

CITY OF LOS ANGELES
CALIFORNIA

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer



ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

When making inquiries relative to
this matter, please refer to the
Council File No.

www.cityclerk.lacity.org

June 22, 2011

To All Interested Parties:

Chief Legislative Analyst

I HEREBY CERTIFY that the City Council adopted the action(s), as attached, under Council File No. 11-0002-S92 at its meeting held June 7, 2011. The Mayor failed to Act by June 20, 2011, DEEMED APPROVED and EFFECTIVE June 21, 2011.

City Clerk
VCW

cc: 8 Certified copies sent to Sacramento Representatives



OFFICE OF THE MAYOR
ANTONIO R. VILLARAIGOSA

MEMORANDUM

To: City Clerk

From: Jeff Carr, Chief of Staff *J.C.*

Date: June 21, 2011

RE: CF 11-0002-S92

City's Position on Legislation which would Ensure that the U.S. Department of Homeland Security's Secure Communities Program is Provided to Local Governments on a Voluntary Basis, and Related Matters

MEMO TO FILE

The Mayor supports the policy position reflected in the resolution approved by your Honorable Body on June 7, 2011. However, in the spirit of upholding the City Charter – approved by the voters of Los Angeles – which delegates intergovernmental relations authority to the Executive Branch with the sole exception of positions on “legislation proposed to or pending before the state or federal government,” the Mayor is returning this file without signature, with the understanding that this item will be considered deemed approved.

BY _____
DEPUTY

CITY CLERK

2011 JUN 21 PM 3:25

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2011 JUN -8 PM 12: 26
CITY OF LOS ANGELES

RECEIVED
City Clerk's Time Stamp
CITY CLERK'S OFFICE
2011 JUN -8 PM 12: 21
CITY CLERK
BY _____
DEPUTY

SUBJECT TO THE MAYOR'S CONCURRENCE

COUNCIL FILE NO. 11-0002-S92

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE JUNE 7, 2011

RE: CITY'S POSITION ON LEGISLATION WHICH WOULD ENSURE THAT THE U.S. DEPARTMENT OF HOMELAND SECURITY'S SECURE COMMUNITIES PROGRAM IS PROVIDED TO LOCAL GOVERNMENTS ON A VOLUNTARY BASIS, AND RELATED MATTERS

JUN 20 2011

LAST DAY FOR MAYOR TO ACT _____
[10 Day Charter requirement as per Charter Section 231(h)]

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED

*DISAPPROVED

*Transmit objections in writing
pursuant to Charter Section 231 (h)

DATE OF MAYOR APPROVAL OR DISAPPROVAL _____

MAYOR

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.

ADOPTED

JUN 07 2011

**LOS ANGELES CITY COUNCIL
TO THE MAYOR FORTHWITH**

PRESENTED BY: 

BERNARD C. PARKS
Councilmember, 8th District

SECONDED BY: 

ps

MAY 24 2011

MAYOR WITH FILE

ORIGINAL