

78-09

1 [Urging President Barack Obama and Senators Barbara Boxer and Dianne Feinstein to
2 appoint a new U.S. Attorney for the Northern District of California.]

3
4 **Resolution urging President Barack Obama and Senators Barbara Boxer and Dianne**
5 **Feinstein to appoint a new U.S. Attorney for the Northern District of California.**

6
7 WHEREAS, United States Attorneys serve as the nation's principal litigators under the
8 direction of the Attorney General; and

9 WHEREAS, U.S. Attorneys are charged with ensuring fair and impartial administration
10 of justice for all Americans; and

11 WHEREAS, U.S. Attorneys are appointed by and serve at the discretion of the
12 President of the United States, with advice and consent of the United States Senate; and

13 WHEREAS, President Obama has stated his intention to build a "Department of
14 Justice [that] once again fulfills its highest purpose: to uphold the Constitution and protect the
15 American people;" and

16 WHEREAS, The U.S. Attorney for the Northern District of California is the chief federal
17 law enforcement officer for the region, which stretches from the Monterey Coast in the south
18 to California's northern border with Oregon, and from the Pacific Ocean in the west nearly to
19 Sacramento in the east; and

20 WHEREAS, California Senators Barbara Boxer and Dianne Feinstein have formed
21 advisory committees to recommend U.S. Attorney nominees for the four California districts to
22 President Barack Obama; and

23 WHEREAS, The statements and actions of Joseph Russoniello, the current U.S.
24 Attorney for the Northern District of California, have raised grave concerns among civil rights
25 and community organizations including Asian Law Caucus, Asian Pacific Islander Legal

1 Outreach, Central American Resource Center, Chinese for Affirmative Action, Equal Justice
2 Society, Immigrant Legal Resource Center, Impact Fund, La Raza Centro Legal, Lawyers'
3 Committee for Civil Rights of the San Francisco Bay Area, Legal Aid Society – Employment
4 Law Center, Legal Services for Children, Mexican American Legal Defense and Educational
5 Fund, Mujeres Unidas y Activas, PODER, San Francisco Immigrant Legal and Education
6 Network, and St. Peter's Housing Committee; and

7 WHEREAS, The following examples highlight Mr. Russoniello's questionable
8 judgment:

- 9 • In 1982, Mr. Russoniello created a chilling effect on bilingual voters by instructing
10 district attorneys throughout the San Francisco Bay Area to send him a sampling of
11 recently registered, foreign-born voters that had requested bilingual ballots so that the
12 Immigration and Naturalization Service could check on the voters' citizenship status.
13 Mr. Russoniello proceeded with his request despite opposition from then Secretary of
14 State March Fong Eu, who raised concerns about singling out Chinese and Latino
15 voters.
- 16 • In 1990, Mr. Russoniello made racially insensitive comments about Latinos at a press
17 conference. He responded to a question about the government's war on drugs by
18 stating that San Francisco would be a logical place to look for drug dealers because
19 there is a "strong Hispanic community in place that could provide protection and
20 insulation from law enforcement uncovering the enterprise." Mr. Russoniello's
21 comments received harsh criticism from community groups and the San Francisco
22 Board of Supervisors, which called for Mr. Russoniello's immediate resignation.
- 23 • The *Nation* reported that Mr. Russoniello used the term "wets" to refer to
24 undocumented immigrants during a meeting with civil rights attorneys in 1990. His use
25 of the derogatory term shocked meeting participants, especially given that the use of

1 such racist terms was one of the complaints in a lawsuit against the I.N.S. that Mr.
2 Russoniello was defending.

- 3 • In 2008, Mr. Russoniello publicly opposed the dispensation of medical marijuana, and
4 categorically dismissed legitimate medical marijuana patients by stating that "the
5 overwhelming majority of people in my view who are so-called patients are not."
6 • Last year, the Los Angeles Times quoted Mr. Russoniello as saying that, "the
7 phenomenon of Hondurans being trucked into the Bay Area, housed in Oakland and
8 sent out to sell crack and cocaine, has been going on for years..." Mr. Russoniello's
9 generalizations about Hondurans and drug activities failed to consider how his
10 comments might be perceived by community members; and

11 WHEREAS, The San Francisco Board of Supervisors recognizes the importance of
12 having a U.S. Attorney that understands San Francisco's diversity, values and commitment to
13 equal justice, especially as s/he works closely with the City's law enforcement agencies on
14 public safety measures; and

15 WHEREAS, The San Francisco Board of Supervisors has a duty to safeguard the well
16 being of its residents and ensure their equal protection; now, therefore, be it

17 RESOLVED, That the San Francisco Board of Supervisors urges President Barack
18 Obama, Senator Barbara Boxer, Senator Dianne Feinstein, and the U.S. Attorney Nomination
19 Advisory Committees to appoint a new U.S. Attorney that is committed to equal protection for
20 all under the law, and to reject the reappointment of Joseph Russoniello as U.S. Attorney;
21 and be it

22 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs
23 the Clerk of the Board to send a copy of this resolution to the offices of President Barack
24 Obama, White House Counsel Gregory Craig, Senator Barbara Boxer, and Senator Dianne
25 Feinstein.



City and County of San Francisco

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

Tails

Resolution

File Number: 090246

Date Passed:

Resolution urging President Barack Obama and Senators Barbara Boxer and Dianne Feinstein to appoint a new U.S. Attorney for the Northern District of California.

March 3, 2009 Board of Supervisors — CONTINUED

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

March 17, 2009 Board of Supervisors — ADOPTED

Ayes: 7 - Avalos, Campos, Chiu, Chu, Daly, Mar, Mirkarimi
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Maxwell

File No. 090246

I hereby certify that the foregoing Resolution was ADOPTED on March 17, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

3/27/09


Date Approved

UNSIGNED

Mayor Gavin Newsom

Date: March 27, 2009

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, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.



Clerk of the Board

File No.
090246