

Cambridge City Council
Order Number 4
IN CITY COUNCIL
April 8, 1985

COUNCILLOR WOLF
COUNCILLOR GRAHAM
COUNCILLOR D. SULLIVAN
COUNCILLOR VELLUCCI

WHEREAS: Thousands of refugees are fleeing from violence and gross human rights violations in Central America, especially from El Salvador and Guatemala; and

WHEREAS: Widespread and repeated human rights violations in Haiti have led thousands of Haitians to risk their lives in search of a safe haven in this country; and

WHEREAS: Thousands of these Salvadorean, Guatemalan and Haitian refugees have settled in Cambridge, and are making a contribution as active residents to the well-being of our City; and

WHEREAS: The Refugee Act of 1980 (8 U.S.C. 1101(a)(42)) provides refugee status within the United States for any refugee "who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of their country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion...."; and

WHEREAS: The Immigration and Naturalization Service (INS), under advice from the U.S. Department of State, almost never grants petitions for political asylum under the Refugee Act of 1980 for refugees from El Salvador or Guatemala, and seldom for refugees from Haiti; and

WHEREAS: Federal arrests of foreign nationals for illegal entry included 18,920 Salvadoreans and 4,910 Guatemalans in FY1984, and a large fraction of those arrested were deported or technically "removed from the country"; and

WHEREAS: Thousands of undocumented Central American and Haitian refugees in Cambridge, and hundreds of Haitian refugees with temporary entrance status in Cambridge, face the immediate threat of deportation to their unsafe homelands; and

WHEREAS: Those deported, especially those from El Salvador, face a high likelihood of violence after their return; and

WHEREAS: In response to this situation, some 200 churches and synagogues across the nation have elected to provide sanctuary to refugees, including the Old Cambridge Baptist Church, which began providing sanctuary to a refugee from El Salvador on December 4, 1984; and

WHEREAS: The U.S. Justice Department began in January, 1985 to arrest clergy and other citizens giving this form of humanitarian assistance to Central American refugees, and the INS began arresting refugees in the Boston area and has been incarcerating them in a new Boston detention center with little access to legal counsel; and

WHEREAS: The incarcerated refugees cannot pay the bail being set for them and often agree to return to their home countries, despite the personal danger, rather than be incarcerated; and

WHEREAS: Both the United States and Cambridge have for centuries served as a haven for refugees of religious and political persecution from Europe, the Middle East, Asia and Latin America, and much of our historical and moral tradition of the nation is rooted in the provision of sanctuary to persecuted peoples; and

WHEREAS: The cities of Berkeley, CA, St. Paul, MN and Chicago, IL in independent actions recently passed

orders defending the rights of refugees in their cities; and

WHEREAS: The City Council wishes to clarify its desire not to expend City resources, beyond the requirements of federal law, in voluntarily assisting or cooperating with investigations of alleged violations of immigration law by Salvadorean, Guatemalan or Haitian refugees, or in gathering or disseminating information on the citizenship status of those residing in the City of Cambridge; therefore, be it

RESOLVED: That the City of Cambridge not participate in any form in the compounding of injustice against refugees from El Salvador, Guatemala and Haiti or in the federal government's persecution of those, who in good faith, offer humanitarian assistance to the refugees; and be it further

RESOLVED: That the City Council supports and appreciates the citizens of Cambridge who are providing bedding, food, health and other settlement assistance, as well as friendship, to Central American and Haitian refugees; further be it

ORDERED: That the City Council declares it to be the policy of the City of Cambridge that, to the extent legally possible, no department or employee of the City of Cambridge will violate established or future sanctuaries by officially assisting or voluntarily cooperating with investigations or arrest procedures, public or clandestine, relating to alleged violations of immigration law by refugees from El Salvador, Guatemala or Haiti, or by those offering sanctuary; and be it further

ORDERED: That no city employee or department, to the extent legally possible, will request information about or otherwise assist in the investigation of the citizenship status of any City resident, will disseminate information regarding the citizenship of a City resident, or condition the provision of City of Cambridge services or benefits on matters related to citizenship; and be it further

ORDERED: That Cambridge be declared "A Sanctuary City" and serve as a safe haven for refugees now residing in Cambridge until they can safely return to their homelands or until they receive federally recognized residency status; and be it further

ORDERED: That the City Clerk:

- 1) Communicate this Order to all City departments, to the Massachusetts congressional delegation, the local and national directors of the Immigration and Naturalization Service, and President Ronald Reagan; and
- 2) Communicate the petition of the City of Cambridge to the Great and General Court of the Commonwealth of Massachusetts that this Commonwealth similarly offer its protection and services as a sanctuary for refugees from El Salvador, Guatemala and Haiti, and to those helping them; and
- 3) Communicate to the Congressional delegation representing the citizens of Cambridge in the U.S. Congress our demand that the Congress require non-discriminatory compliance with the Refugee Act of 1980; and
- 4) Communicate to our Congressional delegation the support of the City Council for the legislation introduced by Congressman Moakley that would suspend deportation of people from El Salvador pending an investigation of the fate of those whom the U.S. has deported, and that the legislation be amended to include Guatemalans and Haitians; and
- 5) Communicate to our Congressional delegation our petition that they support the bill (HR23) introduced by Congressman Peter Udine (D-NJ) that would extend to Haitian refugees the same humane treatment now offered to the Cuban boat people; and be it further

ORDERED: That the provisions of this Resolution shall be severable, and if any phrase, clause, sentence or provision of this Resolution is declared by a court of component jurisdiction to be contrary to the Constitution

of the United States or of the Commonwealth or the applicability thereof to any agency, person or circumstances is held invalid, the validity of the remainder of this Resolution and the applicability thereof to any other agency, person or circumstances shall not be affected thereby.