

Lisa Herbold
Immigration Reform RES
July 30, 2014
Version #1

CITY OF SEATTLE
RESOLUTION 31539

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A RESOLUTION prioritizing family unity and urging President Obama and Congress to replace the enforcement oriented federal immigration system with an immigration policy that keeps families together and respects the right of all workers to support their families.

WHEREAS, according to the Pew Hispanic Center there were approximately 11.7 million undocumented immigrants living in the United States in 2012; and

WHEREAS, according to the U.S. Census Bureau, Washington State is home to approximately 909,312 immigrants of which approximately 230,000 are unauthorized to live in the U.S. according to a Pew Hispanic Center Report, and according to the 2012 American Community Survey, Seattle is home to 118,012 foreign born residents, of which 56,135 are not US Citizens; and

WHEREAS, deportations have reached a record of over two million under President Obama, rising to an annual average of nearly 400,000 since 2009; and

WHEREAS, although the federal government's stated priority is the deportation of individuals with serious criminal convictions, the majority of people being deported through Immigration & Custom Enforcement's (ICE) collaboration with local law enforcement have only minor convictions, or no convictions whatsoever; and

WHEREAS, increased deportations perpetuate a broken immigration system and harm the living conditions of children with full citizenship status whose parents are removed, leaving them with no parental guidance or care and a highly unstable financial and social situation; and

WHEREAS, the Deferred Action for Childhood Arrivals program under the Obama Administration has approved 553,197 applicants thus far and has allowed for undocumented youth to obtain driver's licenses, be hired for new jobs, and report increased earnings; and

WHEREAS, over 50,000 unaccompanied young children have crossed the southern border of the United States and the Office of Refugee Resettlement (ORR) has notified all states that it intends to redirect \$94 million from the refugee services budget to support these children; and

1 WHEREAS, President Obama and Congress have an obligation to further the interests of
2 American citizens by urgently implementing a humanitarian immigration policy that
keeps families together and respects the right of all workers to support their families; and

3 WHEREAS, immigration judges currently lack discretion to decide whether any deportation has
4 mitigating circumstances and that this denies basic due process protections to millions of
people who live in the U.S.; and

5 WHEREAS, the current use of I-9 Audits without a humane policy to provide work authorization
6 and status to undocumented immigrants creates a climate of fear and has resulted in the
7 firing of hundreds of undocumented workers in Seattle; driving them into the
8 underground economy, increasing unemployment, poverty, and homelessness and
creating an atmosphere in which workers are fearful to request higher wages and working
conditions; and

9 WHEREAS, all workers, regardless of legal status, have labor rights according to the Fair Labor
10 Standards Act, and President Obama and his administration have the power to end the
11 one sided immigration enforcement only approach by ending the practice of using I-9
12 audits, particularly at workplaces where employees are involved in a labor dispute, are
organizing, or have organized to improve pay and working conditions; and

13 WHEREAS, other cities that have a large immigrant presence including, but not limited to, Los
14 Angeles, Chicago and San Francisco, have passed resolutions urging the Federal
15 government to cease further deportations and mistreatment of undocumented workers;
and

16 WHEREAS, in December, 2013, the Metropolitan King County Council passed a resolution in
17 which King County will not honor federal immigration authorities' requests to hold
immigrants unless they have been convicted of certain serious offenses; and

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

23 WHEREAS, the City adopted Resolution 31193 in 2010, supporting comprehensive federal
24 immigration reform; Resolution 31214 in 2010, calling for federal-level immigration
25 reform and denouncing Arizona State Senate Bill 1070; and Resolution 31490 in 2013,
26 establishing Citywide policy priorities in support of Federal Comprehensive Immigration
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1 Reform and fostering family unity with a pathway to citizenship for the undocumented,
2 including students who came as children (DREAMERS); and

3 WHEREAS, Seattle is home to undocumented immigrants and many of their family members
4 with full citizenship status, and the City should prioritize family unity and press Congress
5 and President Obama for an immediate solution to the dysfunctional enforcement
6 oriented federal immigration system;

7 **NOW, THEREFORE,**

8 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE
9 MAYOR CONCURRING, THAT:**

