

REVISED LEGISLATIVE DIGEST

(3/22/2016, Substituted)

[Administrative Code - Due Process for All and Sanctuary]

Ordinance amending the Administrative Code to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law, except for individuals who have been convicted of a violent felony and held to answer for a violent felony.

Existing Law

Administrative Code Chapter 12I prohibits detaining individuals on the basis of a Federal civil immigration detainer unless that individual has been convicted of a violent felony in the seven years prior and has been held to answer for a violent felony. Administrative Code Chapter 12H prohibits the use of City funds or resources to assist in the enforcement of Federal immigration law or to gather or disseminate information regarding immigration, except under certain exceptions. Law enforcement officials may identify and report adults booked for a felony and suspected of violating the civil immigration laws, and juveniles with sustained felony petitions or tried as adults and suspected of violating the civil immigration laws. In addition, Administrative Code Chapter 12H allows City officials to; (1) report adults with prior felony convictions who have been booked into county jail; (2) cooperate with Federal immigration authorities requests for information for adults with prior felony conviction; or (3) report as required by state or federal law those adults with prior felony convictions.

Amendments to Current Law

This Ordinance would amend Administrative Code Chapters 12H and 12I to prohibit the use of City funds or resources to assist in the enforcement of Federal immigration law or to gather or disseminate information regarding immigration or release status, except for individuals who have been convicted of a violent felony and held to answer for a violent felony.

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