

House Resolution

No. 46

Introduced by Assembly Member Gonzalez

June 17, 2014

House Resolution No. 46—Relative to immigration.

1 WHEREAS, California’s prosperity is intimately tied to the
2 tenacity, innovativeness, and diversity of its people; and

3 WHEREAS, The state has made tremendous progress in recent
4 years in recognizing undocumented immigrants as valued members
5 of society by enacting laws that promote the safety and livelihood
6 of immigrant families, including passage of the California DREAM
7 Act, The TRUST Act, and the Safe and Responsible Drivers Act;
8 and

9 WHEREAS, In 1994, exactly 20 years ago, the voters of
10 California approved Proposition 187, now considered one of the
11 most mean-spirited measures in California’s ballot initiative
12 history; and

13 WHEREAS, With 59 percent of voters in favor of the initiative
14 and 41 percent against it, Proposition 187 was a pernicious and
15 unabashed attempt to target and scapegoat immigrants for the
16 economic recession in the mid-1990’s; and

17 WHEREAS, Although the vast majority of the measure was
18 eventually found to be unconstitutional and unenforceable by the
19 federal courts, its introduction and approval devastated immigrant
20 communities throughout California, pushing undocumented people
21 further into the shadows and spreading rampant fear of public
22 officials and police; and

1 WHEREAS, Proposition 187 is just one example of a long and
2 troubled history of targeting and blaming a group of people for
3 societal and economic hardships in the United States; and

4 WHEREAS, Throughout our history immigrants have had to
5 confront hostile environments despite their contributions to our
6 economy; and

7 WHEREAS, The late 19th century was marked by a series of
8 efforts to explicitly limit Chinese migration into the United States,
9 particularly to California. Although Chinese immigrants provided
10 a needed workforce for the development of the west, including
11 construction of the Transcontinental Railroad, growing
12 anti-Chinese sentiments fomented fears that mass Chinese
13 immigration would threaten American wages and standards of
14 living; and

15 WHEREAS, These attitudes led to the passage of discriminatory
16 laws. A new California Constitution in 1879 explicitly banned
17 individuals of Chinese descent from public and corporate
18 employment and authorized the state government to determine
19 which individuals would be allowed to reside in the state; and

20 WHEREAS, Following California's lead, Congress and
21 President Chester A. Author approved the Chinese Exclusion Act
22 in 1882 to completely restrict Chinese immigration; and

23 WHEREAS, Proposition 14 was approved in 1964 to counteract
24 the effects of the Rumford Fair Housing Act, which prohibited
25 housing discrimination based on ethnicity, religion, sex, marital
26 status, physical handicap, or familial status. It was also held
27 unconstitutional on the basis that it violated the equal protection
28 clause of the 14th Amendment; and

29 WHEREAS, In 1972, voters approved Proposition 21, which
30 would have repealed a state law that required racial integration of
31 schools and was ultimately declared unconstitutional by the courts
32 because it stood in direct violation of the precedent set by *Brown*
33 *v. Board of Education*; and

34 WHEREAS, Proposition 187 is the most recent modern example
35 of California's troubled history and relationship with minorities
36 and immigrants and of misguided efforts to pass laws that
37 dehumanize people simply because they are different; and

38 WHEREAS, Proposition 187 was proposed and supported by
39 anti-immigrant groups; and

1 WHEREAS, Governor Pete Wilson used Proposition 187 to
2 secure his reelection in 1994 by pursuing a scathing campaign that
3 demonized undocumented parents and their children; and

4 WHEREAS, Proposition 187 would have specifically barred
5 the children of undocumented immigrants and from attending
6 public schools, required every school district to verify the legal
7 status of every child and parent, prohibited colleges and universities
8 from accepting undocumented students, and prohibited public
9 agencies and publicly funded health care facilities from providing
10 services to immigrants suspected of being undocumented; and

11 WHEREAS, Proposition 187 would have required teachers,
12 doctors, social workers, and law enforcement personnel to verify
13 the immigration status of families and report to Immigration and
14 Naturalization Services any individual reasonably suspected of
15 being illegally present in the United States, thereby turning civilians
16 into immigration agents; and

17 WHEREAS, Proposition 187 served as the unfortunate precursor
18 to the draconian anti-immigrant laws recently adopted in Arizona
19 (SB 1070) and Alabama (HB 56) that, like Proposition 187,
20 encourage racial profiling and targeting undocumented immigrants;
21 and

22 WHEREAS, As a society, we have learned time and time again
23 that discrimination against minorities ultimately does not benefit
24 anyone but rather hurts our economy and creates social dissonance;
25 now, therefore, be it

26 *Resolved by the Assembly of the State of California*, That after
27 20 years, the Legislature of California expressly acknowledges
28 the harm caused to Californians through passage of the
29 discriminatory and xenophobic Proposition 187 and its
30 corresponding campaign. Its passage marked a reprehensible period
31 for California, but it serves as a lesson as the Legislature moves
32 forward to provide for the well-being of all Californians, regardless
33 of their immigration status, race, ethnicity, religion, gender, sexual
34 orientation, or socioeconomic position; and be it further

35 *Resolved*, That California recognizes June 23, 2014, the date
36 marking the 20th anniversary of the qualification of Proposition
37 187 for the November 1994 ballot, as a day to celebrate California's
38 diversity and a united future; and be it further

- 1 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 2 of this resolution to the author for appropriate distribution.

O