



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 88093 C.M.S.

INTRODUCED BY COUNCILMEMBER SHENG THAO
AND NIKKI FORTUNATO BAS

RESOLUTION CONDEMNING DEPORTATIONS OF SOUTHEAST ASIAN REFUGEE COMMUNITIES BY THE TRUMP ADMINISTRATION'S IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE); RESPECTFULLY URGING GOVERNOR NEWSOM TO GRANT PARDONS TO SAKHONE LASAPHANGTHONG AND SOMDENG "DANNY" THONGSY TO ALLOW THEM TO REMAIN IN THE UNITED STATES AND TO PROTECT OUR LAO, HMONG, LU-MIEN, KHMU, AND IMMIGRANT COMMUNITY.

WHEREAS, the American War in Southeast Asia (Vietnam War/Secret War) resulted in refugee resettlement to the United States of people from Laos among the Hmong, Lao, Vietnamese, Cambodian, Lu-Mien, Khmu and other ethnic minority groups; and

WHEREAS, many of the same refugees have been served deportation orders, many who have no family ties, do not speak the language, or have never lived in Laos; and if deported would face marginalization, violence, or death; and

WHEREAS, over 4,000 Hmong, Lao, Lu-Mien, and Khmu individuals have final removal orders from Immigration and Customs Enforcement (ICE) due to prior criminal convictions that they have served their time for; and

WHEREAS, the majority of these individuals seeking refuge settled in large California cities like Oakland, San Francisco, San Jose, Stockton, Fresno, Sacramento, Richmond, Long Beach and Los Angeles; and

WHEREAS, these individuals and their families were typically placed in areas in these communities with concentrated poverty, inadequate economic and social supports, violence in their neighborhoods, and under resourced and failing public schools, which increased exposure to the risk factors that lead to criminal activity and the criminal justice system, resulting in Southeast Asian American young people becoming disproportionately involved with gangs and violence, further compounded by high rates of post-traumatic stress disorder from having experienced the Secret War in Laos; and

WHEREAS, Sakhone Lasaphangthong was born in war-torn Laos, was separated from four out of his nine siblings at the age of 5, and lived at a refugee camp in Thailand for two years before arriving in the United States to California; and

WHEREAS, Lasaphangthong experienced the trauma of war in Laos, grew up when “tough-on-crime” policies criminalized communities of color resulting in mass incarceration and children serving life sentences, and wound up in the criminal justice system at age 22; and

WHEREAS, while incarcerated for 20 years of a 30-year sentence before being granted parole, Lasaphangthong transformed his life, devoting his time to education, attaining three associate degrees in social and behavioral science, general business, and American studies; leveraging his status among other prisoners to convince them to join the college program, increasing the attendance from 4 to 300; and

WHEREAS, following his release, Lasaphangthong made numerous positive contributions to his community and society, moving to San Francisco, working as an Ambassador for Asian Prisoner Support Committee and Housing Manager for Family Bridges with the City of Oakland and their partners for the Community Cabin program, cleaning streets in Oakland Chinatown and connecting homeless individuals with resources, and spearheading a campaign to successfully move 38 individuals from the streets into the Oak Street Community Cabins; and

WHEREAS, Lasaphangthong is facing imminent deportation to Laos, away from his home in the United States to a country he fled as a small child; and

WHEREAS, Somdeng “Danny” Thongsy was born in a refugee camp in Thailand after his family fled the war in Laos and later resettled in Stockton California; and

WHEREAS, Thongsy experienced the transgenerational traumas of war in Laos, the violent death of his brother, growing up in an impoverished neighborhood, and wound up incarcerated as a minor at the age of 17; and

WHEREAS, while incarcerated for more than 20 years, Thongsy transformed his life, incurring no disciplinary record throughout prison, graduating with a high school and college degree, joining and facilitating numerous self-help programs, mentoring others to make positive choices, finding spirituality and becoming active in chapel programs and religious studies, advocating with Kids Creating Awareness Together (Kid CAT), helping pass California’s SB260 and SB261 Fair Sentencing for Youth, to give youth impacted by the criminal justice system a fair chance of parole; and

WHEREAS, following his release, Thongsy made numerous positive contributions to his community and society, beginning a fellowship at Asian Americans Advancing Justice – Asian Law Caucus (AAJC-ALC) as a Yuri Kochiyama Fellow, engaging in community outreach as a member of the Asian Prisoner Support Committee, being active in his church community and interfaith organizations, volunteering extensively in the Bay Area helping with re-entry support and teaching origami to youth, and attending leadership workshops and conferences, and promoting community justice and safety as a Campaigner/Coordinator at the Justice Reinvestment Coalition of Alameda County; and

WHEREAS, Thongsy is facing imminent deportation to Laos, a country he has never set foot in because of his immigration status, and the United States is the only country he has known given that he arrived here as a refugee when he was 2 years old; and

WHEREAS, Pardon is one of the only ways to prevent deportation, and would give Lasaphangthong and Thongsy the chance to remain in the United States and remain as contributing members of society; and

WHEREAS, on June 4, 2019 the Oakland City Council passed Resolution 87726 C.M.S. which respectfully urged Governor Gavin Newsom to grant pardons for rehabilitated formerly incarcerated Southeast Asian individuals; now, therefore, be it

RESOLVED: That the Oakland City Council supports an immigration system that keeps families together and does not determine a person's value by their immigration status or whether they have been incarcerated; and be it

FURTHER RESOLVED: That the Oakland City Council condemns the deportation of Southeast Asian refugees in the United States, especially ethnic minorities, and opposes the removal of Lasaphangthong and Thongsy from the United States; and be it

FURTHER RESOLVED: That the Oakland City Council respectfully requests that Governor Gavin Newsom pardon Sakhone Lasaphangthong and Somdeng "Danny" Thongsy so they can remain in their homes in the United States and continue to improve our community; and be it

FURTHER RESOLVED: That the Oakland City Council respectfully requests that Governor Newsom consider issuing pardons to all Southeast Asian refugees facing deportation due to the Trump administration's targeting of this community; and be it

FURTHER RESOLVED: That the Oakland City Council respectfully urges Governor Newsom to exercise his discretion to order the California Department of Corrections and Rehabilitation to stop transferring people to ICE when they have earned their release as immigrants should not be subject to a second punishment after serving their criminal sentence; and be it

FURTHER RESOLVED: That copies of this resolution be sent to Governor Gavin Newsom, Representative Barbara Lee, Senator Kamala Harris, and Senator Dianne Feinstein.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **APR 07 2020**

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN *Ⓟ*

NOES - *Ⓟ*

ABSENT - *Ⓟ*

ABSTENTION - *Ⓟ*

ATTEST: *Latonda Simmons*
LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California