

Introduced by Senators Lara and De León

June 17, 2014

Senate Resolution No. 51—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 history; and

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

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

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

1 WHEREAS, Throughout our history immigrants have had to
2 confront hostile environments despite their contributions to our
3 economy; and

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

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

17 WHEREAS, Following California's lead, Congress and
18 President Chester A. Arthur approved the Chinese Exclusion Act
19 in 1882 to completely restrict Chinese immigration; and

20 WHEREAS, Proposition 14 was approved in 1964 to counteract
21 the effects of the Rumford Fair Housing Act, which prohibited
22 housing discrimination based on ethnicity, religion, sex, marital
23 status, physical handicap, or familial status. It was also held
24 unconstitutional on the basis that it violated the Equal Protection
25 Clause of the 14th Amendment to the United States Constitution;
26 and

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

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

36 WHEREAS, Proposition 187 was proposed and supported by
37 anti-immigrant groups; and

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

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

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

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

19 WHEREAS, As a society, we have learned time and time again
20 that discrimination against minorities ultimately does not benefit
21 anyone, but rather hurts our economy and creates social dissonance;
22 and

23 WHEREAS, That, after 20 years, the Legislature expressly
24 acknowledges the harm caused to Californians through passage
25 of the discriminatory and xenophobic Proposition 187 and its
26 corresponding campaign. Its passage marked a reprehensible period
27 for California, but it serves as a lesson as the Legislature moves
28 forward to provided for the well-being of all Californians,
29 regardless of their immigration status, race, ethnicity, religion,
30 gender, sexual orientation, or socioeconomic position; now,
31 therefore, be it

32 *Resolved by the Senate of the State of California, That the Senate*
33 *recognizes June 23, 2014, the date marking the 20th anniversary*
34 *of the qualification of Proposition 187 for the November 1994*
35 *ballot, as a day to celebrate California’s diversity and a united*
36 *future; and be it further*

37 *Resolved, That the Secretary of the Senate transmit copies of*
38 *this resolution to the author for appropriate distribution.*

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