

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Los Angeles City Council has a proud legacy of advancing women's rights, combating gender-based violence, and protecting immigrant communities by condemning actions of that target immigrant and asylum-seeking residents, including under those under the Trump Administration; and

WHEREAS, on June 11, 2018, the former U.S. Attorney General issued a decision in the asylum case Matter of A-B- which eliminated a prior Board of Immigration Appeals (BIA) decision that recognized domestic violence as a basis for asylum and, as a result, claims based on domestic violence would no longer qualify for asylum relief; and

WHEREAS, in 2018, the U.S. District Court for the District of Columbia found that the action issued by the Attorney General was inconsistent with existing legal precedents and congressional intent behind the Refugee Act of 1980, holding that there can be no blanket rule barring domestic violence asylum claims; and

WHEREAS, the U.S. Department of Homeland Security and the U.S. Department of Justice have undermined the Court and instructed adjudicators that Matter of A-B- must continue to be used in determining asylum claims on their merits; and

WHEREAS, the majority of women and girls seeking asylum at the U.S. southern border come from El Salvador, Guatemala, and Honduras which are currently experiencing high levels of violence, including widespread domestic violence and high rates of femicide; and

WHEREAS, United Nations guidance and international law reflect that domestic violence can form the basis of asylum protection when all other elements of the refugee definition are met and has asserted that the Matter of A-B- ruling stands at odds with the United States obligations by creating a high barrier to women fleeing domestic violence; and

WHEREAS, In 2018, 84 members of Congress cosponsored H.R. 987 (Schakowsky) (D-Ill.) condemning the former Attorney General's decision in Matter of A-B-, including Los Angeles area representatives; and

WHEREAS, The Matter of A-B- decision does not reflect the values or spirit of Los Angeles or the United States and must be reversed at the earliest possible opportunity;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, that the City of Los Angeles hereby includes in the 2019-2020 Federal Legislative Program, SUPPORT of legislation and/or administrative action that reinstates the Board of Immigration Appeals decision that recognizes domestic violence as a basis for asylum.

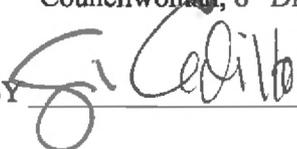


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PRESENTED BY


 NURY MARTINEZ
 Councilwoman, 6th District

SECONDED BY



ORIGINAL

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