

City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2018-01016

June 26, 2018

Consent Item 33

Title: Resolution in Opposition to the Trump Administration's Policy to Separate Children from Their Parents Detained Due to Undocumented Border Crossings Without Regard to Circumstances (Two-Thirds Vote Required)

Location: Citywide

Recommendation: 1) Pass a Motion by two-thirds vote: a) waiving the Council Rules of Procedure allowing non-binding resolutions to bypass the Law and Legislation Committee (Rule 8K.1. and 13.A.2) prior to Council approval; and b) waiving Rule 7.B.2 of the Council Rules of Procedure allowing support or opposition to legislation or action by the Congress of the United States or any officer or agency of the nation; and 2) pass a Resolution: a) strongly opposing the Trump Administration's inhumane and unjust zero-tolerance policy of indiscriminately prosecuting all undocumented immigrants; b) standing with City of Sacramento's diverse community to condemn the forcible separation of immigrant and refugee children from their parents to the severe detriment of all involved, as a result of the Trump Administration's Zero-Tolerance policy; b) urging Trump's Administration to immediately reunite families that have been separated during the tenure of this policy; and d) urging the Trump Administration to immediately end the cruel and abusive zero-tolerance policy, and immediately reestablish the previous policy of releasing adults awaiting trial to care for their children.

Contact: Mindy Cuppy, MMC, City Clerk, (916) 808-5442, Office of the City Clerk

Presenter: None

Attachments:

1-Description/Analysis

2-Resolution

Description/Analysis

Issue Detail: The City of Sacramento ("City") has a long history of welcoming and embracing individuals of diverse racial, ethnic, religious, and national backgrounds. Immigrants have a strong history of loyalty and positive contributions to the City and the United States of America, and Sacramento is a place where all families are valued, and where we recognize and cherish every child's right to health, happiness, comfort, and security.

The City has stood firm in its stance to protect and serve as a sanctuary for immigrants and those seeking asylum, including:

1. The Sacramento City Council adopted Resolution Number 2017-0158 on May 4, 2017, reaffirming the City of Sacramento's Status as a City of Sanctuary, clarifying the City's Policies and Procedures on the Enforcement of Federal Civil Immigration Laws, and repealing Resolution No. 85-973. This Resolution reaffirms the position of the City that is a city of sanctuary, where all persons are treated equally, with respect and dignity, regardless of immigration status.
2. The City of Sacramento has joined an amicus brief with the City of Los Angeles Attorney's Office in support of Temporary Protected Status (TPS) lawsuits against the Department of Homeland Security (DHS). These lawsuits filed in district courts across the US challenge the federal government's efforts to terminate the TPS designation for El Salvador, Nicaragua, Honduras, Haiti, and Sudan, allowing eligible nationals of a designated country, under certain conditions, to remain lawfully in the United States for the duration of the designation.

The Trump Administration has taken actions to impose inhumane and unjust zero-tolerance policies, separating families with no certainty of reunification, timely process or fair adjudication, under substandard conditions. These practices are abhorrent and contradict the principles of all Sacramentans and Californians who value the dignity of all humans regardless of their race, cultural background, and national origin. Accordingly, the purpose of this Resolution is to oppose current federal policies related to criminal immigration enforcement and prosecution.

We acknowledge, with shame, the cruel acts of unjust and racially-based laws in our nation's history, perpetrated by our government. These laws sanctioned slavery and separation of parents from their children, particularly those actions involving indigenous nations and those of African and Japanese descent, based on skin color and ethnic origin, not to mention the cruel, inhumane activities occurring in Europe to those of Jewish and minority ancestry during World

War II. We believe it is our duty and obligation, now, to oppose any similar activity occurring under the Trump Administration.

RESOLUTION NO. 2018-

Adopted by the Sacramento City Council

A Resolution Opposing the Zero Tolerance Policies Affecting Immigrant Families

Background:

