



Legislation Text

File #: Res 31775, Version: 2

CITY OF SEATTLE

RESOLUTION _____

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 threaten the safety and security of documented and undocumented

immigrants and refugees and sow a climate of chaos, uncertainty, and distrust in communities standing with immigrants and refugees; and

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

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

WHEREAS, the U.S. Congress, recognizing the vulnerability of non-citizens and their fear of deportation as a significant barrier in reporting domestic violence and/or violent crimes they are victim or witness to, passed the Violence Against Women Act (VAWA) in 1994 and the Battered Immigrant Women Protection Act in 2000 (VAWA 2000). Through these laws, Congress created U-Visas for victims and witnesses of qualifying violent crimes who assist law enforcement investigations and T-Visas for victims of sexual assault or trafficking; and

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

WHEREAS, the I-918B form is a required portion of a U Visa applicant's petition for temporary immigration

benefits to DHS. The I-918B form is used by an agency with investigative powers to certify whether or not an immigrant has been a victim or witness in a qualifying crime and has cooperated with law enforcement investigations. Agencies that are eligible to certify the I-918B form includes courts, child protective services, police departments such as the Seattle Police Department (SPD), and labor departments; and

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

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

WHEREAS, The City of Seattle, in adopting Ordinance 121063 in 2003, and Resolution 30672 in 2004, established and reaffirmed SPD policies to protect documented and undocumented immigrants' access to police protection and public services regardless of immigration status; and

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

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

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

recovery; and

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

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

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

NOW, THEREFORE,

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

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

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

linguistically responsive ways.

Section 2. The City Council, together with the Executive and established community-based organizations, will identify concrete strategies by which City departments and related service- providers can improve language access practices, knowledge, and capacity to best serve no- English proficiency or limited- English proficiency victims, survivors, and witnesses of violent crimes.

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

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

Adopted by the City Council the _____ day of _____, 2017, and signed by me in open session in authentication of its adoption this _____ day of _____, 2017.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2017.

Tim Burgess, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)