



Peace and Justice Commission

CONSENT CALENDAR

February 8, 2022

To: Honorable Mayor and Members of the City Council  
From: Peace and Justice Commission  
Submitted by: George Lippman, Chair, Peace and Justice Commission  
Subject: Resolution supporting immigration reform for the U.S.

RECOMMENDATION

Adopt a Resolution:

1. Urging President Biden to honor his promise for a humane immigration policy.
2. Calling for a departure from the previous administration's cruelty toward migrant, for protections from deportation, and for a path to permanent residency for protected groups including beneficiaries of DACA, TPS, and DED.
3. Requesting closure of three California ICE detention facilities cited for many rights violations.

Copies of this resolution should be sent to President Biden and Berkeley's congressional delegation.

FISCAL IMPACTS OF RECOMMENDATION

None

CURRENT SITUATION AND ITS EFFECTS

Refugees fleeing dire situations in their home countries are receiving inhumane treatment upon arriving at the borders of the United States. President Biden has retained Donald Trump's Title 42 policy, which misuses public health authority to violate refugee law, block asylum at U.S. ports of entry, and expel people seeking refuge from danger.

At its regular meeting of November 1, 2021, the Peace and Justice Commission adopted the attached resolution:

M/S/C: (Bohn/Meola)

Ayes: Bohn, Gussman, Jacquilin, Lee, Leon-Maldonado, Lippman, Maran, Meola, Morizawa, Rodriguez.

Noes: None.

Abstain: None.

BACKGROUND

When entering office, President Biden promised a humane immigration policy and a departure from the previous administration's cruelty toward migrants, specifically pledging to pursue policies that safeguard our security, provide a fair and just system that helps to grow and enhance our economy, and secure our cherished values.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects related to the recommendation in this report.

RATIONALE FOR RECOMMENDATION

When entering office, President Biden promised a humane immigration policy and a departure from the previous administration's cruelty toward migrants, but has not made adequate changes.

ALTERNATIVE ACTIONS CONSIDERED

None

CITY MANAGER

The City Manager takes no position on the content and recommendations of the Commission's Report.

CONTACT PERSON

Okeya Vance-Dozier, Peace and Justice Commission Secretary, City Manager's Office,  
(510) 529-5376

Attachment

1: Resolution

RESOLUTION NO. ##,###-N.S.

SUPPORT IMMIGRATION REFORM FOR THE U.S.

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter 3.68.070); and

WHEREAS, when entering office, President Biden promised a humane immigration policy and a departure from the previous administration's cruelty toward migrants, pledging specifically to pursue the following policies that safeguard our security, provide a fair and just system that helps to grow and enhance our economy, and secure our cherished values:

- Take urgent action to undo Trump's damage and reclaim America's values
- Modernize America's immigration system
- Welcome immigrants in our communities
- Reassert America's commitment to asylum-seekers and refugees
- Tackle the root causes of irregular migration
- Implement effective border screening;<sup>1</sup> and

WHEREAS, many months into the Biden Administration, migrants continue to face mass deportation and detention camps operated under Trump have been reopened;<sup>2</sup> and WHEREAS, Congressmembers Zoe Lofgren and Lou Correa led an additional 22 Members of the California Delegation, including U.S. Senator Alex Padilla, in sending a letter to the Department of Homeland Security Secretary Alejandro Mayorkas urging the immediate closure of two privately owned and operated ICE detention facilities, Adelanto ICE Processing Center and Otay Mesa Detention Facility, and an end to the Intergovernmental Service Agreement (IGSA) between ICE and Yuba County Jail, the last ICE contract with a public facility in California, all cited by courts and ICE itself for multiple constitutional violations;<sup>3</sup> and

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<sup>1</sup> "The Biden Plan for Securing Our Values as a Nation of Immigrants," 2020, <https://joebiden.com/immigration/>

<sup>2</sup> "Biden and the Border: Immigration and Border Policy Under Biden," Institute for Policy Studies, October 19, 2021, <https://ips-dc.org/events/biden-and-the-border-immigration-and-border-policy-under-biden/> and

"'We're done:' Immigration advocates stage walkout on Biden administration," [Politico, October 16 2021, https://www.politico.com/news/2021/10/16/immigration-advocates-walk-out-biden-516122,](https://www.politico.com/news/2021/10/16/immigration-advocates-walk-out-biden-516122)

