

File No. 140198

Committee Item No. \_\_\_\_\_

Board Item No. 21

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date March 11, 2014

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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- |                          |                                     |                                    |
|--------------------------|-------------------------------------|------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>RESOLUTION 352-10</u>           |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>LORDY YIAO FELI MENA RESUME</u> |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                              |

Completed by: Joy Lamug

Date March 6, 2014

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

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

2  
3 **Resolution urging The Honorable Jerry Brown, Governor of California, to grant Xiao Fei**  
4 **"Eddy" Zheng a full pardon, and allow him to remain in the United States, and continue**  
5 **to serve youth in the San Francisco Bay Area community.**  
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 the  
9 age of twelve as a lawful permanent resident; and

10 WHEREAS, After serving 19 years within the California Department of Corrections  
11 following an adult conviction for kidnapping for purposes of robbery at the age of 16, Eddy  
12 Zheng was granted parole by the California Board of Prison Terms in 2004; and

13 WHEREAS, In 2005, Governor Arnold Schwarzenegger reviewed and allowed to stand  
14 that parole grant based on the uncontested evidence of Eddy Zheng's rehabilitation and  
15 suitability for parole, including demonstrating extensive remorse for his crime, learning  
16 English, obtaining G.E.D. and A.A. degrees, serving in leadership capacities in Toastmasters,  
17 San Quentin Utilization of Inmate Resources, Experiences, and Studies, Anti-Violence Project  
18 workshops, and dedicating his life to helping others achieve a similar level of rehabilitation;  
19 and

20 WHEREAS, Subsequent to his release, Eddy Zheng has demonstrated his deep  
21 commitment to working with young people, particularly underserved Asian-American at-risk  
22 youth, as a project director at the Community Youth Center, where he has mediated youth  
23 conflicts and coordinated activities to educate, employ, and empower youth; and  
24  
25

1 WHEREAS, San Francisco Mayor Gavin Newsom appointed Eddy Zheng in 2009 to  
2 the San Francisco Reentry Council, which assists ex-offenders in transitioning back into  
3 society; and

4 WHEREAS, San Francisco Mayor Edwin Lee appointed Eddy Zheng in 2011 for a  
5 second term to the San Francisco Reentry Council to lend his expertise and experience to  
6 assist our law enforcement agencies as we implement the Realignment Plan mandated by the  
7 State of California; and

8 WHEREAS, San Francisco Mayor Edwin Lee appointed Eddy Zheng in 2013 to the  
9 Southeast Community Facility Commission, which advocates for the health, safety, welfare  
10 and access to services and entrepreneurial business opportunities for the residents of the  
11 Southeast Sector of the City and promotes diversity, health, safety and professional  
12 development for its workforce; and

13 WHEREAS, Eddy Zheng has served as a member of the San Francisco Central Police  
14 Station Citizen Advisory Board, Board Member of Chinese for Affirmative Action, National  
15 Advisory Board Member of the Asian American Law Journal, and co-chair of the Asian  
16 Prisoners' Support Committee, and has also published an anthology of the prison experience  
17 from the Asian American experience; and

18 WHEREAS, Eddy Zheng has won numerous awards from community organizations  
19 and the California State Legislature's Asian Pacific Islander Legislative Caucus for his  
20 leadership in building bridges, serving underserved at-risk youth, and working to make San  
21 Francisco safer; and

22 WHEREAS, The removal of Eddy Zheng from the United States would be a waste of  
23 the resources spent on his rehabilitation and a loss of a significant community leader; and  
24  
25

1 WHEREAS, The removal of Eddy Zheng cannot be justified as punishment since his 19  
2 years of incarceration were found by the Board of Prison Terms to be sufficient punishment  
3 for the offense; and

4 WHEREAS, The San Francisco Board of Supervisors passed a similar Resolution 139-  
5 06 with a 10-0 vote on February 28, 2006, which asked the Department of Homeland Security  
6 to allow Eddy Zheng to remain in the United States; and

