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April 11, 2017

Countywide Sensitive Locations Policy

Counties serve as the safety net of last resort for residents facing hardships. They provide services that allow people to get back on their feet or get through challenging times. This work benefits not only the individuals that receive the services, but all of us. By addressing the underlying conditions leading to crime, homelessness, or health problems, County services promote health and strengthen our community. Los Angeles County has a fundamental interest in ensuring unimpeded access to County services for all County residents.

Recently, national media attention has focused on immigration enforcement, including the pending deportation case of Rómulo Avelica-González, who on February 28, 2017, was detained by U.S. Immigration and Customs Enforcement (ICE) agents while driving his two daughters to school. While the ICE Sensitive Locations Policy and the U.S. Customs and Border Patrol (CBP) Sensitive Locations Policy reportedly remain in effect, we have witnessed a recent surge in community concerns amid reports of immigration enforcement actions happening at or near County schools, health care facilities, courthouses, or other sensitive locations. In a letter to Attorney General Jeff Sessions and Secretary of Homeland Security John Kelly, California Chief Justice Tani G. Cantil-Sakauye wrote, "Most Americans have more daily contact with their state and local governments than with the federal government, and I am concerned about the impact on public trust and confidence in our state court system if the public feels that our state institutions are being used to facilitate other goals and objectives, no matter how expedient they may be."

The perception of increased enforcement activities at such locations, even if unfounded, threatens to chill the access to County offices and agencies on which core County functions depend. In fact, a survey conducted by the Los Angeles Initiative at

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the UCLA Luskin School of Public Affairs found that 80 percent of those who worried about deportation were concerned that enrolling in a government program would increase their risk of removal. Trust between our communities and County agencies is necessary to the efficient and equitable administration of County programs—yet it is undermined when residents believe that contact with County agencies may leave them vulnerable to immigration or other enforcement actions. The result is that community members may refuse to report crimes at a Sheriff’s station, seek basic health services at a County hospital, or attend classes at a County school, all to the detriment of public safety and the well-being of all County residents. These are but a few examples of the many sensitive locations at which fear in our communities could undermine the County’s ability to provide critical services.

To address these concerns, Los Angeles County should develop policies, consistent with State and federal law and the United States Constitution, that ensure that a resident’s presence at a County facility does not increase his or her exposure to enforcement activities, including federal enforcement. The County should and will continue to respect federal law, but it should also clearly distinguish its role in administering its own programs and policies from that of the federal government in enforcing federal policy and communicate this distinction to its constituents.

WE, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS

Direct County Counsel and the Chief Executive Office, in consultation with the Department of Human Resources, the Office of Immigrant Affairs, the Immigration Protection and Advancement Task Force, and other relevant County departments and stakeholders to report back in writing within 45 days with the following:

1. Recommendations for developing a Countywide sensitive locations policy consistent with federal and State laws. The analysis informing these recommendations should consider the County's legal authority to limit federal investigation or enforcement actions in County locations central to the administration of County programs and services, such as, but not limited to, schools, courthouses, and hospitals (specific policies may vary by location and/or department as a result of this legal analysis); the analysis should also consider the legal authority and advisability of extending any recommended policy or policies to entities with which the County contracts, such as private health clinics or non-profit service providers;
2. Recommendations for a Countywide outreach strategy to publicize this policy widely in order to promote public safety and welfare, the trust of immigrant communities in their ability to access County services, and the accountability and transparency of County government.

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