

JOINT RESOLUTION
of the HUMAN RIGHTS COMMISSION and
the COMMISSION ON IMMIGRANT AFFAIRS
City of Austin, Texas

WHEREAS, the City of Austin and Travis County have significant diverse immigrant populations and welcome them in our city and county; and

WHEREAS, under the Immigration and Customs Enforcement (ICE) “Secure” Communities Program (SCOMM) all individuals booked at the Travis County Central Booking Facility are screened through law enforcement databases including an immigration database and all arrested individuals not born in the United States regardless of the offense are referred to ICE; and

WHEREAS, ICE then automatically requests an immigration “hold” on persons preventing their release from jail, regardless of the accuracy of the ICE information, their prior immigration history, or the level of the crime charged, and anyone with an ICE “hold” is unlikely to receive a bond from a County or District Court Judge; and

WHEREAS, honoring an ICE request for a “hold” is not mandatory, ICE does not provide reimbursement for honoring a “hold,” and Travis County risks legal liability for holding an individual past the expiration of an ICE “hold”; and

WHEREAS, SCOMM and the enforcement of immigration “holds” undermines the willingness of the immigrant community to share information crucial to public safety or their own personal safety with law enforcement; and

WHEREAS, SCOMM creates the perception that that all Travis County law enforcement agencies are engaging in immigration enforcement; and

WHEREAS, City and County dollars, the resources of impacted families, and human capital are wasted while persons are needlessly detained; and

WHEREAS, honoring the request for a “hold” has resulted in the detention and deportation of thousands of productive Austin residents; and

WHEREAS, the implementation of SCOMM and honoring every “hold” request facilitates racial profiling, because any discretionary arrest, no matter how minor the offense, can lead to an immigration hold; and

WHEREAS, Travis County has been found one of the highest levels of deportations for non criminal and petty offenses of any county in the United States; and

WHEREAS, the end result of the implementation of SCOMM and honoring every “hold” request conflicts with the core values of the people of Austin and Travis County, undermines our public safety, wastes local taxpayer dollars and obligates taxpayers to fund a federal program without their consent;

THEREFORE, be it:

RESOLVED, That the City of Austin’s Human Rights Commission and Commission on Immigrant Affairs jointly urge the Austin City Council to condemn SCOMM in its implementation for its harmful impact on the City of Austin and Travis County; and be it further

RESOLVED, That the City of Austin's Human Rights Commission and the Commission on Immigrant Affairs jointly urge the Austin City Council to oppose the Travis County Jail's continued honoring of every "hold" request ; and be it further

RESOLVED, That the City of Austin's Human Rights Commission and the Commission on Immigrant Affairs urge the Austin City Council to pass a resolution urging Travis County to request individualized justification (in the form of a Notice to Appear) and reimbursement from ICE prior to honoring any hold request; and be it further

RESOLVED, That the Chairperson of the City of Austin's Human Rights Commission and the Chairperson of the Commission on Immigrant Affairs deliver a copy of this resolution to all members of the Austin City Council, the Mayor, the Chief of Police, all members of the Travis County Commissioners Court, the Travis County District Attorney and the Travis County Sheriff.