7 WHEREAS, The San Francisco Board of Supervisors passed a similar Resolution 352-  
8 10 with an 11-0 vote on July 27, 2010, requesting a pardon from Governor Schwarzenegger;  
9 and

10 WHEREAS, Eddy Zheng has been recognized by public leaders including U.S.  
11 Representatives Michael M. Honda and Judy Chu, former California State Senators John  
12 Burton, Sheila J. Kuehl, Don Perata, and Byron Sher, State Senators Carol Liu, Mark Leno,  
13 Loni Hancock, Gloria Romero, and Leland Yee, former State Assemblywoman Wilma Chan,  
14 former San Quentin State Prison Warden Art Calderon, and by both his prosecuting attorney  
15 and sentencing judge, who recognized that Eddy Zheng's rehabilitation justifies his release  
16 back to the community; and

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

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

22 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Governor  
23 Brown to grant Eddy Zheng a full pardon to be able to remain lawfully in the United States  
24 with his wife, his family, and his community; and, be it  
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1           FURTHER RESOLVED, That copies of this resolution be sent to Federal and State  
2 Representatives in San Francisco, and be provided to Eddy Zheng's counsel for appropriate  
3 distribution.  
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**Education** Patten College  
Oakland, California  
Associate of Arts, January 1999

**Experience** **Community Youth Center of San Francisco (CYC)**  
**San Francisco, California**

Project Director 7/2013 to present

*Program Director (Bayview Branch Office)* 11/2012 to 6/2013

- Oversee daily operation and coordination of the branch office.
- Oversee recruitment, supervision and development of direct service staff.
- Oversee and maintains accurate documentation and statistics on client services, and produces monthly reports for granting agencies.
- Outreach and collaborate with different Community Based Organizations, city departments, merchants and residents to build strong relationships.
- Plan and create surveys and resource guides for the mono-lingual Chinese population
- Oversee the facilitation and implementation of the multi-cultural youth leadership program.
- Develop, plan, and implement cultural events, activities, and other projects that promote racial harmony.

*Project Manager* 7/2009 to 10/2012

- Oversee daily operation and coordination of agency's intervention and street outreach services.
- Oversee recruitment, supervision and development of direct service staff along with the Clinical Supervisor and other Project Managers on safety measures and violence prevention strategies.
- Oversee intervention and street outreach programs budget management and grant management.
- Oversee and maintains accurate documentation and statistics on client services, and produces monthly reports for granting agencies.
- Facilitate monthly intervention and street outreach component meetings.
- Establish a working partnership, maintain open communication and act as a liaison to San Francisco Police Department, Juvenile Probation Department, Juvenile Court, District Attorney's Office, Public Defender's Office, Department of Public Health (Crisis Response Team), San Francisco Unified School District, Department of Children, Youth and Their Families and Re-entry Council.

- Respond to crisis incidents with the outreach team and other CRN partners.
- Develop, plan, and implement events, activities, and other projects that promote violence prevention and reduction in the Asian and Pacific Islander community.
- Lead outreach in providing crowd control and de-escalation techniques with high risk youth.
- Coordination with service providers including the CRN partners and the community.

*Project Coordinator*

10/2008 to 6/2009

- Oversee recruitment, supervision and development of CRNAPI direct service staff, including the collaborative organizations, along with the Clinical Supervisor.
- Oversee CRN-API program budget management and grant management.
- Oversee service evaluation and documentation.
- Establish a working partnership, maintain open communication and act as a liaison to Juvenile Probation Department, Mayor's Office of Criminal Justice, Juvenile Court, District Attorney's Office and the Public Defender's Office.
- Conduct night level outreach for youth in the targeted neighborhoods
- Conduct assessments to determine needs of the at-risk youth.
- Develop initial case plans and monitor implementation of treatment goals.
- Network with other service providers to establish liaisons and resources.
- Attend client review meetings, clinical meetings, and agency meetings as required.
- Participate in trainings and community meetings as necessary.
- Support and assist the agency and community events.
- Prepare program documentations and reports
- Other duties as assigned by Management.

