

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA SUPPORTING SENATE BILL 54, THE  
CALIFORNIA VALUES ACT

WHEREAS, Senate Bill (SB) 54, known as the California Values Act, was passed in the California Senate on April 3, 2017, and is pending review in the California Assembly; and

WHEREAS, the City's immigration enforcement policies were discussed in hearings at the City Council on April 4, 2017 and April 25, 2017, with members of the public advocating for the bill; and

WHEREAS, at the April 4, 2017 Council meeting, by a vote of 3-2, the City Council directed staff to bring back a resolution supporting the bill, and this Resolution implements that direction; and

WHEREAS, SB 54 would prohibit state and local law enforcement agencies from using agency moneys, facilities, property, equipment or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, including enforcement of any civil immigration law and enforcement of any criminal immigration law that penalizes a person's presence in, entry, or reentry to, or employment in the United States, with specified exceptions; and

WHEREAS, SB 54 would prohibit state and local law enforcement agencies from entering into agreements authorized by federal law to delegate immigration powers to local agencies and to designate local law enforcement officers as immigration officers pursuant to federal law; and

WHEREAS, SB 54 would prohibit making agency or department databases, or the information therein, other than information within those databases regarding an individual's citizenship or immigration status, available to anyone or any entity for the purpose of immigration enforcement; and

WHEREAS, SB 54 would prohibit placing peace officers under the supervision of federal agencies or employ peace officers deputized as special federal officers or special federal deputies except to the extent those peace officers remain subject to California law governing conduct of peace officers and the policies of the employing agency; and

WHEREAS, SB 54 would prohibit using federal immigration authorities as interpreters for law enforcement matters related to individuals in agency or department custody; and

WHEREAS, SB 54 would prohibit transferring an individual to federal immigration authorities unless authorized by a judicial warrant or judicial probable cause determination; and

WHEREAS, SB 54 would not prohibit law enforcement agencies from: (1) responding to a request from federal immigration authorities for information about a specific person's criminal history; (2) participating in a joint task force, so long as the primary purpose of the task force is not immigration enforcement; (3) making inquiries as necessary to certify an individual as a potential crime or trafficking victim for a "T" or "U" Visa pursuant to federal law; and (4) responding to a notification request from federal immigration authorities for a person who is serving a term for the conviction of a misdemeanor or felony offense and has a current or prior conviction for a violent felony or a serious felony, as defined in the California Penal Code; and

WHEREAS, SB 54 would not prohibit or restrict any government entity or official from sending to or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code; and

WHEREAS, SB 54 would require agencies that participate in a joint task force to report specified information every six months to the California Attorney General; and

WHEREAS, SB 54 would not affect routine patrol, investigative or jail operations of the Chula Vista Police Department; and

WHEREAS, SB 54 is consistent with the City of Chula Vista's immigration enforcement policies affirmed on April 25, 2017 in Resolution 2017-063, in that Chula Vista Police Department officers do not ask the individuals they encounter about immigration status or enforce federal immigration law; and

WHEREAS SB 54 is consistent with the City Jail's operations, in that staff does not release individuals arrested by Department officers to Federal immigration authorities pursuant to detainers; the jail is contracted to the U.S. Marshal's Service to house inmates charged with Federal crimes; and the jail is not used as an immigration detention center.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it supports Senate Bill 54, the California Values Act.

Presented by

Approved as to form by

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Gary Halbert  
City Manager

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Glen R. Googins  
City Attorney