CITY OF SEATTLE

RESOLUTION 3\539

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
WHEREAS, President Obama and Congress have an obligation to further the interests of 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

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

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

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

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

WHEREAS, in December, 2013, the Metropolitan King County Council passed a resolution in which King County will not honor federal immigration authorities’ requests to hold immigrants unless they have been convicted of certain serious offenses; 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 City adopted Resolution 31193 in 2010, supporting comprehensive federal immigration reform; Resolution 31214 in 2010, calling for federal-level immigration reform and denouncing Arizona State Senate Bill 1070; and Resolution 31490 in 2013, establishing Citywide policy priorities in support of Federal Comprehensive Immigration
Reform and fostering family unity with a pathway to citizenship for the undocumented, including students who came as children (DREAMERS); and

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

NOW, THEREFORE,

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

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

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

Section 3. The City of Seattle will redouble efforts to: (A) ensure that human service
providers funded by the City of Seattle are informed that they shall not consider the immigration
status of any person in determining eligibility for City-funded services; (B) increase
communication to the immigrant and refugee community about Seattle’s policies related to their
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.

Adopted by the City Council the _____ day of ______________________, 2014, and signed by
me in open session in authentication of its adoption this ______ day
of ______________________, 2014.

________________________________________
President ________________ of the City Council

THE MAYOR CONCURRING:

________________________________________
Edward B. Murray, Mayor

Filed by me this ____ day of ______________________, 2014.
Monica Martinez Simmons, City Clerk
FISCAL NOTE FOR NON-CAPITAL PROJECTS

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<th>Department:</th>
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<tr>
<td>Leg/Council</td>
<td>Lisa Herbold/4-5331</td>
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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