

11-0002-592

MAY 24 2011

INFORMATION TECH. & GOVT. AFFAIRS

**RESOLUTION**

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and,

WHEREAS, the federal government initiated the Secure Communities program in 2008 as an important tool in the identification and deportation of illegal immigrants who had been convicted of violent crimes; and,

WHEREAS, California joined in this effort where police would submit fingerprints of all arrestees to be reviewed against federal data bases of criminal convictions and deportation orders; and,

WHEREAS, this once voluntary partnership with the Department of Homeland Security is now, however, embroiled in controversy; and,

WHEREAS, Washington, Pennsylvania and Washington, D.C. have all refused to enter in a memorandum of agreement with the Department of Homeland Security regarding the Secure Communities program because the program undermines community policing, public safety and protections against racial profiling; and,

WHEREAS, under this program, federal officials have claimed the authority to use state and local law enforcement resources for the purpose of channeling individuals into federal civil immigration enforcement based on minimal contact with law enforcement; and,

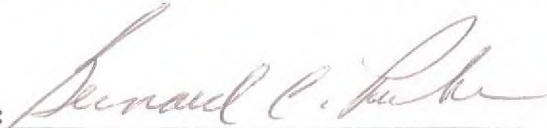
WHEREAS, various police departments have voiced their concern that continued participation in the program will have a chilling effect on immigrant willingness to report crimes or provide useful information; and,

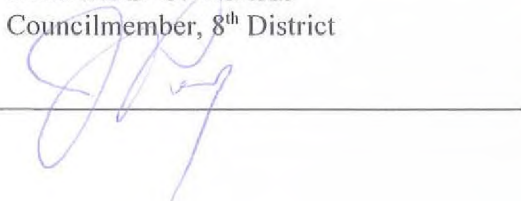
WHEREAS, the Secure Communities program appears to be in direct contradiction with the intent of the LAPD's Special Rule 40 and the Police Departments relationship to the immigrant community; and,


WHEREAS, some jurisdictions have expressed concern that the Secure Communities program has been deployed without adequate notice and without their consultation or consent; and,

WHEREAS, it is incumbent on localities seek to modifications to the agreement between the State of California and the U.S. Department of Homeland Security relative to the implementation of the Secure Communities program to ensure voluntary participation and to provide localities with the ability to opt-out of the Secure Communities program at their discretion;

**NOW, THEREFORE, BE IT RESOLVED**, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2011-12 State Legislative Program SUPPORT for legislation to ensure that the U.S. Department of Homeland Security's Secure Communities program is provided to local governments on a voluntary basis and that local governments may unilaterally opt-out of the Secure Communities program at the discretion of their local legislative bodies; and that the program does not impair the ability of victims to report crimes and concentrates its efforts on the truly dangerous criminals that are in the United States illegally.

PRESENTED BY:   
**BERNARD C. PARKS**  
Councilmember, 8<sup>th</sup> District

SECONDED BY: 

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**ORIGINAL**