

MOTION

CIVIL RIGHTS, EQUITY, AGING & DISABILITY

The City of Los Angeles is home to more than 1.35 million immigrants, comprising over 34 percent of the city's population. A majority of school children in the Los Angeles metro area, including both U.S. citizens and non-citizens, have at least one immigrant parent. Immigrants are a vital part of the city's labor force and an integral part of Los Angeles' diverse communities. Yet a significant number of these community members live in fear of being apprehended, detained, and deported by federal immigration authorities.

The City has affirmed its commitment to supporting its immigrant communities several times over the past years, including via Mayor Garcetti's Executive Directive 20 to limit the City's entanglement with federal immigration authorities, a City Council resolution declaring Los Angeles a "City of Sanctuary" (C.F. 17-1040), the City's investment in the Los Angeles Justice Fund to provide legal assistance to residents facing deportation, and the decision to provide emergency financial assistance to families in need during the pandemic, regardless of their immigration status.

Nevertheless, the vast discretionary powers of federal immigration agents to conduct enforcement operations continue to threaten the safety of the City's immigrant communities. And federal authorities will likely continue to push the City to cooperate in immigration enforcement. At the U.S. Conference of Mayors last year, Department of Homeland Security Secretary Alejandro Mayorkas asked local jurisdictions to reconsider their positions of non-cooperation and to begin to work with U.S. Immigration and Customs Enforcement (ICE).

The City's current relationship with federal immigration agencies is shaped by Executive Directive 20 and LAPD's internal policies. While these policies limit the City's cooperation with federal immigration enforcement, neither are permanently enshrined into local municipal law. In addition, these existing policies still allow ICE officers to access City jails to interrogate people in LAPD custody, and, under certain circumstances, LAPD officers are permitted to transfer individuals to ICE custody, even when judicial warrants are not issued. Under these policies, even minor traffic violations have led to transfers into ICE custody for individuals with prior convictions.¹

The City also lacks robust policies limiting direct and indirect data sharing with federal immigration authorities and private companies that work with federal immigration authorities. This lack of protections allows for significant exposure of City residents and their data to immigration agencies, undermining the City's commitment to protecting immigrants and their families from immigration enforcement.

I THEREFORE MOVE that the City Council request the City Attorney to prepare and present a draft ordinance within 60 days to prohibit, to the extent permissible by law, any City resources, property, or personnel from being utilized for any federal immigration enforcement or to cooperate with federal immigration authorities in the execution of their duties connected to federal immigration enforcement. The ordinance should, to the extent permissible by law, specifically prohibit, among other activities:

- Inquiring into or collecting information about an individual's immigration or citizenship status or place of birth unless required to provide a City service, for the sole purpose of assisting a person in matters relating to their immigration status, or as required for employment purposes;
- Investigating, interrogating, detaining, arresting, transferring or refusing to release persons for

¹ Chief of Police, *Immigration Enforcement, Task Force Reporting Requirements And Department Operations*, Jan. 30, 2019, https://www.lapdpolice.com.lacity.org/030519/BPC_19-0060.pdf, p. 18.

PK

MAR 07 2023

immigration enforcement purposes;

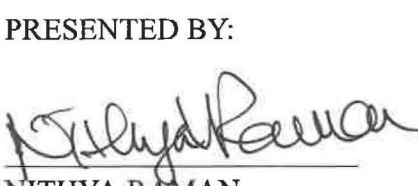
- Responding to any civil immigration warrant or request to detain, transfer, or notify federal authorities about the release of any individual for immigration purposes;
- Providing immigration authorities access to any non-public areas, including jails, without a valid search or arrest warrant issued by a federal district judge or magistrate;
- Making individuals in City custody available to federal immigration authorities for interviews for immigration enforcement purposes;
- Participating in any immigration enforcement operation or joint operation or patrol that involves, in whole or in part, immigration enforcement; and
- Providing access to City databases or to any individual's personal information or other data to federal immigration authorities, or providing access to City databases or to any individual's personal information or other data to any other entities for immigration enforcement purposes.

I FURTHER MOVE that the City Council direct the Chief Legislative Analyst, with the assistance of any other City departments, as needed, to report back within 60 days with recommendations for an addendum to this ordinance which would prevent the City from entering into a new, amended, or extended contracts or agreements with any person or entity that provides immigration authorities with any data broker, data-mining, or "extreme vetting" services connected to immigration enforcement, unless a waiver is granted.

I FURTHER MOVE that the City Council direct the Civil + Human Rights and Equity Department (CHRED), with the assistance of any other City departments, as needed, to report back within 90 days with recommendations for reviewing compliance with this ordinance on an ongoing basis, including how City departments addressed any incidents of violations of the ordinance that were brought to their attention. These recommendations should include any resources and/or staffing needed to effectuate these responsibilities.

I FURTHER MOVE that the City Council direct the Civil + Human Rights and Equity Department (CHRED) to work with all City departments, agencies, commissions, and offices to report back to Council on a semi-annual basis with a Compliance Monitoring Report which aggregates in writing all requests for assistance received by the City from immigration authorities, including but not limited to requests for immigration detainers, transfers, interviews, interrogations, notifications, or non-publicly available information about any individual, and how any such requests were responded to.

PRESENTED BY:



NITHYA RAMAN
Councilmember, 4th District



EUNISSES HERNANDEZ
Councilmember, 1st District



HUGO SOTO-MARTÍNEZ
Councilmember, 13th District

ORIGINAL

SECONDED BY:

