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FRAMINGHAM CITY COUNCIL

ORDER NO. 2018-078

REQUEST OF COUNCILOR STEINER

UPON THE REQUEST OF COUNCILOR STEINER, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That the City Council endorse a Resolution Relating to Certain Immigration Policies as They Affect Family Rights. The Resolution is attached.

YEAS: Cannon, Giombetti, Grove, King, Richardson, Sisitsky, Steiner, Tully Stoll

NAYS: None

ABSTAIN: Rossi

ABSENT: Shepard, Torres

PASSED IN COUNCIL: JUNE 19, 2018

A True Record, Attest:

8/30/18

Date Approved

Lisa A. Ferguson

Lisa A. Ferguson, City Clerk

**RESOLUTION OF THE
FRAMINGHAM CITY COUNCIL
RELATING TO CERTAIN IMMIGRATION POLICIES
AS THEY AFFECT FAMILY RIGHTS**

WHEREAS, in 2008, President George W. Bush created an immigration policy to combat the influx of children fleeing to the U.S. from Central American countries due to a surge of child trafficking.

WHEREAS, under President Barack Obama, in August of 2009, the US Immigration and Customs Enforcement Bureau (ICE) created the Office of Detention Policy and Planning, aimed at combating certain injustices created by President Bush's program;

WHEREAS, over the ensuing seven years, under Pres. Obama, until August 2016, ICE implemented a series of humanitarian measures to assure, among other things: proper notification of deaths among the detained population; physical, medical and mental health care; parole for certain detainees who could demonstrate a basis of fear of persecution in the event of repatriation; providing specific no-cost improvements to improve conditions of confinement, such as increased recreation and contact visitation, and quality control; launching a web-based detainee locator system enabling attorneys, family and friends to find a detainee in ICE custody and to access information about the facility, including address and visiting hours; issuing a new Transfer Directive to minimize the long-distance transfer of detainees within ICE's detention system; issuing a Directive on Sexual Abuse and Assault Prevention and Intervention, which establishes a zero-tolerance policy with respect to sexual abuse or assault of individuals in ICE custody; took definitive steps to improve transparency and uniformity in detention, custody and classification decisions; took steps to better serve transgender individuals, including data systems, initial processing, housing placements, and transfers; and took steps to monitor and protect pregnant detainees.

WHEREAS, among the measures taken, specifically, in August of 2013, ICE Issued a directive on "Facilitating Parental Rights in the Course of Civil Immigration Enforcement Actions," establishing policy and procedures to ensure that ICE immigration enforcement efforts do not unnecessarily undermine the parental rights of parents or legal guardians of United States citizen or legal permanent resident minor children, or parents and legal guardians who are primary caretakers of minor children without regard to the dependent's citizenship. The Directive outlines ICE policies and procedures concerning the placement, monitoring, accommodation, and repatriation of parents or legal guardians. This policy allowed children to remain with their parents and legal guardians throughout the process.

WHEREAS, on August 29, 2017, the Trump administration adopted zero tolerance policy on border crossings, known as Policy Number 11064.2, governing "Detention and Removal of Alien Parents or Legal Guardians."

WHEREAS, Policy Number 11064.2 mandated the removal of children from parents crossing borders into the United States, under the misplaced guise, or ruse, of family court protection for minors from their "criminal" parents.

WHEREAS, the Trump Administration has adopted a strategy of labeling all border crossings as “illegal,” unless the person crossing into the US presents proper documentation and is permitted passage through traditionally accepted methods, and has deemed all adults passing into the US in such “illegal” way, to be criminals.

WHEREAS, the Trump Administration began a program of separating children from their parents and legal guardians, and placing them in facilities far distant from those of their parents in October of 2017, and between October 1, 2017 and May 31, 2018, at least 2,700 children have been split from their parents. 1,995 of them were separated over the last six weeks of that window — April 18 to May 31 — indicating that at present, an average of 45 children are being taken from their parents each day.

WHEREAS, the rate of separations of children from their parents continues at a current average of 47 children per day.

WHEREAS, such treatment of minor children constitutes a human rights violation. The conditions of housing include kennel-like cages, and the practice of chaining children to fences for extended periods of time.

WHEREAS, many of these families have come to the US lawfully to request asylum from violence and persecution in their own countries.

WHEREAS, such activities of asylum-seekers are protected by the Constitution and laws of the United States, their treatment as “criminals,” and separation from their children and incarceration without due process are unlawful violations of the civil rights of such families and asylum seekers, causing trauma that, in many cases, will result in life-long injuries.

WHEREAS, the crime the parents are being charged with is a misdemeanor.

NOW, THEREFORE, The Framingham City Council condemns the heinous ICE policy of separating immigrant children from their parents and legal guardians, and demands an immediate halt to this inhumane practice.

FURTHERMORE, The Framingham City Council calls upon its Federal Delegation, State Delegation, and Mayor Spicer to vehemently raise protest and bring awareness of this situation to the floors of their respective Chambers.

FURTHERMORE, The Framingham City Council calls upon our Federal Delegation to take action in the House of Representatives and the Senate, seeking bi-partisan rectification of the issues raised in this Resolution.

ADOPTED, by a vote of 9-0-0 in favor, this 19th day of June, 2018.



Dennis Giombetti, Chair