



Sistema**MUN**



SISTEMA MUN

The United States Senate

President: Mariana Ortiz

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Topic A: Police Brutality.

Topic B: Presence of ICE on Sanctuary Cities.

I. Committee overview

The United States Senate, along with the House of Representatives make up the United States Congress, which represents the Legislative branch of the U.S government. It is conformed by 100 senators, each state chooses 2 people to represent them. To be a senator you must be 30 years old, to be a U.S citizen for at least 9 years and be resident of the state which you will be representing. The Vice President is the head of Senate, he or she has the final vote on a special event of a tie.

The Senate works on the lawmaking during 16 regular meetings, and by the side of the House of Representatives they vote on the laws that could benefit the United States, after both parts of the Legislative branch approves the law the president has to signed it so it actually becomes an official law. It also has various, and special powers of advice and consent: They can approve federal officials, like Supreme Court justices, flag officers, and federal judges; verify the president's appellation that need approval; and vote on treaties with other countries.

Quorum

Amy Klobuchar- Minnesota

Dianne Feinstein- California

Ed Markey- Massachusetts

Jacky Rosen- Nevada

James Inhofe- Oklahoma

Jeff Merkley- Oregon

Kelly Loeffler- Georgia



Lisa Murkowski- Alaska

Marsha Blackburn- Tennessee

Martha McSally- Arizona

Martin Heinrich- New Mexico

Michael Bennet- Colorado

Richard J. Durbin- Illinois

Roy Blunt- Missouri

Ted Cruz- Texas

Tim Scott - South Carolina

Marco Rubio-Florida

Tom Cotton - Arkansas

Maria Cantwell- Washington

Shelley Moore Capito- West Virginia



Topic A: Police Brutality.

I. Brief Information on the Topic

“Police brutality is a civil rights violation that occurs when a police officer acts with excessive force by using an amount of force with regards to a civilian that is more than necessary.” (US Legal, 2019). This includes actions like racial abuse, beatings, torture, and unlawful killings.

This problem affects mainly the black community, with a total of 506 civilians having been shot, of whom 105 were Black, as of June 30, 2020. It also affects the Hispanic, and Muslim communities. Nationally, 910 Hispanics have been killed since 2015. By the statistics given previously it can be inferred that the major cause of police brutality is racism, even though more white people are killed by police, their percentage in the population is higher and comparing it to the black community, it can be seen that there is a high difference, Police brutality needs to stop and the government should take care of this issue, because it is getting bigger and more individuals are being killed day by day.

Unfortunately, it is very rare for Police Officers to get convicted for this type of actions and almost never face legal consequences. The numbers of officers charged has doubled since 2015. But it is still too small comparing it to all the officers who are not penalized. Also, despite all the protests that have arisen recently, there is no evidence that more police officers are being prosecuted or convicted.

II. Guiding Questions

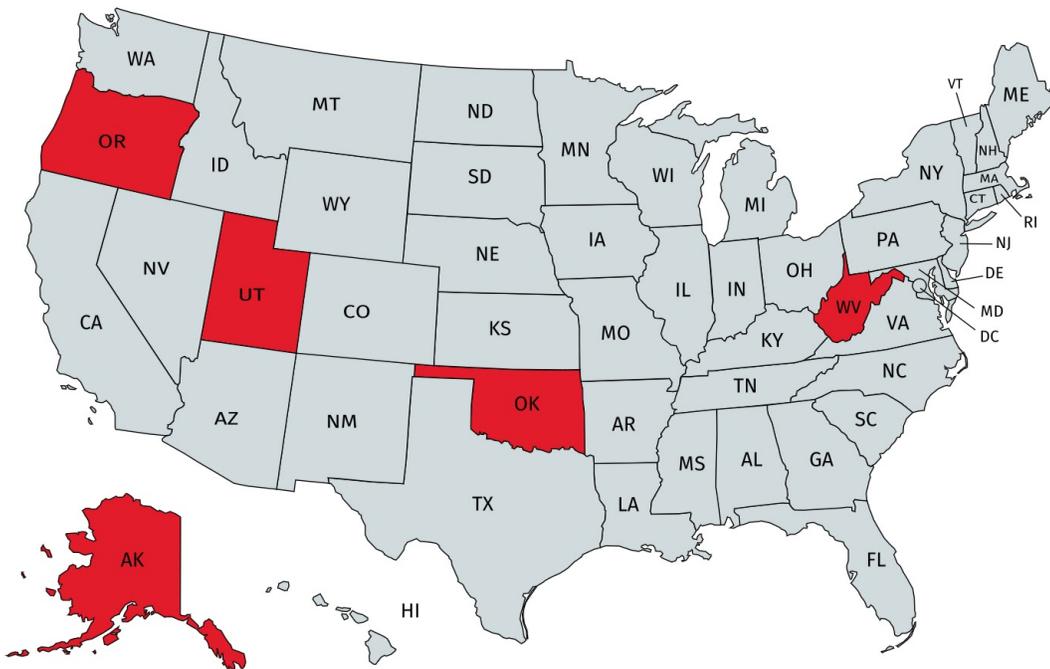
- What law enforcement measurements is the state taking against police brutality accusations?



