



Peace and Justice Commission

PEACE & JUSTICE COMMISSION MEETING AGENDA

Monday, March 6, 2017 – 7:00 p.m.

**North Berkeley Senior Center, 1901 Hearst Avenue, Berkeley, CA
Workshop B**

The Peace & Justice Commission may take action related to any subject listed on the Agenda.

SECTION A. PRELIMINARY MATTERS

1. Roll Call
2. Announcements
3. Comments from the Public (*subject to time limits applicable to all speakers as necessary*)
4. Review and approval of meeting minutes
5. Annual Election of Officers
6. Commission Updates & Chairperson's Report (5 minutes)

SECTION B. SUBCOMMITTEE REPORTS AND OTHER COMMISSION BUSINESS

(Note: Action may be taken on matters related to Subcommittee reports)

7. Nuclear Free Berkeley Act Subcommittee Report (Commissioner Maran)
8. Education Subcommittee Report: Discussion on Forum Proposals
9. Sweat-Free Berkeley Subcommittee Report (Commissioner Bohn)
10. UN Reports Subcommittee: (Commissioner Lippman)
11. Subcommittee on Preventing Sex Trafficking & Exploitation of Minors (Commissioner Maran)
12. Human Needs Subcommittee (Commissioner Lippman)
13. Surveillance Policy Subcommittee (Commissioner Meola)
14. NAACP Subcommittee (Commissioner Lippman)
15. Subcommittee on The Convention on the Rights of Persons with Disabilities (Commissioner Maran)
16. Subcommittee on Socially Responsible Investments (Commissioner Bohn)

SECTION C. ACTION ITEMS

17. Peace & Justice Commission 30th Anniversary Planning (Chairperson Mabanta)
18. Resolution on Immigrant Rights (Commissioner Gause)
19. Recommendation re Socially Responsible Banking (Commissioner Gause)
20. Threats to Peace under President-Elect Trump (Vice-chairperson Lippman)
21. Public Schools and Social Justice Issues (Vice-chairperson Lippman)
22. Presentation and Implementation of Chochenyo Ohlone Shellmound protections and Indigenous Rights policies (Commissioners Lippman and Bohn)

23. Homeless Emergency/Winter Shelter (Vice-chairperson Lippman)
24. Send statement by Okinawa Diaspora to City Council (Bohn)

SECTION D. COMMUNICATIONS

SECTION E. BACKGROUND INFORMATION

SECTION F. ADJOURNMENT

The next regular meeting of the Peace & Justice Commission is scheduled for April 3, 2017. All proposed Commission agenda items should be submitted to the Commission Secretary by or before March 24, 2017. Dates are subject to change, please contact the Commission Secretary by email at ebrenman@cityofberkeley.info to confirm receipt of submitted items.

ADA Disclaimer



"This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting."

Communications Disclaimer

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.*

SB 343 Disclaimer

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Health Services Department located at 1947 Center Street, 3rd Floor.

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To: Honorable Mayor Arreguin and Members of the Berkeley City Council

From: Berkeley Peace and Justice Commission

Subject: Protect the safety and well-being of all Californians from mass deportations, separation of families, and ultimately damage to California's economy.

RECOMMENDATION

Pass attached resolution and send to state and federal representatives.

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter 3.68.070); and

WHEREAS, President Trump has ordered a sweeping expansion of deportations and assigned unprecedented powers to Immigration and Customs Enforcement (ICE) officers targeting and terrorizing immigrant communities;¹ and

WHEREAS, President Trump's executive orders have removed sensible limits on immigration enforcement, leaving 8 million people in the United States vulnerable to deportation;² and

WHEREAS, President Trump's recent executive orders have called for an extraordinary hiring increase of 5,000 additional Border Patrol officers, 10,000 additional Immigration and Customs Enforcement (ICE) agents, asylum officers and immigration judges without reforming the controversial and problematic agency;³ and

WHEREAS, the recent orders also call for an increase in the detention facilities along the southern border of the United States to hold undocumented immigrants, despite the public outcry surrounding the lack of due process and the troubling conditions in the existing detention facilities; and

WHEREAS, leaked draft executive orders obtained by the *Washington Post* call for the Department of Homeland Security to deny immigrants from entering the U.S. if it is determined they will receive any kind of government assistance and require the

¹ "Trump's executive orders dramatically expand power of immigration officers." *CNN*. Cable News Network, n.d. Web. 03 Feb. 2017. <<http://www.cnn.com/2017/01/28/politics/donald-trump-immigration-detention-deportations-enforcement/>>.