<sup>3</sup> California Collaborative for Immigrant Justice, October 21, 2021, <https://ccijjustice.org/breaking-24-members-of-congress-led-by-lofgren-and-correa-urge-closure-of-3-ice-detention-centers-in-ca/>

WHEREAS, on October 15, 2019, the Council of the City of Berkeley adopted a resolution in support of protections from deportation and a path to permanent residency for beneficiaries of Deferred Action for Childhood Arrivals (DACA), Temporary Protected Status (TPS), and Deferred Enforced Departure (DED);<sup>4</sup> and

WHEREAS, according to Human Rights First, “President Biden’s administration continues to embrace and defend, rather than end, the Trump administration’s ‘Title 42’ policy, which misuses public health authority to violate refugee law, block asylum at U.S. ports of entry, and expel people seeking refuge from danger. The suffering of families, adults, and children subjected to this policy continues to mount, with at least 7,647 kidnappings and other attacks on people blocked or expelled under Title 42 [or other U.S. immigration programs] since President Biden took office.” In September 2021 alone, “the Biden administration used this policy to illegally expel nearly 8,000 Haitians to life-threatening insecurity in Haiti. The U.S. Department of State’s top legal expert, former Yale Law School Dean Harold Koh, resigned from the Department in October 2021 after concluding that the Biden administration’s continued use of Title 42 to expel people seeking protection is illegal and inhumane;”<sup>5</sup> and

WHEREAS, United States government documents detail over 160 internal reports of misconduct and abuse of asylum seekers at the hands of U.S. officials, Human Rights Watch said in a report released October 21. The documents report abuse by Customs and Border Protection (CBP) officers, Border Patrol agents, and Immigration and Customs Enforcement (ICE) officials, primarily between 2016 and 2021.<sup>6</sup>

THEREFORE BE IT RESOLVED that the Council of the City of Berkeley requests the City Clerk to send a copy of this resolution to President Biden to urge him to honor his promise for a humane immigration policy and a departure from the previous administration’s cruelty toward migrants, support of protections from deportation, and a path to permanent residency for beneficiaries of Deferred Action for Childhood Arrivals, Temporary Protected Status, and Deferred Enforcement Departure, and for the closure

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<sup>4</sup> “Resolution: Protect from deportation beneficiaries of DACA, TPS, and DED,” Berkeley City Council, October 15, 2019, [https://www.google.com/url?client=internal-element-cse&cx=017385055954264103894:kn5xiwd8ubm&q=https://www.cityofberkeley.info/Clerk/City\\_Council/2019/10\\_Oct/Documents/2019-10-15\\_Item\\_16\\_Resolution\\_Protect\\_from\\_Deportation.aspx&sa=U&ved=2ahUKEWj684yr9d7zAhVZpnIEHVT6COUQFnoECAQQAg&usg=AOvVaw2qNYQATN\\_6gYxkGET-Gw\\_k](https://www.google.com/url?client=internal-element-cse&cx=017385055954264103894:kn5xiwd8ubm&q=https://www.cityofberkeley.info/Clerk/City_Council/2019/10_Oct/Documents/2019-10-15_Item_16_Resolution_Protect_from_Deportation.aspx&sa=U&ved=2ahUKEWj684yr9d7zAhVZpnIEHVT6COUQFnoECAQQAg&usg=AOvVaw2qNYQATN_6gYxkGET-Gw_k)

<sup>5</sup> “‘Illegal and Inhumane:’ Biden Administration Continues Embrace of Trump Title 42 Policy as Attacks on People Seeking Refuge Mount,” Human Rights First, October 2021, <https://www.humanrightsfirst.org/sites/default/files/IllegalandInhumane.pdf> “

<sup>6</sup> “US Records Show Physical, Sexual Abuse at Border: Newly Obtained Documents Reveal Urgent Need for Justice, Reform,” <https://www.hrw.org/news/2021/10/21/us-records-show-physical-sexual-abuse-border>

of ICE detention facilities Adelanto ICE Processing Center and Otay Mesa Detention Facility, and the Yuba County Jail, and that copies of this resolution also be sent to Senator Dianne Feinstein, Senator Alex Padilla, and Representative Barbara Lee.