*Outreach Worker / Case Manager*

4/2007 to 10/2008

- Conduct night level outreach for youth in the targeted neighborhoods
- Conduct assessments to determine needs of the at-risk youth.
- Develop initial case plans and monitor implementation of treatment goals.
- Facilitate meetings with related parties during the intervention/reintegration processes.
- Maintain official contacts to schools, probation department, and attorney offices.
- Network with other service providers to establish liaisons and resources.
- Attend client review meetings, clinical meetings, and agency meetings as required.
- Participate in trainings and community meetings as necessary.

- Support and assist the agency and community events.
- Prepare program documentations and reports
- Other duties as assigned by Management.

**Project I.M.P.A.C.T. (Incarcerated Men Putting Away Childish Things)  
Stockton, California**

*District Facilitator*

2009 to present

- Facilitate workshops in Department of Juvenile Justice for incarcerated youth
- Promote Accountability, Integrity and Responsibility
- Promote the notion that man must analyze and evaluate their choices

**Keynotes**

- panelist at the Film screening of "Sentenced Home" at San Francisco's Koret Public Library 2007
- Panelist at the APA Five Inspire's Overcoming Taboos and Mentorship session San Francisco, California 2007
- Keynote speaker for Peer Court graduation ceremony San Francisco, California 2007
- Panelist on Public Defender's second annual Safe Community Reentry Council summit at San Francisco State University, California 2007
- Keynote speaker at the Harry Bellefonte The Gathering for Justice 1<sup>st</sup> National Convention Oakland, California 2007
- Keynote speaker and panelist for Bay Area Asian Pacific American Law Students Association Berkeley, California 2008
- panelist and presentation at the Challenging the Myth symposium at San Francisco State University, California
- Keynote speaker at the 7<sup>th</sup> Annual Ethnic Studies Conference at UC Berkeley, California 2008
- Performed original poem "Pass it On" at the 30<sup>th</sup> annual Asian Pacific American Heritage Month celebration in the Hearst Theatre San Francisco, California 2008
- East Meets West author talk and book signing at downtown campus of City College of San Francisco, California 2008
- Master of Ceremonies for Asian and Pacific Islander Youth Promoting Advocacy and Leadership's 10<sup>th</sup> anniversary celebration Oakland, California 2008
- Keynote speaker at the UC Berkeley Southeast Asian Student Coalition's annual benefit concert "Break the Chain." 2009
- East Meets West Asian American Heritage month author talk and book signing at the southeast campus of City College of San Francisco, California 2009
- Keynote speaker for the University of Santa Cruz 15<sup>th</sup> Motivation Conference Santa Cruz, California 2009



- Keynote speaker at San Quentin State Prison's Responsibility, Rehabilitation, & Restoration Interfaith Round Table during National Restorative Justice Week 2010
- Keynote speaker at the UC Davis Asian Pacific Islanders Leadership Conference 2011
- Master of Ceremonies at the 41<sup>st</sup> Community Youth Center of San Francisco Festival of Youth Gala 2011
- Keynote speaker at the 40<sup>th</sup> Anniversary of Organization of Chinese Americans Advocates in Washington D.C. 2013

**Projects** Co-Editor of "Other: an Asian Pacific Islander Prisoners' Anthology" Fall 2007

The anthology is the first book to highlight the unique stories and perspectives of the growing Asian & Pacific Islander prisoner population in the U.S. In total, 22 talented writers, poets, and artists have contributed to this anthology project.

