



Legislation Text

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CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION affirming the human right to family unity and expressing opposition to the Trump Administration’s practices separating and/or detaining migrant families seeking asylum at the U.S.-Mexico border, and strong concern about the Trump Administration’s lack of family reunification plans for over 2,300 children and their parents or guardians and ongoing detention camps at the U.S.-Mexico border in violation of the Universal Declaration of Human Rights and the applicable international human rights framework.

WHEREAS, The City of Seattle (“City”) condemns separation of migrant children from their families at the U.S.-Mexico border as an egregious violation of human rights and an immoral act of violence and trauma targeting migrants and immigrants seeking safety and asylum; and

WHEREAS, Article 14 of the Universal Declaration of Human Rights, adopted by the United Nations (U.N.) General Assembly in 1948 and endorsed by the United States, provides that “Everyone has the right to seek and to enjoy in other countries asylum from persecution”; and

WHEREAS, Article 3, paragraph 2, of the Convention on the Rights of the Child, adopted by the U.N. General Assembly in 1989, declares that “States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures”; and

WHEREAS, Article 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the U.N. General Assembly in 1984 and of which the United States is a State Party, provides that “Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture ...

when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”; and

WHEREAS, the Inter-American Commission on Human Rights adopted in March 2008 Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas, which affirms the right of all persons deprived of liberty to humane treatment, equality and non-discrimination, and access to due process of law; and

WHEREAS, the separation of children and their families is a continuation of historical practices by the U.S. government, both federal and local, that primarily harmed children of color through forced migration and enslavement, detainment, internment, and boarding schools that erased language and culture; and

WHEREAS, research has proven that the psychological impact of separating children from their parents and families has led to irreversible, intergenerational trauma that manifests itself through violence, addiction, and other negative behaviors that harm both the children and their loved ones; and

WHEREAS, the Trump Administration has targeted migrant and immigrant families through policies and proposals including *Executive Order 13767: Border Security and Immigration Enforcement Improvements*; *Executive Order 13768: 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 threats to withhold federal resources from “sanctuary cities”; and

WHEREAS, the Trump Administration’s “zero tolerance” policy of prosecuting border crossings along the U.S.-Mexico border has separated thousands of children from as young as eight months old to the age of 18 from their parents and guardians, creating conditions that are a departure from international human rights and migrant rights, leading to worldwide outcry; and

WHEREAS, President Trump signed *Executive Order 13841: Affording Congress an Opportunity to Address Family Separation* on June 20, 2018, which declared “the policy of this Administration to maintain family unity, including by detaining alien families together where appropriate and consistent with law

and available resources,” attempts to shift responsibility and accountability for the Administration’s actions to Congress by calling for immigration reform, and does not contain a clear commitment or plan to care for children currently in detention and separated from their families nor to reunite the thousands of families torn apart by a draconian policy of “zero tolerance”; and

WHEREAS, the State of Washington’s Attorney General, joined by California, Illinois, Iowa, Massachusetts, Maryland, Minnesota, New Jersey, New Mexico, Oregon, Pennsylvania, Rhode Island, Virginia, and the District of Columbia, announced a lawsuit against the Trump Administration on June 21, 2018, challenging its “zero tolerance” policy that resulted in the separation of immigrant children from their parents during border crossings; and

WHEREAS, the City adopted Resolution 31730 affirming Seattle’s commitment as a Welcoming City by unanimous vote on January 30, 2017, and Resolution 31420 affirming Seattle to be a Human Rights City on December 10, 2012; and

WHEREAS, the City adopted Resolution 31724 in December 2016 reaffirming Seattle’s values of inclusion, respect, and justice, and the City’s commitment toward actions to reinforce these values; and calling on then President-elect Donald Trump to condemn recent attacks and hate speech that perpetuate religious persecution, racism, sexism, homophobia, transphobia, and xenophobia; and

WHEREAS, the City adopted Ordinance 125296 in April 2017, creating and funding the City’s first Immigrant Legal Defense Network, which provides, in partnership with King County, legal representation, guidance, and/or referral to indigent immigrants who live or work in Seattle and King County; and

