

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS **MOTION**

Earlier this month, Attorney General Jeff Sessions announced a zero tolerance policy on illegal border crossings and his intention to criminally prosecute 100 percent of people who are captured, including families with children. The most abhorrent aspect of this policy announcement is the specific directive to separate children from their parents — including when families come to the United States seeking asylum. Previously, most parents had been allowed to remain with their children in family shelters while awaiting asylum cases or deportation proceedings. Under the policy announced by Attorney General Sessions, children are separated from their parents and transferred to the Office of Refugee Resettlement, a division of the Department of Health and Human Services, which then turns over the separated children to relatives in the United States or to shelters run by private organizations.

This weekend it was reported that 177 women who were taken into custody at the United States border while seeking asylum are currently being held at the SeaTac Federal Detention Center in Seattle, and about half were separated from their children. Several dozen of these women have reported that they did not realize what was happening when they were torn from their children. In several cases, they were effectively lured into another room to have their photograph taken, then moved to a separate room from their children, while never being afforded an opportunity to even say goodbye. These children could be heard screaming and asking for their mothers just one room away, while the mothers were denied the ability to see or hold their children. This practice is absolutely sickening and the City of Los Angeles must take the strongest possible position against this new policy.

In February 2018, the American Civil Liberties Union (ACLU) filed a lawsuit after a woman known as “Ms. L” from the Democratic Republic of Congo was separated from her 7-year-old daughter upon arriving at the United States border while trying to seek asylum, without any determination she was unfit or presented a danger to her child. The lawsuit cites violations of the Constitution’s due process clause, federal law protecting asylum seekers, and of the government’s own directive to keep families intact. While “Ms. L” and her daughter were reunited in March, the national class-action lawsuit in this case continues.

The new policy announced by Attorney General Sessions constitutes cruel and unusual punishment, while also sending a chilling message to families attempting to seek asylum in the United States, which violates U.S. obligations under international law, including the U.N. convention on refugees and its protocol. Immediate action is needed for the City of Los Angeles to join in the ACLU lawsuit by filing an amicus brief to the United States District Court - Southern District of California in the matter of *Ms. L.; et al., v. U.S Immigration and Customs Enforcement (“ICE”); et al.*

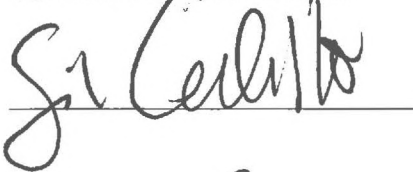
**I THEREFORE MOVE** that the City Attorney be requested, authorized and directed, as appropriate, to file an amicus brief or any other suitable document of support in the matter of *Ms. L.; et al., v. U.S Immigration and Customs Enforcement (“ICE”); et al.* (Southern District of California), which seeks a preliminary and permanent injunction preventing ICE from continuing to separate the plaintiffs and the other class members from their children, and an order requiring ICE to either “release class members along with their children, or to detain them together in the same facility.”

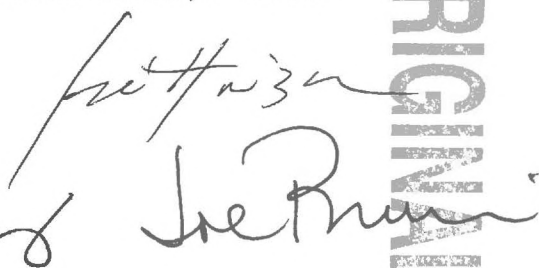
PRESENTED BY:

  
MIKE BONIN  
Councilmember, 11<sup>th</sup> District

  
NURY MARTINEZ  
Councilwoman, 6<sup>th</sup> District

SECONDED BY:





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