

File No. 190380

Committee Item No. _____

Board Item No. 35

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date: _____
Date: April 9, 2019

Cmte Board

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| <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 and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <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"/> | Form 126 – Ethics Commission |
| <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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Prepared by: Lisa Lew
Prepared by: _____

Date: April 5, 2019
Date: _____

1 [Urging a Full Pardon of Kang Hen and to Vacate His Plea to Remain in the United States]

2
3 **Resolution urging the Honorable Gavin Newsom, Governor of California, to grant Kang**
4 **Hen a full pardon, and the Santa Clara District Attorney's Office to vacate his plea to**
5 **allow him to remain in the United States with his family.**
6

7 WHEREAS, Kang Hen came to the United States as a small child fleeing genocide that
8 killed much of his family in Cambodia; and

9 WHEREAS, Like many immigrants who sought refuge in the United States, Kang Hen
10 grew up in an impoverished and violent part of an urban city, specifically San Jose in the
11 1980's, which increases the exposure to the risk factors that lead to crime; and

12 WHEREAS, Immediately after his 18th birthday in 1994, Kang Hen was arrested for
13 driving two friends away from a robbery attempt; and

14 WHEREAS, Kang Hen was charged as an accomplice in the robbery by the Santa
15 Clara District Attorney and was failed to be convicted by the jury twice; and

16 WHEREAS, After spending four years in jail without conviction, Kang Hen accepted a
17 plea deal that would allow him to get credit for time served without realizing that he would be
18 ordered to be deported; and

19 WHEREAS, Since his arrest in 1994, Kang Hen has had no further interaction with law
20 enforcement and has devoted his life to helping his community through Buddhism for the last
21 25 years; and

22 WHEREAS, Kang Hen has worked hard at the same company for the last 15 years to
23 support his family; and

24 WHEREAS, Kang Hen has been with his partner, Ruth, for the last 17 years and
25 together, they have a three-year old child; and

1 WHEREAS, Ruth is currently suffering from kidney and heart failure and needs the
2 support of her partner, Kang Hen, who has been her anchor, to take care of their family; and

3 WHEREAS, On April 1, 2019, Kang Hen was ordered to surrender himself to the
4 Immigration and Customs Enforcement for immediate deportation to Cambodia; and

5 WHEREAS, On April 2, 2019, the San Francisco Board of Supervisor unanimously
6 passed File No. 190320, which is a resolution respectfully urging the Trump Administration to
7 stop the massive deportation of rehabilitated formerly incarcerated Southeast Asian nationals;
8 now, therefore, be it

9 RESOLVED, That the City and County of San Francisco does not support the removal
10 of Kang Hen from the United States; and, be it

11 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Governor
12 Newsom to grant Kang Hen a full pardon to be able to remain lawfully in the United States
13 with his wife, his family, and his community; and, be it

14 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the Santa
15 Clara County District Attorney's Office to vacate Kang Hen's plea to allow his deportation case
16 to be reopened and remain in the United States; and, be it

17 FURTHER RESOLVED, That copies of this resolution be sent to Federal and State
18 Representatives in San Francisco, the San Francisco Immigration Court and be provided to
19 Kang Hen's counsel for appropriate distribution.
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25

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 APR -3 AM 11:49

Time stamp
or meeting date

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

BY BA

- 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):

Walton, Peskin, Mandelman, Mar, *Haney, Fewer, Brown*

Subject:

Urging Governor Newsom to grant Kang Hen a full pardon and the Santa Clara District Attorney to vacate Kang Hen's plea to remain in the United States

The text is listed:

Resolution urging the Honorable Gavin Newsom, Governor of California, to grant Kang Hen a full pardon, and the Santa Clara District Attorney's Office to vacate his plea, to allow him to remain in the United States with his family.

Signature of Sponsoring Supervisor: [Signature]

For Clerk's Use Only