



TO: Elizabeth Pauli, City Manager
FROM: Nick Bayard, Assistant Chief Equity Officer, Office of Equity and Human Rights (OEHR)
Diane Powers, Chief Equity Officer, OEHR
COPY: City Council and City Clerk
SUBJECT: Resolution related to COVID-19 and the Northwest ICE Processing Center – August 4, 2020
DATE: 7/29/2020

SUMMARY & PURPOSE:

A resolution outlining the history and context of racial and health inequities in the operation and current state of the Northwest ICE Processing Center (NWIPC), expressing support for those detained, advocating for expanded health-related interventions at the NWIPC, committing to ongoing legal analysis of the City’s regulatory oversight of private detention center, supporting the FIRST Act, and calling for the systematic release of all detainees under parole and bond, the end of transfers in and out of the facility, and the suspension of the facility’s operations for the duration of the COVID-19 pandemic.

Council is requested to adopt this Resolution at the August 4th City Council meeting or earliest availability.

COUNCIL SPONSORS:

Mayor Victoria Woodards
Council Member Chris Beale
Council Member Kristina Walker

BACKGROUND:

This recommendation is based on the ongoing risks of a COVID-19 outbreak at the NWIPC, current reports of health problems among those detained related to the use of Sani-T-10, a disinfectant product, the racially disproportionate impact of immigrant detention on individuals and communities, and the importance of the City doing everything in its scope of regulatory authority and using the power of its public messaging to support the health and human rights of its residents.

This resolution was initiated by the community group La Resistencia and informed by discussion among members of the Commission on Immigrant and Refugee Affairs (CIRA), La Resistencia, and Mayor Woodards, Council Member Beale, and Council Member Walker. This resolution was also informed by City Council discussion at the July 7th, July 14th, and July 28th, 2020 City Council Study Sessions. CIRA discussed the final language of this resolution at the regular CIRA meeting on July 27th, 2020, and voted unanimously at that meeting to support passage of the resolution by City Council.

COMMUNITY ENGAGEMENT:

This resolution is the result of community advocacy by the group La Resistencia, leadership from CIRA, and ongoing participation in the drafting process by the Mayor and City Council. Members of La Resistencia and CIRA have provided second-hand reports of direct reports from individuals detained at the NWIPC and their families. CIRA has also been advising City of Tacoma staff and Council on issues related to the NWIPC for the past nearly two years and its subcommittee on the NWIPC has been focused on supporting the development and passage of this resolution over the course of the COVID-19 pandemic.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility:

This proposal directly addresses health and racial equity issues impacting individuals detained at the NWIPC, all of whom are at risk of exposure to a COVID-19 outbreak within the facility, and many of whom have reported health problems associated



with exposure to disinfectant products. These immediate health concerns overlap with ongoing concerns about the rights and treatment of individuals detained at the NWIPC, and these overlapping issues add to the equity and accessibility aspects of this resolution. The Northwest Immigrant Rights Project reports that 85% of those detained at the NWIPC are unrepresented¹ because individuals are not entitled to public defense in immigration court and private counsel is too costly, especially for immigrant families, many of whom are low income. Those detained are often the primary income providers for families, so their detention has eliminated primary income streams for families during a major health and economic crisis.

Livability: Equity Index Score: Moderate

Improve health outcomes and reduce disparities, in alignment with the community health needs assessment and CHIP, for all Tacoma residents.

Increase positive public perception of safety and overall quality of life.

Explain how your legislation will affect the selected indicator(s)?

This resolution calls for measures that will improve the health conditions and health prospects of individuals detained at the NWIPC and will increase safety in our community by reducing the overall risk of local spread of COVID-19.

STAFF RECOMMENDATION:

Due to the time sensitive nature of the public health impacts of COVID-19, we recommend passage of this resolution at the earliest opportunity.

ALTERNATIVES:

Alternative	Positive Impacts	Negative Impacts
Amend or delay passage of the resolution.	None that OEHR is aware of.	Would delay important messaging about equity and human rights and undermine the good faith collaborative efforts of CIRA and La Resistencia in drafting language for and advising on this resolution.

EVALUATIONS AND FOLLOW UP:

OEHR, in consultation with CIRA, the NW Immigrant Rights Project, the Tacoma/Pierce County Health Department, and La Resistencia, will monitor reported conditions at the NWIPC as well as any policy or procedural changes undertaken by the private contractor operating the NWIPC, the GEO Group, and/or Immigration and Customs Enforcement (ICE) with regards to the points raised in the resolution.

FISCAL IMPACT:

There are no anticipated costs of enacting this resolution.

¹ Data from 2007 through 2012 shows that detained immigrants with counsel were nearly 11 times more likely to seek relief such as asylum, and that of those who sought relief with representation were twice as likely as unrepresented immigrants to obtain immigration relief (49 percent with counsel versus 23 percent without). Overall in the United States, immigrant detention has a disproportionate impact on immigrants of color, with 87% of all detainees being from Mexico and the Northern Triangle of Central America and only 1% being from Europe.



What Funding is being used to support the expense?

N/A

Are the expenditures and revenues budgeted in this biennium's current budget?

Choose an item.

No

Are there financial costs or other impacts of not implementing the legislation?

Choose an item.

The transfer of individuals in and out of the NWIPC during the COVID-19 pandemic could potentially lead to conditions which cause a spike in COVID-19 cases in Tacoma, contributing to community-wide transmission of the virus, which places additional burdens on local health resources and negatively impacts economic activity, which has an indirect but significant impact on tax-reliant programs and services.

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the city's FTE/personnel counts?

No

ATTACHMENTS:

None