 Chinese students have a right to attend public schools, in response, SFUSD reopened the  
20 segregated Chinese School to avoid integration; and

21 WHEREAS, As Japanese and Korean immigration to San Francisco increased in 1906,  
22 SFUSD responded by assigning all Asian students to the segregated Chinese School; and

23 WHEREAS, Section 3 of the 1870 Consolidation Act passed by the San Francisco  
24 Board of Supervisors barred anyone of Chinese descent from being employed in any State,  
25 County, Municipal, or other public work, except as punishment for crime; and

1           WHEREAS, Section 27 of the 1870 General Orders ordinance passed by the San  
2           Francisco Board of Supervisors prohibited the usage of Gongs, a traditional East Asian  
3           percussion instrument, in any performance under the premise of it producing an “unusual  
4           noise disturbing the peace;” and

5           WHEREAS, Section 47 of the 1870 Sidewalk Ordinance prohibited the usage of Yeo  
6           Ho Poles, which were the traditional and main method of transportation of goods within the  
7           Chinese community; and

8           WHEREAS, The Board of Supervisors passed more than a dozen “Laundry  
9           Ordinances” from 1873-1883 imposing a maximum hour rule so that different laundry owners  
10          could not share one laundry space, zoning rules to push laundries from white neighborhoods  
11          to the outskirts of town or to toxic industrial areas, taxes on laundries with horse-drawn  
12          vehicles, prohibiting drying racks on roofs, and banning the use of a mouth tube to squirt  
13          starch on clothes, which was a common practice by Chinese laundries; and

14          WHEREAS, In 1880, where 89% of San Francisco’s laundry workers and two-thirds of  
15          laundries were comprised and owned by those of Chinese descent, and 95% of the 320  
16          laundries in the city at the time operated within a wooden building, the Board of Supervisors  
17          made it illegal to operate any laundry in a wooden building without a permit through Ordinance  
18          No. 1569; and

19          WHEREAS, After the passage of Ordinance No. 1569, only one permit was granted of  
20          the two hundred applications from Chinese owners, while only one out of approximately eighty  
21          non-Chinese applicants was denied a permit; and

22          WHEREAS, In 1886 the Supreme Court ruled Ordinance No. 1569 unconstitutional in  
23          Yick Wo v. Hopkins; and

24          WHEREAS, The 1876 Pigtail Ordinance mandated Chinese prisoners have their  
25          traditional queues cut immediately after arriving at the county jail and three years later in 1879

1 the Pigtail Ordinance was declared unconstitutional in by the 9th Circuit Court of Appeals in  
2 Ho Ah Kow v. Matthew Nunan; and

3 WHEREAS, The infamous three-day 1877 San Francisco Riot targeted the Chinese  
4 American community and resulted in four deaths and more than \$100,000 worth of property  
5 damage, equivalent to \$2,430,000 in 2020, wherein twenty Chinese-owned laundries were  
6 destroyed with many more being damaged and/or looted; and

7 WHEREAS, The 1890 Bingham Ordinance mandated Chinese people, including  
8 Chinese American citizens not live or work in San Francisco except in "a portion set apart for  
9 the location of all the Chinese;" and

10 WHEREAS, The area provided for Chinese Settlement was unsanitary and on the  
11 outer fringes of the city, devoid of any services and the Bingham Ordinance was eventually  
12 declared unconstitutional in 1900 by the 9th Circuit Court of Appeals in re: Lee Sing et al; and

13 WHEREAS, The San Francisco Board of Supervisors voted and passed Ordinance No.  
14 85 which gave the Board of Health broad powers to quarantine, and as a result, the Board of  
15 Health racially profiled those of Chinese descent, restricting their basic civil liberties unless  
16 inoculated for the Bubonic Plague, and these actions were eventually declared  
17 unconstitutional in 1890 by the 9th Circuit Court of Appeals in Wong Wai v. Williamson and  
18 Jew Ho v. Williamson; and

19 WHEREAS, After the 1906 earthquake, a committee was formed of influential city  
20 leaders, motivated openly by racism, that sought to move all remaining Chinese residents  
21 outside of the County the area around Hunter's Point; and

22 WHEREAS, Chinese Americans have persistently fought back against discriminatory  
23 laws, structural cruelty, and systemic racism with every political, economic, and legal tool  
24 available to them including civil disobedience; and

25

1           WHEREAS, The Chinese American community has, through their resistance, won and  
2 earned huge organizing, political, and legal victories in advancing civil rights, that all  
3 Americans continue to benefit from; and

4           WHEREAS, The San Francisco Chinese family and regional associations played a  
5 pivotal and decisive role in relentlessly fighting anti-Chinese laws, especially in the courts, and  
6 winning numerous victories; and

7           WHEREAS, Chinatown in San Francisco is the oldest Chinatown in North America, and  
8 the largest Chinese enclave outside of Asia, and is home to a proud legacy of culture,  
9 solidarity, resistance, and strength for the Chinese community everywhere, and should be  
10 uplifted, protected, and celebrated; and

11           WHEREAS, The Chinatown community organized in 1987 to pass the Chinatown plan,  
12 which saved Chinatown from downtown driven development, and was best symbolized by the  
13 ten year I-Hotel struggle, which was led by both Filipino and Chinese residents and leaders;  
14 and

15           WHEREAS, The recent rise in anti-Asian violence and racial discrimination  
16 demonstrates that xenophobia remains deeply rooted in our society and should be understood  
17 and contextualized within our history; and

