

JAPANESE AMERICAN CITIZENS LEAGUE
49th JACL National Convention
National Council Meeting
Philadelphia, Pennsylvania
July 19, 2018

EMERGENCY RESOLUTION

This proposal could not have been submitted by the regular deadline because Executive Order 13841 was signed on June 20, 2018, after the Resolution Committee's mandatory filing deadline of May 21, 2018.

**A RESOLUTION OF THE NATIONAL COUNCIL OF THE JAPANESE AMERICAN
CITIZENS LEAGUE RELATING TO UNITED STATES IMMIGRATION POLICY
AUTHORIZING THE INDEFINITE DETENTION OF UNDOCUMENTED
IMMIGRANTS TO THE UNITED STATES OF AMERICA WITHOUT DUE PROCESS**

WHEREAS, the Japanese American Citizens League is a national organization whose ongoing mission is to secure and maintain the civil rights of Japanese Americans and all others who are victimized by injustice and bigotry;

WHEREAS, for decades, JACL advocacy has been grounded in seeking redress for and avoiding a repeat of the discriminatory incarceration of Japanese Americans without due process during World War II by the federal government;

WHEREAS, existing United States immigration policy mandated by the 1993 settlement agreement in *Flores v. Reno* states that immigrant minors accompanied by their parents in immigrant detention must be released within 20 days;

WHEREAS, in April 2018 U.S. Attorney General Jeff Sessions adopted a "zero tolerance" policy to arrest, detain, and criminally prosecute all individuals apprehended for entering the U.S. without permission, although such entries may be enforced as civil violations under federal law pursuant to 8 U.S. Code § 1325, resulting in the separation of over 2,300 immigrant children from their families and their placement in government custody;

WHEREAS, in June 2018, President Trump issued Executive Order 13841 to end his own policy to separate children from families unless the Department of Homeland Security determines keeping children with their families would pose a danger to the child's welfare;

WHEREAS, Executive Order 13841 further states that, "The Secretary of Defense shall take all legally available measures to provide ... any existing facilities available for the housing and care of alien families, and shall construct such facilities if necessary and consistent with the law," including utilizing the facilities that formerly incarcerated Japanese Americans;

WHEREAS, the Trump Administration is considering the construction of an additional children's immigration detention site run by the U.S. Department of Health and Human Services, which is situated in part on land where over 8,000 Japanese Americans were incarcerated at Rohwer, Arkansas;

WHEREAS, the Fifth Amendment to the U.S. Constitution applies the right to due process to all persons;

WHEREAS, Articles 6, 7, 14, and 16 of the United Nations' Universal Declaration of Human Rights stipulate that all individuals are entitled to recognition as people under the law, equal protection under the law, and the right to seek asylum; and that the family is the fundamental and natural group unit of society;

WHEREAS, the report "Code Red: The Fatal Consequences of Dangerously Substandard Medical Care in Immigration Detention," coauthored by the American Civil Liberties Union, Detention Watch Network, Human Rights Watch, and the National Immigrant Justice Center reveals that in Fiscal Year 2017, Immigration and Customs Enforcement's network of public and private immigrant detention centers housed a daily average of 40,500 people, under "subpar and dangerous practices including unreasonable delays, poor practitioner and nursing care, and botched emergency response," including one case involving the suicide of a person with a psychosocial disability who was inappropriately placed in isolation; and

WHEREAS, discriminatory and dehumanizing rhetoric by U.S. government officials broadly mischaracterizing undocumented immigrants as violent criminals fosters racially-based animus domestically endangering citizens and non-citizens of Hispanic origin.

NOW, THEREFORE, BE IT RESOLVED that the National Council of the Japanese American Citizens League directs the National Board and encourages districts and chapters of the JACL to pursue and support revisions to United States immigration policy to uphold Constitutionally protected due process, equal protection rights of all persons, and to end indefinite detention of immigrants with pending immigration proceedings;

BE IT FURTHER RESOLVED that the National Board is directed, and districts and chapters of the JACL are encouraged, to pursue and support revisions to current United States immigration policy that guarantee that families seeking asylum in detention are not separated and that the United States government employ monitored supervision in lieu of family detention; and

FINALLY, BE IT RESOLVED that the JACL opposes the conversion of United States military bases and construction of additional facilities intended for the mass incarceration of undocumented immigrants, including potential sites at former World War II Japanese American incarceration facilities.

Sponsored by: Berkeley JACL Chapter
(JACL entity)

Dated: 7/9/2018
Month/Day/Year

Approved by: Nancy Ukai, Co-President
Name and Title (Please Print)

Signed: 

Please check one:

Fiscal Impact Statement attached

No Fiscal Impact (meaning that the resolution does not call for any action that will be carried out by JACL staff, or incur any costs to JACL)

Note: The proposal must include signatures of three (3) delegates from (3) different districts not including that of the proponent:

Name: Gene Shimizu, President
(Please Print)

District: CCDC

Chapter: Clovis

Signed: 

Name: Sarah Baker, President
(Please Print)

District: PNW

Chapter: Seattle

Signed: 

Name: Nancy Takayama, President
(Please Print)

District: PSW

Chapter: San Fernando Valley

Signed: 

Name: Bryan Hara, President
(Please Print)

District: MDC

Chapter: Chicago

Signed: 