



Policies Related to Immigration Status

April 22, 2025 | EHRAC | City Attorney's Office

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SANCTUARY CITY POLICY

- On March 27, 2017, the City Council adopted Resolution 2017-R025, declaring Culver City to be a **Sanctuary City** for all its residents regardless of immigration status
- This Resolution remains in place

RESOLUTION 2017-R025

- City officials will require a judicial warrant before detaining an individual or prolonging a detention in any manner at the request of federal immigration authorities
- City officials will require a judicial warrant before arresting, detaining or transporting an individual solely on the basis of an immigration detainer or other administrative document
- Unless pursuant to a court order or a legitimate law enforcement purpose unrelated to civil immigration law, City officials will not permit federal immigration authorities access to City facilities or to any person in City custody, subject to the California Truth Act

- City officials will require federal immigration authorities to wear jackets and badges when given access to City facilities, so that they are clearly identified as federal agents
- City officials will not inquire into the immigration status of any individual, unless there is a legitimate law enforcement purpose unrelated to civil immigration law, or where required by law to verify eligibility for a benefit or service
- City officials will not voluntarily release personally identifiable information to federal immigration authorities, or information that may be used to ascertain an individual's race, religion or ethnicity, unless for a law enforcement purpose unrelated to the enforcement of civil immigration law

- City officials will not engage in surveillance of any person or group based solely on their actual or perceived religion, ethnicity, race or immigration status
- City officials will not detain, interrogate, or arrest an individual based on their perceived race, national origin, religion, language, or immigration status
- Any person who alleges a violation of these policies may file a written complaint with the City

- No City agency, department, officer, employee, or agent shall use City funds, resources, facilities, property, equipment, or personnel to assist in the enforcement of federal immigration law, unless such assistance is required by any valid and enforceable federal or state law or is contractually obligated. This prohibition shall include, but not be limited to, assisting with or participating in any immigration enforcement operation or joint operation or patrol that involves, in whole or in part, the enforcement of federal immigration law, except for purposes of protecting the public safety
- No City agency, department, officer, employee, or agent shall use City funds, resources, facilities, property, equipment, or personnel to assist any federal program requiring the registration of individuals on the basis of race, religion, or ethnicity, including those persons of the Muslim faith or those perceived to be of the Muslim faith, and/or of Middle Eastern descent

- The City shall continue to follow its policies to prevent bias-based policing and law enforcement personnel will continue to exercise discretion to favor citing and releasing individuals in lieu of arrest or continued detention, where consistent with protecting public safety

CALIFORNIA VALUES ACT

Senate Bill 54, which created the California Values Act, (SB 54) was signed into law by Governor Newsom on October 5, 2017, and went into effect on January 1, 2018

SB 54 prohibits California's state and local law enforcement agencies (such as CCPD) from using agency or department money or personnel to investigate, interrogate, detain, detect, or arrest persons for specified immigration enforcement purposes, including but not limited to the following:

- Asking someone about their immigration status;
- Detaining someone based on a hold request;
- Arresting someone based on a civil immigration warrant, or participating in any such arrests;
- Using Immigration and Customs Enforcement (ICE) or Border Patrol agents ("immigration agents") as interpreters; and
- Sharing someone's personal information, such as home address, with ICE or Border Patrol, unless it's publicly available

SB 54 specifies that if local police arrest someone, they:

- Cannot hold someone in jail for extra time just for immigration agents to pick the person up
- Cannot let immigration agents interview someone without the person's written consent
- Cannot tell immigration agents when someone will be released, or transfer someone to their custody, with some exceptions, including where the individual has certain convictions such as:
 - State prison felony convictions
 - Most other felony convictions within 15 years
 - Higher-level misdemeanors within 5 years

- Local law enforcement can notify immigration agents of someone's release date only if information is already public, or where the person has the aforementioned convictions, provided this does not violate local law or policy
- If local law enforcement decides to notify or transfer someone to immigration agents under these express authorizations, they must give the person advance written notice and a copy of ICE or Border Patrol's request

- SB 54 allows law enforcement agencies to take certain actions that do not otherwise violate any local laws or policies, such as making inquiries into information needed to certify an individual who is a potential crime or trafficking victim for a T or U Visa and conducting enforcement or investigative duties associated with a joint law enforcement task force so long as certain requirements are met
- SB 54 requires local police to annually report certain statistics, such as about their participation in joint law enforcement task forces and their transfers of individuals to immigration authorities
- In 2019, the U.S. Court of Appeals for the Ninth Circuit upheld the legality of SB 54 in a lawsuit filed by the United States against the State of California

