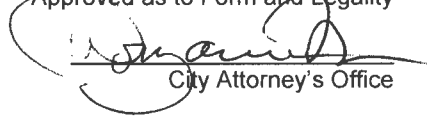


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2017 JUN -8 PM 1:36

Approved as to Form and Legality

City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 86534 C.M.S.

INTRODUCED BY VICE MAYOR CAMPBELL WASHINGTON, PRESIDENT PRO TEM REID, COUNCILMEMBER GALLO AND COUNCILMEMBER GUILLEN

ADOPT A RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO RETURN TO CITY COUNCIL IN JANUARY 2017 WITH A RESOLUTION TO APPROPRIATE \$150,000 IN FY 2016 - 2017 AND \$150,000 FY 2017 – 2018 FOR THE OAKLAND IMMIGRANT LEGAL REPRESENTATION AND RAPID RESPONSE NETWORK TO PROVIDE URGENT LEGAL AND SUPPORT SERVICES TO OAKLAND FAMILIES FACING THE IMMEDIATE THREAT OF SEPARATION DUE TO DEPORTATION AND WORK WITH ALAMEDA COUNTY AND THE BAY AREA PHILANTHROPIC COMMUNITY TO FULLY FUND THE NETWORK.

WHEREAS, since the presidential election, there has been a sense of uncertainty and fear among many immigrant communities in Oakland and across the nation; and

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

WHEREAS, the Oakland City Council reaffirmed the declaration that Oakland is a City of Refuge for immigrants from all countries; and

WHEREAS, the City of Oakland has a strong tradition of embracing and valuing diversity and respecting the civil and human rights of all residents regardless of their immigration status; and

WHEREAS, over 40% of Oakland residents speak a language other than English at home¹; and

WHEREAS, approximately 31% of all Alameda County residents are foreign born², hailing from communities from all over the world and approximately 53% of children in Alameda County live in families where at least one parent was born outside the United States³; and

WHEREAS, 11,000 or 30% of the Oakland Unified School District (OUSD) student population are English language learners; and

¹ <http://www.census.gov/quickfacts/table/PST045215/0653000>
² U.S. Census available at www.census.gov
³ Kids Data available at www.kidsdata.org

WHEREAS, at present, 5,066 OUSD students are foreign-born, from countries that include: Afghanistan, Burma, China, El Salvador, Eritrea, Ethiopia, Guatemala, Honduras, Mexico, Mongolia, Nepal, Philippines, Viet Nam, and Yemen; and

WHEREAS, with the expected increase in immigration litigation, immigrants will need experienced and qualified attorneys to fight against the expected surge of deportation and detention; and

WHEREAS, the Oakland Immigrant Legal Representation and Rapid Response Network simultaneously need resources to create a meaningful rapid response network to make sure the immigrant community is aware of their rights and can access counsel as soon as needed if they are detained by Immigration and Customs Enforcement (ICE); and

WHEREAS, the Oakland Immigrant Legal Representation and Rapid Response Network formed to provide urgent legal and support services to Oakland families facing the immediate threat of separation due to deportation; and

WHEREAS, in a report from Northern California Collaborative for Immigrant Justice, it was reported that over 50% of the represented detained individuals involved in the study had lived in the United States for over a decade, 77% were separated from family members as a result of their detention with approximately half of them separated from children and 65% had been gainfully employed prior to their detention⁴; and

WHEREAS, research shows that the removal of family members, who are often the primary wage earner, pushes families into the brink of poverty and homelessness and can leave U.S. citizen children without parents to care for them; and

WHEREAS, a report from the Department of Justice Executive Office for Immigration Review showed that only 11% of detained and unrepresented immigrants were successful in challenging their deportation⁵ yet the detained individuals who were represented by Bay Area non-profits were successful 83% of the time⁶; and

WHEREAS, the Oakland Immigrant Legal Representation and Rapid Response Network includes various legal and community groups including but not limited to Centro Legal de la Raza, Alameda County Office of the Public Defender, Oakland Community Organizations, Ella Baker Center for Human Rights and many other legal and community organizations; and

WHEREAS, this diverse and dynamic Oakland organizations network requests that \$1,291,500 be provided for rapid response coordination, community responders and know your rights education for the Oakland immigrant population; and

WHEREAS, the Network will provide a rapid response to the legal needs of Oakland residents and families facing imminent deportation or other adverse action as a result of

⁴ Northern California Collaborative for Immigrant Justice (NCCIJ), Access to Justice for Immigrant families and Communities (Oct. 2014) (Hereinafter referred to as "NCCIJ Report"), *available at* <https://media.law.stanford.edu/organizations/clinics/immigrant-rights-clinic/11-4-14-Access-to-Justice-Report-FINAL.pdf>.

⁵ NCCIJ Report at 9, 18.

⁶ NCCIJ Report at 9.

immigration enforcement activities like raids in homes, workplaces, schools, and other sensitive locations; and

WHEREAS, the legal services and rapid response network will provide services to protect those impacted by Executive Orders and/or additional actions or policies that infringe on due process rights, divide communities, increase the use of detention, and/or result in the disparate treatment of individuals based on factors that include nationality, religion, country of origin, and sexual orientation.

WHEREAS, the Network will house five attorneys between legal service organizations and the Alameda County Office of the Public Defender and a Rapid Response Coordinator will lead five Community Responders in managing a hotline where affected individuals and community members can call to report immigration enforcement actions; and

WHEREAS, the Know Your Rights Coordinator will work with the legal service providers to develop presentations to be conducted monthly at schools, places of worship, health clinics, and other trusted community locations along with critical education regarding legal rights; now therefore be it

RESOLVED, that the City Council directs the City Administrator to return To City Council in January 2017 with a resolution to appropriate \$150,000 in FY 2016 - 2017 And \$150,000 FY 2017 – 2018 for the Oakland Immigrant Legal Representation and Rapid Response Network to provide urgent legal and support services to Oakland families facing the immediate threat of separation due to deportation and; be it

FURTHER RESOLVED, that the City Council directs the City Administrator to work with officials in Alameda County and the Bay Area philanthropic community to identify resources to fully fund the Oakland Immigrant Legal Representation and Rapid Response Network.

IN COUNCIL, OAKLAND, CALIFORNIA,

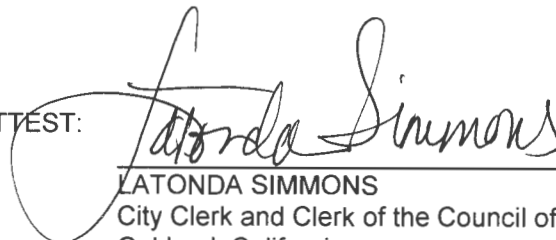
DEC 13 2016

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY - 8

NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council of the City of
Oakland, California