- A. The City of Sacramento (“City”) has a long history of welcoming and embracing individuals of diverse racial, ethnic, religious, and national backgrounds. Immigrants have a strong history of loyalty and positive contributions to the City and the United States of America, and Sacramento is a place where all families are valued, and where we recognize and cherish every child’s right to health, happiness, comfort, and security.
- B. The City has stood firm in its stance to protect and serve as a sanctuary for immigrants and those seeking asylum, including:
 - 1. The Sacramento City Council adopted Resolution Number 2017-0158 on May 4, 2017, reaffirming the City of Sacramento’s Status as a City of Sanctuary, clarifying the City’s Policies and Procedures on the Enforcement of Federal Civil Immigration Laws, and repealing Resolution No. 85-973. This Resolution reaffirms the position of the City that is a city of sanctuary, where all persons are treated equally, with respect and dignity, regardless of immigration status.
 - 2. The City of Sacramento has joined an amicus brief with the City of Los Angeles Attorney’s Office in support of Temporary Protected Status (TPS) lawsuits against the Department of Homeland Security (DHS). These lawsuits filed in district courts across the US challenge the federal government’s efforts to terminate the TPS designation for El Salvador, Nicaragua, Honduras, Haiti, and Sudan, allowing eligible nationals of a designated country, under certain conditions, to remain lawfully in the United States for the duration of the designation.
- C. The Trump Administration has taken actions to impose inhumane and unjust zero-tolerance policies, separating families with no certainty of reunification, timely process or fair adjudication, under substandard conditions. These practices are abhorrent and contradict the principles of all Sacramentans and Californians who value the dignity of all humans regardless of their race, cultural background, and national origin. Accordingly, the purpose of this Resolution is to oppose current federal policies related to criminal immigration enforcement and prosecution.

- D. On April 6, 2018, U.S. Attorney General Jeff Sessions directed all United States Attorney's Offices along the Southwest Border to adopt a zero-tolerance policy for all offenders being prosecuted for crossing into the United States, regardless of any evidence of whether they have a legal right to be in the United States, or including those seeking asylum or refugee status.
- E. After the Zero-Tolerance policy was implemented on April 18, 2018, multiple sources have reported that in implementing this policy, the Department of Homeland Security officials have separated more than 2,000 children, some as young as 18 months, from their parent(s); and that these children are being denied parental contact, are often housed in different states than their parents, and are being processed for indefinite stays throughout the foster care system.
- F. In addition, more separations of families legally seeking asylum are unaccounted for, reportedly the number of separated families at an official border crossing of legal asylum-seeking immigrants have not been included in the report from DHS.
- G. While the President signed an Executive Order on June 20, 2018 establishing temporary detention policies for families entering this country, which keep such families together during detainment and provide facilities for the housing and care of families, this Executive Order does not create a transparent process by which parents and their children are reunited, nor with any expedient timeframe. This Order does nothing to address the conditions by which these families are held and intends to pursue actions which would call for indefinite detainment of families beyond the current requirement of no more than 20 days.
- H. Department of Health and Human Services shelters are at near-full capacity, with the agency contemplating housing these children at military bases, and the average length of time spent in these shelters is up to 57 days this year.
- I. Organizations providing care for these children report signs of "separation trauma," which includes the inability to sleep, nightmares, crying, and begging for their parents as well as experiencing physical pain. The American Academy of Pediatrics emphasized separating children from their parents often causes irreparable harm to a child's health and well-being. The proliferation of trauma and lifelong physical and mental health impacts on immigrant children creates a costly burden on our already over-burdened health care system.
- J. Subsequent to this Executive Order, at least nine states, including California, intend to file legal actions that this family separation policy violates due process rights of parents to be together with their children. This practice of separation from family violates multiple international laws, especially the United Nations Convention on the Rights of the Child which protects children from arbitrary arrest and detention.

- K. We acknowledge, with shame, the cruel acts of unjust and racially-based laws in our nation's history, perpetrated by our government. These laws sanctioned slavery and separation of parents from their children, particularly those actions involving indigenous nations and those of African and Japanese descent, based on skin color and ethnic origin, not to mention the cruel, inhumane activities occurring in Europe to those of Jewish and minority ancestry during World War II. We believe it is our duty and obligation, now, to oppose any similar activity occurring under the Trump Administration.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The Mayor and the Sacramento City Council hereby strongly oppose the Trump Administration's inhumane and unjust zero-tolerance policy of indiscriminately prosecuting all undocumented immigrants.
- Section 2. The City of Sacramento hereby stands with our diverse community to condemn the forcible separation of immigrant and refugee children from their parents to the severe detriment of all involved, as a result of the Trump Administration's Zero-Tolerance policy.
- Section 3. In light of the recent Presidential Executive Order, the Sacramento City Council hereby strongly urges the Trump Administration to immediately reunite families that have been separated during the tenure of this policy.
- Section 4. The Mayor and the Sacramento City Council hereby urges the Trump Administration to immediately end the cruel and abusive zero-tolerance policy, and immediately reestablish the previous policy of releasing adults awaiting trial to care for their children.