CCPD COMPLIANCE

- The Culver City Police Department has integrated the policies of Culver City's Sanctuary City Resolution and SB 54 into Section 438 (Immigration) of the CCPD Policy Manual, and into Section 502 (Reception and Housing) of the CCPD Jail Manual
- On December 12, 2024, in anticipation of a new presidential administration taking office in January 2025, CCPD issued a Training Bulletin to its staff that included all CCPD policies regarding immigration and SB 54. The Training Bulletin included both Section 438 of the CCPD Policy Manual and a Frequently Asked Questions document on SB 54 prepared by the American Civil Liberties Union (ACLU)

- SB 54 requires CCPD to submit an annual report to the California Department of Justice regarding SB 54 and any assistance provided to ICE. Since SB 54 was passed, every annual report has reported no assistance with ICE. CCPD has not assisted ICE in any way
- The CCPD jail does occasionally get phone calls from ICE officials who inquire about arrestees in CCPD custody. CCPD staff do not share any information with them
- When ICE sends “ICE Detainers,” staff does not respond and discards the requests
- No arrestees have been interviewed by ICE officials in the CCPD jail and no one has been removed from the CCPD jail facility by ICE

FEDERAL ACTIONS AND RESPONSES

- **January 7, 2025:** California City News reported that “hundreds of city and county leaders across the U.S. have begun receiving letters from incoming Trump administration officials threatening legal consequences for their policies on immigration.” Culver City did not receive such letter
- **January 20, 2025:** Donald Trump took office as President of the United States and, on the same date, signed an Executive Order entitled, “Protecting the American People Against Invasion.” The Executive Order affects sanctuary jurisdictions by potentially removing access to federal funds for allegedly interfering with federal law enforcement operations, as well as authorizing any lawful criminal or civil enforcement actions by the Attorney General and Secretary of Homeland Security “that they deem warranted based on any such jurisdiction’s practices that interfere with the enforcement of Federal law”

- **January 21, 2025:** the Acting Deputy Attorney General of the U.S. Department of Justice (DOJ) issued a memorandum informing DOJ employees of interim policy changes regarding charging, sentencing, and immigration enforcement
 - includes statements regarding local governments' mandated compliance with the Executive Branch's immigration enforcement activities, as well as potential DOJ investigations and resulting legal proceedings for local governments' failure to comply with said activities
- **January 22, 2025:** California Attorney General Bonta issued a press release in response to the DOJ Memo stating, "[t]his is a scare tactic, plain and simple. The President is attempting to intimidate and bully state and local law enforcement into carrying out his mass deportation agenda for him. My team is reviewing the U.S. Department of Justice's memo, and we'll be prepared to take legal action if the Trump Administration's vague threats turn to illegal action"

- **January 27, 2025:** President's Office of Management and Budget (OMB) issued a memorandum to heads of executive departments and agencies to "temporarily pause all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders[.]" effective January 28th at 5:00 PM
- **January 29, 2025:** after various lawsuits were filed and the funding freeze was temporarily halted by a federal judge, the OMB issued a memorandum rescinding the January 27, 2025, memorandum

- **February 6, 2025:** the United States filed a lawsuit against the State of Illinois, City of Chicago, Cook County, and state and local officials in Illinois over sanctuary laws (lawsuit is pending)
- **February 7, 2025:** California Governor Newsom signed laws “setting aside \$50 million to help the state protect its policies from challenges by the Trump administration and defend immigrants amid the president’s mass-deportation plans. One of the law allocates \$25 million for the state Department of Justice to fight legal battles against the federal government, and another sets aside \$25 million in part for legal groups to defend immigrants facing possible deportation”

- **February 19, 2025:** President Trump signed an Executive Order titled “Ending Taxpayer Subsidization of Open Borders” which orders the head of each executive department or agency to “ensure, consistent with applicable law, that Federal payments to States and localities do not, by design or effect, facilitate the subsidization or promotion of illegal immigration, or abet so-called “sanctuary” policies that seek to shield illegal aliens from deportation”
- **February 21, 2025:** the City of New York filed a lawsuit in a federal district court against President Trump and his administration alleging that funds that were previously awarded and disbursed to the city by FEMA to house migrants were removed over \$80 million from a city bank account without notice or an administrative process. The city had received a “noncompliance” letter from FEMA on February 18th, claiming the city was engaging in or facilitating illegal activities

The current landscape regarding this issue is constantly changing.

Culver City continues to adhere to local and State laws and policies.

Thank you.

Culver CITY