**Other**

**Activities** Mayor Appointee of San Francisco Southeast Community Facility Commission  
Mayor Appointee of San Francisco Reentry Council, California (two 2 year terms)  
Board of Director of San Francisco Chinese for Affirmative Action, California  
Central Police District Community Police Advisory Board of San Francisco, Ca  
Co-Chair of Asian Prisoners Support Committee of Oakland, California

**Special  
Skills**

Fluent in English, Cantonese and Mandarin,  
Motivational Speaker  
Alternative to Violence facilitator  
Excellent communication and networking skill  
Microsoft Internet Explorer, Word, Excel

**Awards**

San Francisco Eddy Zheng Day 5/29/2012 by the Board of Supervisors  
San Francisco Asian Pacific American Heritage Month District 10 Honoree 2012  
by Supervisor Malia Cohen  
Project I.M.P.A.C.T Community Service Award 2011  
Chinatown Community Development Center Community Service Award 2011  
Department Children Youth and Their Families of San Francisco Roots  
Fellow 2009  
Bay Area Asian Pacific American Law Students Association Outstanding  
Leadership Award 2008  
Chinese World Journal Community Hero Award 2007

**Give a brief account of your offense.**

At the age of 16, I made a decision that I will regret for the rest of my life. In January of 1986, I participated in a home invasion with two other teenagers in San Francisco. Under the influence of a materialistic mindset, I violated a family of four Chinese Americans. As an immigrant from China, I did not appreciate the sacrifices my parents had made so I could have a better future. I thought having money equaled happiness. I did not understand the importance of investing in my education and working hard to earn an honest living. My conscience will always remind me of the suffering I have caused to the victims of my offense and the shame that I brought to my family from this crime. I take full responsibility for my actions. Without money to hire a private lawyer, my family urged me to plead guilty to all counts because they were under the impression that it would bring me a more lenient sentence. We relied on the public defender. Charged as an adult, I pled guilty to eighteen counts, all arising from the same incident, and was sentenced to state prison for a term of life with the possibility of parole on one count (kidnapping to commit robbery), and eight years on another count (robbery of an inhabited dwelling). The sentences on the remaining counts were stayed.

**Explain your rehabilitation efforts during incarceration.**

In prison for almost twenty years, I transformed from an uneducated and selfish teenager who did not speak or write English to a compassionate and educated adult who is committed to give back to the community. I ceased to be a lost sixteen-year-old and matured into a socially conscious adult seeking to make a change, not only in myself, but also in my environment. My first accomplishment was learning English. After gaining a better command of the language, I earned my GED at California State Prison-Solano and then later I earned my Associates Degree through the San Quentin College Program while working full time.

Throughout my stay in prison, I continuously participated in over twenty programs including SQUIRES (San Quentin Utilization of Inmates, Resources, Experiences, and Studies) and Alternatives to Violence Program for At-Risk Youth--programs that expose troubled youths to the realities of prison life in an attempt to deter them from following the same path many of the inmates took. I directed the Catholic Choir and joined self-help programs such as Advanced Alternatives to Violence, Communication Training, VORG (Victims and Offenders Reconciliation Group,) Self-Esteem Enhancement Group, and a Working with Anger Seminar course. I worked with at-risk youth and wrote a curriculum to deter them from committing crimes. I led a public speaking club. I taught alternatives to violence workshops to prisoners and community members. I wrote poetry and published an anthology of creative writings. I started the first poetry slam at San Quentin that became a tradition. I taught myself basic legal aid to defend my rights and the rights of fellow prisoners. In sum, I was a leader for prisoner rehabilitation, worked on innovative youth violence prevention projects, and published writings about my personal transformation.

I am acutely aware of the impossibility of paying my debt to the victims of my crime. Therefore, I have decided to dedicate my life to social services. Paying forward is the best way for me to express my remorse for the victims, my family, and society. Most telling, perhaps, of my transformation is the acceptance I received from a multitude of individuals in the community, leading to offers of employment as a counselor and youth coordinator upon my release from prison.

**Describe your record in prison, jail, parole or probation. (List all disciplinary action taken against you)**

During my nineteen years of incarceration, I received three CDC 128s (that were minor in nature, "counseling chromos") and two CDC 115s. The CDC 128s consisted of one in 1988 for missing lockup, one in 1989 for having a window covered; and one in 1992 for misuse of the mail system. The CDC 115s were administrative and consisted of one in 2000 for over familiarity with volunteers (I shared poetry with a volunteer, which is what other inmates in the program were doing), and one in 2002 for violation of California Code of Regulations, Section 3250, which was vacated by the court as a settlement of my civil rights lawsuit against the institution for violation of my constitutional rights (I wanted to help bring an ethnic studies program to the facility).

