

File No. 180432

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

Board Item No. 41

### COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: May 1, 2018

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Prepared by: Jocelyn Wong

Date: April 26, 2018

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Condemning the Inhumane Treatment of Detainees Held at San Francisco International  
2 Airport - Urging an Independent Investigation into the Detainment of Jerome Succor Aba]

3 **Resolution condemning the inhumane treatment of detainees held by United States**  
4 **Customs and Border Protection at San Francisco International Airport (SFO); urging**  
5 **federal representatives to call for an independent investigation into the detainment of**  
6 **Jerome Succor Aba and allegations of torture he experienced during his 28 hours of**  
7 **detainment at SFO.**

8  
9 WHEREAS, United States Customs and Border Protection is the federal law  
10 enforcement agency under the Department of Homeland Security responsible for admitting  
11 citizens and non-citizens into the United States at recognized ports of entry;

12 WHEREAS, San Francisco International Airport (SFO) represents the largest port of  
13 entry in the Bay Area;

14 WHEREAS, United States Customs and Border Protection is a taxpayer funded  
15 agency, responsible for adhering to fundamental standards of fairness and justice when  
16 administering the laws of the United States, including the Bill of Rights of the United States  
17 Constitution;

18 WHEREAS, The Trump Administration has engaged in a nationwide pattern of abuse  
19 and coercion at major ports of entry, including requiring United States Customs and Border  
20 Protection agents to engage in hostile, coercive, and physically intrusive interrogation tactics;

21 WHEREAS, Under federal regulations, including 8 C.F.R. 287.8 (standards for  
22 enforcement activities), federal border patrol agents may not engage in threatening, coercive,  
23 or physically abusive conduct while interrogating applicants for admission into the United  
24 States; and  
25

1           WHEREAS, The Fifth Amendment to the United States Constitution ensures that all  
2 individuals subject to law enforcement questioning have fundamental due process rights;  
3 including the right to be free from physical and psychological intimidation at the border,  
4 including torture;

5           WHEREAS, The Fourth Amendment to the United States ensures that all individuals  
6 subject to law enforcement questioning have a right to be free from the use of excessive force  
7 by government officials during an interrogation; and,

8           WHEREAS, Jerome Succor Aba, a human rights worker and peace advocate from  
9 Mindanao, Philippines, was invited by the General Board of Global Ministries of the United  
10 Methodist Church, Sisters of Mercy of the Americas, and the International Coalition for Human  
11 Rights in the Philippines - United States Chapter, to speak in the Ecumenical Advocacy Days  
12 and at a peace caravan in the United States from April 20 to May 14; and,

13           WHEREAS, Jerome Succor Aba was given a 10-year multiple entry visa by the United  
14 States Embassy in Manila and was scheduled to meet with United States Conference of  
15 Catholic Bishops and several congressional offices in Washington D.C. and human rights  
16 organizations in major United States cities; and,

17           WHEREAS, Jerome Succor Aba was invited to the United States to speak about  
18 human rights violations in the Philippines regarding 12,000 extra-judicial killings under  
19 Philippine President Rodrigo Duterte's "Drug War" campaign, and the displacement of  
20 hundreds of thousands of indigenous people and national minorities with the destruction of  
21 Marawi City and ongoing martial law in Mindanao; and,

22           WHEREAS, According to Karapatan, a human rights organizations in the Philippines,  
23 before he boarded his flight in at the Ninoy Aquino International (NAIA) Terminal he was  
24 brought to a room by Filipino immigration officers and was asked if he was going to participate  
25 in rallies in the United States; and,

1           WHEREAS, Upon arrival at the San Francisco International Airport on April 17 at  
2 8:00 p.m., Jerome Succor Aba was escorted by two officers and was brought to the Homeland  
3 Security office, where his cellphone and bags were confiscated and was detained 28 hours  
4 until he was sent back to the Philippines on Thursday, April 19 at 12:30am ; and,

5           WHEREAS, According to Karapatan, Jerome Succor Aba immediately and repeatedly  
6 requested legal counsel and was informed by officers that he was not entitled to legal  
7 representation or any human rights; and,

8           WHEREAS, During his detention, representatives from the National Lawyers' Guild  
9 were requesting to speak to Jerome Succor Aba at SFO but United States Customs and  
10 Border Protection denied them access to see him and speak with him; and,

11           WHEREAS, According to Karapatan, during his 28 hours of detention, Jerome Succor  
12 Aba was subjected to ongoing interrogation by armed officials about his political activism and  
13 affiliation, and the nature of his visit, and accused of being a "terrorist" and a "communist;"  
14 and,

15           WHEREAS, According to Karapatan, Jerome Succor Aba was offered food only after  
16 24 hours of detention; when he informed the officers that he is Muslim and does not eat pork,  
17 the only food they offered him was a ham sandwich; and,

18           WHEREAS, According to Karapatan, Jerome Succor Aba was also ordered to strip  
19 naked, and was interrogated by three officers as they turned a big industrial fan which blew  
20 cold freezing air on him; and,

21           WHEREAS, According to Karapatan, officers taunted Jerome Succor Aba and  
22 threatened to shoot him if he made the wrong move; and,

23           WHEREAS, Forcing a custodial detainee to strip off his clothes and stand naked in  
24 front of an industrial strength fan is humiliating, psychologically traumatizing, and beyond any  
25

1 reasonable boundary of the rules of interrogation; and, antithetical to the very concept of  
2 liberty and justice upon which this Country was founded; and,

3 WHEREAS, The Trump Administration has been documented to have close relations  
4 with Philippine President Duterte's administration, and provided tacit, if not express, support  
5 for extra judicial violence and assassination as a means to quell legitimate dissent; now,  
6 therefore, be it

7 RESOLVED, That the San Francisco Board of Supervisors strongly condemns  
8 inhumane treatment of detainees held by United States Customs and Border Protection at the  
9 San Francisco International Airport; and, be it

10 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges our  
11 Federal authorities to call for an independent and transparent investigation into the  
12 detainment and treatment of Jerome Succor Aba by United States Customs and Border  
13 Protection at SFO; and be it

14 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs  
15 the Clerk of the Board to transmit copies to Representative Nancy Pelosi, Representative  
16 Jackie Speier, Senator Dianne Feinstein, and Senator Kamala Harris, with a request to take  
17 all action necessary to achieve the objectives of this Resolution.

Print Form

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2010 APR 24 PM 4:13

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. 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 the Imperative Form.**

Sponsor(s):

Supervisor Ronen, Peskin, Safai, Fewer, Kim, Yee

Subject:

Resolution condemning inhumane treatment of detainees held by Customs and Border Protection (CBP) in San Francisco Airport (SFO) and Urging Federal Representatives to Call for an Independent Investigation into the detainment of Jerome Succor Aba and allegations of torture he experienced during his 28 hours of detainment at SFO.

The text is listed:

Please see attached resolution

Signature of Sponsoring Supervisor:

For Clerk's Use Only