


City of Alexandria, Virginia

MEMORANDUM

18
9-25-07

DATE: SEPTEMBER 21, 2007

TO: THE HONORABLE MAYOR MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: CONSIDERATION OF ALEXANDRIA HUMAN RIGHTS
COMMISSION RESOLUTION ON IMMIGRATION ISSUES

ISSUE: Alexandria Human Rights Commission Resolution on Immigration Issues.

RECOMMENDATION: That City Council adopt the Human Rights Commission resolution (Attachment 1) with the following amendment to #3: that the City and the various agencies will neither make inquiries nor report on the citizenship of those who seek the protection of its laws or the use of its services **except as required by law.**

DISCUSSION: Alexandria is an inclusive and caring community. As a general rule, we do not have specific laws or procedures in place to address immigration issues. At the request of Mayor Euille, the Executive Committee of the Human Rights Commission, on September 10, discussed drafting a resolution reaffirming the City's commitment to inclusiveness in light of recent actions taken by certain local governments with respect to undocumented persons. Commissioner McClellan, who is a history professor, drafted a resolution and sent the draft to all Commissioners before the Commission's September meeting. Commissioners Wade and Avery suggested minor amendments. On Tuesday, September 18, the full Commission met and discussed the proposed resolution language. The Commission approved the language in the attached draft resolution unanimously, and asked the Chair and staff to forward it to City Council for its consideration.

Last week we provided Council with a memorandum (Attachment 2) that outlined the City's position on providing services to undocumented immigrants and how City public safety departments address immigration issues. We have also attached material prepared by Arlington County (Attachment 3). Our police officers do not normally ask a person's immigration status, unless the person is arrested for a violent offense. The Police Department does not maintain statistics on the processing of undocumented persons, as immigration offenses are adjudicated in the federal courts.

I recommend that Council adopt the proposed resolution with the amendment discussed above. For the safety and protection of our community, we do prosecute persons who commit serious crimes. We then check their immigration status, since we are required to do so under law. Such information is reported to the appropriate federal and state officials. Thus the amendment above is needed to reflect our current practices.

From time to time we also receive complaints about housing overcrowding, and our Code Enforcement Office investigates such complaints promptly. Often these complaints arise because of an increase in the number of vehicles parked in a neighborhood. Code Enforcement staff have worked in City neighborhoods for many years, and staff work closely with neighborhood representatives to identify nuisance behavior and housing code violations.

ATTACHMENTS:

Attachment 1. Resolution

Attachment 2. City Manager's memo of September 14, 2007

Attachment 3. Arlington County Fact Sheet

STAFF: Jean Niebauer, Director, Human Rights

RESOLUTION NO. _____

WHEREAS, people of all races, nationalities and cultures live and work together within Alexandria and the City values its diverse population, and

WHEREAS, a rising atmosphere of xenophobia has the potential of producing discrimination, discord, and even harm to the members of any community, and

WHEREAS, wave after wave of emigrants has landed upon the shores and crossed the borders of the United States, often suffering through long periods of prejudice before being allowed to take on a contributory role in the mainstream of our nation, and

WHEREAS, there exists in our region an escalating anger against the foreign-born and those perceived to be foreign-born, and

WHEREAS some municipal and county governments have taken it upon themselves to enforce federal laws best left to national agencies, thus initiating the possible creation of a patch work of differing and contradictory rules, and fostering fear in the community that a mere call for help to police, firefighters, or other civic services could lead to reprisals from those whose protection they seek, and

WHEREAS, such fears undermine the health and security of each and every citizen and member of the community,

WHEREAS, the City of Alexandria accepts its responsibility to assure that all people within our City limits are accorded equal protection under the law, and

WHEREAS, the City seeks to maintain the inclusiveness that enhances the quality of life for all Alexandrians

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL OF ALEXANDRIA**

1. That the City of Alexandria will continue to foster an atmosphere of inclusiveness that respects the dignity and worth of every person without regard to race, religion, or national origin.

2. That the City continues to work toward building bridges of understanding and mutual respect among the diverse members of our community.

