

#13

CITY OF SEATTLE
RESOLUTION 31490

A RESOLUTION establishing joint City Council - Mayor Citywide policy priorities in support of Federal Comprehensive Immigration Reform.

WHEREAS, the City of Seattle has long supported progressive immigration policies and values; and

WHEREAS, the City of Seattle, to protect immigrants' access to police protection and public services, adopted Ordinance no. 121063 in 2003, requiring that, unless otherwise required by law, or by court order, no Seattle City officer or employee, other than Seattle Police Officers under certain circumstances, shall inquire into the immigration status of any person, or engage in activities designed to ascertain the immigration status of any person; and

WHEREAS, the Seattle City Council, the Mayor concurring, adopted Resolution 31193 on March 15, 2010, declaring that the City of Seattle recognizes that the immigration system is broken and supports comprehensive federal immigration reform that, among many other values, respects the due process protections of all individuals in the United States; and

WHEREAS, the Seattle City Council, the Mayor concurring, adopted Resolution 31214 on May 17, 2010, calling for federal-level immigration reform and denouncing Arizona State Senate Bill 1070 (Arizona SB1070) as a step in the wrong direction; and

WHEREAS, the Seattle City Council, the Mayor concurring, adopted Resolution 31420 on December 10, 2012, declaring Seattle to be a Human Rights City, consciously aspiring to protect, respect and fulfill the full range of universal human rights for all people as set forth in the Universal Declaration of Human Rights and numerous other international human rights instruments; and

WHEREAS, on February 6, 2012, the Seattle Office of Immigrant and Refugee Affairs was established with the intent of providing staff support to Seattle immigrants and refugees in employment, economic development, public health, student achievement, citizenship, public safety, criminal justice, civic engagement and protection of civil rights; and

WHEREAS, on April 1, 2013, the Seattle City Council sent a letter to Congress urging them to pass comprehensive immigration reform this year, including the Immigration Innovation Act, and reaffirming their unwavering commitment to the core principles of immigration



1 reform as a full path to citizenship for the children of undocumented immigrants, and the
2 opportunity for all undocumented immigrants to become citizens through a fair and
orderly process that recognizes their dignity as human beings; and

3 WHEREAS, Seattle is home to a large population of people born outside the U.S, is a city that
4 strives to be child-and family friendly, and as the economic engine of the Puget Sound
5 region, Seattle will benefit by changes to immigration laws that prioritize family unity,
protect vulnerable people and support workers; and

6 WHEREAS, the City of Seattle supports and recognizes the need to design federal laws and
7 policies that will not have a disproportionate negative impact on already vulnerable
8 populations, taking into account the principles of treaties such as the Convention against
9 Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), the
Convention on the Elimination of All Forms of Racial Discrimination (CERD), and the
Covenant on Civil & Political Rights (ICCPR).

10 WHEREAS, the U.N. Human Rights Committee and the Inter-American Commission of Human
11 Rights (ICHR) have urged State parties to take measures to ensure the unity or
12 reunification of families and consider the family rights of individuals in admissibility,
detention and removal proceedings or petitioners for family based status, as well as the
13 rights of their family members; and

14 WHEREAS, immigration reform, under international law, should consider the protection of the
15 right to family life as a wide concept, including same sex marriage and other *de facto*
family ties in which the parties live together outside of marriage; and

16 WHEREAS, the Inter-American Court of Human Rights in its *Advisory Opinion on Juridical*
17 *Conditions and Rights of the Undocumented Migrants* recommended important
18 protections for migrant workers' human rights, especially with respect to the principles of
legal equality, non-discrimination and the equal and effective protection of international
19 human rights law; and

20 WHEREAS, immigration reform must have the best interests of a migrant's children as a pivotal
21 guide and must consider these interests in removal proceedings, regardless of whether the
children are also facing removal; and

22 WHEREAS, broken families strain City services and the deportation of a family's breadwinner
23 often forces single parents, children, and elders to seek public assistance, while public
24 health, mental health, housing, and other economic supports within the city struggle to
25 meet the ongoing needs of citizen and immigrant families alike; and



1 WHEREAS, Seattle, the Puget Sound region, and Washington State all depend on an immigrant
2 workforce that often makes up the bulk of lower skill and lower wage workers and the
3 Puget Sound has thrived economically, even through the recent recession and recovery,
and we cannot afford to lose any of the ground we have gained in recent years in putting
people to work and improving the local standard of living by increasing wages; and

4 WHEREAS, although immigration laws and policies are determined at the federal level, their
5 impact is most felt in the communities where immigrants and refugees live and work, and
6 we believe the City of Seattle has a role to play in the current debate around immigration
reform; and

7 WHEREAS, in recent years the federal government has enlisted local governments in the
8 enforcement of immigration laws through programs such as the National Fugitive
9 Operations Program, the Criminal Alien Program (CAP), and Secure Communities that
10 has denied those with detainer requests the right to due process and deportation numbers
have increased contributing to the separation of families and the criminalization of
immigrants; and