² Los Angeles Times. Los Angeles Times, n.d. Web. 06 Feb. 2017.

³ Gomez, Alan. "Trump plans to ramp up deportations." *USA Today*. Gannett Satellite Information Network, 25 Jan. 2017. Web. 06 Feb. 2017.

deportation of any immigrants who receive such services within their first five years in the country. Additionally, the friend or family member who sponsored the immigrant would have to reimburse the federal government for the benefits the immigrant received,⁴ amounting to a ban on immigration for all but the wealthiest applicants and presenting a significant conflict with Berkeley's shared values of inclusion and kindness; and

WHEREAS, President Trump, in his seventh day as president, signed an executive order which banned entry from seven majority-Muslim countries, including Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen⁵, targeting Muslim refugees and immigrants and sparking widespread protest and condemnation; and

WHEREAS, as a result of the travel restrictions, commonly known as the Muslim Ban, at the time of this writing, 60,000-100,000 visas have been denied;⁶ and

WHEREAS, a study by Stanford Law School in 2014 found that "two-thirds of immigrants facing deportation had no legal representation to help them navigate immigration laws and that those who did have an attorney were three times more likely to win their cases;"⁷

WHEREAS, because these policies significantly increase the burden of immigration enforcement on Berkeley residents, there is an immediate need for funding for legal aid and deportation defense for members of our community; and

WHEREAS, local municipalities have committed significant funds for deportation legal defense for their residents including initial commitments of \$750,000 in San Francisco and \$300,000 in Oakland; and

WHEREAS, Mr. Trump's initial policies have demonstrated a careless disregard for human welfare, banning refugees and immigrants while instituting religious tests for foreign travellers and embracing bigotry and xenophobia; and

⁴ "Trump administration circulates more draft immigration restrictions, focusing on protecting U.S. jobs." The Washington Post. WP Company, n.d. Web. 06 Feb. 2017.

⁵ Yuhas, Alan, and Mazin Sidahmed. "Is this a Muslim ban? Trump's executive order explained." *The Guardian*. Guardian News and Media, 31 Jan. 2017. Web. 06 Feb. 2017.

⁶ <https://www.facebook.com/CNBC>. "Over 100,000 visas have been revoked by Trump immigration ban, Justice Dept. reveals." CNBC. CNBC, 03 Feb. 2017. Web. 06 Feb. 2017.

⁷ "Oakland sets up \$300,000 fund to fight deportations." SFGate. N.p., n.d. Web. 06 Feb. 2017.

WHEREAS, the County of Alameda is home to approximately 500,000 immigrants⁸ with 124,000 undocumented⁹ and includes several Sanctuary Cities such as Berkeley and Oakland to protect immigrants regardless of legal status; and

WHEREAS, immigrants are valuable and essential members of the California community; almost one in three Californians is foreign born and one in two children in California has at least one immigrant parent;¹⁰ and

WHEREAS, a relationship of trust between California's immigrant residents and our state and local agencies, including police, schools, and hospitals, is essential to carrying out basic government functions, and that trust is threatened when such agencies are involved in immigration enforcement; and

WHEREAS, the City Council declared Berkeley to be a City of Refuge in 1971, reaffirmed that stance in 1986 and again in 2007, and stated: "No department, agency, commission, officer or employee of the City of Berkeley shall use any City funds or resources to assist in the enforcement of Federal immigration law or to gather or disseminate information status of individuals in the city of Berkeley unless such assistance is required by federal or state statute, regulation or court decision;"¹¹ and

WHEREAS, Mayor Arreguin has stated that "we should and must call on our state officials to make California a sanctuary state. We must also work with cities throughout the country in rising up against anti-immigration policies;"¹² and

WHEREAS, the Berkeley City Council has endorsed the proposed state Senate Bill 54, the California Values Act, stating that it will "protect the safety and well-being of all Californians by ensuring that state and local resources are not used to fuel mass deportations, separate families, and ultimately hurt California's economy;"¹³ and

⁸ "Bay Area Census -- City of Alameda." Bay Area Census -- City of Alameda. N.p., n.d. Web. 03 Feb. 2017.

