



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, MMC
City Clerk

A handwritten signature in blue ink, appearing to read "Toni J. Taber", is placed over the typed name and title.

SUBJECT: SEE BELOW

DATE: February 4, 2025

SUBJECT: Resolution Reaffirming the City's Commitment to Preserving the Safety and Dignity of all its Residents, Regardless of National Origin or Legal Status

Recommendation

Adopt a resolution reaffirming the City's commitment to protecting the rights and safety of immigrant communities.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Ortiz, Campos, Cohen, and Candelas)

[Rules Committee referral 1/15/2025 - Item C.2 (3)]



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Ortiz
Councilmember Campos
Councilmember Cohen
Councilmember Candelas

**SUBJECT: REQUEST FOR
INFORMATIONAL MEMO
ON ACTIONS TO
PROTECT SAN JOSÉ
RESIDENTS FROM HARMS
PROPOSED BY INCOMING
U.S. PRESIDENTIAL
ADMINISTRATION**

DATE: January 8, 2025

Approved:

RECOMMENDATION:

1. Direct the Office of Racial and Social Equity and the Office of Administration, Policy, and Intergovernmental Relations to provide the City Council with an informational memo detailing:
 - a. Existing efforts and options to preserve and strengthen the Rapid Response Network and possible actions to expand its reach into the most vulnerable communities in the City;
 - b. Initial activity and additional options, as appropriate for public disclosure, that the City Administration is undertaking or could undertake to protect the rights of all San José residents in the face of ongoing threats from the incoming presidential administration.
2. Direct the City Manager to prepare a Manager's Budget Addendum outlining additional funding needed to provide communities with legal assistance and other support services, along with options to strengthen the City's response.
3. Return to the City Council with a resolution reaffirming the City's commitment to preserving the safety and dignity of all its residents, regardless of national origin or legal status:

- a. Add the draft Resolution of the City Council of the City of San José Protecting the Rights and Safety of Immigrant Communities to the City Council Agenda.
 - b. Authorize the City Attorney's Office to make such formatting and non-substantive changes and additions as it deems appropriate or necessary.
4. Direct the City Manager to coordinate the above efforts with the on-going efforts of the County of Santa Clara, including the Office of the County Executive, County Counsel and Office of Immigrant Relations, and relevant community stakeholders, including the Rapid Response Network.

BACKGROUND

Proposals from the incoming Trump Administration, including a promised mass deportation program, pose an existential threat to many residents of San José, including its sizable immigrant communities. Already, recent broad-based immigration enforcement actions in Kern County have reverberated throughout the State and beyond. As fear within immigrant communities risks decreased cooperation with law enforcement, withdrawal from schools, and refraining from seeking healthcare for example, it is essential that San José residents know what the City Administration is doing to maintain safety and trust for all its communities.

San José's diverse immigrant communities play a central role in the culture, social fabric, and economy of the City. Immigrants make up a significant portion of the workforce, and the majority of San José's small businesses, the largest employment sector in the City, are owned by immigrants.

During the first Trump term, the City was an active participant in lawsuits aimed to protect immigrant communities from harm, co-created the Rapid Response Network, and upheld its commitment as a sanctuary city by not cooperating with federal immigration enforcement.

San José's commitment to remain uninvolved in immigration enforcement is not new. It is a longstanding policy that reflects the best practices of major cities in the United States. The City Council has reaffirmed this policy in a 2007 resolution and has committed to be a Welcoming City to immigrants in 2015.

As the City applies lessons learned from that period and prepares for more sophisticated threats to our diverse communities, it is our hope that the City Council will inform the public about the state of our response and a commitment to stand with all the communities that make our City great.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JOSE

PROTECTING THE RIGHTS AND SAFETY OF IMMIGRANT COMMUNITIES

WHEREAS, the City of San José's many immigrant communities play a central role in the cultural, social, and economic fabric of the City; and

WHEREAS, proposals from the incoming presidential administration, including a promised mass deportation program, pose an existential threat to many residents of the City; and

WHEREAS, waves of fear have already swept through immigrant communities across the country, and within the City of San José; and

WHEREAS, widespread fear of indiscriminate deportation results in decreased cooperation with law enforcement, withdrawal from public spaces such as schools and healthcare providers, and worsening public safety and health outcomes; and

WHEREAS, the City of San José has played a central role in community initiatives such as the Rapid Response Network to keep immigrant communities secure;

NOW, THEREFORE, BE IT RESOLVED that the City of San José reaffirms the longstanding San José Police Department policy that its officers will not arrest persons merely for their immigration status in the United States; that no otherwise law-abiding undocumented immigrants should fear arrest or deportation for coming forward to report a crime as a victim or a witness; and that no otherwise law-abiding undocumented immigrants should fear arrest or deportation by contacting any employee of the City of San José to express concerns or to ask questions; and

BE IT FURTHER RESOLVED that the City of San José affirms that no City employee will cooperate with immigration enforcement actions that target San José residents;

BE IT FURTHER RESOLVED that the City of San José affirms its commitment to preserving the safety and integrity of all its residents, regardless of national origin or legal status, and fostering trust with all communities.