



STAFF REPORT

MEETING DATE: January 22, 2025

PRESENTER: Steve Wilkins, Chief of Police

SUBJECT: Local Law Enforcement Interaction with Undocumented Immigrants (SW)

RECOMMENDATION: City Council receive a presentation addressing Local Law Enforcement's Interaction with Undocumented Immigrants.

EXECUTIVE SUMMARY:

At the December 11, 2024, City Council meeting, Councilmember Herrera requested a discussion to learn about what the Kerman Police Department does when encountering undocumented persons (having entered the United States illegally).

The new Presidential and Federal Administration has pledged a resumption of stronger enforcement of Federal immigration laws addressing the surge of illegal entries into the United States, which ballooned over the past four years to record levels. As such, the question has arisen as to, "how does the Kerman Police Department handle undocumented persons having believed to have entered the United State illegally and suspected of having violated Federal immigration laws?"

DISCUSSION:

In 2018, the California Legislature passed SB 54 also known as the California Values Act ("Act"). This Act 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, such as, child abuse, elder abuse, battery, theft, forgery, embezzlement, and driving under the influence.

The Fresno County Sheriff's Office and the Fresno Police Department currently do not conduct or participate in immigration law enforcement.

Likewise, the Kerman Police Department (KPD) does not enforce Federal immigration laws. When contacting community members, victims of crime, or criminal suspects, the Police Department does not ask that person for their immigration status. It has no bearing on the job done by KPD. The person being dealt with gets the same treatment regardless of their immigration status and it is likely that it is never learned whether those persons are documented or undocumented.

The KPD is very proud of the relationship built with the Kerman community. KPD works every day to keep the community safe, prevent crime, and enforce the laws. KPD wants any undocumented community members to trust that when they need assistance, they can contact authorities without fear of reprisal regarding their immigration status. Without this trust, the community becomes less safe, as criminals may feel they have free rein to commit crimes because the victims will never report them.

Local law enforcement agencies are not obligated to enforce Federal Law. The Kerman Police Department's priority is public safety and serving all members of this community. KPD does not have the time, resources, or interest to enforce Federal immigration laws.

FISCAL IMPACT:

There is no fiscal impact associated with receiving this report.