

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to expand the standby guardianship law to enable a parent, legal guardian, or legal custodian who is, or may be subject to an adverse immigration action, to make short-term plans for a child without terminating or limiting that person’s parental or custodial rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Standby Guardian Emergency Declaration Resolution of 2019”.

Sec. 2. (a) According to the American Immigration Council:

(1) 25,000 undocumented immigrants comprised 26 percent of the immigrant population and 3.9 percent of the District’s total population in 2014;

(2) 23,979 people in the District, including 8,912 born in the United States, lived with at least one undocumented family member between 2010 and 2014 and

(3) During the same period, 7 percent of children in the District were United States citizens living with at least one undocumented family member (7,572 children in total).

(b) The President has made immigration detention and deportation a signature issue of his administration and despite the District’s designation as a sanctuary city, there continue to be apprehensions and detainments, including inside the DC Superior Court.

1 (c) Over the last year organizations that work with detained individuals in DC
2 have seen a 40% increase in the number of DC residents being held in immigration
3 detention centers.

4 (d) On June 17, 2019, President Donald Trump tweeted: “Next week ICE will
5 begin the process of removing the millions of illegal aliens who have illicitly found their
6 way into the United States. They will be removed as fast as they come in.”

7 (e) According to ABC news, on June 18, 2019, an official from the President’s
8 administration said that enforcing final deportation orders “is a top priority.”

9 (f) On the evening of June 22, 2019, the U.S. Immigration and Customs
10 Enforcement (ICE) performed raids in Adams Morgan and Columbia Heights. ICE
11 visited several restaurants undercover to scope them out, gain access to the back of the
12 kitchen, and interrogate workers. In connection to these raids, two parents that are DC
13 residents were detained by ICE and are being held in a local detention center.

14 (g) On June 25, 2019, there was an additional ICE raid at the Mount Pleasant
15 Library.

16 (h) When District residents are apprehended and detained, they are transported to
17 detention centers outside of the District, as the District does not have any immigrant
18 detention centers within its jurisdiction. It can often take many days for family members
19 to learn about the whereabouts of the detained residents.

20 (i) Currently, there is no formal mechanism available to residents of the District
21 that are parents, legal guardians, or legal custodians to designate another adult to take
22 care of the child in the event that the parent, legal guardian, or legal custodian is subject
23 to an adverse immigration action. As a result, children of detained residents may be left

1 in limbo, without anyone to ensure their wellbeing, when their parent, legal guardian, or
2 legal custodian is detained.

3 (j) There exists an immediate need for the District of Columbia (“District”) to enact
4 legislation to extend the standby guardianship laws to enable a parent, legal guardian, or
5 legal custodian to be able to make plans to protect the wellbeing of their children in
6 advance of an adverse immigration action.

7 Sec. 3. The Council of the District of Columbia determines that the circumstances
8 enumerated in section 2 constitute emergency circumstances making it necessary that the
9 Standby Guardian Emergency Amendment Act of 2019 be adopted after a single reading.

10 Sec. 4. This resolution shall take effect immediately.