

1 [Urging the Full Pardon of Charles Joseph]

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3 **Resolution urging the Honorable Gavin Newsom, Governor of California, to grant**  
4 **Charles Joseph a full pardon to allow him to remain in the United States with his family**  
5 **and to continue contributing to his community.**

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7 WHEREAS, The history of the City and County of San Francisco includes welcoming  
8 individuals of diverse racial, ethnic, religious, and national backgrounds. Immigrants are an  
9 integral part of our city and have made enormous positive contributions to San Francisco,  
10 where all families are valued; and

11 WHEREAS, Charles Joseph, an immigrant from Fiji who has lived in California lawfully  
12 for more than 20 years; and

13 WHEREAS, Mr. Joseph entered the United States lawfully with his family in May 2000  
14 at the age of fourteen; his father was a leader in Fiji’s Labor Party, and was the target of  
15 racialized attacks due to his Indo-Fijian ancestry; Mr. Joseph experienced violence inside and  
16 outside the home in Fiji; and

17 WHEREAS, Mr. Joseph thrived in the United States; he was a strong student, and  
18 participated in music, sports and other extra-curricular activities; but at the age of fifteen, his  
19 father was arrested on a domestic violence offense, and deported; and

20 WHEREAS, Without his father, Mr. Joseph’s life began to spiral out of control; he was  
21 arrested several times, and used alcohol to escape his problems; and

22 WHEREAS, At the age of twenty-two years old, and without his father to help guide  
23 him, he robbed a convenience store where he worked; and

24 WHEREAS, Mr. Joseph was arrested, prosecuted, and convicted by jury for that crime;  
25 he was sentenced to 13 years state prison; and

1           WHEREAS, Despite the challenging circumstances, Mr. Joseph began to heal, and  
2 engage in self-inquiry that led to a process of true rehabilitation; and

3           WHEREAS, Mr. Joseph developed his voice, both as a leader and as an artist. He  
4 explored his indigenous roots, joined with other indigenous prisoners, and used his learnings  
5 and practices to heal; and

6           WHEREAS, Mr. Joseph would become a leader in many rehabilitative programs in  
7 custody. He took an alternative to violence class, which he described as “awakening;” and

8           WHEREAS, He participated in a group therapy class called Personal Transformation in  
9 which he unpacked childhood traumas; and

10          WHEREAS, He became a leader in a Restorative Justice class, in which he learned to  
11 hold himself accountable for harm; and

12          WHEREAS, Mr. Joseph also evolved as a musician and dancer. He wrote and  
13 performed music about love, anger, loss, and deep pain, under the tutelage of Lacy J. Dalton,  
14 a member of the Country Music Hall of Fame. Ms. Dalton describes Mr. Joseph’s music as  
15 passionate, exquisite, unifying, and life-changing; he also taught music classes at the prison,  
16 and regularly performed the traditional islander haka dance. He contributed to the  
17 transformation of many people within prison; and

18          WHEREAS, While incarcerated, Mr. Joseph worked with Special Olympians for two  
19 years, helping to raise funds for the group and organizing a performance of the haka dance  
20 for a Special Olympics event; he loved this work, took on a leadership role, and formed  
21 connections with Olympians, who constantly inspired him; and

22          WHEREAS, Mr. Joseph served his sentence and was released from prison, but on May  
23 19, 2019, instead of being reunited with his family, Mr. Joseph was transferred to ICE custody  
24 and was detained at Mesa Verde ICE Processing Center for 11 months; and

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1           WHEREAS, While in detention and incarceration, Mr. Joseph was a leader in  
2     advocating for the rights, health, and safety of incarcerated people, working tirelessly to get  
3     them the proper protection and care in light of public health concerns such as Valley Fever  
4     and COVID-19; and

5           WHEREAS, Mr. Joseph was reunited with his family on April 14, 2020, after a federal  
6     judge ordered his release from ICE custody because he was at a higher risk of developing  
7     serious symptoms if he were to contract the coronavirus; and

8           WHEREAS, Mr. Joseph has been fighting his immigration case for over a year, and it is  
9     now on appeal before the 9th Circuit; he has applied for deferred action under the Convention  
10    Against Torture (“CAT”) because he fears he will be tortured if deported to Fiji; and

