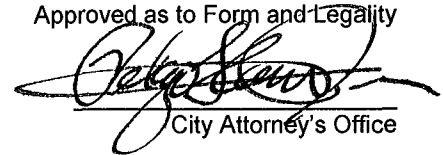


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OFFICE OF THE CITY CLERK
OAKLAND

18 AUG 15 AM 10:45

Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY THE COUNCILMEMBER KAPLAN

RESOLUTION URGING UNITED STATES CONGRESS TO ABOLISH THE IMMIGRATIONS AND CUSTOMS ENFORCEMENT ("ICE") AGENCY

WHEREAS, in 2003, under the Bush Administration, immigration enforcement functions were transferred away from the Department of Justice to the newly created U.S. Immigration Customs and Enforcement (ICE) under the guise of national security; and

WHEREAS, in 2004, the Department of Justice stated, "The primary mission of ICE is to prevent acts of terrorism by targeting the people, money, and materials that support terrorist and criminal activities"; and

WHEREAS, ICE's work has radically shifted from its "primary mission" of preventing acts of terrorism, as articulated by the Department of Justice in 2004, to carrying out detention and deportation activities as its core focus; and

WHEREAS, nearly 60% of ICE's \$7.1 billion budget goes to detention and removal operations. Such removal operations tend to focus on individuals who are being punished simply for illegal entry or re-entry, have no other criminal history and pose no threat to national security; and

WHEREAS, these removal operations have torn apart families and communities and disrupted businesses throughout the country; and

WHEREAS, numerous Federal oversight bodies, including the Government Accountability Office and the DHS Office of the Inspector General, have documented substandard conditions and inhumane treatment of those in ICE detention, which contravene ICE's own standards and Federal and international legal protections; and

WHEREAS, ICE has taken measures to destroy records of immigrant abuse in its custody. In July 3 2017, ICE requested that the National Archives and Records Administration approve its timetable for destroying records related to sexual assaults, solitary confinement and deaths of people in its custody; and

WHEREAS, Oakland has been on record as a City of Refuge since July 8, 1986, when it adopted Resolution No. 63950; and

WHEREAS, Oakland reaffirmed its status as a Sanctuary City on November 29, 2016 when it adopted in Resolution No. 86498, which stated “the City Council’s desire to ensure that its immigrant residents participate in civic life and daily activities without fear of being arrested or reported to the United States Immigration and Customs Enforcement (ICE) agency;” and

WHEREAS, on July 18, 2017, Oakland City Council adopted Resolution No. 86860 by Councilmember Kaplan, which declared that “the presence of ICE in Oakland is causing trauma in the community, and causing a chilling effect that weakens cooperation with local law enforcement;” and

WHEREAS, on January 16, 2018, Oakland City Council adopted Resolution No. 87036, which clarified that the Oakland Police Department “shall not provide law enforcement assistance, including traffic support, to ICE, including any subdivision of ICE, in any capacity, except to respond to a public safety emergency;” and

WHEREAS, any essential functions carried out by ICE that do not violate fundamental due process and human rights can be executed with greater transparency, public accountability, and adherence to domestic and international law by other agencies; now, therefore, be it

RESOLVED: That the City of Oakland urges United States Congress to abolish the Immigrations and Customs Enforcement Agency.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, AND PRESIDENT REID

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California