- What are the state's population's sociocultural aspects/ideologies and how do they influence the current situation?
- How has the “black lives matter” movement contributed to the state's position regarding this matter ?
- What strategies is the state implementing for diminishing police brutality cases?
- Which is the state's proposal for addressing this matter efficiently in both a short and long term commitment?

III. Geographical and Time Frame

This map shows the states that have been more affected by the problem.



In the United States, African Americans are most likely to be at a higher risk of being killed by a police officer rather than white people. California, Texas and Florida are the states in which most of the victims of police brutality are black. However this violence is not only against black people, places like Utah, Alaska, Oregon, West Virginia and Oklahoma have the highest number of killings of both white and black people.



IV. Historical Framework

The Great Migration of African Americans in 1915, started interactions between the police and the communities they formed. During World War II, people started to resist against slavery and started to claim their rights. Black people continue to experience racism because most of the white citizens developed a sense of fear against them and ensured that they had a criminal behavior which led to restrictions established against the African Americans. The racist ideologies in the United States go way back to around 1619 when a Dutch ship brought 20 African slaver ashore at the, in that moment, British Colony of Jamestown, Virginia. After that event, African slavery spread extremely fast among the country. Numbers are not precise but several historians estimate an approximate of 7 million enslaved African people imported to the New World during the 18th century alone.

After the Civil War (1861-1865) the racist legacy of slavery persisted provoking a number of resistance movements by the afro american community such as the Montgomery Bus Boycott, the Selma to Montgomery March, and the well known Black Lives Matter Movement.

This are some events that had lead us to this reality:

- **Watts Riots of 1965 followed by the violent arrest of Marquette Frye**

This riots followed the arrest of the African American man Marquette Frye by an officer that suspected he was driving while intoxicated. In this riots, a lot of people got injured and 34 were killed. Speaking of the economy loss, a lot of property was destroyed and the city had to pay for it.

- **Detroit Riot of 1967**

This riot started by a police raid at a drinking club where lots were arrested. In this event, 43 people died, many were injured, buildings got burned and there was a great amount of property vandalized.



- **Miami Riots of 1980**

The riot started because the police forces killed Arthur McDuffie, a former Marine and insurance agent, in a really violent way and then tried to pretend it as an accident. Because of it, 18 people died, a lot were arrested and some were injured as well. This caused a major loss in terms of economy because of all the destruction that was made.

- **Los Angeles Riot of 1992**

This riots were the consequence of Rodney King, an African American taxi driver, who was beaten by 4 Los Angeles policemen. There was a lot of damage in the cittern and it was a really devastating situation for the country.

- **Black Lives Matter**

A movement caused by the death of Trayvon Martin a young student who was shot by George Zimmerman a police officer. Zimmerman reported the police that he looked suspicious, then followed him against police orders and shot him. It started as a social media movement but then it expanded to a worldwide organization which fights the racial violence towards the Black communities, their goal is to get rid of the white superiority and get Black people more involved in the community.

- **Riots caused by George Floyd's death**

The police killed George Floyd for supposedly using fake money to pay cigarettes. The phrase "I can't breath" said by the man while being suffocated, became controversial. This resulted in some big riots around the world.

V. Power Relations and Strategic Alliances

The U.S Democrats proposed sweeping a legislation for the reformation of the American police after analyzing the situation. The Amnesty Organization is contributing on making all people's rights being respected. The Human Rights Council is calling to take action against all of this violence and to make human rights heard and respected.



VI. Economic Aspects

Police brutality is not only affecting the people who are victims of this abuses, it affects the entire country speaking of economy. Communities end up paying for this actions as well as they pay for all the damage that the riots cause. It is almost impossible to prosecute a police officer because of the “Qualified Immunity” doctrine that is held to protect them. The police has the right to shoot and kill anyone if they think it’s necessary, and to use violence against anyone who might seem a threat. This means that they can use deadly force if they consider it necessary and they will be backed by a law that justifies it.