11          WHEREAS, Since his release, Mr. Joseph has continued to share his experience with  
12    law students, graduate students, elected officials and community organizations; Mr. Joseph  
13    has also been providing spiritual and biblical reflections to faith communities; and

14          WHEREAS, Mr. Joseph is a model father and husband, and his family is central in his  
15    life. He has been with his wife, Shelly, since 2005, and they have two daughters, Hope and  
16    Carly, and they reside in Sacramento, California; and

17          WHEREAS, News outlets such as KQED, the Sacramento Bee, NBC Bay Area, KALW,  
18    and the San Francisco Chronicle have all featured Mr. Joseph and his experiences with the  
19    immigration and criminal systems; and

20          WHEREAS, If Mr. Joseph is granted a pardon by Governor Newsom, he will no longer  
21    be deportable and will be able to remain with his wife and daughters and contribute his skills  
22    and gifts to his Sacramento community; and

23          WHEREAS, The Chair of the Asian Pacific Islander Legislative Caucus and former San  
24    Francisco Supervisor David Chiu, supports Mr. Joseph’s pardon application; and

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1           WHEREAS, The Assistant Majority Leader of the California Legislature, Rob Bonta,  
2           Assemblymember for the 18th District, supports Mr. Joseph’s pardon application; and

3           WHEREAS, California State Senator Richard Pan of the 6th Senate District supports  
4           Mr. Joseph’s pardon application; and

5           WHEREAS, Faith communities and organizations throughout the Bay Area and the  
6           state support Mr. Joseph’s pardon application, including the Interfaith Movement for Human  
7           Integrity and the Unitarian Universalist Justice Ministry of California; and

8           WHEREAS, San Francisco houses one of the country’s largest immigration courts for  
9           detained immigrants facing deportation; and

10          WHEREAS, The San Francisco Public Defender’s Office houses a deportation defense  
11          unit and currently represents Charles in his removal case; and

12          WHEREAS, Following a contested hearing, the San Francisco Immigration Court  
13          ordered Charles Joseph deported; and

14          WHEREAS, Governor Newsom is originally from San Francisco, was Mayor of San  
15          Francisco for seven years, and continues to have deep ties to San Francisco; and

16          WHEREAS, Charles Joseph has been deeply involved in local immigrant rights efforts  
17          in San Francisco to fight for state-wide immigration reform, particularly around the issue of  
18          transfers from prison to ICE, and the treatment of detainees in ICE detention centers; and

19          WHEREAS, Mr. Joseph has conducted extensive trainings for the San Francisco  
20          Public Defender’s Office on these issues, presented to a masters-level class on migration  
21          studies at the University of San Francisco, and has worked closely with the Asian Law  
22          Caucus-Advancing Justice on immigrant rights policy and advocacy campaigns; now,  
23          therefore, be it

24          RESOLVED, That the City and County of San Francisco opposes the removal of  
25          Charles Joseph from the United States; and, be it

1           FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Governor  
2 Newsom to grant Mr. Joseph a full pardon in order for him to remain lawfully in the United  
3 States with his wife, his family, and his community; and, be it

4           FURTHER RESOLVED, That Copies of this Resolution shall be sent to Governor  
5 Newsom, other Federal and State Representatives in San Francisco, the San Francisco  
6 Immigration Court and Mr. Joseph's counsel for appropriate distribution.

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City and County of San Francisco

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

Tails
Resolution

File Number: 201068

Date Passed: September 22, 2020

Resolution urging the Honorable Gavin Newsom, Governor of California, to grant Charles Joseph a full pardon to allow him to remain in the United States with his family and to continue contributing to his community.

September 22, 2020 Board of Supervisors - ADOPTED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201068

I hereby certify that the foregoing Resolution was ADOPTED on 9/22/2020 by the Board of Supervisors of the City and County of San Francisco.

[Handwritten signature of Angela Calvillo]

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

10/2/20

Date Approved

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.

[Handwritten signature of Angela Calvillo]

Angela Calvillo
Clerk of the Board

10/02/2020

Date