



STAFF REPORT

MEETING DATE: February 12, 2025

PRESENTER: Hilda Cantu Montoy, City Attorney

SUBJECT: Consideration of Resolution Regarding City's Assurances to Residents Regarding Services and Safety Regardless of Immigrant Status In Compliance with State Law (HCM)

RECOMMENDATION: Council by motion adopt resolution Declaring The City of Kerman's Assurances To All Residents Regarding Services and Safety Regardless of Immigrant Status and Compliance With State Law.

DISCUSSION:

On January 22, the City Council discussed an item concerning the Kerman Police Department's enforcement of laws when immigrants involved and an item discussing sanctuary cities. Council adopted a motion directing staff to prepare a resolution focusing on fact that the KPD complies with AB 54 and does not enforce immigration laws and promotes safety for all residents.

SB 54 limits the use of state and local resources for immigration enforcement. It prohibits local law enforcement from enforcing or participating in the enforcement of Federal immigration laws. There are limited exceptions for people convicted of serious or violent felonies, and a number of misdemeanors. SB 54, also known as the California Values Act ("Act") strikes a balance between protecting the public and providing reassurance to those persons with undocumented status. The Kerman Police Department currently does not conduct or participate in immigration law enforcement.

The proposed resolution (**Attachment 'A'**) is intended to provide assurances to all residents regarding services and safety regardless of Immigrant Status in Compliance with State Law. At the meeting on this matter, it was agreed that Council would decide how it wants to disseminate the resolution after it adopts the resolution. Options include posting it on the City's website and/or enclosing the resolution or excerpts thereof in utility bills. It is noted that if the postage exceeds that for standard utility bills, the general fund will need to make up that difference.

FISCAL IMPACT:

There is no fiscal impact associated with adoption of the resolution. There may be limited costs in dissemination.

ATTACHMENTS:

A. Resolution

Attachment 'A'

RESOLUTION NO. 25-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
DECLARING THE CITY'S ASSURANCES TO ALL RESIDENTS REGARDING SERVICES AND SAFETY
REGARDLESS OF IMMIGRANT STATUS AND COMPLIANCE WITH STATE LAW**

WHEREAS, the City of Kerman recognizes its long and rich history of immigrants who have contributed to our local economy and have become leaders in agriculture, the military, education, business, healthcare, and other professions; and

WHEREAS, the City of Kerman is a diverse City with many foreign-born residents; and

WHEREAS, residents of the City of Kerman include undocumented immigrants; and

WHEREAS, undocumented residents face challenges with access to services and safety due to their status; and

WHEREAS, it is critical that all City residents, businesses, and visitors feel safe in the City of Kerman; and

WHEREAS, many City of Kerman residents have concerns about the potential policies and actions by federal officials regarding immigration enforcement; and

WHEREAS, it is important for the City Council to make a statement that the City is a place of trust and dignity for immigrants who live and work in our community; and

WHEREAS, the state legislature has adopted SB 54 also known as the California Values Act ("Act"); and

WHEREAS, this Act strikes a balance between protecting the public and providing reassurance to those persons with undocumented status; and

WHEREAS, SB 54 prohibits local law enforcement from enforcing or participating in the enforcement of Federal immigration laws with exceptions for people convicted of serious or violent felonies, and a number of misdemeanors; and

WHEREAS, the Kerman Police Department does not conduct or participate in immigration law enforcement; and

WHEREAS, the City of Kerman is concerned for the safety of all its residents.

NOW, THEREFORE, the City Council of the City of Kerman hereby resolves as follows:

1. The foregoing recitals are true and correct and incorporated by reference.
2. The Council declares and affirms that the City of Kerman declares itself a place of respect, trust, and dignity for all residents.
3. City officials and staff will treat all City residents with respect regardless of immigration status.
4. The Kerman Police Department, which provides law enforcement in the City of Kerman, follows SB 54 and does not and will not enforce or participate in the enforcement of Federal immigration laws. There are limited exceptions for people convicted of serious or violent felonies, and a number of misdemeanors such as child abuse, elder abuse, battery theft, forgery, embezzlement, and driving under the influence.
5. The Kerman Police Department in contacting community members, victims of crime, or criminal suspects will not ask those persons for their immigration status. All persons in the City of Kerman can feel free to contact law enforcement without the fear of reprisal.
6. This resolution is effective upon adoption.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Kerman held on the 12th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk