

1 [Affirming the Board of Supervisors Commitment to Equal Justice and the Right to Protest and
2 Urging Reforms in National Policing and Judicial Practices]

3 **Resolution affirming the San Francisco Board of Supervisors commitment to equal**
4 **justice under the law and the First Amendment right to protest, recognizing the United**
5 **States’ broken and racially biased police and justice systems, and urging the**
6 **Department of Justice, Congress, and President Obama to review national policing and**
7 **judicial practices to truly bring equal justice under the law.**

8
9 WHEREAS, The Fourteenth Amendment to the United States Constitution states that
10 no state shall “deny to any person within its jurisdiction the equal protection of the laws;” and

11 WHEREAS, The report, *Operation Ghetto Storm*, authored by the Malcolm X
12 Grassroots Movement, documents 313 Black people in the United States who were killed by
13 “police, security guards, and vigilantes” in 2012, or one every 28 hours; and

14 WHEREAS, A recent analysis by the news organization ProPublica found that the risk
15 of young Black males being shot and killed by police is twenty-one times greater than the risk
16 for young white males; and

17 WHEREAS, The recent incidents of officer involved killings of people of color,
18 overwhelmingly impacting young Black and Brown men, has led to sustained, large-scale
19 protests across the country and underscored the United States’ centuries old, failed promise
20 of racial equality; and

21 WHEREAS, Despite strong and overwhelming evidence, recent grand juries in St.
22 Louis, Missouri and Staten Island, New York have failed to indict officers Darren Wilson and
23 Daniel Pantaleo in the killings of Michael Brown and Eric Garner, respectively, two unarmed
24 Black men, showing that even the most egregious acts of police brutality are afforded impunity
25 by our justice system; and

1 WHEREAS, Effective public safety efforts rely on good community-police relations
2 based on mutual trust, transparency, and accountability; and

3 WHEREAS, At times San Francisco has shown a stronger commitment to community-
4 police relations, as evidenced in our Sanctuary City and Due Process for All ordinances;
5 however, San Francisco is not immune to tensions between communities and police after
6 incidents involving the use of force, including officer-involved killings; and

7 WHEREAS, In May of 2014, the San Francisco Examiner reported that since 2000, 97
8 San Francisco Police Department (SFPD) officer-involved shootings have occurred, resulting
9 in 33 deaths and 35 people being injured, and

10 WHEREAS, The Examiner reports that in every case where someone was killed in an
11 SFPD office-involved shooting, the officers were found to have acted within policy; however, a
12 number of cases created controversy and tensions between communities and the police; and

13 WHEREAS, The Anti-Eviction Mapping Project has identified the race of 90 of the 94
14 people killed by SFPD since 1985, and found that 71% of those killed were people of color,
15 and 41% were black; and

16 WHEREAS, All ten victims of officer-involved shootings in Northern California this year
17 have been people of color; and

18 WHEREAS, Activists in Ferguson, Missouri have asked protesters across the nation to
19 connect the killing of Michael Brown to local police killings, resulting in many Bay Area
20 protesters focusing on the killings of Oscar Grant and Alex Nieto in addition to that of Michael
21 Brown; and

22 WHEREAS, Alex Nieto was killed by SFPD officers on March 21, 2014 when he was
23 shot at least ten times, and nearly nine months after the shooting, none of the names of the
24 officers involved in his killing have been released, seriously undermining trust between some
25 members of the community and police, and leading to nearly nine months of peaceful protests

1 about racial profiling, the police’s use of force, lack of transparency and accountability in
2 police investigations, and demands for justice; and

3 WHEREAS, The police killings of Michael Brown, Eric Garner, Oscar Grant, and Alex
4 Nieto, and far too many other young people of color have generated protests across the
5 country from community members frustrated by police brutality, impunity, and lack of
6 transparency; and

7 WHEREAS, Many local and state law enforcement agencies, but not the SFPD, have
8 responded to the protests with an overwhelming show of force, including military-grade
9 weapons and equipment; and

10 WHEREAS, These military tactics have deepened the divided between protesters and
11 police, but have not quelled the powerful voices calling for fundamental change and social
12 justice in our police and judicial systems; now, therefore, be it

13 RESOLVED, That the Board of Supervisors extends its deepest condolences to the
14 families of victims of police killings; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors affirms its commitment to equal
16 justice under the law and pledges to work with the community and public safety departments
17 to review local ordinances, officer training, and policies to address racial profiling and the use
18 of excessive force and to ensure transparency and accountability within public safety
19 departments; and

20 FURTHER RESOLVED, That the Board of Supervisors affirms the First Amendment
21 right of the public to engage in nonviolent peaceful protest, free from excessive use of force
22 and intimidation through military tactics and equipment; and

23 FURTHER RESOLVED, That the Board of Supervisors commends the SFPD for not
24 deploying military-grade equipment in response to recent protest; and

25

1 FURTHER RESOLVED, That the Board of Supervisors endorses the national demands
2 of the Ferguson Action coalition, including:

3 – Urging the Department of Justice to conduct a comprehensive review of local
4 policing practices to develop standards for community involvement and oversight
5 strategies, use of force standards, and standards for independent
6 investigatory/disciplinary mechanisms;

7 – Urging the Department of Justice to create grants to implement community
8 oversight mechanisms and to withhold federal funds for police departments that
9 engage in discriminatory policing practices or fail to implement standards for
10 community involvement and oversight strategies, use of force standards, and
11 standards for independent investigatory/disciplinary mechanisms;

12 – Urging San Francisco’s representatives in Congress to pass the “Stop
13 Militarizing Law Enforcement Act” and the “Stop Racial Profiling Act;”

14 – Urging San Francisco’s representatives in Congress to hold hearings to
15 investigate racial profiling and police use of force, particularly in communities of color;

16 – Urging President Barack Obama to enact a National Plan of Action for Racial
17 Justice that sets concrete targets for reducing racial disparities; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
19 to transmit copies of this resolution to the San Francisco Police Commission, San Francisco’s
20 representatives in Congress and the United States Senate, to Attorney General Eric Holder,
21 and to President Barack Obama.