



# SEATTLE CITY COUNCIL

## Legislative Summary

Res 31775

Record No.: Res 31775

Type: Resolution (Res)

Status: Adopted

Version: 2

Ord. no:

In Control: City Clerk

File Created: 09/12/2017

Final Action: 10/03/2017

**Title:** A RESOLUTION strengthening public safety by affirming the City's support for immigrant and refugee witnesses, survivors, and victims of crime.

<b>Notes:</b>	<b>Filed with City Clerk:</b>	<b>Date</b> 10/3/2017
	<b>Mayor's Signature:</b>	10/2/2017
<b>Sponsors:</b> González	<b>Vetoed by Mayor:</b>	
	<b>Veto Overridden:</b>	
	<b>Veto Sustained:</b>	

**Attachments:**

**Drafter:** Emilia.Sanchez@seattle.gov

**Filing Requirements/Dept Action:**

**History of Legislative File**

**Legal Notice Published:**  Yes  No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	09/20/2017	sent for review	Council President's Office			
	<b>Action Text:</b>	The Resolution (Res) was sent for review. to the Council President's Office					
	<b>Notes:</b>						
1	Council President's Office	09/21/2017	sent for review	Full Council			
	<b>Action Text:</b>	The Resolution (Res) was sent for review. to the Full Council					
	<b>Notes:</b>						
1	Full Council	09/25/2017	referred	Full Council			
	<b>Action Text:</b>	The Resolution (Res) was referred. to the Full Council					
	<b>Notes:</b>						
1	Full Council	10/02/2017	adopted as amended				Pass
	<b>Action Text:</b>	The Motion carried, the Resolution (Res) was adopted as amended by the following vote, and the President signed the Resolution:					
	<b>Notes:</b>	<u>ACTION 1:</u>					

Motion was made and duly seconded to adopt Resolution 31775.

ACTION 2:

Motion was made by Councilmember González, duly seconded and carried, to amend Resolution 31775, by substituting version 2 for version 1a.

ACTION 3:

Motion was made and duly seconded to adopt Resolution 31775 as amended.

In Favor: 7 Councilmember Bagshaw, Councilmember González , Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant

Opposed: 0

- |   |                     |  |                                    |            |
|---|---------------------|--|------------------------------------|------------|
| 2 | City Clerk          | 10/02/2017   | submitted for<br>Mayor's signature | Mayor      |
|   | <b>Action Text:</b> | The Resolution (Res) was submitted for Mayor's signature. to the Mayor |                                    |            |
|   | <b>Notes:</b>       |  |                                    |            |
| 2 | Mayor               | 10/02/2017   | Signed                             |            |
| 2 | Mayor               | 10/03/2017   | returned                           | City Clerk |
| 2 | City Clerk          | 10/03/2017   | attested by City Clerk             |            |
|   | <b>Action Text:</b> | The Resolution (Res) was attested by City Clerk.                       |                                    |            |
|   | <b>Notes:</b>       |  |                                    |            |
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CITY OF SEATTLE

RESOLUTION 31775

A RESOLUTION strengthening public safety by affirming the City’s support for immigrant and refugee witnesses, survivors, and victims of crime.

WHEREAS, immigrants and refugees continue to make Seattle their home, and as of 2014, 18 percent of Seattle residents are foreign-born, coming from countries all over the world; and

WHEREAS, immigrants and refugees enrich Seattle with language and culture and are an essential part of Seattle’s social and economic fabric; and

WHEREAS, The City of Seattle adopted Resolution 30355 in 2001 and Resolution 30796 in 2005, to honor the immigrant and refugee community and support the development of an action plan to identify and address issues facing Seattle’s immigrant communities; and

WHEREAS, Resolution 31730, adopted in 2016, affirmed The City of Seattle as a Welcoming City, whose leaders are called upon to promote policies and programs that foster inclusion for all and reaffirms the City’s continued commitment to advocate and support the well-being of all residents, condemning the harmful anti-immigrant and anti-refugee rhetoric of the 2016 Presidential campaign, and the current Presidential administration; and

