[Supporting California State Assembly Bill No. 256 (Kalra) - The California Racial Justice Act for All]

Resolution supporting California State Assembly Bill No. 256 - The California Racial Justice Act for All, introduced by State Assembly Members Ash Kalra, Sydney Kamlager, Robert Rivas, and Miguel Santiago, that would apply the protections of the California Racial Justice Act to everyone, regardless of when discrimination in the court occurred.

WHEREAS, The community is a diverse, multicultural and a multiethnic group of people deserving of dignity; and

WHEREAS, Thirty-seven governing bodies across California have declared racism a public health crisis, and have made other resolutions to be culturally responsive and address racist effects; and

WHEREAS, Racism corrupts the fabric of our society and discrimination and implicit bias perpetuate inequality in our justice system; and

WHEREAS, Implicit bias, although often unintentional and unconscious, injects racism and unfairness into proceedings similar to intentional bias; and

WHEREAS, Racial disparities exist throughout the justice system and California has disproportionately incarcerated indigenous, Latinx and Black people; and

WHEREAS, Black people in California are imprisoned at a rate nine times higher than their share of the population; and

WHEREAS, Justice system involvement can expose families and communities to instability in the home and families with incarcerated parents face an increased risk of their children living in poverty or experiencing homelessness, independent of any other factors present in a young person's life; and

Supervisors Walton; Mandelman, Preston, Chan, Safai, Haney
BOARD OF SUPERVISORS
WHEREAS, Justice Sonia Sotomayor, a United States Supreme Court Justice, observed during the Schuette v. Coalition to Defend Affirmative Action, Integration and Immigrant Rights and Fight for Equality By Any Means Necessary, "[t]he way to stop discrimination on the basis of race is to speak openly and candidly on the subject of race, and to apply the Constitution with eyes open to the unfortunate effects of centuries of racial discrimination."

WHEREAS, The California Racial Justice Act (Ch 317, 2020) empowers individuals to challenge racism and discrimination when it happens in the courtroom; and

WHEREAS, The intent of the Act is not to punish this type of bias, but rather to remedy the harm to the defendant's case and to the integrity of the judicial system and it is the intent of the Act to ensure that race plays no role at all in seeking or obtaining convictions or in sentencing; and

WHEREAS, California State Assembly Bill No. 256 – the Racial Justice Act for All – authored by Assemblymember McCarty and Senators Bradford and Gonzalez and introduced by Assemblymember Ash Kalra would apply the protections of the California Racial Justice Act to everyone, regardless of when discrimination in the court occurred; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the California State Legislature to pass and Governor Gavin Newsom to sign into law California Assembly Bill No. 256; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors directs the Clerk of the Board to transmit a copy of this resolution to the California State Legislature and Governor Gavin Newsom.
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February 01, 2022 Board of Supervisors - ADOPTED
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify that the foregoing Resolution was ADOPTED on 2/1/2022 by the Board of Supervisors of the City and County of San Francisco.

[Signature]
Angela Calvillo
Clerk of the Board

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, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

[Signature]
Angela Calvillo
Clerk of the Board