

1 [Supporting SB 396 (De León) - Repealing Portions of California Proposition 187]

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

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

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

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

21 WHEREAS, A joint study by the University of California, San Francisco and the
22 University of California, Berkeley indicates that Proposition 187 contributed to reduced usage
23 of health services by young Latino residents in San Francisco due to fear of State action
24 based on perceived immigration status, and a subsequent increase in health emergencies;
25 and

1 WHEREAS, Proposition 187 paved the way for the passage of further discriminatory
2 policies, such as Proposition 209 in 1996 barring affirmative action in a variety of contexts and
3 Proposition 227 in 1998 banning bilingual education in public schools; and

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

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

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

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

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

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

23 RESOLVED, That the San Francisco Board of Supervisors supports SB 396 and efforts
24 to reverse the discriminatory policies of Proposition 187.