The city ends up paying for those police cases so that they can be banned and the officers won’t be blamed. The country keeps protecting them with the doctrine of Qualified Immunity. For example in New York City they have reached 27.3 million dollars by police actions.

VII. Legal Aspects

The following laws cover the actions of state, county and local officers, taking into account those those who work in jails and prisons. Many laws also apply to Federal law enforcement officers, this are meant to protect all people in the United States of America, citizens and non-citizens equally (Justice Government, 2019).

1. “Police Misconduct Provision”.

This law makes it felonious for State or local law enforcement officers to take part in an exercise that dispossesses a person of their rights established by the Constitution or laws of the US. (34 U.S.C § 12601). Conducts covered by this provision imply: use of excessive force, discriminatory harassment, coercive sexual conduct, false arrests, and unlawful stops, searches and arrests.

2. Title VI of the Civil Rights Act of 1964 and the “OJP Program Statute”

Joined, this laws forbids discrimination because of race, color, national origin, religion, and sex by State and local law enforcement agencies that get financial aid from



DOJ. (42 U.S.C. § 2000d, et seq. and 34 U.S.C. § 10228). This law covers the misconducts of: harassment or use of racial slurs, discriminatory traffic stops, use of force and arrests, denial by the agency for addressing complaints stating discriminatory treatment by its officers, coercive sexual conduct, and reprisals for participation on an investigation and/or filling a complaint with DOJ.

3. Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973

This previous law forbids any kind of discrimination against people on the basis of disability or even because they are associated with a disabled person, by all State and local programs, activities, and services conducted by Federal and law enforcement agencies, not taking into account if they receive financial aid from DOJ. The established protects everyone with any sort of disability in the United States of America (citizen or non-citizen), considering “disability” any physical or mental damage that limits their major life activities.

VIII. Sociocultural Aspects

The United States of America has a very long history of racism, not only towards the Afro American community, but rather to almost every minority that comes into the nation seeking protection and a better future.

A thorough review of the US history would reveal the tendency of tense relations between the minority and the police to be a frequent phenomenon, and the main source of this tension would definitely be political and social marginality of the minorities. This has created a culture of intolerance among the white population that somehow got to be silenced but not at all eradicated.



IX. Quorum General Positions

A. Democrat: Michael Bennet- Colorado, Richard J. Durbin- Illinois, Amy Klobuchar- Minnesota, Ed Markey- Massachusetts, Martin Heinrich- New Mexico, Dianne Feinstein- California, Maria Cantwell- Washington, Jacky Rosen- Nevada, Jeff Merkley- Oregon.

B. Republican: Tim Scott- South Carolina, Marco Rubio- Florida, James Inhofe- Oklahoma, Ted Cruz- Texas, Tom Cotton- Arkansas, Shelley Moore Capito- West Virginia, Martha McSally- Arizona, Kelly Loeffler- Georgia, Marsha Blackburn- Tennessee, Lisa Murkowski- Alaska, Roy Blunt- Missouri.

X. Sustainable Development Goals

1. Reduced Inequalities (number 10)

One of UN main focuses for the future 2030 is the reduction of inequalities within and among the member countries. The UN acknowledges the previously stated to result integral in the fulfillment of the other 16 SDGs, because despite of having noticed several positive signs across the globe regarding the decrease of inequalities, such as reducing relative income inequality in some countries and preferential trade status benefiting lower-income countries, inequality has not stopped persisting. Vulnerable populations all over the world suffer from deep inequalities regarding their human rights. Refugees, immigrants, and indigenous people alongside plenty other groups are threatened to be left behind with the increments of hate speeches targeting this vulnerable groups. COVID-19 pandemic did not only test global health systems, but rather tested the world's common humanity as well, "Now is the time to stand by our commitment to leave no one behind" UN Secretary-General stated.



2. Peace, Justice and Strong Institutions (number 16)

Facts and figures from the UN states that among the institutions most affected by corruption are the judiciary and police, also topics such as previously mentioned, bribery, theft and tax evasion cost developing countries about US \$1.26 trillion. In that matter the UN recognizes the importance of promoting just, peaceful and inclusive societies at the head of each member country, and expects to eradicate in a way the threat that conflict, insecurity, weak institutions and limited access to justice imply to the sustainable development. The UN Secretary-General established that “The best response is the one that responds proportionately to immediate threats while protecting human rights and the rule of law”, and urged governments to be transparent, responsive and accountable for their actions as a nation.

