TO: HONORABLE CITY COUNCIL

ATTN: POLICY AND SERVICES COMMITTEE

FROM: CITY MANAGER DEPARTMENT: COMMUNITY SERVICES

DATE: JULY 9, 2007 CMR: 289:07

SUBJECT: REFERRAL TO THE CITY ATTORNEY AND THEN TO POLICY AND SERVICES COMMITTEE HUMAN RELATIONS COMMISSION RECOMMENDATION TO THE CITY COUNCIL TO ADOPT A RESOLUTION CONDEMNING THE U.S. IMMIGRATION AND CUSTOM ENFORCEMENT AGENCY UNDER “OPERATION RETURN TO SENDER”

RECOMMENDATION
The City of Palo Alto’s Human Relations Commission (HRC) requests that the City Council refer to the City Attorney and then to Policy and Services Committee for review and recommendations regarding adoption of a resolution condemning the use of certain tactics by the U.S. Immigration and Customs Enforcement Agency under “Operation Return to Sender”.

BACKGROUND
Federal Immigration and Customs Enforcement agents are identifying themselves as local police and entering homes and businesses without warrants. The attached resolution demands that the Immigration and Customs Enforcement agents identify themselves as “Federal Agents” when carrying out “Operation Return to Sender”. The HRC believes that “Operation Return to Sender” conflicts with the City of Palo Alto’s Anti-Discrimination Ordinance and the City’s Anti-Discrimination Policy, Section 9.73.010. Statements of Policy:

a) Human Rights. It is the policy of the City of Palo Alto to affirm, support and protect the human rights of every person within its jurisdiction. These rights include, but are not limited to, equal economic, political, and educational opportunity; equal accommodations in all business establishments in the City; and equal service and protection by all public agencies of the City.

b) Freedom from Arbitrary Discrimination. It is the policy of the City of Palo Alto to protect and safeguard the right and opportunity of every person to be free from arbitrary discrimination on the basis of their race, skin color, gender, age, religion, disability, national origin, ancestry, sexual orientation, housing status, marital status, familial status, weight or height.
The City of Palo Alto’s Anti-Discrimination Ordinance bans discrimination against people on the basis of their national origin. The HRC believes that the City Council should go on record adopting a resolution condemning the use of certain tactics, discrimination, exploitation and repressive federal immigration enforcement and communicate its opposition in writing with a copy of the adopted resolution to its congressional delegation.

**BOARD/COMMISSION REVIEW AND RECOMMENDATION**
At its June 8, 2006 HRC meeting, Commissioners discussed and passed a resolution condemning the U.S. Immigration and Custom Enforcement Agency’s “Operation Return to Sender” and recommended that the City Council adopt a similar resolution.

**ATTACHMENTS**
Attachment A: Resolution Condemning the U.S. Immigration and Custom Enforcement Agency’s “Operation Return to Sender”

PREPARED BY: ____________________________
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