**When were you discharged from probation or parole?**

I was discharged from parole on March 5, 2010.

I served more than nineteen years as a model inmate before I was finally granted parole in March 2005, at the age of thirty-five. Having spent more than half of my life behind bars for a crime I committed at age sixteen, I was granted parole only by demonstrating to the parole board and Governor Arnold Schwarzenegger that I was a model inmate who acknowledged my mistakes, expressed remorse for my crime, and did everything I could to improve myself. The judge who sentenced me, the Assistant District Attorney who prosecuted me, a former director of the California Department of Corrections, and dozens of state legislators, local politicians, and community leaders wrote letters of support for my parole.

**Partial List of Supporters for my release from prison and immigration detention:**

- Mark Leno, CA State Senator
- Phil Ting, CA State Assembly member
- Leland Yee, CA State Senator
- Loni Hancock, CA State Senator
- Carol Liu, CA State Senator
- Gloria Romero, CA State Senator
- Don Perata, former CA Senate President Pro Tem
- John Burton, former CA Senate President Pro Tem
- Sheila Kuehl, former CA State Senator
- Byron Sher, former CA State Senator

- John Vasconcellos, former CA State Senator
  - Judy Chu, U.S. Congresswoman
  - Wilma Chan, former CA Assembly member
  - Jane Kim, SF Board of Supervisors
  - Eric Mar, SF Board of Supervisors
  - Alice Lai-Bitker, Alameda County (CA) Supervisor
  - Jerry Enomoto, former Director, CA Dept of Corrections
  - Chris Nedeau, former SF Assistant District Attorney who prosecuted Eddy Zheng
  - Rev. Norman Fong, SF Chinatown Presbyterian Church
  - Dale Minami, Coalition of Asian Pacific Americans
  - Victor Hwang, SF Assistant District Attorney
  - Yuri Kochiyama, Community Activist
  - John Fong, Asian Youth Promoting Advocacy & Leadership
  - Isami Arifuku, National Council on Crime and Delinquency
- \* organizations listed for ID purposes only*

**Describe your rehabilitation and activities since release.**

Since my release in February of 2007, I have immersed myself in serving the community. I started work in the Community Youth Center of San Francisco (CYC) as a Case Manager / Outreach Worker on April 2007 where I am able to utilize my experiences to work with youth and their families. I was promoted to Project Manager in less than two years to oversee the violence prevention components in the agency. Through my work at the Community Youth Center, I coordinate the Community Response Network – Asian Pacific Islanders (CRN-API) component, where I conduct case management services, conflict mediation, and youth violence prevention activities. My immigrant teenage years in Oakland and my incarceration experience enable me to conduct effective outreach and intervention strategies for youth, many of whom who are at-risk for entering the criminal justice system. Because of my experience in mediating ethnic/racial tensions, I play an important role in building bridges among diverse populations. My efforts positively impact public safety and help to reduce violence and truancy. I also provide linguistic and cultural support to parents of the youth I serve through counseling and translation services. I work closely with the school district, law enforcement agencies, city officials and other community based organization in violence prevention. I helped organized a vigil and rally in light of all the violence and racial tension between the African Americans and Asian Americans in the Bay Area. I am currently the Project Director of overseeing the CYC Bayview Branch Office and all agency special projects.

In my spare time, I go into the California Youth Authority to facilitate workshops to help reduce recidivism as a district facilitator with Project I.M.P.A.C.T. (Incarcerated Men Putting Away Childish Things). I published a book, "Other: an Asian & Pacific Islander Prisoners' Anthology." I go to schools, universities and community based organizations to give motivational presentations and book readings across the nation. I love the feeling

of being able to make a positive impact on peoples' lives. I have conducted over 200 anti-violence presentations, workshops, mediations, and speeches at public schools and community events since my release. I am the co-chair of the Asian Prisoners Support Committee based in Oakland, a grass root organization that provides support to Asian and Pacific Islander prisoners and their families and educates the broader community about the growing number of Asians and Pacific Islanders in the U.S. being imprisoned, detained, and deported.