⁹ Hill, Laura E., and Hans P. Johnson. "Unauthorized Immigrants in California Estimates for Counties." Public Policy Institute of California (n.d.): n. pag. July 2011. Web. <http://www.ppic.org/content/pubs/report/R_711LHR.pdf>.

¹⁰ "Immigrants in California." Immigrants in California (PPIC Publication). N.p., n.d. Web. 03 Feb. 2017. <http://www.ppic.org/main/publication_show.asp?i=258>

¹¹ http://www.ci.berkeley.ca.us/City_Manager/Press_Releases/2008/2008-05-20_Berkeley_is_a_City_of_Refuge.aspx

¹² "Sanctuary cities need to defeat fear." The Daily Californian. N.p., 24 Jan. 2017. Web. 02 Feb. 2017. <<http://www.dailycal.org/2017/01/24/sanctuary-cities-need-defeat-fear/>>

¹³ Item 26, http://www.ci.berkeley.ca.us/Clerk/City_Council/2017/01_Jan/City_Council_01-24-2017_-_Regular_Meeting_Agenda.aspx

WHEREAS, the U.S. Department of Homeland Security (DHS), of which ICE and Customs and Border Protection (CBP) are component parts, contains other sections that support their immigration function; for example, the DHS-funded National Network of Fusion Centers collects suspicious activity reports (SARs) on non-criminal behavior, sharing this information with ICE and CBP, which uses this information to prosecute deportations;¹⁴ and

WHEREAS, the Berkeley Police Department works with Northern California Regional Intelligence Center (NCRIC), the local fusion center, providing SAR reports that are then available to ICE and CBP, and the BPD-NCRIC relationship is annually reviewed by the Berkeley City Council, as mandated by city law, before being approved;

NOW, THEREFORE BE IT RESOLVED that the City of Berkeley condemns the expansion of deportations planned by the current Presidential Administration; and

BE IT FURTHER RESOLVED that the City of Berkeley commits to offering significant funds to community-based organizations within and outside of Berkeley with a track record of providing quality legal assistance and representation to immigrants in our community,¹⁵ so that they may expand their valuable work, provide free consultations, explore the creation of an emergency hotline for residents, and/or hold “know your rights” workshops; and

BE IT FURTHER RESOLVED that the City of Berkeley hereby extends its City of Refuge policy to bar any association with Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP), and that this bar extend to any organization in which ICE or CBP participate, such as the national network of intelligence fusion centers, represented locally by the Northern California Regional Intelligence Center (NCRIC); and

BE IT FURTHER RESOLVED that the Clerk of the City of Berkeley send a copy of this resolution to Homeland Security Secretary John F. Kelly, Acting ICE Director Thomas Homan, NCRIC Executive Director Mike Sena, California Governor Jerry Brown, and the City’s congressional delegation.

¹⁴ <https://www.dhs.gov/2013-fusion-center-success-stories>

¹⁵ Organizations selected should represent those most impacted, such as the Arab Resource & Organizing Center, Council on American–Islamic Relations, East Bay Sanctuary Covenant, East Bay Community Law Center, Centro Legal de la Raza, and Asian-Americans Advancing Justice - Asian Law Caucus.

From: Berkeley Peace and Justice Commission

To: Honorable Mayor Arreguin and City Council Members:

Thank you for passing the resolution titled "Socially Responsible Banking Services for the City of Berkeley" on January 24.

We entirely agree that ethical practices of the banks with which the City contracts must be carefully considered. We appreciate your intent to explore "a socially responsible banking policy such as elements of social and environmental justice requirement for a code of fair treatment, low pay/inequity between executives and rank and file, and support for human rights."

As you are no doubt aware, many public entities are in the process of terminating business with Wells Fargo, including Seattle, UC Berkeley, Massachusetts, Ohio, Chicago, Illinois, and Portland, not only for their illegal behavior regarding accounts, but also for their involvement in fossil fuels, including the Dakota Access Pipeline, and private prisons. Oakland, Portland, and Minneapolis are going further to ban contracting with any companies that cross red lines with respect to the border wall and the other issues mentioned above. Berkeley is in good company in seeking a holistic approach to social responsibility.

The Peace and Justice Commission is mandated to advise the Council and Finance Director on socially responsible investing, under Function K of our enabling statute:

"Assist the Director of Finance in the annual evaluation of financial institutions for qualification of City investments; complete development and assist in the implementation of a linked deposit program; encourage target investments; coordinate with City agencies, appropriate community organizations, public and private investors, and the Governor's Public Investment Task Force; and advise the City Council on matters relating to the responsible investment of public funds in accordance with the responsible investment policy established by Resolution No. 55,141A-NS."