WHEREAS, President Donald J. Trump, through *Executive Order: Border Security and Immigration Enforcement Improvements*, *Executive Order: Enhancing Public Safety in the Interior of the United States*, the proposed federal 2017 RAISE ACT seeking to limit legal immigration, the proposed “border wall” between the U.S. and Mexico, and the threats to withhold federal resources from “sanctuary cities,” advances policies that

1 threaten the safety and security of documented and undocumented immigrants and  
2 refugees and sow a climate of chaos, uncertainty, and distrust in communities standing  
3 with immigrants and refugees; and

4 WHEREAS, President Trump and U.S. Attorney General Jeff Sessions' anti-immigrant rhetoric  
5 has led to a "chilling effect" where immigrants and refugees and their families are fearful  
6 to engage in everyday activities, such as going to school, and activities that help keep  
7 Seattle communities safe, such as reporting crimes they witness or in which they are a  
8 victim;<sup>1</sup> and

9 WHEREAS, in 2017, a coalition of organizations including the Asian Pacific Institute on  
10 Gender-Based Violence, ASISTA, Casa de Esperanza: National Latin@ Network,  
11 National Alliance to End Sexual Violence, National Domestic Violence Hotline, and  
12 Tahirih Justice Center conducted a national survey of advocates and legal service  
13 providers and found: (1) that over 75 percent of respondents report their clients have  
14 concerns about contacting the police when abuse or crime occurs; (2) that agencies are  
15 seeing a 62 percent increase in questions related to immigration; and (3) 43 percent of  
16 advocates report that immigrant-survivor clients have dropped civil or criminal cases  
17 because they were fearful to continue their cases;<sup>2</sup> and

18 WHEREAS, the U.S. Congress, recognizing the vulnerability of non-citizens and their fear of  
19 deportation as a significant barrier in reporting domestic violence and/or violent crimes  
20 they are victim or witness to, passed the Violence Against Women Act (VAWA) in 1994  
21 and the Battered Immigrant Women Protection Act in 2000 (VAWA 2000). Through

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<sup>1</sup> <http://kuow.org/post/new-immigration-crackdowns-creating-chilling-effect-crime-reporting>

<sup>2</sup> <http://www.tahirih.org/news/survey-reveals-impact-of-new-immigration-enforcement-policies-on-survivors-of-violence/>

1 these laws, Congress created U-Visas for victims and witnesses of qualifying violent  
2 crimes who assist law enforcement investigations and T-Visas for victims of sexual  
3 assault or trafficking; and

4 WHEREAS, victims and witnesses to qualifying crimes can apply to the U.S. Department of  
5 Homeland Security (DHS) for a U-Visa or T-Visa; both visas, if granted, would permit  
6 applicants to gain legal status and remain in the United States for three years; and

7 WHEREAS, the I-918B form is a required portion of a U Visa applicant's petition for temporary  
8 immigration benefits to DHS. The I-918B form is used by an agency with investigative  
9 powers to certify whether or not an immigrant has been a victim or witness in a  
10 qualifying crime and has cooperated with law enforcement investigations. Agencies that  
11 are eligible to certify the I-918B form includes courts, child protective services, police  
12 departments such as the Seattle Police Department (SPD), and labor departments; and

13 WHEREAS, SPD's knowledge and ability to process I-918B forms has been lauded as a "best  
14 practice" by local and regional immigrant rights advocates and legal service providers,  
15 and

16 WHEREAS, SPD and other City departments remain committed to adhering to Seattle Municipal  
17 Code Section 4.18.015, enacted by Ordinance 121063, which prohibits all City  
18 employees, including SPD officers, from inquiring about the immigration status of any  
19 person or engaging in activities to ascertain the immigration status of any person except  
20 in certain circumstances; and

21 WHEREAS, The City of Seattle, in adopting Ordinance 121063 in 2003, and Resolution 30672  
22 in 2004, established and reaffirmed SPD policies to protect documented and

1 undocumented immigrants' access to police protection and public services regardless of  
2 immigration status; and