11 WHEREAS, the Inter-American Commission on Human Rights in its report *Immigration in the*
12 *United States: detention and due process*, urged the United States to limit the local
13 enforcement of immigration laws and significantly curtail prison-like detention
14 conditions for civil infractions, respecting the right to personal liberty; NOW,
THEREFORE,

15 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
16 **MAYOR CONCURRING, THAT:**

17 The City of Seattle, establishes as its policy priorities in support of Federal Comprehensive
18 Immigration Reform:

- 19 1. Creating a short, accessible and workable road map to citizenship for undocumented
20 individuals living in the United States without obstacles that fall disproportionately
21 on women, LGBQ and Transgender people, people with disabilities, children, youth,
low wage workers, indigenous communities, and low income families; and
- 22 2. Fostering family unity by encouraging the removal of barriers to family immigration,
23 thereby allowing families to reunite; and
- 24 3. Providing a pathway of citizenship for undocumented students who came to this
25 country as children (DREAMERS); and



- 1 4. Eliminating immigration enforcement programs that criminalize immigrants and
2 separate families, including LGBQ and Transgender families and families with
3 children with disabilities; and
- 4 5. Promoting human rights and due process in immigration courts by advocating for
5 immigration judges to have discretion to consider mitigating factors, such as family
6 circumstances, in removal (deportation) proceedings and grant waivers of
7 deportation; and
- 8 6. Streamlining high-tech visas that support the region's economy; and
- 9 7. Creating programs, or expansion of existing programs, that provide alternatives to
10 detention as a more balanced way to ensure compliance with immigration laws; and
- 11 8. Promoting dignified employment that does not criminalize the search for jobs,
12 guarantees labor rights and protections, and allows all immigrants to be part of the
13 society without fear of not meeting income requirements or being denied basic human
14 services because of immigration status; and
- 15 9. Providing local governments with financial and technical assistance to deliver social
16 services, health care, education, language services and civic integration to meet the
17 needs of immigrant communities.



1 Adopted by the City Council the ____ day of _____, 2013, and
2 signed by me in open session in authentication of its adoption this ____ day
3 of _____, 2013.

4 _____
5 President _____ of the City Council

6
7 THE MAYOR CONCURRING:

8
9 _____
10 Michael McGinn, Mayor

11
12 Filed by me this ____ day of _____, 2013.

13
14 _____
15 Monica Martinez Simmons, City Clerk

16
17 (Seal)

18
19
20
21
22
23
24
25
26
27



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Office of Immigrant and Refugee Affairs	Sahar Fathi, 233-2759	Forrest Longman, 684-0331

Legislation Title: A RESOLUTION establishing joint City Council - Mayor Citywide policy priorities in support of Federal Comprehensive Immigration Reform.

Summary of the Legislation:

This is a resolution establishing policy priorities in support of Federal Comprehensive Immigration Reform – identifying nine specific policy areas that include an accessible road map to citizenship for all individuals living in the US, family reunification, and providing dignity to immigrants in employment and court.

The legislation outlines Seattle’s long history of engagement on immigration issues and acknowledges the diverse communities that live within the City.

Background:

This resolution was the product of collaboration between the five commissions: the Immigrant and Refugee Commission, the Seattle Human Rights Commission, the Seattle Lesbian Gay Bisexual Transgender Commission, the Women’s Commission and the Seattle Commission for People with Disabilities.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Appropriations: None.

Anticipated Revenue/Reimbursement Resulting from this Legislation: None.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: None.

Do positions sunset in the future? N/A.

Spending/Cash Flow: None.

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?**



No.

b) What is the financial cost of not implementing the legislation?

None.

c) Does this legislation affect any departments besides the originating department?

No.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

None.

e) Is a public hearing required for this legislation?

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

None.

g) Does this legislation affect a piece of property?

No.

h) Other Issues:

None.

List attachments to the fiscal note below: None.



City of Seattle
Office of the Mayor

October 8, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached resolution in support of city priorities for federal comprehensive immigration reform. This resolution was the product of collaboration between the five commissions: the Immigrant and Refugee Commission, the Seattle Human Rights Commission, the Seattle Lesbian Gay Bisexual Transgender Commission, the Women's Commission and the Seattle Commission for People with Disabilities.

Seattle is home to a large population of people born outside the U.S. As a city that strives to be child-and family friendly, and as the economic engine of the Puget Sound region, Seattle could benefit by changes to immigration laws that prioritize family unity, and support workers. Although immigration laws and policies are determined at the federal level, their impact is most felt in the communities where immigrants and refugees live and work.

This resolution provides a way for the city to stand with the community in support of comprehensive immigration reform. Thank you for your consideration of this legislation. Should you have questions, please contact Sahar Fathi at (206) 233-2759.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

