

RESOLUTION FOR A DIVERSE, SUPPORTIVE, INCLUSIVE AND PROTECTIVE COMMUNITY
IMMIGRATION POLICY RECOMMENDATIONS

Dear Commissioners:

This is written as background to our discussion of agenda item 2, Thursday, November 9.

The ad-hoc subcommittee working on the Council Resolution prioritized immigration as a policy area. The end goal has been to draft a recommendation to Council to affirm SB54, Law enforcement: sharing data, or to enhance its provisions locally. Since the ad-hoc subcommittee met, SB31, the Religious Freedom Act, has been approved by the Governor and may merit consideration and inclusion in HRC's recommendation to Council. To prepare that recommendation, the ad-hoc subcommittee proposed to

- Monitor and assess SB 54, (including Chpt. 17.25, California Values Act) which curtails the use of resources to allow mass deportations that separate families; keeps schools, hospitals, court houses safe and accessible and is aligned with the city's legislative priority to oppose attempts to undermine rights of any group, whether by federal government; or by coercing states or local government; or by weakening existing laws and enforcement thereof against harassment, discrimination, and hate crimes
- Refer SB54 to City Attorney to identify elements of PA Code, which need strengthening to be in compliance
- Examine best practices in local law enforcement statutes with sources such as the Federal & State Legislative Advocacy Task Force

To guide the HRC in its understanding and assessment of SB54 and SB 31, a City Attorney has agreed to give a briefing to the full HRC and has requested that the HRC provide its questions in advance. The agenda item for November 9 is to develop those questions. As a full Commission, we will prepare questions, which we would like to have addressed. The table below is offered as a starting point.

Commissioners are referred to the two pieces of legislation:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB54

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB31

Regards,

Valerie Stinger, Chair

DISCUSSION OBJECTIVE	QUESTIONS
What adjustments, if any, in policy and practice would be required to comply with SB54 in Palo Alto?	What language exists, or is language needed, to prohibit Palo Alto from detaining, relocating or interning individuals on the basis of religion, national origin or ethnicity and not enforce federal civil immigration laws?
Are there protections, which could be strengthened or added to SB54, to better protect undocumented (or documented?) communities?	Does language exist to prohibit making immigration status a condition for receiving City benefits, opportunities, or services? Are protections provided in Palo Alto specific and consistent with neighboring cities, such as Mountain View, and Santa Clara county?
What adjustments, if any, in policy and practice would be required to comply with SB31 in Palo Alto?	Does language exist or is language needed to prohibit Palo Alto from contributing to identity-based registries?
Are there protections, which could be strengthened or added to SB31, to better protect religious communities?	Are protections provided in Palo Alto specific and consistent with neighboring cities, such as Mountain View, and Santa Clara county?

Notes:

The City of Mountain View adopted this language on October 24, 2017. “The City of Mountain View does not use resources to create, implement, provide investigation or information for enforcement, or otherwise assist or support any government program requiring the registration of individuals, creation of a database of individuals, and/or detention relocation or internment of individuals on the basis of religion, national origin, or ethnicity.” And: “It is neither the City of Mountain View’s mission nor role to enforce federal immigration laws. Members of the City’s Police Department will not detain or arrest any person on the basis of a person’s citizenship or status under civil immigration laws.” City of Mountain View Media Release. October 26, 2017

Further staff was directed “to implement five action items, which include prohibiting City staff from requiring anyone to report their immigration status before providing City services, benefits or opportunities unless required by law; review all City policies to make sure information collected is limited; remove questions regarding immigration status from all City forms and applications unless required by law; make information about the City’s immigration policies easy to access and readily available; allow the use of country of origin documents for identification instead of requiring a U.S. driver’s license or identification card.” City of Mountain View Media Release. October 26, 2017