

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

June 8, 2023

The Honorable Rob Bonta
Office of the Attorney General
State of California
1300 I Street
Sacramento, CA 95814-2919

Re: Board of Supervisors Resolution No. 288-23

Dear Attorney General Bonta:

On May 23, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 288-23 (Urging the California Attorney General and the U.S. Department of Justice to Examine Evidence in the Killing of Banko Brown), which was enacted on June 2, 2023.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 288-23 (File No. 230585)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


f Angela Calvillo
Clerk of the Board

ll:jw:ak:ams

- c. Members of the Board of Supervisors, Supervisors Aaron Peskin, Shamann Walton, Hillary Ronen, Dean Preston, Connie Chan
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Susanna Conine-Nakano, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

1 [Urging the California Attorney General and the U.S. Department of Justice to Examine
2 Evidence in the Killing of Banko Brown]

3 **Resolution urging the California Attorney General and the United States (U.S.)**
4 **Department of Justice to examine evidence in the killing of Banko Brown, and make a**
5 **determination as to whether the evidence warrants the pursuit of criminal charges or**
6 **other legal action.**

7
8 WHEREAS, On May 9, 2023, the San Francisco Board of Supervisors unanimously
9 adopted a Resolution, on file with the Clerk of the Board of Supervisors in File No. 230523,
10 urging the District Attorney and the San Francisco Police Department (SFPD) to release
11 police reports, witness accounts and video information that formed the factual basis in the
12 case presented by the SFPD for presenting a homicide case to the District Attorney in the
13 killing of Banko Brown in front of the Walgreens store at 825 Market Street on April 26, 2023;
14 and

15 WHEREAS, On May 15, 2023, the District Attorney released the Walgreens
16 surveillance video footage, and reaffirmed her May 1, 2023 press announcement that she
17 would not pursue charges against the Walgreens security guard, Michael Earl-Wayne
18 Anthony, who shot and killed Banko Brown, despite the evidence set forth in the video footage
19 and despite the inability of any witnesses to corroborate Mr. Anthony's assertions of a verbal
20 threat from the unarmed Banko Brown; and

21 WHEREAS, Given the surveillance video's deeply disturbing evidence and given the
22 intensified tensions over a perceived miscarriage of justice, thus threatening the peace and
23 stability of the social order and public safety in San Francisco; and
24
25

1 WHEREAS, The Attorney General, as is within his jurisdiction and authority, has been
2 asked to take up other cases wherein the District Attorney has decided to dismiss all charges;
3 and

4 WHEREAS, Justice and safety are not mutually exclusive values that underpin a
5 democratic and orderly society that values the sanctity of human life and does not condone
6 vigilantism nor the death penalty for shoplifting; and

7 WHEREAS, It is in San Francisco's best interest to have a fair and equal application of
8 the law in order to maintain the peace; now, therefore, be it

9 RESOLVED, That the San Francisco Board of Supervisors does urge the California
10 Attorney General and the U.S. Department of Justice to examine evidence in the killing of
11 Banko Brown, and make a determination as to whether the evidence warrants the pursuit of
12 criminal charges or other legal action.



City and County of San Francisco
Tails
Resolution

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

File Number: 230585

Date Passed: May 23, 2023

Resolution urging the California Attorney General and the United States (U.S.) Department of Justice to examine evidence in the killing of Banko Brown, and make a determination as to whether the evidence warrants the pursuit of criminal charges or other legal action.

May 23, 2023 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE
BEARING SAME TITLE

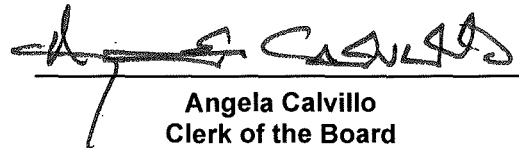
Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai,
Stefani and Walton
Excused: 1 - Melgar

May 23, 2023 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai,
Stefani and Walton
Excused: 1 - Melgar

File No. 230585

I hereby certify that the foregoing
Resolution was ADOPTED AS AMENDED on
5/23/2023 by the Board of Supervisors of the
City and County of San Francisco.


