

**A RESOLUTION DECLARING THE CITY OF BEACON A SANCTUARY
CITY/WELCOMING CITY**

WHEREAS, the City of Beacon values its ethnic, racial, linguistic, religious and socio-economic diversity. Our diversity is a source of our municipality's strength and the Beacon City Council is committed to ensuring that all our residents can live and pursue their livelihoods in peace and prosperity; and

WHEREAS, the City of Beacon Police Department will continue to protect the rights and dignity of all persons without prejudice or bias against race, religion, ethnic and national origin or sexual orientation within its jurisdiction; to safeguard the diversity of our community and its citizens, to be free from criminal attack, threats of violence and persecution, secure in their possessions, and vigilant that together we can enjoy peace and harmony; and

WHEREAS, the Police Department's methods will continue to stress cooperation with citizens based on trust rather than fear and emphasize prevention of crime as well as suppression of crime; and

WHEREAS, the existence and effectiveness of the Police Department depends on public understanding and support of police actions and behavior and in general on the Police Department's ability to secure and maintain the public's respect; and

WHEREAS, the City of Beacon values the contributions of all citizens regardless of immigration status to the economic development and wellbeing of the City and region, and to the vibrancy and health of the community; and

WHEREAS, it is not the practice of the Beacon Police Department to inquire as to one's immigration status or to engage in activities solely for the purpose of enforcing immigration laws; and

WHEREAS, the Beacon Police Department does not have the authority nor the desire to stop or arrest individuals based on their immigration status and **WHEREAS**, the Mayor and City Council and the Police Chief will not enter into any contracts, agreements or arrangements, including "287(g) agreements" as provided by 8 U.S.C. § 1357(g) or Intergovernmental Service Agreements with the federal government that deputize local law enforcement officers to act as immigration agents; and

WHEREAS, the City Council assures all residents that all City public services, including public safety services, will continue to be provided without regard to immigration status, and the City will continue to place a priority on community safety and will not tolerate or endorse acts of hate, discrimination, bullying, or harassment; and

WHEREAS, the City Council desires to declare that the City of Beacon is a safe place for everyone, including, but not limited to, immigrants from all countries; people of color; people of

all religions, gender identity, and sexual orientation; people with disabilities; and all vulnerable communities; and

WHEREAS, the City Council holds the community's trust as sacred, including the trust between its residents and their local law enforcement, without which crimes may go unreported and the safety of the community may be compromised; and

WHEREAS, the City Council wishes to foster trust and cooperation as between the City, its Police Department and its immigrant communities, and wishes to encourage immigrants to report crime and speak to the police without fear of being arrested or detained by, or reported to the United States Immigration and Customs Enforcement Agency (ICE); and

WHEREAS, undue collaboration related to non-criminal deportation and detention between local law enforcement and ICE will make immigrants less likely to report crimes, act as witnesses in criminal investigations and prosecutions, and provide intelligence to law enforcement. The cooperation of the City's immigrant communities is essential to prevent and solve crimes and maintain public order, safety and security in the entire City. Community policing depends on trust with every community member and facilitating deportations will harm our efforts at community policing; and

WHEREAS, consistent with the law, the City of Beacon Police Department already does not enforce federal civil immigration laws as a sole basis for questioning and detention, does not conduct immigration raids, and does not question, detain or arrest individuals on the sole basis that they might be in this country illegally in violation of Federal civil immigration laws.

(WHEREAS, a growing number of municipalities around the country are resisting threats against privacy and liberty by taking meaningful steps to ensure that communities are safe, and that all residents' rights are respected so that their municipality may continue to thrive; and) Eliminate?

(WHEREAS, due to the City's limited resources, the clear need to foster the trust of and cooperation from the public, including members of vulnerable communities; and to effectuate the City's goals, the City Council urges the City administration to clarify its role in protecting all city residents' privacy and rights;) Eliminate?

