



RESOLUTION TO SAFEGUARD THE CIVIL RIGHTS, SAFETY AND DIGNITY OF ALL SANTA ROSA RESIDENTS

City Council Meeting
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Teresa Stricker, Interim City Attorney
Erin Morris, City Manager Fellow
Linda Ross, Renne Sloan Holtzman Sakai LLP

BACKGROUND

- On January 31, 2017, the Council voted unanimously to consider at a future meeting a resolution declaring Santa Rosa as a welcoming city, non-cooperative city, or sanctuary city. The mayor has proposed a resolution adopting a policy “to safeguard the civil rights, safety and dignity of all Santa Rosa Residents.”

BACKGROUND

- In an effort to promote public health and safety, some cities have adopted policies to encourage undocumented individuals to access city services and report crime. The rationale is that the entire community is safer as a result. Such cities sometimes call themselves “sanctuary cities.”

BACKGROUND

The policies adopted by such cities often include:

- Not requiring proof of legal immigration status to access city services,
- Not questioning crime victims and witnesses about their immigration status, and
- Limiting the city's cooperation with federal authorities in the enforcement of federal immigration law.

RECENT FEDERAL ACTIONS

- January 25th Executive Order
 - “Sanctuary Jurisdictions” are not eligible to receive Federal Grants, except as deemed necessary for law enforcement purposes
 - Secretary of Homeland Security given authority to designate a jurisdiction as a “sanctuary jurisdiction”
 - Office of Management and Budget to review current grant money received by “sanctuary jurisdictions”

SB 54

- Proposed “California Values Act” would
 - Repeal state requirement that arresting agencies report immigration information to federal immigration authorities
 - Generally prohibit state and local law enforcement agencies from participating in enforcement of federal immigration laws
 - Prohibit detaining an individual based on immigration hold
 - Not restrict any governmental entity or official from communicating information to federal immigration authorities

San Francisco Lawsuit

- Challenges Executive Order
 - Seeks declaration that San Francisco is in compliance with federal law prohibiting restrictions on communications with federal immigration authorities
 - Seeks declaration that federal law is unconstitutional

Limits on Withholding of Federal Funding

U.S. Supreme Court has placed limits on the Federal government's ability to withhold Federal funding:

- Unambiguous
- Nexus
- Not Coercive

Federal Grants

City Operating Expenditures FY 15-16

Federal funding comprised 5.46% of City's operating budget in FY 15-16

Total City Operating Expenditures: \$461,326,654

Federally Funded Operating Expenditures: \$25,183,411

Federal funding comprised 1.6% of the City's Capital Improvement Program budget

CIP Expenditures: \$27,196,435

Federal Expenditures: \$435,129

Federal Grants

Operating Expenditures FY 15-16 - Breakdown

Public Safety Expenditures

Police Total: \$48,933,275

Federal Funds: \$384,675

Percentage: 0.79%

Fire Total: \$34,420,385

Federal Funds: \$754,742

Percentage: 2.19%

Federal Grants

Operating Expenditures FY 15-16 Breakdown

Transit Operations Expenditures:	\$14,674,910
Federal Funds:	\$2,113,639
Percentage:	<u>14.40%</u>

Housing Authority Expenditures:	\$25,178,669
Federal Funds:	\$21,930,355
Percentage:	<u>87.10%</u>

CIP Fund Expenditures:	\$27,196,435
Federal Funds:	\$435,129
Percentage:	<u>1.6%</u>

Police Department Policy

Police Department Policy 428

- Immigration status of individuals alone is not a matter for police action
- The Department does not conduct immigration “sweeps”
- All individuals, regardless of their immigration status, must feel secure that contacting law enforcement during times of crisis or to report suspicious or criminal activities will not make them vulnerable to deportation

RECOMMENDATION

Staff recommends that the Council consider whether to adopt, by resolution, a “Welcoming City” policy entitled “Resolution to safeguard the civil rights, safety and dignity of all Santa Rosa Residents.”

QUESTIONS?