



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

SJR-29 Immigration. (2017-2018)

SHARE THIS:  

Senate Joint Resolution No. 29

CHAPTER 245

Relative to immigration.

[Filed with Secretary of State September 12, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SJR 29, Pan. Immigration.

This measure would call upon the President and the United States Congress to acknowledge that the separation of immigrant children from their families at the border is detrimental to the short- and long-term physical and mental well-being of the children and incompatible with our fundamental values as a nation. The measure would also call upon the United States Congress to issue a formal apology to all child detainees who were forcibly separated from their parents and legal guardians and seized by the United States Department of Homeland Security or United States Customs and Border Protection and to the parents of those children.

Fiscal Committee: no

WHEREAS, On January 25, 2017, President Trump issued Executive Order 13767 (82 FR 8793), titled "Border Security and Immigration Enforcement Improvements," which is perhaps best known for proclaiming United States policy to secure the southern border of the United States through the immediate construction of a physical wall on the southern border and directing the Secretary of Homeland Security to "immediately" take steps to plan, design, and construct a physical wall, as well as to construct and operate detention facilities to detain aliens at or near the border with Mexico. Among other things, EO 13767 also calls for the immediate detainment and deportation of illegal immigrants and directs United States Customs and Border Protection to hire 5,000 additional border patrol agents; and

WHEREAS, United States Attorney General Jeff Sessions stated, "If you are smuggling a child then we will prosecute you, and that child will be separated from you as required by law. If you don't like that, then don't smuggle children over our border," thereby establishing child separation as Trump administration policy and as an explicit part of the declared zero-tolerance policy regarding prosecuting immigrants presenting at the United States border; and

WHEREAS, The government's policy of separating children from their parents will, based on the science of brain development, cause toxic stress leading to lasting and even permanent damage to children's emotional and intellectual development; and

WHEREAS, Research has shown that prolonged exposure to toxic stress through highly stressful situations can disrupt a child's brain architecture and affect his or her short- and long-term health. Without a parent or caregiver to mitigate these dangers, children are susceptible to learning deficits and chronic conditions such as depression, post-traumatic stress disorder, and cardiovascular disease; and

WHEREAS, The American Academy of Pediatrics has written to the Secretary of Homeland Security on at least five occasions opposing the forced separation of parents and children at the border and American Academy of Pediatrics president Colleen Kraft, MD, has stated that the policy of child separation amounts to "government-sanctioned child abuse." More than 200 child welfare, juvenile justice, and child development organizations signed a letter urging the administration to abandon any plans to systematically separate children from their families; and

WHEREAS, The American Psychiatric Association spoke out against the practice, stating: "As physician experts in mental health, the American Psychiatric Association opposes any policy that separates children from their parents at the United States border...The evidence is clear that this level of trauma also results in serious medical and health consequences for these children and their caregivers. Many families crossing the United States border are fleeing war and violence in their home countries and are already coping with the effects of stress and trauma."; and

WHEREAS, The Office of the United Nations High Commissioner for Human Rights has declared that the practice of separating families runs counter to human rights standards and "is never in the best interests of the child and always constitutes a child rights violation."; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature calls upon the President and the United States Congress to acknowledge that the separation of immigrant children from their families at the border is detrimental to the short- and long-term physical and mental well-being of the children and is incompatible with our fundamental values as a nation which call upon us to uphold human rights and dignity for all people, and which allow for immigrant families to seek asylum; and be it further

Resolved, That the Legislature calls upon the United States Congress to issue a formal apology to all child detainees who were forcibly separated from their parents and legal guardians and seized by the United States Department of Homeland Security or United States Customs and Border Protection and to the parents of those children; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.