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Beacon does hereby resolve as follows: the establishment and communication of a clear policy that local police and government agents will not enforce federal civil immigration law nor help facilitate ICE deportations, except where legally required to do so. To this end, the City, Mayor and its law enforcement agents and employees will not enter into any contracts, agreements or arrangements, including "287(g) agreements" as provided by 8 U.S.C. § 1357(g) or Intergovernmental Service Agreements with the federal government that deputize local law enforcement officers to act as immigration agents or use local facilities to house immigrants in deportation proceedings; participate in joint operations with ICE, including, but not limited to setting up traffic stops for purposes of civil immigration enforcement or assisting in raids; stop, arrest or detain people based

on perceived or actual immigration status or belief the person has committed an immigration offense; arrest, detain or transfer individuals based on warrantless immigration detainers or administrative warrants; or allow ICE access to City facilities, property, equipment or databases without a judicial warrant **unless it is determined that there is a threat to community safety and security**; and

BE IT FURTHER RESOLVED THAT, City of Beacon City Council is committed to working with the City's administration on strong anti-discrimination policies to protect vulnerable communities. Ensuring that all are treated fairly and without discrimination or profiling based on actual or perceived national origin, immigration status, race, ethnicity, language proficiency, religion, sexual orientation, gender identity, disability, housing status, financial status, marital status, status as a victim of domestic violence, criminal history, or status as a veteran is a priority for our community. Such policies should include a prohibition on City agents and employees conditioning services on immigration status, except where required under applicable federal or state law; strict policies prohibiting City agents and employees from coercing individuals or threatening to report them or *their family members to ICE or take other immigration-related action against them or their family members*; and a strong policy making clear that *where presentation of a state driver's license is accepted as adequate evidence of identity, presentation of a photo identity document issued by the person's nation of origin, such as a driver's license, passport, or consulate-issued document, shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment. (Ask police for details)* City employees should not inquire into individuals' immigration status except where required by State or Federal law **or is deemed a threat to community security and safety**; and

BE IT FURTHER RESOLVED THAT, the City of Beacon City Council is committed to work with the City's administration on strong privacy protections limiting the extent to which city agents and employees are permitted to maintain and share confidential personal information, including but not limited to personal contact information, information about national origin, race, ethnicity, language proficiency, religion, sexual orientation, gender identity, disability, housing status, financial status, marital status, status as a victim of domestic violence, criminal history, release date from incarceration or confinement in a jail, or status as a veteran; except where otherwise required by state or federal law or regulation or directive or court order; and

BE IT FURTHER RESOLVED THAT, *the City of Beacon City Council encourages the adoption of clear and transparent protocols for the certification of U-Visas for undocumented immigrant community members who have been victims of a serious crime and have cooperated in the investigation of the crime; and (ask about U-Visas)*

BE IT FURTHER RESOLVED THAT, the Beacon City Council **will provide annual reporting on the number of detainer requests, number of occasions when municipality was asked to participate in civil immigration enforcement operations and number of U visa requests and number of occasions that the municipality did participate, available upon request to the public**; and

BE IT FURTHER RESOLVED THAT, the City of Beacon City Council is committed to publicly and vigorously opposing any government registry based on race, gender, sexual orientation, religion, ethnicity or national origin; and

(BE IT FURTHER RESOLVED THAT, the City of Beacon City Council is committed to maintaining community engagement in the implementation of policies that preserve and protect our diverse and inclusive community. The Human Resource Committee (?) will serve as a resource for immigrant community members with questions, comments, or concerns about safety or local government's role in defending vulnerable communities). ??

SECTION 1. The City of Beacon City Council assures the community that City public services, including public safety services, will continue to be provided without regard to immigration status, and the City will continue to place a priority on community safety and will not tolerate or endorse acts of hate, discrimination, bullying, or harassment. **Any services provided to individuals by the City will not be conditional upon immigration status.**

SECTION 2. In accordance with existing practices and well-established federal constitutional case law, the Beacon Police Department, shall not use City monies, resources or personnel to investigate, question, detect, detain or apprehend persons solely on the basis of a possible violation of immigration law. **Officials shall not arrest, detain, or transport an individual solely on the basis of an immigration detainer or other administrative document issued by ICE or CBP, without a judicial warrant, unless judicial warrant is provided or it is determined that the safety and security of our community would be compromised. (To the extent ICE or CBP has been granted access to [County/City/State] facilities, individuals with whom ICE or CBP engages will be notified that they are speaking with ICE or CBP, and ICE or CBP agents shall be required to wear duty jackets and make their badges visible at all times while in Beacon facilities.) Unenforceable - delete)**

SECTION 3. The City of Beacon City Council declares the City of Beacon to be a united **("sanctuary"?)** community that will continue to value its diversity and the contributions of all residents, and supports the safeguarding of the civil rights, safety, and dignity of all Beacon residents. Any person who alleges a violation of this policy may file a written complaint for investigation with Beacon Human Relations Committee.