

2017 RES-145
**JOINING THE AMERICAN CIVIL LIBERTIES UNION'S "FREEDOM CITIES"
CAMPAIGN IN SUPPORT OF MUSLIMS AND IMMIGRANTS**

The American Civil Liberties Union (ACLU) has challenged the President's travel ban on refugees and Muslims in the courts and has been deeply critical of other aspects of his immigration agenda, especially the immigration enforcement in America's towns and cities.

The ACLU has outlined nine "model" state and local law enforcement policies and rules which -- if adopted -- in "Freedom Cities" throughout the nation, will protect our families and our neighbors' families from some of the worst abuses of the current administration. Dane County supports the ACLU's plan to promote and win real protections for the most vulnerable in our communities includes securing the adoption and enforcement of the following local policies and rules.

Defend our friends, families and neighbors from mass deportation:

#1) The Judicial Warrant Rule: Dane County officials shall require a judicial warrant prior to detaining an individual or in any manner prolonging the detention of an individual at the request of U.S. Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP).

#2) No Facilitation Rule: Dane County officials shall not arrest, detain, or transport an individual solely on the basis of an immigration detainer or other administrative document issued by ICE or CBP, without a judicial warrant.

#3) Defined Access/Interview Rule: Unless acting pursuant to a court order or a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law, no Dane County official shall permit ICE or CBP agents access to Dane County detention facilities/jails or any person in Dane County custody for investigative interviews or other investigative purposes.

#4) Clear Identification Rule: To the extent ICE or CBP has been granted access to Dane County facilities, individuals with whom ICE or CBP engages will be notified that they are speaking with ICE or CBP, and ICE or CBP agents shall be required to wear duty jackets and make their badges visible at all times while in Dane County facilities.

Protect our friends, families and neighbors' privacy:

#5) Don't Ask Rule: Dane County officials shall not inquire into the immigration or citizenship status of an individual, except where the inquiry relates to a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law, or where required by state or federal law to verify eligibility for a benefit, service, or license conditioned on verification of certain status.

#6) Privacy Protection Rule: No Dane County official shall voluntarily release personally identifiable data or information to ICE or CBP regarding an inmate's custody status, release date or home address, or information that may be used to ascertain an individual's religion, ethnicity or race, unless for a law enforcement purpose unrelated to the enforcement of a civil immigration law.

#7) Discriminatory Surveillance Prohibition Rule: No Dane County agency or official may engage in any surveillance that is based, to any extent or degree, upon a person

or group's actual or perceived religion, ethnicity, race, national origin, or immigration status, except where doing so is based on a reliable, specific description of a suspect and adheres to appropriate Constitutional standards.

Help our friends, families and neighbors get redress when abuses and mistakes occur:

#8) Redress Rule: Any person who alleges a violation of this policy may file a written complaint for investigation with Dane County.

Help ensure our friends, families, and neighbors are protected from discrimination:

#9) Fair and Impartial Policing Rule: No Dane County official shall interrogate, arrest, detain or take other law enforcement action against an individual based upon that individual's perceived race, national origin, religion, language, or immigration status, unless such personal characteristics have been included in timely, relevant, credible information from a reliable source, linking a specific individual to a particular criminal event/activity.

Under 8 U.S.C. § 1373 and 8 U.S.C. § 1644, federal law prohibits Dane County officials from imposing limits on maintaining, exchanging, sending, or receiving information regarding citizenship and immigration status with any Federal, State, or local government entity. Nothing in Dane County policies is intended to violate 8 U.S.C. § 1373 and 8 U.S.C. § 1644.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports the ACLU's nine model policies and rules as part of the "Freedom Cities" campaign.