

**FRANK T. MARTINEZ**  
City Clerk

**KAREN E. KALFAYAN**  
Executive Officer

When making inquiries  
relative to this matter  
refer to File No.

07-0002-S133

**CITY OF LOS ANGELES**  
CALIFORNIA



**ANTONIO R. VILLARAIGOSA**  
MAYOR

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June 25, 2007

Honorable Antonio Villaraigosa, Mayor  
Chief Legislative Analyst  
Councilmember Garcetti  
Councilmember Reyes

RE: LEGISLATION THAT WOULD PROHIBIT LOCAL REGULATIONS, SUCH AS THE LOS ANGELES POLICE DEPARTMENT'S SPECIAL ORDER 40, WHICH ARE LAW ENFORCEMENT TOOLS THAT ENCOURAGE THE INVOLVEMENT OF THE UNDOCUMENTED IMMIGRANT COMMUNITY IN POLICE ACTIVITIES

I HEREBY CERTIFY that the attached resolution (Garcetti – Reyes – Zine) was adopted by the Los Angeles City Council at its meeting held on June 12, 2007 (and was transmitted to the Mayor Forthwith). The Mayor concurred with the Council action on June 22, 2007.

City Clerk  
kc

cc: 8 Certified copies sent to Sacramento Representatives

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for Tuesday 6/12/07

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, Congress is currently engaged in deliberations for the enactment of comprehensive immigration legislation and the Senate is considering S. 1348, the Comprehensive Immigration Reform Act of 2007; and

WHEREAS, during debate before leaving for the Memorial Day recess, the Senate defeated, 48-49, an amendment by Sen. Norm Coleman (R-Minn.) that would have allowed officials of federal, state, or local government entities to question individuals about their immigration status if the officials have probable cause to believe the individuals lack legal status; and

WHEREAS, however, there is strong indication that efforts are being made to include an amendment in the immigration reform bill that would prohibit local so-called "separation" ordinances and similar local regulations; and

WHEREAS, local ordinances and regulations that create important distinctions between local police and federal immigration are common practice in cities throughout the nation and an important tool for local public safety to function well; and

WHEREAS, such local regulations have proven to be an effective way to protect the health and safety of our communities. Federal action should not be used to take away this effective local tool; and

WHEREAS, these local regulations, including the Los Angeles Police Department's Special Order 40, are an affirmation that the best approach to guarding public health and safety is *not* to ask about immigration status when people report crimes that in no way relate to their immigration status. Trust is crucial to effective community policing. Crime that affects neighborhoods is best fought at the local level with neighbors working collaboratively with local police; and

WHEREAS Special Order 40 provides as follows:


*Undocumented alien status in itself is not a matter for police action. It is, therefore, incumbent upon all employees of this Department to make a personal commitment to equal enforcement of the law and service to the public regardless of alien status. In addition, the Department will provide special assistance to persons, groups, communities and businesses who, by the nature of the crimes being committed upon them, require individualized services. Since undocumented aliens, because of their status, are often more vulnerable to victimization, crime prevention assistance will be offered to assist them in safeguarding their property and to lessen their potential to be crime victims. Police service will be readily available to all persons, including the undocumented alien, to ensure a safe and tranquil environment. Participation and involvement of the undocumented alien community in police activities will increase the Department's ability to protect and to serve the entire community; and*

WHEREAS, any effort to pre-empt or prohibit such local ordinances and regulations will encourage racial profiling and police chiefs and cities nationwide are in opposition to any such federal legislative proposals;

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 2007-2008 Federal Legislative Program OPPOSITION to any legislative provision or amendment which would prohibit or pre-empt local "separation" ordinances and similar local regulations such as the Los Angeles Police Department's Special Order 40 which are effective law enforcement tools which prevent victimization of undocumented immigrants as well as foster participation and involvement of the undocumented immigrant community in police activities and increase Police departments' ability to protect and to serve the entire community.

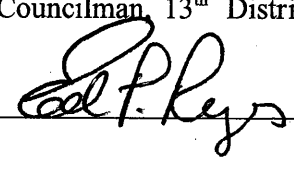

Resolution  
 JUN 05 2007  
**ADOPTED**

PRESENTED BY:

  
 ERIC GARCETTI  
 Councilman, 13<sup>th</sup> District

JUN 12 2007

SECONDED BY:

**LOS ANGELES CITY COUNCIL**

TO THE MAYOR FORTHWITH

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