

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 88094 C.M.S.

INTRODUCED BY COUNCIL PRESIDENT PRO TEM DAN KALB

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### RESOLUTION CALLING FOR THE IMMEDIATE RELEASE OF KELLY GONZALEZ AGUILAR FROM UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT CUSTODY

**WHEREAS**, Kelly Gonzalez Aguilar is a transgender woman from Honduras who fled to Mexico at age 12, and then escaped to the United States at age 17; and

**WHEREAS**, Ms. Aguilar has endured many years of sexual violence, sex trafficking, labor trafficking, and physical and psychological abuse; and

**WHEREAS**, Ms. Aguilar was arrested and detained by the United States Immigration and Customs Enforcement (ICE); and

**WHEREAS**, Ms. Aguilar is currently in detention at the Cibola County Correctional Center in New Mexico; and

**WHEREAS**, Detainees being held at Cibola County Correctional Center have reported rampant abuse; and

**WHEREAS**, Ms. Aguilar has been held in immigration jails for more than two (2) years, including four consecutive months in solitary confinement due solely to her gender identity; and

**WHEREAS**, Solitary confinement has been found to take a heavy psychological and physical toll on people, has been classified as torture, and the U.N. Special Rapporteur on Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment has urged countries to ban the practice; and

**WHEREAS**, Ms. Aguilar is the longest-detained transgender asylum seeker in the United States; and

**WHEREAS**, Ms. Aguilar's request for parole was denied by ICE, even though she has never been convicted of any charges and has given no evidence of being a flight risk or a public safety risk; and

**WHEREAS**, If Ms. Aguilar were deported, she would be sent to Honduras, which has a record of violence against lesbian, gay, bisexual, and transgender people; and

**WHEREAS**, Oakland residents Lee Staub and Jessica Lehman have committed to sponsor Kelly Gonzalez Aguilar, including providing her with housing and financial support, and assisting her in her efforts to access health care, immigration services, and community life; and

**WHEREAS**, a national campaign to free Ms. Aguilar, #FreeKelly, has over 3,000 supporters, now, therefore, be it

**RESOLVED:** That the Oakland City Council hereby calls for the United States Immigration and Customs Enforcement to immediately release Kelly Gonzalez Aguilar via parole to her sponsors in the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: APR 07 2020

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN *o*

NOES - *o*

ABSENT - *o*

ABSTENTION - *o*

ATTEST:

*Latonda Simmons*  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California