WHEREAS, national and local organizing efforts have called for a nationwide Families Belong Together Day of Action on June 30, 2018, to tell the Trump Administration to stop separating children from their families; and

WHEREAS, Mayor Jenny Durkan introduced a resolution that was passed unanimously at the U.S. Conference of Mayors meeting in June 2018, condemning the “zero tolerance” policy and separation of children

from their families, and joined dozens of former U.S. attorneys in calling on U.S. Attorney General Jeff Sessions to end the systematic separation of families at the border; and

WHEREAS, the City recommits to its policy to be a Welcoming City, and considers detainment of children to be harmful to their growth and welfare; NOW, THEREFORE,

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

Section 1. The City of Seattle supports Washington State Attorney General Bob Ferguson’s lawsuit, announced on June 21, 2018, against the Trump Administration’s “zero tolerance” policy of forced separation of immigrant children from their parents during U.S.-Mexico border crossings.

Section 2. The City of Seattle will use all legal avenues at its disposal to resist any efforts to impose on the City any immigration, spending, or funding policy that violates the U.S. Constitution or the laws of the United States.

Section 3. The City of Seattle will continue to protect the rights guaranteed to the City and its people by the United States Constitution and will challenge any unconstitutional policies that threaten the security of its communities.

Section 4. The City of Seattle reaffirms its commitment and support to the immigrant community, and to immigrant families and individuals, through appropriate strategies and work, both existing and future, led by the Office of Immigrant and Refugee Affairs (OIRA) in consultation with local immigrant-serving community-based organizations.

Section 5. To protect the sensitive data of all residents, City department directors will direct City employees to refer information requests from the U.S. Department of Homeland Security’s Immigration and Customs Enforcement (ICE) to the Mayor’s legal counsel, with support from the City Attorney’s Office, in accordance with the Mayoral Directive dated February 6, 2018, regarding “City of Seattle Protocol on Federal Immigration Enforcement.”

Section 6. The City of Seattle recognizes that building resiliency and supporting the empowerment of immigrant and refugee communities are essential immigrant defense strategies to bolster family unity. As such, the City will work to identify additional opportunities and resources to support organizing and resiliency-building led by the local immigrant community and will seek the ongoing collaboration and partnership of King County to build a regional resilience strategy.

Section 7. The City of Seattle supports our residents and community-based organizations bringing attention to the separation of families at the U.S.-Mexico border and across the nation. On June 30, 2018, there will be rallies across the country, including in Seattle, to highlight the cruel, inhumane, and illegal acts of the Trump administration, which is separating children from their parents.

Section 8. The City of Seattle remains committed to ensuring that the City's residents are informed of these un-American and harmful policies. It is critical to draw attention to the actions of the Trump Administration and to combat the misinformation about immigrants and refugees that the White House continues to promote.

Section 9. The City of Seattle encourages our residents to financially support legal aid, resiliency, and rapid-response focused organizations in Seattle that are working tirelessly to help families separated and detained in our region at the Federal Detention Center in SeaTac, Washington, including, but not limited to, the following: OneAmerica, Northwest Immigrant Rights Project, ACLU Foundation, Kids in Need of Defense, Colectiva Legal del Pueblo, and Washington Immigrant Solidarity Network.

Section 10. The City of Seattle supports the efforts of Senator Patty Murray and Senator Maria Cantwell to have the Senate Judiciary Committee hold hearings regarding the Trump Administration's treatment of children entering the United States along its southern border.

Section 11. The City of Seattle encourages our residents to support the immediate passage of S. 3036/H.R. 6135, the Keep Families Together Act, by contacting their congressional representatives.

Section 12. The City of Seattle, consistent with its Welcoming City principles and values, will submit a

letter to Washington’s congressional delegation supporting S. 3036/H.R. 6135, the Keep Families Together Act, with the support of the Office of Intergovernmental Relations.

Adopted by the City Council the _____ day of _____, 2018, and signed by me in open session in authentication of its adoption this _____ day of _____, 2018.

President _____ of the City Council

The Mayor concurred the _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)