18           WHEREAS, During the ongoing pandemic, Chinese residents have been shamefully  
19 targeted and scapegoated, in similar ways as they have throughout history; and

20           WHEREAS, During the most recent surge in anti-Asian and Pacific Islander hate, as of  
21 July 9, 2021, Stop AAPI Hate has documented 762 reported incidents of hate crimes in San  
22 Francisco wherein some of the highest number of incidents were reported as consisting of  
23 63% Chinese, 10.2% Korean, 9.3% Filipino, and 6.7% Vietnamese thus a threat to the safety  
24 and wellbeing of the Chinese community is a threat to the safety and wellbeing of the whole  
25 Asian Pacific Islander community; and

1           WHEREAS, Asian-Americans are still often considered perpetual foreigners; and

2           WHEREAS, All ethnic Asian Pacific Islander communities were once regarded by the  
3 public collectively as “Chinese” or “Mongol”, these atrocities were also committed against the  
4 early immigrant ancestors of all Asian Pacific Islander communities; and

5           WHEREAS, The legacy of historic discrimination against the Chinese community  
6 continues today, in housing, education, employment, and business ownership; and

7           WHEREAS, The story of Chinese immigrants and the dehumanizing atrocities  
8 committed against them in the 19th and early 20th century should not be purged from or  
9 minimized in the telling of San Francisco’s history; and

10           WHEREAS, The City of San Francisco must acknowledge and take responsibility for  
11 the legacy of discrimination against early Chinese immigrants as part of our collective  
12 consciousness that helps contribute to the current surge in anti-Asian and Pacific Islander  
13 hate; and

14           WHEREAS, The experience of Chinese immigrants can be used to build solidarity with  
15 immigrant communities, and similar discrimination and racism was experienced and is still  
16 experienced by many other communities; and

17           WHEREAS, In 2009, under the leadership of Supervisors Chiu, Chu, and Yee, the  
18 Board of Supervisors expressed grave regrets and remorse for the history of racist policies  
19 towards the Chinese community; and

20           WHEREAS, In 2018, under the leadership of Supervisor Yee, the Board of Supervisors  
21 recognized the importance of the 75th anniversary of the repeal of the Chinese Exclusionary  
22 Act in remembering our history and not repeating the mistakes of the past; and

23           WHEREAS, A genuine apology for the role of the City in this history and legacy is an  
24 important and necessary step in the process of healing, reconciliation and redress; and

25

1           WHEREAS, Other major cities, including Antioch, San Jose, and Los Angeles have  
2 recently issued apologies for their histories of discrimination and violence towards the  
3 Chinese community and Chinese immigrants; and

4           WHEREAS, An apology for grievous injustices cannot erase the past, but admission of  
5 the historic wrongdoings committed can aid us in solving the critical problems of discrimination  
6 and racism facing San Francisco and the broader United States today; now, therefore, be it

7           RESOLVED, That the San Francisco Board of Supervisors apologizes to all Chinese  
8 immigrants and their descendants who came to San Francisco and were the victims of  
9 systemic and institutional racism, xenophobia, and discrimination; and, be it

10          FURTHER RESOLVED, That the San Francisco Board of Supervisors acknowledges  
11 acts of fundamental injustice, terror, cruelty, and brutality committed against the Chinese  
12 community; and, be it

13          FURTHER RESOLVED, That the San Francisco Board of Supervisors recognizes the  
14 contributions and resilience of the Chinese community and their commitment to fostering  
15 reconciliation and friendship, and to protecting civil rights for all; and, be it

16          FURTHER RESOLVED, That the San Francisco Board of Supervisors resolves to  
17 rectify the lingering consequences of the discriminatory policies of the City of San Francisco,  
18 and to use this Resolution as a teaching moment for the public to move forward towards  
19 justice for all; and, be it

20          FURTHER RESOLVED, That the San Francisco Board of Supervisors commits to  
21 programs, policies, and investments that can educate the public about this brutal history of  
22 discrimination and their ongoing consequences, as well as provide for redress and restoration.

23  
24  
25

President, District 10  
BOARD of SUPERVISORS



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Tel. No. 554-6516  
Fax No. 554-7674  
TDD/TTY No. 544-6546

**Shamann Walton**

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**PRESIDENTIAL ACTION**

Date: 12/29/2021

To: Angela Calvillo, Clerk of the Board of Supervisors

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Madam Clerk,  
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. \_\_\_\_\_

\_\_\_\_\_  
(Primary Sponsor)

Title. \_\_\_\_\_

Transferring (Board Rule No 3.3)

File No. \_\_\_\_\_

211240

Haney

\_\_\_\_\_  
(Primary Sponsor)

Title. Apologizing to Chinese Immigrants and Their Descendants

From: Public Safety and Neighborhood Services

Committee

To: Budget & Finance

Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor: \_\_\_\_\_

Replacing Supervisor: \_\_\_\_\_

For: \_\_\_\_\_

(Date)

(Committee)

Meeting

Start Time: \_\_\_\_\_

End Time: \_\_\_\_\_

Temporary Assignment:  Partial  Full Meeting

  
\_\_\_\_\_  
Shamann Walton, President  
Board of Supervisors

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Haney

Subject:

Resolution Apologizing to Chinese Immigrants and their Descendants

The text is listed:

Resolution apologizing on behalf of the Board of Supervisors of the City and County of San Francisco to Chinese immigrants and their descendants for systemic and structural discrimination, targeted acts of violence, and atrocities and committing to the rectification and redress of past policies and misdeeds.

Signature of Sponsoring Supervisor:

For Clerk's Use Only