

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE REAFFIRMING THE CITY'S COMMITMENT TO 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, the City of San José has a history of supporting our diverse population including adoption of Resolution No. 71759 on September 23, 2003 in response to the provisions of the USA Patriot Act to affirm our support for the constitutional rights of immigrant communities in San Jose; and

WHEREAS, on June 8, 2010, in response to the Arizona Immigrant Enforcement Law, the City Council adopted Resolution No. 75401 to, in part, announce to the public that the City will not detain persons solely for suspicion of having unlawful resident status in the United States, and the City will serve all residents without reporting any otherwise law-abiding persons to federal immigration officials unless otherwise required by federal law, court decision or other legal requirement; and

WHEREAS, on September 18, 2018, the City Council adopted Resolution No. 78788 to denounce the U.S. Department of Justice's Zero Tolerance Policy that resulted in the inhumane separation of families, and called for the immediate reunification of existing separated families; and

WHEREAS, on March 19, 2019, the City Council adopted Resolution No. 79013 denouncing the attempted deportation of Vietnamese refugees and immigrants who arrived in the United States prior to 1995, and acknowledging the rights of refugees and

asylum seekers to pursue sanctuary and avoid the endangerment that may accompany a forced return to their country of origin; and

WHEREAS, on April 14, 2020, the City Council adopted Resolution No. 79473 to monitor, protect, and defend the confidentiality of resident information provided to the Federal Government through the 2020 Census from breach and misuse, and to support outreach activities to ensure a complete count and broad participation in the Census as a way to guarantee that marginalized and hard-to-count communities participate in the Census without fear; 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 decreases cooperation with law enforcement, withdrawal from public spaces such as schools, and worsening public 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 BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City of San José:

1. Reaffirms the longstanding San José Police Department's policy that its officers will not arrest persons merely for their unlawful presence 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.
2. Affirms that no City employee will voluntarily support immigration enforcement actions that target San José residents solely based on their immigration status.
3. Affirms its commitment to preserving the safety and integrity of all its residents, regardless of national origin or legal status.

ADOPTED this _____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC

NVF:RLT:JMD
1/21/2025

City Clerk