10 Section 1. The City of Seattle joins the Martin Luther King Jr. County Labor Council, El
11 Comité Pro Reforma Migratoria y Justicia Social, The May 1st Action Coalition and the broader
12 Immigrant Community in calling on the Obama Administration to take action using its executive
13 authority to (A) suspend further deportations of people who do not have serious criminal
14 convictions, (B) end ICE investigative I-9 audits, particularly at workplaces where employees are
15 involved in a labor dispute, are organizing, or have organized to improve pay and working
16 conditions without providing a path way to legalization for the undocumented workers who call
17 Seattle their home, (C) expand the Deferred Action for Childhood Arrivals program to a much
18 larger population of undocumented immigrants, and (D) address the crisis of backlogs in the
19 family immigration system by paroling into the U.S. family members of U.S. citizens and legal
20 permanent residents with immigration applications filed on their behalf; and

21 Section 2. The City of Seattle joins the Martin Luther King Jr. County Labor Council, El
22 Comité Pro Reforma Migratoria y Justicia Social, The May 1st Action Coalition and the broader
23 Immigrant Community and shall write a letter to its congressional delegation asking it to take
24 action to (A) pass comprehensive immigration reform that is supportive of family unity and
25 eliminates visa backlogs, (B) give immigration judges discretion in immigration and deportation
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1 proceedings in keeping with principles of due process, and (C) support supplemental
2 appropriations to address the humanitarian crisis of children reaching the border without
3 documents and to enable Office of Refugee Resettlement to retain or reinstate the \$94M in
4 funding originally planned for refugee services in states; and

5 Section 3. The City of Seattle will redouble efforts to: (A) ensure that human service
6 providers funded by the City of Seattle are informed that they shall not consider the immigration
7 status of any person in determining eligibility for City-funded services; (B) increase
8 communication to the immigrant and refugee community about Seattle's policies related to their
9 immigration status; (C) educate the community about options to qualify for different kinds of
10 immigration status; and (D) educate the community that under the Fair Labor Standards Act,
11 workers hired in violation of federal immigration law have rights in the workplace.

12
13 Adopted by the City Council the ____ day of _____, 2014, and signed by
14 me in open session in authentication of its adoption this _____ day
15 of _____, 2014.

16 _____
17 President _____ of the City Council

18 THE MAYOR CONCURRING:
19

20 _____
21 Edward B. Murray, Mayor
22

23
24 Filed by me this ____ day of _____, 2014.
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Lisa Herbold
Immigration Reform RES
July 30, 2014
Version #1

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(Seal)

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Monica Martinez Simmons, City Clerk

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Leg/Council	Lisa Herbold/4-5331	n/a

Legislation Title:

A RESOLUTION prioritizing family unity and urging President Obama and Congress to replace the enforcement oriented federal immigration system with an immigration policy that keeps families together and respects the right of all workers to support their families.

Summary of the Legislation:

The resolution calls on the Obama Administration and our Congressional delegation to take a number of actions with the goal of implementing a humanitarian immigration policy that keeps families together and respects the right of all workers to support their families.

In addition, the resolution says that the City of Seattle will work to: (A) ensure that human service providers funded by the City of Seattle are informed that they shall not consider the immigration status in determining eligibility for City-funded services; (B) increase communication to the immigrant and refugee community about Seattle's policies related to the immigration status; (C) educate the community about options to qualify for different kinds of immigration status; and (D) educate the community that under the Fair Labor Standards Act, workers hired in violation of federal immigration law have rights in the workplace. The Office for Immigrant and Refugee Affairs, the Seattle Police Department, and the Human Services Department are already engaged in these efforts.

Background:

Seattle is home to undocumented immigrants and many of their family members with full citizenship status. Deportations are occurring at an annual average of nearly 400,000 people. The federal government's stated priority is the deportation of individuals with serious criminal convictions, yet the majority of people being deported have only minor convictions, or no convictions whatsoever. These deportations perpetuate a broken system and harm the living conditions of children with full citizenship status whose parents are removed, leaving them with no parental guidance or care and a highly unstable financial and social situation.

Please check one of the following:

 X **This legislation does not have any financial implications.**

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?**
N/A
- c) **Does this legislation affect any departments besides the originating department?**
Yes, it affects the Office for Immigrant and Refugee Affairs, the Seattle Police Department, and the Human Services Department who are already engaged in these efforts.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
Letters, without Council legislative action, could be written to the entities addressed in the resolution.
- 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?**
No
- g) **Does this legislation affect a piece of property?**
No
- h) **Other Issues:**
N/A