List of Awards and Committees:

- 2011 Chinatown Community Development Center's Community Service Award
- 2011 Project I.M.P.A.C.T. (Incarcerated Men Putting Away Childish Things) Community Service Award
- 2009 Department of Children Youth and their Families Roots Fellow
- 2008 "Outstanding Leadership Award" from the Bay Area Asian Pacific American Law Students Association
- 2007 "Community Hero Award" from the Chinese language newspaper World Journal
- Mayor appointed Commissioner of San Francisco's Southeast Community Facility Commission
- Board of Directors of San Francisco Chinese for Affirmative Action (CAA)
- Mayor appointed council member of the San Francisco Reentry Council (2009 to 2013)
- Member of the San Francisco central police station Citizen Advisory Board
- Co-Chair of Asian Prisoners' Support Committee based in Oakland
- Published co-author of "Other: An Asian and Pacific Islander Prisoners' Anthology"

**Why you are requesting a pardon?**

I came to the United States from China as a legal immigrant with a green card when I was twelve years old in 1982. After being granted parole in 2005, I faced immediate deportation to China. Following my release from criminal custody, the Department of Homeland Security (DHS) immediately took me into custody and charged me as deportable from the United States based on the 1986 convictions. In July 2006 and November 2006, respectively, an Immigration Judge (IJ) and the Board of Immigration Appeals (BIA) found me deportable for aggravated felony offenses. The IJ and the BIA also denied my two applications for relief, a waiver of deportation (known as a § 212(c) waiver) and an application for protection under the Convention Against Torture (CAT). As a consequence, I have an administrative final order of removal. I filed an appeal of the BIA's decision before the Ninth Circuit Court of Appeals. See Case no. 06-75258. I was released from immigration custody in February 2007.

My situation could have been completely avoided had my public defender merely asked the sentencing judge in 1986 to make a judicial recommendation against deportation. This was an oversight on the part of my public defender that cannot be corrected retroactively; the motion had to be made within thirty days of sentencing. The same sentencing judge subsequently supported my parole and request to stay in the U.S. Since the public defender failed to request a recommendation against deportation in 1986, I now face deportation to a country I left as a child. I also would not be facing deportation today if I had been tried as a juvenile at the age of sixteen. The Assistant DA who prosecuted me as an adult in 1986 also supported my parole and request to remain in the U.S.

On May 6, 2011, the Ninth Circuit Court of Appeals in San Francisco ruled in a published precedent decision that I deserve a new hearing where all my supporting evidence would be carefully considered.<sup>1</sup> The Ninth Circuit determined that the BIA decision was incorrect and incomplete, because it failed to consider the most important factors in my case – my value to the community, which has been outstanding. My case has been sent back to the Immigration Court for a new hearing.

However, even though the Ninth Circuit ordered reconsideration and my new hearing has not been scheduled, it is still possible that the Immigration Court and the BIA would again deny my application for relief as a matter of discretion. If I am deported, my ability to return to the United States is questionable. A pardon from the Governor is therefore one of the only avenues of relief remaining available for me to stay in the United States. A pardon would eliminate my moral turpitude conviction for deportation and removal purposes.

I have been outspoken about human rights and religious abuses and face extreme hardship if I am deported to China. Since I have not lived in China for over forty-two years, it is unlikely that I will be able to acquire a *hukou* residency status, which is essential to accessing public resources and employment opportunities. As a convicted felon, I will also be susceptible to China's "strike-hard" campaigns that target former criminals, minority groups, and reform advocates. Immigrating to the U.S. as a 12-year old child, I do not have close family or friends in China and have very limited Chinese literacy. Given my social isolation and lack of *hukou* status in China, I will face extreme hardship if I am the target of a "strike-hard" campaign and will likely face inhumane treatment and torture in China's prisons. My parents, siblings, wife and daughter are all United States citizens.