3. That the City and its various agencies will neither make inquiries about nor report on the citizenship of those who seek the protection of its laws or the use of its services **except as required by law.**

ADOPTED: September __, 2007

WILLIAM D. EUILLE

MAYOR

ATTEST:


Jackie M. Henderson, CMC City Clerk

City of Alexandria, Virginia

MEMORANDUM

DATE: SEPTEMBER 14, 2007

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: CITY SERVICES AND IMMIGRATION

Over the last few weeks, the Council has received inquiries concerning the City's position on services for undocumented immigrants who reside in Alexandria, as well as public safety agency response to various immigration issues. As you know, the City of Alexandria is a culturally diverse city, and one of the articulated goals in the City's Strategic Plan is to maintain this diversity. The City of Alexandria does not have specific laws or policies in place to limit access to services to any resident. **We do, however, adhere to all federal and state mandates for programs where verification of eligibility is a requirement.**

Absent a federal and state mandate, our programs generally require proof of residency in the form of a verifiable Alexandria mailing address through utility or rent receipts, e.g. for issuance of Library and Recreation Center facility use cards. The City of Alexandria strives to provide programs and services that enhance the quality of life for all Alexandria residents, with a focus on inclusiveness. We do not withhold emergency, protective or public health services to any city resident.

With respect to concerns about undocumented persons who commit criminal offenses, the Alexandria Police Department is committed to preserving a high quality of life and keeping our neighborhoods safe. In 2006, the City's crime rate was the lowest in 40 years and this pattern continues in 2007. This low crime rate was not an easy accomplishment and was largely due to effective partnerships among City agencies and community groups that reflect the City's diversity. Our property values remain high and neighborhoods tend to be well maintained.

The Alexandria Police Department does not attempt to enforce federal or state administrative or civil procedures not required of local governments. The Department has solid partnerships with federal and state agencies and cooperates fully with them on criminal matters. Our police officers do not normally ask a person's immigration status, unless they are arrested for a violent offense. In those circumstances, the Police Department has specific reporting procedures in place for the appropriate federal regulatory agency. The Department does not maintain any statistics on the processing of undocumented persons, as these individuals are adjudicated in federal courts. Immigration policy is not a local government responsibility.

City agencies do not enforce laws against employers who employ undocumented immigrants, as this is not a local government function. The United States Immigration and Customs Enforcement Agency (ICE) is the cognizant agency. Mayor Euille has asked the City's Human Rights Commission to prepare a resolution for City Council's consideration on this matter.

The Sheriff has indicated immigration issues are addressed in three ways for persons who are in the Alexandria Detention Center or in the custody of the Sheriff: (1) those individuals who have had a detainer obtained for them and entered into the federal crime reporting system are referred to ICE; (2) those who are arrested and it is determined that they are undocumented are also referred to ICE; and (3) no efforts are made to determine status during routine contacts.

The Court Services Unit is considered a reporting agency and is required to contact ICE if they discover that they are serving an undocumented youth.

City staff is acutely aware of the sensitive nature surrounding the immigration issue in the United States, and particularly in the Northern Virginia area. Attached are several charts, which outline how specific agencies address the issue.

cc: CMO Staff and Department Heads

1. Services that the City Must Provide Regardless of Immigration Status

ACPS	All
DHS	Adult Protective Services Child Protective Services Companion Services (as part of APS cases) Foster Care and Adoption Any other service if part of APS or CPS case
Fire	All - Public safety & law enforcement
Health Department	All
Juvenile Court Service Unit	All - Court ordered
MH/MR/SA	All
Police	All - Public safety & law enforcement
Sheriff's Office	All - Public safety & law enforcement

2. Services for which the City Must Verify Legal Presence*

DHS	Auxiliary Grants Child Day Care Assistance Food Stamps General Relief Medicaid Refugee Assistance State-Local Hospitalization Temporary Assistance to Needy Families VIEW Welfare Reform Services JobLink Employment Services
Housing	Homeownership Loans Only

3. Services provided by the City to all Alexandria Residents- verification of legal presence may not be required

DHS	Emergency Services (rental assistance, energy assistance, fuel assistance, shelter assistance, and burial assistance, emergency Medicaid) JobLink Resource Center
Housing	All except Homeownership Loans
Human Rights	All -(created by local statute and enforces Federal anti-discrimination law)
Office on Women	All

* According to the Virginia Department of Motor Vehicles (DMV), legal presence means that a person is either a U.S. citizen or is legally authorized to be in the United States



Fact Sheet: Measures of Arlington County's Success

Sept. 17, 2007

Summary

Arlington County has grown stronger as we have welcomed a diverse population from around the world. Our policies clearly demonstrate how tolerance and inclusion can make a community better. As the County's diversity has increased, we have experienced a drop in the crime rate and unemployment and an increase in property values and income level.

