

RESOLUTION NO 6127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DECLARING
ITSELF AN INDIVISIBLE CITY AND SAFEGUARDING THE CIVIL RIGHTS, SAFETY AND DIGNITY OF ALL
SEBASTOPOL RESIDENTS

WHEREAS, the City of Sebastopol is made up of diverse individuals, both native born and immigrants, whose collective cultures, religions, backgrounds, orientations, abilities and viewpoints join to form a highly pluralistic community that prides itself on being a place that welcomes persons and families of all walks of life; and

WHEREAS, since the presidential election, there has been a sense of uncertainty and fear among many communities in Sebastopol, across our State and across the Nation; and

WHEREAS, the City of Sebastopol assures its vulnerable communities that the City supports them, will do all it can to maintain and improve their quality of life, and will not tolerate acts of hate, discrimination, bullying, or harassment; and

WHEREAS, it has been for many years and continues to be the policy of the Sebastopol Police Department to foster a collaborative relationship with the city of Sebastopol's residents including all members of its diverse communities; and

WHEREAS, the Sebastopol Police Department has been a leader in Sonoma County in reaching out to the immigrant community to foster trust and respect; and

WHEREAS, it has been and shall continue to be the Sebastopol Police Department's policy not to engage in Federal immigration enforcement; and

WHEREAS, the Sebastopol City Council wishes to declare that Sebastopol is a safe place for everyone, including, but not limited to, immigrants from all countries, people of color, people of all religions, gender identity, sexual orientation, people with disabilities and all vulnerable communities; and

WHEREAS, it is the City Council's desire to ensure that its immigrant residents participate in civic life and daily activities without fear of being arrested or detained by, or reported to the United States Immigration and Customs Enforcement agency based solely on immigration status; and

WHEREAS, many children who are native to the United States or are undocumented immigrants have been separated from their families by United States Immigration & Customs Enforcement Agency solely due to their parents' or their personal immigration status; and

WHEREAS, the enforcement of civil immigration laws by local police agencies raises many complex legal, logistical and resource issues for the City, including undermining the trust and cooperation with immigrant communities, increasing the risk of civil liability due to the complexity of civil immigration laws and the lack of training and expertise of local police on civil immigration enforcement and detracting from the core mission of the Sebastopol Police Department to create safe communities; and

WHEREAS, the City Council is greatly concerned about public safety in Sebastopol and the mission of the Sebastopol Police Department is to protect the safety of the public against crimes committed by persons whoever they may be; and

WHEREAS, most residents in the City, including the vast majority of immigrants, are law-abiding individuals, and are, when crimes occur, themselves the victims of crime, and because the City 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; and

WHEREAS, consistent with the law and with Council policy, the Sebastopol Police Department already declines to enforce federal civil immigration laws, 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.

NOW, THEREFORE, BE IT RESOLVED, as follows, the City Council of the City of Sebastopol:

SECTION 1. That the Sebastopol City Council calls upon all City residents and all City Departments and employees to speak out against acts of bullying, discrimination and hate violence and to stand up for those who are targeted for such acts.

SECTION 2. That the Sebastopol City Council opposes deportations based solely on immigration status, and calls upon the federal government to promptly legislate a pathway to citizenship for law-abiding undocumented immigrants, and to refrain from deportations of immigrants who have not been convicted of felonies endangering the community, until such time as the U.S. Congress does legislate such a pathway.

SECTION 3. That City employees, including members of the Sebastopol Police Department, shall not enforce Federal civil immigration laws and 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.

SECTION 4. That the Sebastopol City Council calls upon the County of Sonoma and all incorporated cities within the County of Sonoma to adopt the foregoing policies, and we welcome opportunities to partner with the Legislature, other jurisdictions, local organizations, and businesses that support and defend these populations.

SECTION 5. The City Clerk shall attest and certify to the passage and adoption of this resolution and it shall become effective immediately upon its approval.

IN COUNCIL DULY PASSED this 21st day February, 2017.

VOTE:

Ayes: Councilmembers Gurney, Hinton, Vice Mayor Slayter and Mayor Glass

Noes: None

Abstain: Councilmember Carnacchi

Absent: None

APPROVED: _____

Mayor Una Glass

ATTEST: _____

Mary Gourley, Assistant City Manager / City Clerk, MMC

APPROVED AS TO FORM: _____

Larry McLaughlin, City Attorney