FILE NO. 120324 RESOLUTION NO. 135-12

[Supporting Assembly Bill 1081 - The TRUST Act]

Resolution supporting Assembly Bil 1081 (Ammiano) the TRUST Act, a bill that establishes standards for local governments to ensure that an individual will only be detained pursuant to an Immigration and Customs Enforcement hold if that individual has been convicted of a serious or violent felony, and provides key safeguards against profiling and the wrongful detention of U.S. citizens.

WHEREAS, U.S. Immigration and Customs Enforcement (ICE) has developed a program that entangles and burdens local police with civil immigration enforcement, known as "Secure Communities" ("S-Comm"), which requires the sharing of fingerprint information at the point of booking by local or state law enforcement, citizen or non-citizen, no matter the severity, with the Department of Homeland Security/ICE; and, since implementation of S-Comm, about 70% of the individuals deported as a result of the program have no criminal record, or have been found to have committed low level crimes, some of those including survivors of domestic violence who called the police for help; and,

WHEREAS, The program has torn apart local communities throughout the country and has eroded public trust of the police within immigrant communities, leading Governors Pat Quinn of Illinois, Andrew Cuomo of New York, and Duval Patrick of Massachusetts, to formally request to terminate, suspend, or refuse to sign an agreement with ICE with regard to S-Comm; and, law enforcement officials have expressed strong concerns regarding the damage caused by S-Comm to community policing; and,

WHEREAS, The Office of the Inspector General has commenced an investigation into the S-Comm Program in response to a request from U.S. Congresswoman Zoe Lofgren; and,

WHEREAS, The U.S. Congressional Hispanic Caucus, the U.S. Congressional Progressive Caucus, and the Los Angeles Congressional Delegation have all called upon President Barack Obama to suspend S-Comm nationally because of concerns over racial profiling and the harm caused to victims of crime who have been swept up into deportation proceedings by S-Comm after calling the police for help; and,

WHEREAS, The Transparency and Responsibility Using State Tools ("TRUST") Act (AB 1081-Ammiano) is a pending state bill that will rebuild the trust that S-Comm has undermined between immigrant communities and local police by establishing standards for responding to burdensome detainer requests; and

WHEREAS, the TRUST Act establishes standards for local governments to ensure that an individual will only be detained pursuant to an ICE hold if that individual has been convicted of a serious or violent felony, and provides key safeguards against profiling and the wrongful detention of U.S. citizens; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors supports passage of the TRUST Act (AB 1081-Ammiano) in California; and be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors calls upon the California legislature, Governor Jerry Brown, and Attorney General Kamala Harris to support passage of the TRUST Act; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors send a copy of this resolution to Assemblymember Tom Ammiano, author of the TRUST Act, and San Francisco representatives in the state legislature, including Assemblymember Fiona Ma, Senator Mark Leno, and Senator Leland Yee; and be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors calls upon the Office of the Inspector General to conduct a thorough investigation regarding the impact of

the Secure Communities Program, and whether localities are legally mandated to comply with the program; and be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors calls upon President Barack Obama, Department of Homeland Security Secretary Janet Napolitano, and Congress, to take steps to pass just, fair, and comprehensive immigration reform, rather than ad hoc and flawed enforcement programs like S-Comm that erode trust between local police and the community.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120324 **Date Passed:** April 17, 2012

Resolution supporting Assembly Bill 1081 (Ammiano) the TRUST Act, a bill that establishes standards for local governments to ensure that an individual will only be detained pursuant to an Immigration and Customs Enforcement hold if that individual has been convicted of a serious or violent felony, and provides key safeguards against profiling and the wrongful detention of U.S. Citizens.

April 10, 2012 Board of Supervisors - CONTINUED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Absent: 1 - Cohen

April 17, 2012 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

File No. 120324

I hereby certify that the foregoing Resolution was ADOPTED on 4/17/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
Mayor

4/27/12
Date Approved

Date: April 27, 2012

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Angela Calvillo
Clerk of the Board

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120324