



TOWN OF FAIRFAX
STAFF REPORT
June 7, 2017

TO: Mayor and Council
FROM: Garrett Toy, Town Manager *GT*
SUBJECT: Adopt a resolution in support of SB 54, which would prohibit California law enforcement from cooperating with federal immigration authorities

RECOMMENDATION

Adopt the Resolution.

DISCUSSION

Mayor Reed asked that this item be added to the agenda for the Council's consideration. The California League of Cities has taken a "watch" position on this bill, which they summarize as follows:

"Existing law provides that when there is reason to believe that a person arrested for a violation of specified controlled substance provisions may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters. This bill would repeal those provisions. This bill contains other related provisions and other existing laws."

FISCAL IMPACT

N/A.

ATTACHMENTS

Resolution and cover letter

AGENDA ITEM # 10

RESOLUTION 17 - ____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
IN SUPPORT OF CALIFORNIA STATE SENATE BILL 54, (DE LÉON) THE CALIFORNIA
VALUES ACT, TO LIMIT STATE AND LOCAL LAW ENFORCEMENT'S ENTANGLEMENT
WITH FEDERAL IMMIGRATION ENFORCEMENT**

WHEREAS, on December 7, 2016, California Senate Pro Tem Kevin De León introduced California State Senate Bill 54 (SB 54), titled the California Values Act, to disentangle state and local resources from federal immigration enforcement; require state agencies to review their confidentiality policies to ensure the privacy of individuals seeking services, and ensure that schools, hospitals, and courthouses remain safe and accessible to all California residents, regardless of immigration status; and

WHEREAS, The California Values Act would, if passed, set an example for states throughout the country about how states can limit use of and disentangle scarce local and state resources from federal immigration enforcement; and

WHEREAS, There has been a growing backlash against immigrants in the United States, stoked by Donald Trump and members of his Cabinet and advisory staff; and

WHEREAS, Throughout the 2016 presidential election cycle, Trump consistently demonized immigrant, both documented and undocumented, and Mexican communities with promises to "build a wall" on the U.S.-Mexico border and engage in mass deportations; and

WHEREAS, On January 25, 2017, Trump released an Executive Order titled "Enhancing Public Safety in the Interior of the United States," which, among other things, threatens to cut funding to Sanctuary Cities, attempts to increase local law enforcement's collaboration with ICE by reviving the controversial and now-defunct Secure Communities Program (S-Comm), and vastly expands the priorities for deportation; and

WHEREAS, S-Comm was terminated in 2014 after then-Department of Homeland Security Secretary Jeh Johnson recognized that the program "attracted a great deal of criticism" and that "its very name [became] a symbol for general hostility toward the enforcement of ... immigration laws" from government leaders, community members, and courts alike; and

WHEREAS, Community groups, including advocates for survivors of domestic violence, have expressed serious concerns that entanglement of local law enforcement with ICE further isolates survivors and will damage community trust and confidence in local law enforcement, and even crime victims and witnesses may consider themselves "priorities" for deportation; and

WHEREAS, Community trust and confidence in local law enforcement and related public health and safety agencies, including the Public Health and Fire Department, helps keep our communities safe by making sure that all residents, regardless of immigration status, feel

comfortable calling the Police and Fire Departments during emergencies and cooperating with City agencies during public safety situations, and helps keep our communities healthy by making sure that all residents, regardless of immigration status, feel comfortable accessing public health services and benefit programs;

NOW, THEREFORE, BE IT HERBY RESOLVED, that the Town Council of the Town of Fairfax urges the California State Legislature and the Governor to pass the California Values Act (SB 54); and,

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the Governor of California, the California State Senate, and the California State Assembly.

The foregoing Resolution was duly passed and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 7th day of June 2017 by the following vote to wit:

AYES:
NOES:
ABSENT:

John Reed, Mayor

Attest:

Michele Gardner, Town Clerk

[date]

The Honorable Kevin De León
Senate President Pro Tempore
State Capitol, Room 205
Sacramento, CA 95814-4900

RE: SB 54 (DE LÉON) - As Amended Mary 29, 2017- SUPPORT

Dear Senator De León:

On behalf of the Fairfax Town Council, I am writing in support of SB 54 (De León), the California Values Act.

Your bill will protect the safety and well-being of all Californians by preventing the use of state and local public resources to aid federal Immigration and Customs Enforcement (ICE) agents in deportation actions. Recent amendments to the act create important new exceptions to allow state and local law enforcement agencies to notify ICE before a felon convicted of a serious or violent crime is released from prison or jail.

California has a rich and diverse population. According to the Migration Policy Institute, California is home to more than 10.3 million immigrants. A public policy Institute of California report states that more than two million immigrants in the state are undocumented. Marin County alone is estimated to have about 16,000 undocumented immigrants, and an immigrant population of 50,000 overall. Immigrants, whether here legally or not, live in our neighborhoods, raise their children among us, and contribute to our local economy.

A relationship of trust between California's immigrant residents and our state and local governments is essential to carrying out basic state and local functions. That relationship is threatened when state and local agencies meddle in federal immigration enforcement. We agree that its necessary to evaluate the appropriate use of state and local resources for immigration purposes and to recognize the devastating impact that deportations will have on our county with thousands of mixed status families and a disproportionately immigrant workforce.

The California Values Act will safeguard the well-being of all Californians by prohibiting state and local law enforcement agencies from engaging in immigration enforcement, ensuring that eligible individuals are not deterred from seeking services from state and local agencies, and making certain that California's schools, healthcare facilities and courthouses will remain safe

and accessible to all California residents regardless of immigration status. Recent amendments strike an appropriate balance and respect for the concerns of law enforcement, which protects everyone in our communities regardless of immigration status but which also wants to ensure that our communities are not exposed to those convicted of serious or violent felonies.

For these reasons, the Fairfax Town Council is in support of SB 54.

Thank you for your time and consideration.

Respectfully submitted,

John Reed
Mayor of Fairfax

cc: The Honorable Mike McGuire
California State Senate
State Capitol, Room 5061
Sacramento, CA 95814

The Honorable Marc Levine
California State Assembly
State Capitol, Room 5135
Sacramento, CA 94249-0010