This language dates back to the first anti-apartheid divestment ordinance in 1979. The function was assigned to the Peace and Justice Commission by Council in 1990, subsequent to the commission's establishment in 1986.

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Last year the commission established an SRI subcommittee to renew the investment oversight function. We meet with a panel of community experts on SRI who provide valuable input, and have received useful information on the investment process from the Finance department through our secretary.

The current moment presents a crisis and an opportunity for social responsibility. Though he presents himself as a populist, Donald Trump has shown his true colors as the president of Wall

Street bankers. His policies are not only destructive to world peace and civil liberties at home, but stand to enrich and empower billionaires like himself. The big banks are as much of a threat to social justice as the deportation force he will soon set loose on our communities. The opportunity is for us to opt for a truly socially responsible banking and investment policy in which we refuse to do business with those who fund the Trump agenda, whether it is the Dakota Access pipeline or the border wall with Mexico.

Mayor and Council, our subcommittee is hard at work researching and developing recommended criteria for the banking RFP, and more generally for investing, contracting, and even procurement.

Our SRI Subcommittee requests a meeting with the Council subcommittee on SRI and banking to discuss issues related to Socially Responsible Investing in general and the banking contract in particular. We will bring detailed recommendations to the discussion.

Sincerely,
Peace and Justice Commission

ITEM #24

Okinawan Diaspora Statement

We, people with ancestral ties to Okinawa living in the United States of America, demand the immediate halting of new U.S. military base construction at Henoko, Okinawa. This demand is presented to both governments of Japan and the U.S. The reasons for our demands include, but are not limited to the following:

Irreversible harm to the environment: The construction of the new U.S. military base and subsequent military operations at Henoko will damage Okinawa's sea, land, and sky. The fragile natural environment of Okinawa has been a source of physical and spiritual nourishment for our ancestors and to harm it threatens the bodies and spirits of the people of Okinawa with whom we have maintained familial, cultural, and spiritual ties. Harming Okinawa's environment inevitably harms us.

Irreparable harm to democracy and human rights: To know that over 70% of the people in Okinawa are opposed to new military base construction at Henoko is deeply troubling to us citizens and long-term residents of the U.S who recognize the benefits of a democratic society in which the voices and lives of individuals are equally valued. However, with the backing and support of the U.S. government, the Japanese government is ignoring the will of the people of Okinawa. It is not only the polls that have shown widespread disapproval of Henoko construction, but also the election of politicians who oppose Henoko construction, including the present Governor, the Mayor of Nago (where Henoko is located), and three Upper House Members of the Diet, which clearly indicate the overwhelming disapproval of the project itself and of the Japanese government's use of state power to force Okinawans to accept it.

Irreconcilable identities: The construction of the new U.S. military base in spite of the irreversible damage it will have to Okinawa's environment and the irreparable harm to the values of democracy and human rights that the U.S. purports to uphold, will make it difficult, if not impossible, to reconcile our identities as Okinawans in the U.S. Toward our Okinawan homeland, we will feel shame in being "American." Toward our American government, we will feel distrust and fear for its destruction of our homeland and resentment for its hypocrisy. Further, the forcing of this project through by the Japanese government makes it difficult to find respect for Japan as it reminds us of a long history of Japanese oppression and exploitation of Okinawa. Japan's recent actions, including last year's forced construction of U.S. military helipads at nearby Takae, come in a historical context in which Japan forcibly annexed Okinawa in 1879, sacrificed Okinawa as a breakwater to American forces in 1945, handed over Okinawa to U.S. military occupation from 1945 to 1972, and continued to allow the U.S. military to keep 75% of its Japanese military facilities in Okinawa. In this context, the construction of the new U.S. military base in Okinawa again reveals the Japanese government's true attitude to Okinawa as a pawn to sacrifice for the sake of the rest of Japan.

For the reasons this statement underwrites, we, the Okinawans Diaspora communities across national borders, demand that the US and Japan end the dehumanization of land, people, and nature by stopping the construction of the US military base at Henoko as a step towards democracy, peace and freedom for Okinawans, Japanese, and Americans.

Sincerely,

Okinawan Diaspora in the US