Angela Calvillo
Clerk of the Board

Unsigned


London N. Breed
Mayor

06/02/2023

Date Approved

File No.
230585

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, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

06/02/2023

Date

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

June 8, 2023

The Honorable Merrick B. Garland
United States Attorney General
United States Department of Justice
950 Pennsylvania Avenue NW
Washington DC 20530

Re: Board of Supervisors Resolution No. 288-23

Dear Attorney General Garland:

On May 23, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 288-23 (Urging the California Attorney General and the U.S. Department of Justice to Examine Evidence in the Killing of Banko Brown), which was enacted on June 2, 2023.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 288-23 (File No. 230585)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela Calvillo".

Angela Calvillo
Clerk of the Board

ll:jw:ak:ams

- c. Members of the Board of Supervisors, Supervisors Aaron Peskin, Shamann Walton, Hillary Ronen, Dean Preston, Connie Chan
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Susanna Conine-Nakano, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

1 [Urging the California Attorney General and the U.S. Department of Justice to Examine
2 Evidence in the Killing of Banko Brown]

3 **Resolution urging the California Attorney General and the United States (U.S.)**
4 **Department of Justice to examine evidence in the killing of Banko Brown, and make a**
5 **determination as to whether the evidence warrants the pursuit of criminal charges or**
6 **other legal action.**

7
8 WHEREAS, On May 9, 2023, the San Francisco Board of Supervisors unanimously
9 adopted a Resolution, on file with the Clerk of the Board of Supervisors in File No. 230523,
10 urging the District Attorney and the San Francisco Police Department (SFPD) to release
11 police reports, witness accounts and video information that formed the factual basis in the
12 case presented by the SFPD for presenting a homicide case to the District Attorney in the
13 killing of Banko Brown in front of the Walgreens store at 825 Market Street on April 26, 2023;
14 and

15 WHEREAS, On May 15, 2023, the District Attorney released the Walgreens
16 surveillance video footage, and reaffirmed her May 1, 2023 press announcement that she
17 would not pursue charges against the Walgreens security guard, Michael Earl-Wayne
18 Anthony, who shot and killed Banko Brown, despite the evidence set forth in the video footage
19 and despite the inability of any witnesses to corroborate Mr. Anthony's assertions of a verbal
20 threat from the unarmed Banko Brown; and

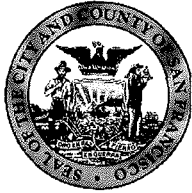
21 WHEREAS, Given the surveillance video's deeply disturbing evidence and given the
22 intensified tensions over a perceived miscarriage of justice, thus threatening the peace and
23 stability of the social order and public safety in San Francisco; and
24
25

1 WHEREAS, The Attorney General, as is within his jurisdiction and authority, has been
2 asked to take up other cases wherein the District Attorney has decided to dismiss all charges;
3 and

4 WHEREAS, Justice and safety are not mutually exclusive values that underpin a
5 democratic and orderly society that values the sanctity of human life and does not condone
6 vigilantism nor the death penalty for shoplifting; and

7 WHEREAS, It is in San Francisco's best interest to have a fair and equal application of
8 the law in order to maintain the peace; now, therefore, be it

9 RESOLVED, That the San Francisco Board of Supervisors does urge the California
10 Attorney General and the U.S. Department of Justice to examine evidence in the killing of
11 Banko Brown, and make a determination as to whether the evidence warrants the pursuit of
12 criminal charges or other legal action.



City and County of San Francisco
Tails
Resolution

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

File Number: 230585

Date Passed: May 23, 2023

Resolution urging the California Attorney General and the United States (U.S.) Department of Justice to examine evidence in the killing of Banko Brown, and make a determination as to whether the evidence warrants the pursuit of criminal charges or other legal action.

May 23, 2023 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE
BEARING SAME TITLE

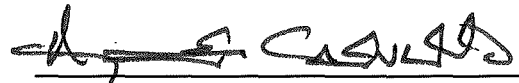
Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai,
Stefani and Walton
Excused: 1 - Melgar

May 23, 2023 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai,
Stefani and Walton
Excused: 1 - Melgar

File No. 230585

I hereby certify that the foregoing
Resolution was ADOPTED AS AMENDED on
5/23/2023 by the Board of Supervisors of the
City and County of San Francisco.


Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

06/02/2023

Date Approved

File No.
230585

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, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

06/02/2023

Date