Arlington County's crime rate is the lowest it has been since 1960

- The number of index crimes per 100,000 people dropped from 2,447 in 2005 to 2,212 in 2006, the fifth straight year it has decreased.
- The current crime rate is Arlington's **lowest since 1960**.
- In 2006, the total number of index crimes was 8.7% lower than in 2005.
- Vehicle thefts, which fell by 14.8% in 2006, have experienced a remarkable **71.8% decrease** over the past decade.
- Other crime categories which have dropped precipitously in the past 10 years include: burglaries (54.6%), larcenies (52.7%), and robberies (46.0%).

Between 2002 and 2006, property values increased at the most rapid rate in the County's history

- In 2002, the average assessment of a single-family home in Arlington was \$269,500. In 2006, the average price of a single-family home was \$541,800.
- Home prices now have leveled off.

County schools consistently rank among the nation's best

- Students in County Schools hail from 127 countries and speak 105 languages.
- The 2006 Newsweek/Washington Post Challenge Index listed all APS High Schools in the top 1% in the nation.
- 94% of all APS parents give the schools a grade of "A" or "B", compared with 55% nationwide.
- More than 50% of APS students complete Algebra I before grade 9
- One of the smallest class sizes in the region.

County residents' income levels rank among the nation's highest

- 2006 American Community Survey found that Arlington County has a higher median household income than every state in the U.S.
- Regionally, Arlington's median household income is surpassed only by Fairfax and Loudoun Counties in Virginia and by Montgomery County in Maryland.

Arlington enjoys full employment

- Arlington unemployment rate has been about 2% for the past year.
- The County's unemployment rate is an average of one percentage point below the state, two percentage points below the nation.
- Statistically, the County's unemployment rate is so low as to be considered a state of labor shortage.

County has seen growth in private commercial investment

- Many Arlington businesses have expanded their operations in the past year: Scitor, CITI, DeticaDFI, General Dynamics, and Vangent (formerly Pearson).
- Many high profile companies and organizations have moved into the County in the past year: Stanley, Inc., the Smithsonian Institute, Corporate Executive Board and Conservation International.

County's retail, leisure activities have expanded

- More than 250,000 square feet of new retail space added since January, 2006.
- Shirlington Village mixed use development, a unique public/private partnership, is most notable development in the past year.

Lowest tax rates among major jurisdictions in Northern Virginia

- Arlington's real estate tax rate for FY2008 is \$0.818 – second lowest in the NVA region.
- Regionally, only the City of Fairfax's rate is lower than Arlington's.

Immigrants Contribute to County, State, National Success

- Studies show that nationally, immigrants contribute **\$25-\$30 billion more in taxes** than they receive in services
- All residents pay taxes in the form of sales taxes, real estate taxes and personal property taxes, which provide revenues for local government services.
- In 2005, foreign –born workers made up about 15 percent of the U.S. civilian labor force age 16 and over. There are 22 million foreign-born workers in the nation's labor force.
- Virginia's foreign-born population plays an integral role in the Virginia economy, constituting approximately **12 percent of the State's civilian labor force** and 44 percent of Virginia's labor force growth over the last decade – (source: Joint Legislative Audit and Review Commission of the Virginia General Assembly)
- Foreign-born residents participate in every major sector of the State's economy, including more than six percent of Virginia active duty armed forces (source: Joint Legislative Audit and Review Commission of the Virginia General Assembly)
- Immigrant households in the Washington, D.C. metro area had a total income of \$29.5 billion in 1999-2000, and paid \$9.8 billion in taxes. This represents **19 percent of the region's total household income**, and 18 percent of all taxes paid.
- Immigrant households on average have lower incomes than native-born Washington, D.C., area households – but pay **nearly the same share of their incomes in taxes**.
- Immigrants **paid 19 percent of taxes in Arlington in 1999-2000**. Immigrants accounted for nearly one-quarter of all taxes paid by households in Fairfax and Montgomery counties.

Arlington follows state, federal laws in providing services

- A guiding principle for Arlington County government is the **safety and protection of all people**.
- The County provides emergency, protective and public health services to all.
- The County does not deny a service when a denial could result in health and safety risks to the community.
- The County aggressively prosecutes people who commit serious crimes, and checks the immigration status of any person who commits such crimes.
- Immigration status information of those who commit serious crimes is forwarded to State and federal officials.
- County government fully complies with equal employment opportunity laws and federal regulations related to residency status for employees.