

RESOLUTION NO. R08-14 CMS

A RESOLUTION REGARDING THE CONSIDERATION OF FEDERAL IMMIGRATION STATUS IN THE CITY OF OBERLIN

WHEREAS, the City of Oberlin has a long and strong tradition of embracing and valuing diversity and respecting the civil and human rights of all residents regardless of race, ethnicity, or immigration status; and

WHEREAS, the City of Oberlin has a racially and ethnically diverse population, including native born, immigrants, and international college students, whose collective cultures, backgrounds, and viewpoints join to form a rich community which prides itself on welcoming persons and families of all backgrounds and nationalities as well as protecting the workplace rights of all; and

WHEREAS, recent federal immigration raids in Oberlin, the region, and around the country have caused fear throughout the immigrant community, including immigrants who reside in the City of Oberlin; and

WHEREAS, the City of Oberlin Police Department has made it a priority to gain the trust and confidence of the entire community so that all communities feel that it is safe to contact and work with police and to access other vital city services; and

WHEREAS, this Resolution is not intended to interfere with the enforcement of criminal laws; and

WHEREAS, on September 15, 2003, the Oberlin City Council passed a resolution [**Resolution No. R03-15 CMS**] both reaffirming its strong support for fundamental Constitutional rights as well as its “opposition to federal measures that infringe on civil liberties; and reaffirms its strong support for the rights of non-citizen and citizen immigrants as well as international visitors...and opposes measures that single out individuals for legal scrutiny or enforcement activity based on their country of origin;” and

WHEREAS, more than 70 jurisdictions throughout the United States, including cities, counties, and states have adopted similar initiatives designed to promote the safety and health of all community members and to provide guidance to city employees; and

WHEREAS preserving the confidentiality of certain information is integral to the operation of City government.

NOW, THEREFORE, be it resolved by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. CITY SERVICES: The City of Oberlin reaffirms its commitment to civil rights and equal access to all City services, including police and fire protection. Accordingly, no City Services shall be denied on the basis of citizenship. City staff shall follow general city, state, and federal guidelines to assess eligibility for City services. This prohibition shall not apply to persons seeking employment, or as otherwise required by federal or state statute, regulation or court decision.

SECTION 2. VICTIM OR WITNESS PROTECTION: The City of Oberlin recognizes the obligation to balance any decision to enforce federal immigration laws with its daily mission of protecting and serving a diverse community; therefore, it shall be the general practice of the City of

Oberlin not to inquire about the immigration status of crime victims, witnesses, or others who call or approach City staff seeking assistance.

SECTION 3. COOPERATION WITH FEDERAL IMMIGRATION AUTHORITIES:

- a. The City of Oberlin will not avail itself of the opportunity to participate in the Delegation of Immigration Authority provided through Section 287 (g) of the Immigration and Nationality Act (1996).
- b. Nothing in this resolution shall be construed to prohibit City staff from cooperating with federal immigration authorities when required under federal law.

SECTION 4. TRANSMITTAL: The Council shall instruct the City Clerk to transmit copies of this resolution, including any future amendments thereto that shall be made, to every department, agency, commission and employee of the City of Oberlin.

SECTION 5. SEVERABILITY: If any part of this resolution, or the application thereof, is held to be invalid, the remainder of this resolution shall not be affected thereby, and this resolution shall otherwise continue in full force and effect. To this end, the provisions of this resolution, and each of them, are severable.

SECTION 6. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this Resolution shall take effect at the earliest date allowed by law.

PASSED: 1st Reading – December 15, 2008
2nd Reading – January 05, 2009 (A)
3rd Reading – January 20, 2009 (*Effective in 30 days*)

ATTEST:



Belinda B. Anderson
CLERK OF COUNCIL



David E. Sonner
PRESIDENT OF COUNCIL

POSTED: 1/21/2009

EFFECTIVE DATE: 2/19/2009