Topic B: Presence of the ICE on Sanctuary Cities.

I. Brief Information on the Topic

The United States immigration and Customs Enforcement (ICE) was created in 2003 to act as a merger between two institutions, the investigative and interior enforcement elements of the former U.S. Customs Service and the Immigration and Naturalization Service. The agency's budget currently is destined to three main operational directorates: Homeland Security Investigators (HSI), Enforcement and Removal Operations (ERO), and Office of the Principal Legal Advisor (OPLA).

HSI's work is to conduct transnational criminal investigations in order to protect the United States from threats to national security and bring justice to those who seek to exploit the customs and immigration laws of the country worldwide. ERO, in the other hand, is in charge of managing every aspect of the immigration enforcement procedure, which includes the identification and arrest, detention, domestic transportation, bond management, supervised release, and alternatives to detention. Finally, OPLA's duty is to provide a full and extensive



range of legal advice to every program and office of ICE, also providing prudential counsel to ICE personnel (ICE.gov, 2020).

“Sanctuary cities” or also, and more correctly called, “safe cities” are cities, counties, or even states that limit their cooperation with ICE’s agents in order to try to do four main things: prioritize local law enforcement resources, ensure immigrants are not afraid in any shape or form of communicating with the police, focus the target on immigrants that have indeed committed serious crimes, and most importantly, follow the constitution. Therefore, the presence of ICE in this cities becomes a very extensive topic, because it involves political parties and requires a very good study of the constitution to know for sure to what extent ICE’s presence is justified. The presence of ICE can be unconstitutional depending on the work the police does regarding the case, and should be studied profoundly.

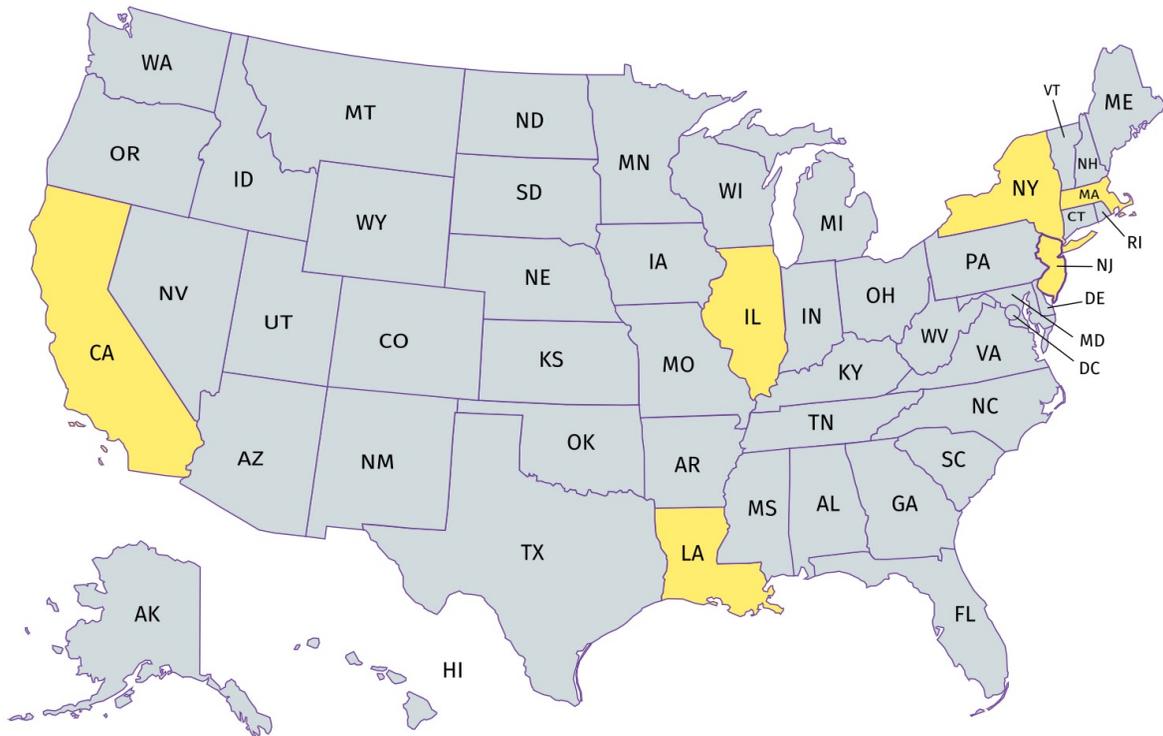
II. Guiding Questions

- Which is the state’s position regarding the employment by the government of sanctuary cities across the U.S.?
- Which is the state's procedure and status on an immigrant who has only been charged with a minor crime?
- In which cases can ICE get involved in the prosecution of an immigrant according to the state?
- What is the state's population and government main position regarding immigration?
- What is the state’s proposal to make the presence of ICE in sanctuary cities and every city fully constitutional?