3 WHEREAS, the City of Oakland's Police Department has noted an increase in crime reporting  
4 by immigrants because of its commitment to certifying I-918B forms;<sup>3</sup> New York City  
5 has strengthened outreach and processes of certifying I-918B forms; and the City of  
6 Cleveland has declared its support of non-U.S. citizen crime victims and witnesses  
7 through Resolution 374-10; and

8 WHEREAS, Seattle is safer when all members of Seattle's community and workforce and  
9 visitors to Seattle trust law enforcement and can report crimes they witness or in which  
10 they are a victim, without fear, regardless of immigration status; and

11 WHEREAS, the advocates of the Seattle's City Attorney's Office Domestic Violence Unit  
12 provide culturally and linguistically responsive support for all survivors and victims of  
13 abuse and provide survivors and victims with resources and referrals to community-based  
14 advocates to promote their healing and recovery; and

15 WHEREAS, immigrants and refugees in our communities contribute to safer communities for all  
16 of Seattle's residents when they provide information and assistance about crimes; and

17 WHEREAS, the Center for American Progress has studied the public safety impacts of sanctuary  
18 policies employed by local jurisdictions and has found, in part, that "[c]rime is  
19 statistically significantly lower in sanctuary counties compared to nonsanctuary counties"  
20 and that, on average, there were 35.5 fewer crimes committed per 10,000 people in  
21 sanctuary jurisdictions compared to nonsanctuary jurisdictions;<sup>4</sup> and

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<sup>3</sup> <http://www.reuters.com/article/us-usa-immigration-uvisa-specialreport-idUSKCN0IA1H420141021>

<sup>4</sup> <https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>

1 WHEREAS, that same study finds that the data suggests “that when local law enforcement  
2 focuses on keeping communities safe, rather than becoming entangled in federal  
3 immigration enforcement efforts, communities are safer and community members stay  
4 more engaged in the local economy”;

5 NOW, THEREFORE,

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

8 Section 1. The City Council, the Executive, and The City of Seattle commit to protecting  
9 all victims and survivors of crime and abuse, and any witnesses who cooperate with  
10 criminal investigations.

11 Section 2. The City Council requests, and the Mayor concurs, that the Executive and the  
12 City Attorney’s Office explore strategies and partnerships to strengthen the ability of advocates,  
13 and City departments, such as, but not limited to, the Office of Immigrant and Refugee Affairs,  
14 and the Seattle Police Department, and established community-based organizations, to work in  
15 partnership with immigrant and refugee communities to build knowledge, capacity, and trust for  
16 immigrant victims, survivors, and witnesses to feel safer in reporting crimes and to identify ways  
17 to improve the furnishing of information on levels of protection available for immigrant victims,  
18 survivors, and witnesses to violent crime pursuant to RCW 7.69.030 in culturally and  
19 linguistically responsive ways.

20 Section 2. The City Council, together with the Executive and established community-  
21 based organizations, will identify concrete strategies by which City departments and related  
22 service- providers can improve language access practices, knowledge, and capacity to best serve

1 no- English proficiency or limited-English proficiency victims, survivors, and witnesses of  
2 violent crimes.

3       Section 3. The City Council requests, and the Mayor concurs, that the Executive will  
4 reach out to law enforcement, immigrant communities, and trusted advocates to gain a  
5 qualitative sense of whether there has been a chilling effect and reduced reporting of crime by  
6 immigrant and refugee communities.

7       Section 4. The City Council requests, and the Mayor concurs, that the Executive will  
8 provide a written report of strategies recommended pursuant to this resolution to the members of  
9 the Gender Equity, Safe Communities and New Americans Committee or its successor on or  
10 before April 30, 2018.



1 Adopted by the City Council the 2nd day of October, 2017,  
2 and signed by me in open session in authentication of its adoption this 2nd day of  
3 October, 2017.

4 ROB JOHNSON

5 President \_\_\_\_\_ of the City Council

6 The Mayor concurred the 2<sup>ND</sup> day of October, 2017.

7 Tim Burgess

8 Tim Burgess, Mayor

9 Filed by me this 3<sup>rd</sup> day of OCTOBER, 2017.

10 \_\_\_\_\_  
11 Monica Martinez Simmons, City Clerk

12 (Seal)