Resolution supporting Senate Bill 396, introduced by Senator De León, to repeal portions of California Proposition 187 that are unconstitutional, discriminatory, and unenforceable and have undermined the civil rights of immigrant communities in California.

WHEREAS, In 1994, California voters passed Proposition 187, which restricted undocumented immigrants from receiving basic government services such as public education, social services and healthcare and mandated teachers, doctors and social workers to profile and report residents suspected to be residing in California without immigration papers; and

WHEREAS, Proposition 187 reflected an anti-immigrant tradition of ostracizing and infringing on the rights of immigrants in California, which included banning the employment of certain immigrants in the California Constitution in 1879, prohibited other immigrants from owning land in the California Land Law of 1913, and segregated ethnic minorities in public schools; and

WHEREAS, While Proposition 187 was rendered unconstitutional and null by federal courts, its consideration and passage added to the marginalization of diverse ethnic and racial communities; and

WHEREAS, A joint study by the University of California, San Francisco and the University of California, Berkeley indicates that Proposition 187 contributed to reduced usage of health services by young Latino residents in San Francisco due to fear of State action based on perceived immigration status, and a subsequent increase in health emergencies; and
WHEREAS, Proposition 187 paved the way for the passage of further discriminatory policies, such as Proposition 209 in 1996 barring affirmative action in a variety of contexts and Proposition 227 in 1998 banning bilingual education in public schools; and

WHEREAS, Diverse communities organized in response to these discriminatory policies and successfully fought for the enactment of laws to protect the livelihood of immigrants like the California DREAM Act, the TRUST Act and the Safe and Responsible Drivers Act; and

WHEREAS, Proposition 187 serves as a reminder for the importance of ensuring the well-being of all California residents regardless of immigration status, race, ethnicity, origin, religion, gender, sexual orientation, or socioeconomic position; and

WHEREAS, California State Senator Kevin de León introduced Senate Bill 396 (SB 396) to repeal the portions of Proposition 187 that are unconstitutional, discriminatory and unenforceable; and

WHEREAS, SB 396 is supported by Senators Lara, Correa, Lieu and Padilla and Assemblymembers Alejo, Fong, Williams, Bonta, Chau, Gonzalez, V. Manuel Pérez, Rendon, and Yamada; and

WHEREAS, The California Senate passed Senate Resolution 51 by Senators de León and Lara recognizing the 20-year anniversary of Proposition 187’s passage and calling for unity in rectifying discriminatory laws and protecting the rights of its immigrant residents; and

WHEREAS, San Francisco is home to a large and diverse number of immigrants, and the City has made it a priority to protect their rights and avoid arbitrary discriminatory practices that infringe on these rights; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors supports SB 396 and efforts to reverse the discriminatory policies of Proposition 187.
Resolution supporting Senate Bill 396, introduced by Senator De León, to repeal portions of California Proposition 187 that are unconstitutional, discriminatory, and unenforceable and have undermined the civil rights of immigrant communities in California.

July 15, 2014 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 7/15/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board