

‘Welcoming Cities’ Proposal for the City of Delray Beach

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On behalf of the PBC Coalition for Immigrant Rights, the League of Women Voters and several other organizations, Barbara Eriv, Candy Herrera, Jill Hanson and I have proposed a Welcoming Cities ordinance for the City of Delray Beach to the Commissioners. On August 15 at the Delray Commission Regular Meeting, we announced our effort to the public. The support from the dais and the audience was humbling. So many expressed strong support, and we are now moving to meet with city officials and fine-tune the necessary points for an ordinance so that the commission can decide if Delray Beach will join the more than 550 municipalities who have already signed on in the United States.

Here is the background and the principles underlying our effort:

There are about 67,000 undocumented immigrants living in Palm Beach County. More than half are from Mexico and Guatemala, with a large Haitian population in Delray Beach. Most are upstanding people living in our community, bolstering our local economy and raising their children. Unfortunately, due to new federal regulations this community now lives in fear of unwarranted deportations. They should not have to live this way, and we believe Delray Beach can do something to help them by refusing to partner with Immigration and Customs Enforcement (“ICE”). In several respects, the federal regulations are both unconstitutional and harmful to the values of our city.

The regulations are not constitutional because we believe the Tenth Amendment prevents the federal government from threatening to withhold federal funding as a means of coercing local jurisdictions to cooperate with ICE. We also believe the Fourth Amendment is violated each time someone is detained without probable cause.

The federal regulations also negatively affect both public safety and the local economy. For example, fear of arrest or deportation can deter immigrant victims from reporting a crime. Moreover, our regional and local economies, such as the agricultural, hospitality, and restaurant industries, are harmed when undocumented immigrant workers are prohibited from or fear taking jobs that citizens refuse to fill.

Back in March 2017 the City of West Palm Beach unanimously passed a Welcoming Cities resolution that provides protection to all members of its communities. In April, the Palm Beach County School Board signed a similar resolution to provide safe harbor from ICE raids on school property.

We know that Delray Beach works hard to “promote the health, safety, and welfare of its residents.” In the case of immigrants, it is our strong belief that the best way to do this is to pass something similar to the Welcoming Cities ordinance that was implemented in Chicago. The ordinance states that unless there is a legitimate law enforcement reason, the City will not:

- Ask or give out immigration status;
- Use immigration status as an excuse to withhold City services and opportunities;

- Deny the use of Consular IDs as a form of identification; or
- Detain a person without due process or probable cause.

I'll keep you posted on our progress.