**Sample Ordinance in Support of SB 54 and**

**Adopting Strong Local Protections for Immigrants**

**ORDINANCE OF THE CITY COUNCIL OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, CALIFORNIA**

 **ORDINANCE NO.** \_\_\_\_\_\_\_\_\_\_\_

An Ordinance to amend all provisions of the XXXX Municipal Code, Rules and Regulations including the operational and administrative manual of the XXXX Police Department to conform to California Senate Bill 54, entitled the California Values Act, which went into effect January 4, 2018. SB 54 amends relevant provisions of the California Government and Health and Safety Codes to preserve public safety and ensure effective policing by creating a clear line between local law enforcement and federal immigration enforcement agencies which will ensure that city services remain accessible to all residents, regardless of immigration status.

**THE CITY COUNCIL OF THE CITY OF XXXX DOES ORDAIN AS FOLLOWS**

**SECTION 1. The City Council of the city of XXXX hereby finds, determines, and declares as follows:**

**Findings and Determinations.**

1. The City of XXXX has long embraced and welcomed individuals of diverse racial, ethnic, religious, and national backgrounds.
2. The City of XXXX welcomes, honors, and respects the contributions of all of its residents, regardless of their immigration status.
3. Immigrants and their families in the City of XXXX contribute to the economic and social fabric of the City by establishing and patronizing businesses, participating in the arts and culture, and achieving significant educational accomplishments.
4. The City of XXXX is committed to public safety and understands that our communities are most safe when we know our neighbors, when we can protect our neighbors, and when neighbors have access to the services they need to feel safe.
5. Fostering a relationship of trust, respect, and open communication between City officials and residents is essential to the City’s mission of delivering efficient public services in partnership with our community, which ensures public safety, a prosperous economic environment, opportunities for our youth, and a high quality of life for all residents.
6. The City of XXXX seeks to continue to foster trust between City officials and residents to protect limited local resources, to encourage cooperation between residents and City officials, including law enforcement officers and employees, and to ensure public safety and due process for all.
7. The California Values Act (“SB 54”) prevents state and local law enforcement resources from being commandeered by the federal government and diverted to tear families apart and violate due process rights.
8. Our community refuses to use our limited resources to detain and deport mothers and fathers, children, neighbors, co-workers and friends. Instead, the City of XXXX stands with our immigrant community members.
9. Whereas, the City of XXX values the contributions made by all members of our community. We embrace the philosophy of inclusion, and proudly defend the rights of immigrants.

**SECTION 2. The City Council of the City of XXXX hereby finds, determines, and declares as follows:**

**Protection of Residents’ Personal Information.** In order to ensure that eligible individuals are not deterred from seeking services or engaging with City departments, agencies, or commissions, all City departments, agencies, or commissions shall review their confidentiality policies and identify any changes necessary to ensure that information collected from individuals is limited to that necessary to perform their duties and is not used or disclosed for any other purpose. It shall be the policy of all City departments, agencies, and commissions not to provide release dates or personal information about any individual to any entity or official, including but not limited to any state or federal government agency or official if the information will or could be used for immigration enforcement purposes, unless required by state or federal law. Personal information is defined by Section 1798.3 of the California Civil Code to include “any information that is maintained by an agency that identifies or describes an individual, including, but not limited to, his or her name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history. It includes statements made by, or attributed to, the individual.”

Notwithstanding the above, and consistent with Sections 1373 and 1644 of Title 8 of the United States Code, nothing in this Section, requires, prohibits or restricts any government entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of any individual, or from maintaining or exchanging information regarding the immigration status, lawful or unlawful, of any individual, with any other federal, state, or local government entity. This Section does not alter any existing confidentiality policies of the City.

**SECTION 3.** **The City Council of the City of XXXX hereby finds, determines, and declares as follows:**

**Restriction on Use of City Law Enforcement Resources.** The City shall adopt a policy affirming its commitment to bias-free policing and prohibiting the use of any XXXX Police Department monies, facilities, property, equipment or personnel for the following:

1. Immigration enforcement, including but not limited to: (1) Identifying, investigating, arresting, detaining or assisting in the identification, investigation, arrest or detention of any person on the basis of a suspected violation of immigration law; (2) Responding to any civil immigration warrant or request to detain, transfer or notify federal authorities about the release of any individual for immigration purposes; (3) Making individuals in City custody available to federal immigration authorities for interviews for immigration enforcement purposes; and (4) Providing personal information about any individual, including, but not limited to, information about the person’s release date, home address, or work address, for immigration enforcement purposes, including by providing access to City databases, except where required by state or federal law.
2. Enforcement of any federal program requiring the registration of individuals on the basis of religious affiliation, or national or ethnic origin.
3. Notwithstanding the above, and consistent with Sections 1373 and 1644 of Title 8 of the United States Code, nothing in this Section, requires, prohibits or restricts any government entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of any individual, or from maintaining or exchanging information regarding the immigration status, lawful or unlawful, of any individual, with any other federal, state, or local government entity.

**SECTION 4.** **The City Council of the City of XXXX hereby finds, determines, and declares as follows:**

**Training and Oversight**. To ensure meaningful implementation, the City will:

1. Develop a plan for dissemination of the policies described in Sections 2-3 above and appropriate training to ensure all relevant officers, employees and agents of the City understand their responsibilities.
2. Appoint a commission composed of directly impacted individuals from the community and their advocates, which will: (1) advise the City on implementation of Sections 2-3 above; (2) monitor the City’s activities on the matters described in Sections 2-3 above; and (3) provide input on an accountability mechanism for resolving complaints of any violation of the policies described in Sections 2-3.

**SECTION 5. The City Council of the City of XXXX hereby finds, determines, and declares as follows:**

**Defense of Sanctuary Designation.** The City will resist any improper effort by the federal government to withhold or withdraw federal funding as a result of the City’s policies to protect and defend its residents, including immigrants and members of religious minorities. The City also will file or join amicus briefs in support of the California Values Act, SB 54 and other state laws that protect our immigrant residents.