

SANCTUARY JURISDICTION COMPONENTS

	SB 54 – EFFECTIVE JANUARY 1, 2018	MODEL ORDINANCE
Use of Resources	Prohibits use of PD resources for immigration enforcement purposes, including inquiring into immigration status; detaining; providing personal information as defined in CC 1798.3; participation in civil immigration warrant arrests	Same as SB 54.
Release date and notification requests	Prohibits provision of release date.	Prohibits altogether response to notification requests and release date disclosure.
	EXCEPTION, which authorizes officer discretion to disclose when: (1) serious or violent felons (as defined); (2) convicted felons punishable by state imprisonment; (3) misdemeanor conviction within 5 years that was punishable as a misdemeanor or felony (after passage of 2014 Safe Neighborhoods and Schools Act) or convicted within 15 years of specified felonies; (4) sex offender or arson registrant; (5) aggravated felon or outstanding felony arrest warrant. Local agency can further restrict.	
Immigration Officer Activities	Prohibits from assisting immigration authorities or performing functions thereof	Same as SB 54.
PD officers under supervision of Federal immigration agencies	Prohibits placing officers under the supervision of Federal agencies or employing officers deputized as special Federal officers for purposes of immigration enforcement.	Same as SB 54.
Interpreters	Prohibits PD from using immigration authorities as interpreters	N/A
Transfer	Prohibits transfer of an individual to immigration authorities unless judicial warrant or judicial probable cause.	Prohibits response to transfer requests absent a judicial warrant.

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	EXCEPTIONS, where officer has discretion to transfer: (1) serious or violent felons (as defined); (2) convicted felons punishable by State imprisonment; (3) misdemeanor conviction within 5 years that was punishable as a misdemeanor or felony (after passage of 2014 Safe Neighborhoods and Schools Act) or convicted within 15 years of specified felonies; (4) sex offender or arson registrant; (5) aggravated felon or outstanding felony arrest warrant. Local agency can further restrict.	
Office Space	Prohibiting from providing office space exclusively dedicated for immigration authority use within a city law enforcement facility.	Deny all access to city land/buildings unless pursuant to a judicial warrant.
Federal Detainees	Prohibited from contracting with Federal government to house Federal detainees, except where an existing contract.	N/A
Can do IF does not violate local policy	Investigate, enforce, detain upon reasonable suspicion/arrest for violation of reentry of illegal immigrants that are subject to enhanced penalties for reentry when detected during unrelated PD activity.	N/A
	Respond to immigration authority requests regarding criminal history through CLETS.	N/A
	Joint task force investigation and sharing of related information if specific conditions met (nonimmigration-related)	N/A
	Make inquiries necessary to certify individual for specific visas or comply with sale/disposition of firearm and ammunition requirements.	N/A

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	Provide immigration authorities' access to interview individuals in PD custody – must comply with TRUTH Act.	Deny all access to City land/buildings unless pursuant to a judicial warrant. Prohibits access for immigration enforcement altogether.
Annual Reporting for Joint Task Force Participation	Required reporting if participate in a joint task force with dedicated resources on ongoing basis.	N/A
Condition Local Benefits on Immigration Status	N/A	Prohibits conditioning provision of City benefits, opportunities, or services on immigration status unless required by law.
Information Collection Limited	N/A	Review policies and ensure info collected from individuals is limited to that which is necessary to perform agency duties.
	N/A	Remove from applications, interview forms, and questionnaires questions regarding immigration status unless required by law.
Immigrant Rights	N/A	Prominently display information on immigrant rights to access services.
Identification	N/A	When driver's license or identification card acceptable evidence of identification, allow presentation of identity document by nation of origin (does not apply to Federal I-9 form).