

RESOLUTION NO. 2006-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS, CALIFORNIA, OPPOSING THE CLEAR ACT AND THE SENSENBRENNER-KING IMMIGRATION RESTRICTION BILL (H.R. 4437) BEING CONSIDERED IN CONGRESS, AND URGING THE UNITED STATES SENATE TO REJECT IT.

THE CITY OF BELL GARDENS HEREBY FINDS, DETERMINES AND RESOLVES AS FOLLOWS:

WHEREAS, the Clear Act amendments were recently added to the Sensenbrenner-King Immigration Bill (H.R. 4437); and

WHEREAS, said amendments, as well as others under consideration, would:

- Stiffen criminal sanctions for the act of being undocumented;
- Deputize local police forces in border communities to act as immigration agents, despite the objections of many police officials;
- Encourage local law enforcement to enforce immigration laws;
- Eliminate birthright citizenship for babies born in the U.S. to undocumented immigrants;
- Eliminate the visa category for brothers and sisters of US citizens;
- Place religious groups, employers, and even private citizens at risk of criminal prosecution as "smugglers" if they aid or transport an undocumented immigrant;
- Classify all 11 million undocumented immigrants working in the U.S. as "aggravated felons," subjecting them to deportation and imprisonment and depriving them of any access to a hearing prior to deportation;
- Allow the government to prosecute almost any American who has regular contact with the undocumented;
- Disrupt the U.S. economy by creating an overly broad and retroactive employment verification system without creating legal channels for needed workers to work lawfully;
- Limit judicial review of executive branch immigration decisions and strip the courts of their role in protecting the individual against excessive governmental power;
- Make it more difficult for legal immigrants to become U.S. citizens; and

WHEREAS, H.R. 4437 by requiring Bell Gardens police officers to operate as immigrant agents, would burden police with enforcement of technical civil immigration statutes, diverting them from priority tasks of public safety; and

WHEREAS, by requiring police officers to perform the functions of immigration agents, H.R. 4437 would discourage immigrants from coming forward to report crimes and suspicious activity, making local streets less safe; and

WHEREAS, the policy of the Bell Gardens Police Department is that officers shall not consider ancestry, race, ethnicity, national origin, color, age, sex, sexual orientation, gender variance, marital status, physical or mental disability, or religion as a sole basis for establishing reasonable suspicion, probable cause, or a basis for requesting consent to search; and

WHEREAS, H.R. 4437 would represent an unfunded and unsafe mandate imposed on the Bell Gardens Police Department; and

WHEREAS, H.R. 4437, as currently written, is unfairly punitive, and is not reasonably designed to combat terrorism or enhance the security of the United States of America.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. For all of the above-stated reasons, the City Council of the City of Bell Gardens is strongly opposed to the enactment of H.R. 4437, and urges the United States Senate to reject it, or to overhaul it to remove the above-described objectionable provisions.

Section 2. This Resolution shall be effective immediately upon adoption.

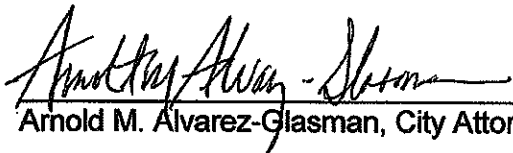
Section 3. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 27th day of February, 2006.



PEDRO ACEITUNO, MAYOR

APPROVED AS TO FORM:



Arnold M. Alvarez-Glasman, City Attorney

ATTEST:



Marta C. Zermeño, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) **SS.**
)
CITY OF BELL GARDENS)

I, **MARTA C. ZERMENO**, City Clerk of the City of Bell Gardens, California, do hereby certify that the foregoing attached Resolution No. 2006-08 was duly adopted by the City Council of the City of Bell Gardens, California, at a regular Council Meeting held on the 27th day of February 2006 and that the same was adopted by the following vote, to Wit:

AYES: Mayor Aceituno, Mayor Pro Tem Rodriguez and Councilmembers Beltrán, Crespo and Flores.

NOES: None

ABSTAIN: None

ABSENT: None

EXCUSED: None

I hereby affix my hand and Official Seal of the City of Bell Gardens, California.


MARTA C. ZERMENO
City Clerk