I am seeking a pardon from the Governor of the State of California because I want to be able to stay in this country and continue my work as a servant to the people. I got married on December 31, 2012, and my wife and I now have a beautiful baby girl, born this past October. I want to continue to pay forward for the wrong that I committed as a 16-year-old in a positive and proactive manner. I want to fulfill my duties as a son to my parents, husband to my wife, father to my daughter, brother to my siblings, and uncle to my niece

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<sup>1</sup> Xiao Fei Zheng, aka Eddy Zheng, v. Holder, 644 F.3d 829 (9<sup>th</sup> Cir. 2011).

and nephews. Last, but not least, I want to have the right and opportunity to "Life, Liberty and the pursuit of Happiness."

My extraordinary personal transformation makes me an invaluable mentor. My ability to connect with at risk youth at their level and share my experiences and knowledge have inspired and motivated many to want to make positive changes in their lives. The contributions I have made and my message to the youth has earmarked me as a highly effective grassroots community leader who will leave a lasting legacy in the community. Most importantly, my dedication and commitment in devoting my life to serve the children, youth and their families is evident from the support of the community. For these reasons and the reasons expressed by my supporters, I believe I am an ideal candidate for a Governor's Pardon, which I understand is reserved for only truly exceptional circumstances and candidates.

1 [Supporting Eddy Zheng's application to remain lawfully in the United States.]

2  
3 **Resolution urging The Honorable Arnold Schwarzenegger, Governor of California, to**  
4 **grant Xiao Fei "Eddy" Zheng a full pardon and allow him to remain in the United States**  
5 **and to continue to serving youth in the San Francisco Bay Area community.**

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

9 WHEREAS, after serving 19 years within the California Department of Corrections  
10 following an adult conviction for kidnapping for purposes of robbery at the age of 16, Eddy  
11 was granted parole by the California Board of Prison Terms in 2004; and,

12 WHEREAS, in 2005, Governor Arnold Schwarzenegger reviewed and allowed to stand  
13 that parole grant based on the uncontested evidence of Eddy Zheng's rehabilitation and  
14 suitability for parole; such evidence included demonstrating extensive remorse for his crime,  
15 learning English, obtaining a G.E.D. and an A.A. degree, serving in leadership capacities in  
16 Toastmasters, S.Q.U.I.R.E.S. (San Quentin Utilization of Inmate Resources, Experiences, and  
17 Studies), Anti-Violence Project workshops, and dedicating his life to help others achieve a  
18 similar level of rehabilitation; and,

19 WHEREAS, subsequent to his release, Eddy Zheng has demonstrated his deep  
20 commitment to working with young people, particularly underserved Asian-American at-risk  
21 youth, as a project manager at the Community Youth Center, where he has mediated youth  
22 conflicts and coordinated activities to educate, employ, and empower youth; and,

23 WHEREAS, San Francisco Mayor Newsom appointed Eddy Zheng in 2009 to the San  
24 Francisco Reentry Council, which assists ex-offenders in transitioning back into society; and,



1 WHEREAS, Eddy Zheng has served as a member of the San Francisco Central Police  
2 Station Citizen Advisory Board, National Advisory board member of the Asian American Law  
3 Journal, member of the Asian Prisoners' Support Committee, and also published an anthology  
4 of the prison experience from the Asian American experience; and,

5 WHEREAS, Eddy Zheng has won numerous awards from community organizations  
6 and the California State Legislature's Asian Pacific Islander Legislative Caucus for his  
7 leadership in building bridges, serving underserved at-risk youth, and working to make San  
8 Francisco safer; and,

9 WHEREAS, The removal of Eddy Zheng from the United States would be a waste of  
10 the resources spent on his rehabilitation and a loss of a significant community leader; and,

11 WHEREAS, The removal of Eddy Zheng cannot be justified as punishment since his 19  
12 years of incarceration were found by the Board of Prison Terms to be sufficient punishment  
13 for the offense; and,