III. Geographical and Time Frame

This map shows 6 of the places that are more affected by this problematic.



Places like San Francisco, Los Ángeles, New Orleans, Newark, Chicago, New York City and Boston are sanctuary places that have been more affected by the presence of ICE. Most of the illegal immigrants in the country are located in metro areas.

IV. Historical Framework

At first, ICE was handled by the department of labor, which made it easy for immigrants to get a job in the country. Then it got handled by the department of justice, which focused on law enforcement and protected immigrants. And now it is part of the department of homeland security, an agency that was created for terrorism prevention and to protect against it. This is what has led to all the discrimination against them.

This are some events that have led to the current situation.



- **Caravan of Hondurans (October 13, 2018)**

A group of Hondurans that were seeking for a better life far from their country started a caravan to immigrate to the United States through Mexico , which angered the U.S. government. Mexico asked the ONU for support against those immigrants that were trying to cross the board.

- **Second Caravan of Hondurans (October 21, 2018)**

A second group of Honduran and Guatemalan immigrants left South America in seek of a better life, which was a good reason for the U.S government to take action.

- **Caravan of Hondurans (January 14, 2019)**

People from El Salvador, Honduras and Guatemala immigrated on a massive caravan to the United States, which resulted in a big chaos for Trump's government.

- **Reduction of refugee admissions**

Trump's administration reduced the number of refugee admissions in 2019 from 110,000 to 50,000 and it is planning to reduce it more.

- **The creation of a less welcoming and racist country**

Today's government has been making a great job in giving the country bad advice on the current situation against illegal immigrants. They have created fear in some of the citizens about immigrants being violent and criminals, which makes them support the idea of getting them out of the country.

V. Power Relations and Strategic Alliances

Organizations like the American Friends Service Committee, support the cause against ICE deportations and their bad behavior toward the immigrants. Some schools have been really supportive at the situation and they respect the right of every person to receive education, even if they are immigrants. Since this deportation problem started, many parents have been scared of going out of their homes and taking their kids to school for the fear of being found by the immigration authorities. Also, that's why social services has been supportive and they've ensured that illegal immigrants can access them without the fear of being deported.



VI. Economic Aspects

Deporting immigrants has also had bad consequences for the country economically speaking. Studies show that approximately 8 million of illegal immigrants take part in the country's labor force. They contribute as much as the citizens to the country's economy.

Undocumented workers give the country 11.6 billion dollars on taxes per year. Without them, the country would be seriously affected.

VII. Legal Aspects

Bills have been introduced in the Congress with the purpose of modifying the requirements on cities concerning the sharing of information often related to immigration with the federal government.

Several bills attempted to limit either formal or informal sanctuary policies and induce the sharing of information about immigration by authorities. Bills were also introduced to restrict or amplify the place information sharing requirements.

VIII. Sociocultural Aspects

The government of the United States has changed a lot since President Donald Trump got into power. A big mass of discrimination has developed around the country impulsed by the president's ideologies. Behind this influence, there is someone giving questionable advice to the president, Stephen Miller, expressing the beliefs that he has against all the immigrants in the United States.

This anti-immigrant beliefs and advices have led the country toward a discriminating and unwelcoming place that does not respect all the people's rights. The country has become an unrecognizable place full of discrimination, fear and violence according to the U.S society.



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X. Sustainable Development Goals (SDGs)

1. Reduced Inequalities (number 10)

The decreasement of inequalities within and among the member countries is a very important priority for the United Nations, in this matter the organization recognizes that even with all the effort member countries have made it has not been enough for the eradication of inequality regarding and disregarding the governmental systems. Immigrants, especially in this topic, are a very good portrayal of this previously mentioned inequalities and a UN target is to finally put them to rest.

2. Peace, Justice and Strong Institutions (number 16)

The United Nations acknowledges the importance of promoting just, peaceful and strong institutions in order to eliminate this issues such as the current one discussed by this committee. Unconstitutional practices by government institutions, are expected to do not form any part of the peaceful development in the future 2030.



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