

ORDINANCE NO. 188441

An ordinance adding Chapter 19 to Division 19 of the Los Angeles Administrative Code to prohibit City resources, including property and personnel, from being utilized for immigration enforcement or for cooperation with federal immigration agents.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Chapter 19 is added to Division 19 of the Los Angeles Administrative Code to read as follows:

CHAPTER 19

**PROHIBITION OF THE USE OF CITY RESOURCES FOR
FEDERAL IMMIGRATION ENFORCEMENT**

Sec. 19.190. Definitions.

For purposes of this chapter, the following words and phrases are defined as follows:

“Citizenship or Immigration Status” shall mean all information or classification regarding citizenship of the United States or any other country, place of birth, the authority to reside in or otherwise be present in the United States, including visa status, and the time or manner of a person’s entry into the United States.

“Immigration Agent” means an individual engaged in Immigration Enforcement against natural persons, including agents employed by U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection, and all other individuals authorized to conduct Immigration Enforcement against natural persons under 8 U.S.C. §1357(g) or any other federal law.

“Immigration Enforcement” means any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law against natural persons, and also includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a natural person’s presence in, entry, or reentry to, or employment in, the United States.

Sec. 19.191. Prohibition on the Use of City Resources.

Unless required by federal or state law, no City resources, including, but not limited to, City personnel and City property, shall be utilized to:

(a) Inquire into or collect information about an individual's Citizenship or Immigration Status, unless such information is necessary to provide a City service, including the provision of immigration and naturalization assistance, for election-related purposes or appointment to a City office or commission, or as required for purposes of City employment or the disbursement of City funds.

(b) Investigate, cite, arrest, hold, transfer, or detain any person for the purpose of Immigration Enforcement, except as authorized under California Government Code Section 7284.6(b)(1). Prior to conducting any probable cause arrest for a violation of 8 U.S.C. Section 1326(a) that may be subject to the enhancement specified in 8 U.S.C. Section 1326(b)(2), or prior to transferring a suspect to an Immigration Agent based on a probable cause arrest for a violation of 8 U.S.C. Section 1326(a) that may be subject to the enhancement specified in 8 U.S.C. Section 1326(b)(2), City personnel shall obtain approval from their respective department's designated immigrant affairs liaison.

(c) Respond to any administrative warrant or other request to detain, transfer, or notify any Immigration Agent about the status or release of any individual for the purpose of Immigration Enforcement.

(d) Provide any Immigration Agent access to any non-public areas of property owned or controlled by the City, including City jails, for the purpose of Immigration Enforcement.

(e) Make any person in City custody available to any Immigration Agent for an interview for the purpose of Immigration Enforcement.

(f) Participate in Immigration Enforcement in any operation, joint operation, or joint task force involving any Immigration Agent.

Sec. 19.192. Confidentiality and Protection of City Data.

Except as required by 8 U.S.C. § 1373 or other applicable federal or state law, no City personnel shall provide access to any City data or information that can be used to determine or trace a person's Citizenship or Immigration Status to any Immigration Agent. In furtherance of this restriction, as of the effective date of this ordinance, City personnel shall not provide City data or information that can be used to determine or trace a person's Citizenship or Immigration Status to any City contractor unless the contractor first agrees in writing to prohibit the contractor's employees and subcontractors from providing that data or information to any Immigration Agent, to the extent permitted by law. All City employees shall treat information that can be used to distinguish or trace a person's Citizenship or Immigration Status, either on its own or when combined with other information, as confidential information, to the extent permitted by law, and shall handle, maintain, and secure such information according to the standards for confidential information set forth in City policy.

Sec. 19.193. Judicial Warrants.

Nothing in this chapter shall prohibit or otherwise restrict the City from complying with a valid warrant for a criminal offense issued by a federal or state judge, or other order evidencing a judicial determination of probable cause.

Sec. 19.194. Adoption of Policy.

To the extent that some City departments are, by terms of the charter, exempt from the prohibitions in this chapter, they are strongly encouraged to adopt policies consonant with the provisions contained herein.

Sec. 19.195. Severability.

If any subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have adopted this chapter, and each and every subsection, sentence, clause, and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the chapter would be subsequently declared invalid or unconstitutional.

Sec. 2. URGENCY CLAUSE. News organizations are reporting that the incoming federal administration, on January 20, 2025, intends to begin an immediate roll back of longstanding policies that currently focus the federal government's limited immigration enforcement resources on deportations of people deemed threats to public safety or national security. The same news reports indicate that the incoming administration will quickly reverse numerous humanitarian parole programs, which grant City residents lawful status and work authorization. These policy changes, and others, including the possible use of military assets, are being proposed, in part, to allow for a program of mass deportation, which will directly affect the public peace, health, and safety of all residents across the City. Therefore, the City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety. The policies set forth in this ordinance are rooted in a commitment to the principle that all of Los Angeles is safer when our City personnel maintain a relationship of trust, respect, and cooperation with City residents. The cooperation of immigrant communities to report crimes and assist in the investigation and prosecution of criminals is critical to the fair and effective enforcement of the law and the safety of all members of the community. When residents feel confident that they can come forward as a victim of or a witness to a crime, irrespective of immigration status, the City's ability to protect and serve all residents is enhanced. In the 45 years since adopting its initial immigration-related policies, Los Angeles has benefited greatly from the cooperation of witnesses and victims of crime in the City's immigrant communities. These positive outcomes will not continue if immigrant communities see City personnel as agents of federal immigration authorities because such fear reduces cooperation with the City and erodes the relationship between the City and its communities. While the City's policies

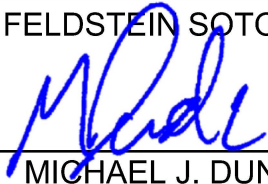
limit the City's cooperation with federal immigration enforcement, neither existing LAPD policies nor the current executive directives are codified into local municipal law. In addition, existing policies allow immigration agents access to City property to interview people in City custody and lack comprehensive restrictions on limiting direct and indirect data sharing with immigration agents. This allows for significant exposure of City residents and their data to immigration agencies, undermining the City's commitment to protecting all residents from City resources being utilized for immigration enforcement. The City Council adopts this ordinance to become effective upon publication pursuant to Los Angeles City Charter Section 253.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By



MICHAEL J. DUNDAS
Senior Assistant City Attorney

Date November 26, 2024

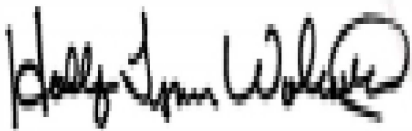
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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR




Ordinance Passed December 4, 2024

Approved 12/09/2024

Ordinance Published: 12/19/2024
Ordinance Effective Date: 12/19/2024