14 WHEREAS, the San Francisco Board of Supervisors passed a similar Resolution 139-  
15 06 with a 10-0 vote on February 28, 2006, which asked the Department of Homeland Security  
16 to allow Eddy Zheng to remain in the United States; and,

17 WHEREAS, Eddy Zheng has been recognized by public leaders including U.S.  
18 Representatives Michael M. Honda and Judy Chu, former California State Senators John  
19 Burton, Sheila J. Kuehl, Don Perata, and Byron Sher, State Senators Carol Liu, Mark Leno,  
20 Loni Hancock, Gloria Romero, and Leland Yee, former State Assemblywoman Wilma Chan,  
21 former San Quentin State Prison Warden Art Calderon, and by both his prosecuting attorney  
22 and sentencing judge, who recognized that Eddy Zheng's rehabilitation justifies his release  
23 back to the community; and,

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

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

6 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Governor  
7 Schwarzenegger to grant Eddy Zheng a full pardon to be able to remain lawfully in the United  
8 States, with his wife, his family, and his community; and, be it

9 FURTHER RESOLVED, That copies of this resolution be sent to federal and state  
10 representatives in San Francisco, and be provided to Eddy Zheng's counsel for appropriate  
11 distribution.



City and County of San Francisco  
Tails  
Resolution

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

File Number: 100935

Date Passed: July 27, 2010

Resolution urging the Honorable Arnold Schwarzenegger, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon and allow him to remain in the United States and to continue to serving youth in the San Francisco Bay Area community.

July 20, 2010 Board of Supervisors - CONTINUED

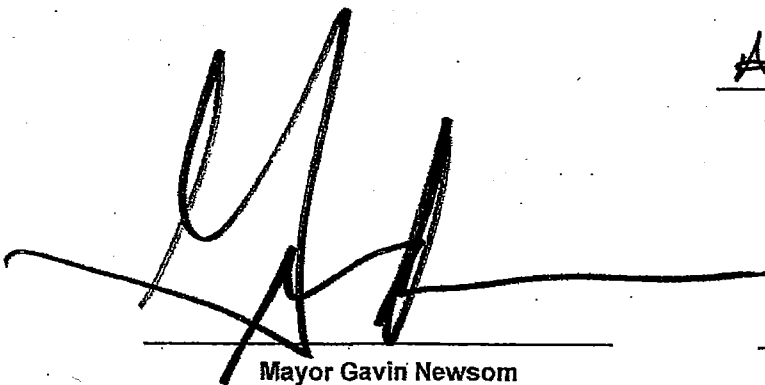
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

July 27, 2010 Board of Supervisors - ADOPTED

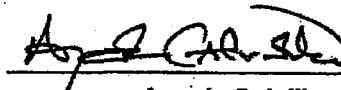
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100935

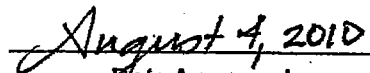
I hereby certify that the foregoing  
Resolution was ADOPTED on 7/27/2010 by  
the Board of Supervisors of the City and  
County of San Francisco.



Mayor Gavin Newsom



Angela Calvillo  
Clerk of the Board



August 4, 2010  
Date Approved

# Introduction Form

By a Member of the Board of Supervisors or the 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  inquires"
- ☐ 5. City Attorney request.
- ☐ 6. Call File No.  from Committee.
- ☐ 7. Budget Analyst request (attach written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Request for Closed Session (attach written motion).
- ☐ 10. Board to Sit as A Committee of the Whole.
- ☐ 11. Question(s) 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 a different form.**

**Sponsor(s):**

Supervisors Chiu, Kim, Cohen and Yee, *Avila*

**Subject:**

Resolution supporting Xiao Fei Eddy Zheng's application to remain lawfully in the United States.

**The text is listed below or attached:**

See attached.

Signature of Sponsoring Supervisor: *David Lee*

For Clerk's Use Only:

140198