

RULES, ELECTIONS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT relative to a request to the City Attorney 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., which seeks a preliminary and permanent injunction preventing ICE from continuing to separate the Plaintiffs and other class members from their children.

Recommendation for Council action, pursuant to Motion (Bonin - Krekorian for Martinez - Cedillo - et al.):

REQUEST the City Attorney 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.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

SUMMARY

At a special meeting held on June 29, 2018, the Rules, Elections, and Intergovernmental Relations Committee considered Motion (Bonin - Krekorian for Martinez - Cedillo - et al.) relative to a request to the City Attorney 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.

The Motion states that the U.S. Attorney General has announced a zero tolerance policy on illegal border crossings and the intention to criminally prosecute 100 percent of those apprehended, including families with children and those seeking asylum. Further, as part of this policy, is the specific directive to separate children from their parents. The Motion further reports that earlier this year, 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 U.S. border while seeking asylum.

The Motion states that the U.S. Attorney General's policy constitutes cruel and unusual punishment, while also sending a chilling message to families attempting to seek asylum in the U.S. (in violation of U.S. obligations under international law, including the United Nations convention on refugees and its protocol). The Motion requests that the City join the ACLU lawsuit and that the City Attorney file an amicus brief to the U.S. District Court - Southern District of California in the matter of Ms. L; et al., v. U.S. Immigration and Customs Enforcement (ICE); et al.

After providing an opportunity for public comment, the Rules, Elections, and Intergovernmental Relations Committee approved the recommendation in the Motion. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

RULES, ELECTIONS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
WESSON:	YES
HUIZAR:	YES
HARRIS-DAWSON:	YES

REW 6/29/18 FILE NO. 18-0548

-NOT OFFICIAL UNTIL COUNCIL ACTS-