

FUENTES/MORAN/SLOAN-EL
05-11-06

RESOLUTION SUPPORTING CITY-WIDE POLICY OF IMMIGRANT ACCESS
TO CITY SERVICES

WHEREAS, the City of Camden supports where legally appropriate, the municipal enforcement of federal immigration laws and inquiries by the City of Camden employees and law enforcement officers into immigration status, and activities designed to ascertain such status; and

WHEREAS, this City Council of the City of Camden understands that it is the legal responsibility of the City of Camden's officers and employees to provide City services to the community regardless of one's immigration status; and

WHEREAS, the City Council of the City of Camden supports the City-wide policy of immigrant access to all City services; now, therefore

BE IT RESOLVED, by the City Council of the City of Camden hereby as follows:

Section 1. City Services

All City officers and employees should be reminded that no person shall be denied any City services or benefits by reason of his or her immigration status. The following City services shall be made accessible to all City of Camden residents regardless of personal or private attributes, without negative consequences to their personal lives. This list should not be considered all inclusive, but a representation of the types of City services that should be made readily available.

- Police and Fire services
- Emergency medical assistance for care necessary in emergent situations
- Mental health services such as crisis intervention and services offered at
- Public health services for immunization and for the testing and treatment of symptoms of communicable disease
- Nutrition programs such as school lunch and breakfast programs
- WIC services (through the "Women, Infants, and Children program, which provides food and nutrition information to pregnant women and children age 4 and under)
- Children's protective services
- Programs for children with special needs
- Programs for the disabled
- Services of Licenses and Inspections inspectors with regard to non-conforming landlords
- Services involving real estate tax payments or water/sewer bills
- Labor and employment enforcement
- Access to information on financial aid/community development programs
- Access to the municipal courts
- Access to the schools
- Transportation services
- Shelter services
- Emergency disaster relief

Section 2. Confidentiality of Information

In order to effectuate the City of Camden's legal responsibilities concerning requests of confidential information by City officers and employees, confidential information in the possession of City agencies relating to immigration

status or other personal or private attributes should be disseminated only as follows:

1. As used herein "confidential information" shall mean any information obtained and maintained by a City agency relating to an individual's health status, sexual orientation, status as a victim of domestic violence, status as a victim of sexual assault, status as a crime witness, receipt of public assistance, or immigration status, and shall include all information contained in any individual's income tax record.
2. No City officer or employee should disclose confidential information unless:
 - a) such disclosure has been authorized in writing by the individual to whom such information pertains, in a language that he or she understands or if such individual is a minor or is otherwise not legally competent by such individual's parent or legal guardian; or
 - b) such disclosure is required by law; or
 - c) such disclosure is to another City officer or employee and is necessary to fulfill the purpose or achieve the mission of any City agency; or
 - d) in the case of confidential information other than information relating to immigration status, such disclosure is necessary to fulfill the purpose or achieve the mission of any City agency; or
 - e) in the case of information relating to immigration status, (i) the individual to whom such information pertains is suspected by such officer or employee or such officer's or employee's agency of engaging in illegal activity, other than mere status as an undocumented alien, or (ii) the dissemination of such information is necessary to apprehend a person suspected of engaging in illegal activity, other than mere status as an undocumented alien, or (iii) such disclosure is necessary in the furtherance of an investigation of potential terrorist activity.
3. A City officer or employee, other than law enforcement officers, should not inquire about a person's immigration status unless such a person's immigration status is necessary for the determination of program, service or benefit eligibility.
 - a) Certain State or Federally funded Public Benefits programs partially administered by the City of Camden may require that a person be a "qualified" immigrant in order access services. Examples of State or Federally funded Public Benefits programs partially administered by the City of Camden include:
 - Temporary Assistance for Needy Families (TANF)
 - General Assistance (GA)
 - Medical Assistance (MA)
 - Food Stamps(FS)
 - b) Citizen children of undocumented parents have the same rights to public benefits as all other U.S. citizens. Undocumented parents may apply for their citizen children.
4. A City officer or employee required to establish the identity of a person seeking City services should accept as valid photo identification.

- a) A State issued driver's license or non-driver's license; or
 - b) A photo consular identification issued by the nation of a foreign national; or
 - c) A valid passport.
5. Law Enforcement Officers.
- a) Police officers should not inquire about a person's immigration status unless investigating illegal activity other than mere status as an undocumented alien.
 - b) Police officers should continue to cooperate with federal authorities in investigating and apprehending all persons suspected of criminal activity.
 - c) Police officers should not inquire about the immigration status of crime victims, witnesses, or others who call or approach the police seeking help.

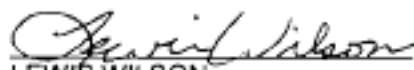
BE IT FURTHER RESOLVED that the City Council of the City of Camden recognizes the significance of this policy and undertakes to ensure that all persons, regardless of their immigration status, shall not be denied the equal protection of the laws.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the Chief Operating Officer, who shall have ten (10) days from the receipt thereof to approve or veto this Resolution. Notice of approval or veto shall be filed in the office of the Municipal Clerk.

On Motion Of: GILBERT "WHIP" WILSON

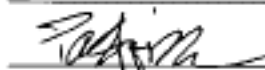
Dated: May 11, 2006

The above has been reviewed
and approved as to form.


LEWIS WILSON
City Attorney


ANGEL FUENTES
President, City Council

APPROVED: MAY 11, 2006

ATTEST: 
LUIS PASTORIZA
Municipal Clerk