



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 000113	File Type: Resolution	Status: Passed
Enacted: 112-00		Effective:
Version: 1	Reference:	In Control: Mayor
File Name: City of Refuge		Introduced: 1/18/2000
Requester:	Cost:	Date Passed: 2/18/2000
Comment No fiscal impact.		Title: Resolution declaring the City and County of San Francisco a "City of Refuge" for bi-national same sex couples.
Indexes:	Sponsors: Katz, Kaufman, Leno, Ammiano, Brown, Becerril, Bierman, Teng, Yaki, Newsom, Yee	

History of Legislative File		000113				
Ver	Acting Body	Date	Action	Sent To	Due Date	Pass/Fail
1	President	1/18/2000	RECEIVED AND ASSIGNED	Housing and Social Policy Committee		
<i>Sponsor requests this matter be scheduled at the February 1, 2000 meeting.</i>						
1	Housing and Social Policy Committee	2/1/2000	RECOMMENDED			P
<i>Heard in Committee. Speakers: Supervisor Katz; Kate Kendall, Executive Director, National Center for Lesbian Rights; Evan G.; Gina; Kata; Tim Sally; Antonio; Toni Broadus, Deputy Campaign Manager, No on Knight Campaign.</i>						
1	Board of Supervisors	2/7/2000	ADOPTED			P
1	Mayor	2/18/2000	APPROVED			

[Resolution declaring the City and County of San Francisco a "City of Refuge"]
RESOLUTION DELCARING THE CITY AND COUNTY OF SAN FRANCISCO A
"CITY OF REFUGE" FOR BI-NATIONAL SAME SEX COUPLES

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4 WHEREAS, the principle of "family unification" is a sacred cornerstone of United States
5 immigration law, holding that US citizens are entitled to sponsor their closest family
6 members for immigration into the US; and,

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8 WHEREAS, lesbian and gay Americans are now cruelly prevented from sponsoring their
9 foreign partners for immigration into the US, and are therefore excluded from the benefits
10 of the "family unification" principle; and,

11 WHEREAS, the United States has international peers, some of the world's strongest
12 democracies, such as Australia, Belgium, Canada, Denmark, Finland, France, Iceland,
13 The Netherlands, New Zealand, Norway, South Africa, Sweden, and the United
14 Kingdom, all of which recognize the rights of their citizens to sponsor same sex partners
15 for immigration; and,

16 WHEREAS, the Vermont Supreme Court ruled in December, 1999 that same sex couples
17 must be accorded the same legal protections and benefits currently enjoyed by
18 heterosexual couples; and,

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20 WHEREAS, American courts have repeatedly held that laws are to apply equally to every
21 citizen, and yet different sex marriage is accorded over 1000 benefits under federal laws
22 and same sex marriage is accorded none; and,

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24 WHEREAS, as a consequence of this discrimination, thousands of same sex couples are
25 forced apart or live in a state of constant fear of deportation, even if they are raising

children together, own property together, or have been together for decades in relationships acknowledged by their peers and community; and,

WHEREAS, hundreds of claims for US asylum based on sexual orientation have been granted since it became an option in 1994, making clear the real dangers some gay/lesbian individuals face in their home countries; and,

WHEREAS, the Attorney General of the State of California, relying on the 9th Circuit Court of Appeals decision in Gonzalez vs City of Peoria, has determined that the civil enforcement of immigration law is within the exclusive jurisdiction of the federal government, and further concluded that local and state officials "have no duty to report to the Immigration and Naturalization Service knowledge they might have" about a person's immigration status, and further, that their failure to do so does not constitute any failure to obey local, state and federal law; now, therefore, be it

RESOLVED, The San Francisco Board of Supervisors declares that the City and County of San Francisco a "City of Refuge" for same sex binational couples; and be it

FURTHER RESOLVED, that the City and County of San Francisco requests the State Department recommend that the Immigration and Naturalization Service grant same sex couples the same immigration rights and responsibilities accorded heterosexual couples; and be it

FURTHER RESOLVED, the City and County of San Francisco finds that immigration policy is a matter of federal jurisdiction; that therefore federal employees, not City employees, are responsible for its implementation; and be it

FURTHER RESOLVED, that the City and County of San Francisco urges the Mayor, and the City Administrator, to advise the commissions and departments under their

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respective jurisdictions of this fact of law; and that City Departments and employees shall not jeopardize the well-being of any same sex couple living in San Francisco by acting in a way that may cause the deportation of a foreign partner unjustly excluded from the family reunification benefits of US immigration law; and be it

FURTHER RESOLVED, that the City and County of San Francisco affirms its support of a change in federal immigration law to recognize the rights of same sex binational couples; and be it

FURTHER RESOLVED, that copies of this resolution be sent to the California Congressional delegation, the Commissioner of the Immigration and Naturalization Service, the State Department and the President of the United States.

AFFIDAVIT

DATE AND TIME OF MEETING: FEBRUARY 1, 2000 - 10:00 A.M.

- Audit and Government Efficiency
- Finance and Labor
- Housing and Social Policy
- Parks and Recreation
- Public Health and Environment
- Public Utilities and Deregulation
- Rules
- Small Business, Economic Vitality and Consumer Services
- Transportation and Land Use
- Other SPUR, Unions

Mailing List Job No. 2005
Mailed on (date) 1/27/00 Faxed on (date) 1/27/00

Mailing List from other Department or Agency also used and mailed on same date:
 Yes No

Gail Johnson
Committee Clerk

Attachments: Notice File No. 000113

Mailing List from other Department if applicable.

File No. 000113

Committee Item No. 5
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST*

Committee Housing and Social Policy Date 2/1/00

Board of Supervisors Meeting Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Department/Agency Cover Letter and/or Report
- Public Correspondence
- Exceeds 20 pages; see file to review
- Sent to Board in advance of agenda preparation;
available for review at reception desk, City Hall, Room 244
- Other

- _____
- _____
- _____
- _____
- _____

(Use back side if additional space is needed)

Late Agenda Items (documents received too late for distribution to the Committee Members)

- _____
- _____
- _____
- _____

Completed by: Gail Johnson

Date 1/28/00

Date _____

*This list reflects the explanatory documents provided

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires...".
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (by motion).
- 8. Legislative Analyst request.

[Note: For the Imperative Agenda (a resolution not on the printed agenda, use a different form.)]

Sponsor(s): Supervisor Leslie R. Katz, Kaufman, Leno, Ammend, Brown,
Becerra, Bierman, Teng, Yaki, Newsom, Yee

SUBJECT: Resolution declaring the City and County of San Francisco a "City of
Refuge" for Same Gender Bi-National Couples

The text is listed below or attached:

*Request that this be heard 2/1
before Housing & Social Policy*

Signature of Sponsoring Supervisor: _____

