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## Chinese American Advocacy for Chesa Boudin's Recall After The 2021 COVID Hate Crimes Act

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# Chinese American Advocacy for Chesa Boudin's Recall After The 2021 COVID Hate Crimes Act

On June 8, 2022, San Francisco voters ousted Chesa Boudin as district attorney.[1] Boudin was known as a “progressive prosecutor” who introduced criminal justice reform policies that aligned with restorative justice to reduce mass incarceration.[2] Boudin was elected district attorney in 2019 on a decarceration platform which aimed to eliminate cash bail, to establish a prosecutor’s unit to re-evaluate wrongful convictions, and to advocate against assisting Immigration and Customs Enforcement (ICE) with raids and arrest.[3] Two years later in May 2021, President Biden passed the COVID-19 Hate Crimes Act, which aimed to streamline the reporting of Asian American Pacific Islander (“AAPI”) hate crimes.[4] The Act funded state hotline numbers for the improved reporting of hate crimes in multiple languages, and expanded public education campaigns to curb racialized language in describing the pandemic.[5]

As a result of Boudin’s refusal to prosecute several high profile racialized assaults, his popularity suffered.[6] The city’s venture capitalist and real estate groups poured six million dollars into Mr. Boudin’s recall campaign, which was comprised of political action committees (“PACs”) organized for the purpose of raising and spending money to elect and defeat candidates.[7] The biggest contributor to the recall campaign was from a PAC called Neighbors for a Better San Francisco (which contributed around four million dollars), and the second biggest donor was the California Association of Realtors (which donated \$458,000 through three separate committees).[8] The anti-recall campaign only raised half as much money.[9]

Chinese language organizing on WeChat, a do-all app used by most of the Chinese speaking world, was powerful and effective at organizing against Chesa Boudin.[10] When doing a simple search on WeChat using the keyword of ‘Chesa Boudin’ or his Chinese name 博徹思, many results are linked to the narratives of ‘lawlessness’ and ‘crimes.’[11] Looking back, WeChat organizing also played a crucial role in galvanizing support for NYPD Officer Peter Liang’s indictment for killing Akai Gurley in a stairwell.[12] When this happened, it was a turning point in Asian American politics where many older Chinese-American police supporters came out.[13] The younger Chinese diaspora has recognized the power of the Chinese language channel so much so that they organized to counter its effects in response.[14] Xīn Shēng | 心声 Project (formerly the WeChat Project) was founded in 2020 by a group of 1.5-generation and later Chinese American college students and recent graduates.[15]

Over the past few years, WeChat has gained a reputation for circulating right-wing political disinformation. This has been particularly harmful to the Chinese diasporic community, who have had limited access to reputable, in-language reporting. Xīn Shēng Project (formerly WeChat Project) provides alternative, progressive perspectives on the most widely circulated issues on WeChat and beyond: affirmative action, policing, systemic racism, LGBTQ+ issues, and more. Our bilingual articles cross the language,

generational, cultural, and informational barriers within our community and families. Through our work, we hope to find new ways for the Chinese diaspora to relate to the struggles of all marginalized peoples.[16]

The issue is how older, non-English speaking Chinese Americans view the impact of de-carceral policies on their public safety.[17] Filling in the gap of how Asian American and AAPIs are criminalized by the prison industrial complex and seeing deportations of Asian Americans as an extension of the mass incarceration would help build solidarity with the millions of those irreparably harmed by the U.S. criminal legal system.[18] Asian Americans, and especially South Asian youth, are punished by the prison industrial complex through the school to prison pipeline.[19] Criminologists and Asian American Jurisprudence scholars should be mindful not to exclude the model minority myth while conducting scholarship.[20]

Chinese American businesses suffered during the pandemic and were exposed to high profile, racialized attacks against Asian Americans in the media.[21] As a result, Chinese Americans reverted back to tough on crime policies.[22] Embodied by Chesa Boudin's recall as district attorney, the larger de-carceral and progressive prosecutor movement suffered from these events.[23] Shaping the narrative of the impact of the United States criminal legal system on Asian Americans through ethnic language media is a possible remedy.[24]

[1] Thomas Fuller, *Voters in San Francisco topple the city's progressive district attorney, Chesa Boudin*, N. Y. Times (June 8, 2022), <https://www.nytimes.com/2022/06/07/us/politics/chesa-boudin-recall-san-francisco.html>.

[2] *Id.*

[3] *Meet Chesa Boudin*, Chesa Boudin (last visited Nov. 1, 2022), [https://www.chesaboudin.com/meet\\_chesa](https://www.chesaboudin.com/meet_chesa).

[4] COVID-19 Hate Crimes Act, Pub. L. No. 117-13, 135 Stat. 265 (2021).

[5] *Id.*

[6] Patrick Redford, *It All Came Together Against Chesa Boudin*, Defector (June 8, 2022), <https://defector.com/it-all-came-together-against-chesa-boudin/>.

[7] Will Jarrett, *Explore: \$6M poured into Boudin recall*, Mission Local (May 23, 2022), <https://missionlocal.org/2022/05/explore-almost-9-million-donated-for-and-against-boudin-recall/>.

[8] *Id.*

[9] *Id.*

[10] Han Li, *As Boudin Recall Vote Nears, Chinese Americans Battle it Out on WeChat*, The San Francisco Standard (June 4, 2022), <https://sfstandard.com/politics/total-recall-the-wechat-infowars-over-chesa-boudin/>.

[11] *Id.*

[12] Vivian Yee, *Indictment of New York Officer Divides Chinese-Americans* (Feb 22, 2015), N.Y. Times, <https://www.nytimes.com/2015/02/23/nyregion/in-new-york-indictment-of-officer-peter-liang-divides-chinese-americans.html>.

[13] *Id.*

[14] *What is Xīn Shēng | 心聲 Project?*, Xin Sheng Project (last visited Nov. 1, 2022), <https://www.xinshengproject.org/about>.

[15] *Id.*

[16] *Id.*

[17] *Id.*

[18] Raymond Magsaysay, *Asian Americans and Pacific Islanders and the Prison Industrial Complex*, 26 MICH. J. RACE & L. 443 (2021).

[19] *Id.*

[20] *Id.*

[21] Christine Fernando and Cheyanne Mumphrey, *Racism targets Asian food, business during COVID-19 pandemic*, PBS News (Dec. 20, 2020), <https://www.pbs.org/newshour/nation/racism-targets-asian-food-business-during-covid-19-pandemic>.

[22] *See* Li, *supra* note 11.

[23] *See* Fuller, *supra* note 1.

[24] *See* Xin Sheng Project, *supra* note 14.