

**A RESOLUTION REAFFIRMING SAN JUAN COUNTY’S COMMITMENT TO
TOLERANCE, DIVERSITY AND INCLUSIVENESS**

WHEREAS, except for Native Peoples of the Northwest Coast and Salish Sea, we are all from somewhere else; and

WHEREAS, San Juan County (“the County”) benefits both culturally and economically from the increasing ethnic, racial and religious diversity of its population; and

WHEREAS, the County has long been recognized as a hospitable and welcoming community where diverse people, families and institutions thrive and the contributions of all are celebrated and valued; and

WHEREAS, the County respects, upholds and values equal protection and equal treatment for all residents, regardless of immigration status or place of origin; and

WHEREAS, a relationship of trust, respect and open communication between County employees and residents, including crime victims and witnesses regardless of immigration status, is crucial to the County’s mission of ensuring public health, safety and the well-being of all residents and equally serving the needs of everyone in the community; and

WHEREAS, the County reaffirms its established policy set forth in Resolution 25-2014 (“A Resolution Adopting a Policy Regarding How San Juan County will honor Immigration Hold Requests from the United States Department of Immigration and Customs Enforcement”, attached as Appendix 2), to promote public trust and cooperation, foster respect between law enforcement and residents, and protect limited local resources; and

WHEREAS, on February 23, 2017 in Executive Order 17-01, Governor Jay Inslee reaffirmed his commitment to vigorously support and protect the rights of Washingtonians and to respect diversity and inclusion in state practices; and

WHEREAS, the County further aims to promote family unity and community security by reaffirming these policies regarding immigration status that will continue to afford equal protection to all; **NOW, THEREFORE
BE IT RESOLVED BY THE COUNTY COUNCIL OF SAN JUAN COUNTY THAT:**

1. San Juan County shall remain a welcoming jurisdiction that embraces diversity with compassion, tolerance and understanding, and recognizes the intrinsic value of immigrants in creating a vibrant community;
2. County agencies and employees shall provide assistance and services to all residents and visitors, regardless of citizenship or legal status, to the extent allowed by law and without discrimination based on a person's national origin;
3. Unless otherwise required by international treaty or applicable state or federal law, County personnel shall not inquire about immigration status, nationality, or birth place of any individual, including crime victims and witnesses, or any person who approaches County officers or personnel seeking assistance;
4. County policies on information gathering shall ensure that information regarding country of birth, nationality, or immigration status collected from an individual is limited to that necessary to perform agency or departmental duties, and that this type of sensitive information shall not be shared with federal immigration authorities unless required by a federal judicial warrant or applicable law;
5. County officers and employees may not inquire into, or request specific documents – including passports, alien registration cards, birth certificates or work permits - in order to ascertain a person's immigration status for the sole purpose of identifying whether a person has complied with federal civil immigration laws;
6. Consistent with applicable federal law and Executive Order 17-01 (signed by Governor Inslee on February 23, 2017), County sheriff's officers and their agents shall not perform the functions of federal immigration officers or otherwise engage in the enforcement of federal immigration law under Title 8 of the United States Code Section 1357(g), or enter into any Section 287(g) agreements to enforce such laws;
7. Pursuant to recent federal court decisions and San Juan County Resolution 25-2014 (adopted June 17, 2014), it is established policy of San Juan County to only honor civil immigration hold requests (also known as civil immigration detainers) from the Department of Homeland Security, ICE, or CBP that are accompanied by a judicial warrant issued by a United States District Court Judge or Magistrate;
8. In accordance with established County policy not to assist in enforcement of federal civil immigration law, San Juan County personnel shall not provide ICE or

CBP access to an individual in county custody or use county facilities to question that individual if the sole purpose is enforcement of federal immigration law;

9. County personnel may not use agency or department money, facilities, property or equipment to enforce or assist in the enforcement or creation of any federal program requiring registration of individuals on the basis of religious affiliation.

10. Individuals in the custody of San Juan County shall be subject to the same booking, processing, release and transfer procedures, policies and practices of that agency regardless of actual or suspected immigration status, nationality or place of birth.

Severability

This resolution is intended to be consistent with 8 USC Section 1373. If any section, paragraph, sentence, clause or phrase of this resolution is superseded, declared unconstitutional or invalid for any reason, such decision shall not affect its remaining provisions.

Effective Date

This resolution shall take effect immediately upon signing.

APPENDIX 1

DEFINITIONS

“CBP” means the United States Customs and Border Protection, commonly known as the “border patrol” and shall include any successor agency charged with enforcing security at United States’ borders.

“Citizenship or immigration status” means all matters regarding questions of citizenship of the United States or any other country, and the authority to reside in or otherwise be present in the United States.

“Civil Immigration Warrant (or Detainer)” means an administrative warrant or detainer issued pursuant to 8 CFR Sec. 287.7, or similar request by ICE or CBP for detention of a person suspected of violating civil immigration law.

“ICE” means the United States Immigration and Customs Enforcement Agency and shall include any successor agency charged with the enforcement of federal civil immigration laws.

“Judicial Warrant” means a warrant based on probable cause and issued by an Article III federal judge or a federal magistrate judge that authorizes federal immigration authorities to take into custody the person who is the subject of the warrant. A judicial warrant does NOT include a civil immigration warrant, administrative warrant, or other document signed only by ICE or CBP officials.

“Local Law Enforcement Agencies” or “LEAs” include local police personnel, sheriffs’ department personnel, local corrections and probation personnel, and school safety or resource officers. LEAs do NOT include federal immigration enforcement agents or officers.