



Legislation Text

File #: 18594, **Version:** 2

No appropriation is required.

SUBSTITUTE: Opposing local immigration policies that encourage discrimination on the basis of race, ethnicity and immigration status and calling on the federal government to enact and enforce uniform and effective immigration policies.

WHEREAS the City of Madison recognizes its diversity as one of its greatest strengths and appreciates the culture and history of our various communities of people, including our immigrant communities, all of whom add to the greatness of our City; and,

WHEREAS the City of Madison has a proud history of supporting policies that prohibit discrimination based on race, ethnicity, national origin, religion, sexual orientation, and disability; and.

WHEREAS the United States Supreme Court has held in the case of *Hampton v. Mow Sun Wong*, 426 U.S. 88 (1976), that Article I, Section 8, of the United States Constitution confers upon Congress the power to legislate immigration law and set immigration policy; and,

WHEREAS the failure to achieve a uniform and effective comprehensive immigration reform at the Federal level undermines respect for all immigrants and engenders an atmosphere of divisiveness, fear and mistrust that is unhealthy for our society, and especially harmful for a diverse community like Madison; and,

WHEREAS the City of Madison opposes immigration-related laws, practices and policies by state and local jurisdictions that risk racial and ethnic profiling and restrict the teaching of the cultures and histories of our diverse communities; and,

WHEREAS immigration policies and enforcement practices that are enacted at local and state levels in a piecemeal manner result in lack of uniformity; and,

WHEREAS utilizing local law enforcement to enforce federal immigration laws have been resisted by many police agencies because, instead of making the communities safer, these efforts have had the effect of alienating the immigrant communities and reducing cooperation with the police, creating fear, discouraging the reporting of crime, and victimizing victims,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison expresses its appreciation to all people from around the world who have made Madison their home and in doing so have contributed to making Madison a vibrant community; and,

BE IT FURTHER RESOLVED that the Common Council of the City of Madison affirms its support for Madison Immigration laws (see attachments); and,

BE IT FURTHER RESOLVED that the Common Council of the City of Madison urges the City of Madison Police Department to continue its current practice of not entering into Section 287(g) Immigration and Nationality Act (INA) agreement with ICE; and

BE IT FURTHER RESOLVED that the Common Council of the City of Madison urges the Dane County Sheriff's Office to end its current practice of contacting ICE at booking time for all cases involving processing of non-US citizen jail inmates and instead more narrowly tailor its policy by contacting ICE only for non-US

citizen inmates who are being held on a possible felony charge; and,

BE IT FURTHER RESOLVED that the Common Council of the City of Madison calls on the U.S. Congress to promptly enact comprehensive immigration reform based on the following principles:

- Uniform and consistent immigration policies that are transparent and efficient.
- A pathway to citizenship for undocumented immigrants currently living in the U.S.
- Family reunification that eliminates current family-based visa backlogs and includes provisions for equal immigration rights for LGBTQ persons and their permanent partners.
- Smart enforcement policies and safeguards that foster respect for the rule of law and due process while always preserving the civil and human rights of all persons,

BE IT FINALLY RESOLVED that the City of Madison Clerk's Office will send copies of this resolution to all the members of the Wisconsin Congressional Delegation.