

OPPOSING PRESIDENT TRUMP'S EXECUTIVE ORDER THAT PRIORITIZES DEPORTING UNDOCUMENTED INDIVIDUALS AND REASSERTING DANE COUNTY'S COMMITMENT TO VALUING IMMIGRANTS AND ENSURING EQUAL ACCESS TO COUNTY SERVICES

On Wednesday January 25, 2017, President Donald Trump signed an executive order entitled "Enhancing the Public Safety in the Interior of the United States", prioritizing deporting undocumented individuals who have committed any criminal offense.

The executive order is equivalent to a national sweep of undocumented individuals. According to the Pew Research Center, the Center for Immigration Studies, and the Center for Migration Studies, there are currently approximately 11 million undocumented individuals in the United States, and approximately 8 million of them are part of the United States civilian workforce. The Pew Research Center also approximates that two-thirds of the 11 million undocumented individuals have lived in the United States for more than 10 years and consider the United States their home. Wisconsin has approximately 85,000 undocumented individuals and approximately 55,000 of them are employed, according to the Pew Research Center.

This is a stark departure from the policy priorities of the administration of President Barack Obama, which prioritized deportation of individuals who were convicted of felony crimes or posed national security threats. Instead, under President Trump's executive order, individuals may be deported regardless of whether charges are ever filed, regardless of the severity of the charges even if they are misdemeanors or minor offenses, and regardless of the outcome of the charges including having charges dismissed or being found not-guilty. The result is that individuals may be deported under his executive order for any infraction, including the act of illegally entering the United States or the act of falsifying papers for the purposes of obtaining employment or housing.

Former President Obama also offered a path to citizenship for undocumented individuals in the United States. The current plan by President Trump does not.

This will be the largest expansion of deportation authority in United States history. Almost every undocumented individual is now subject to deportation. To enforce this drastic increase in deportation actions, President Trump has called for the hiring of 10,000 additional immigration agents.

President Trump's executive order also threatens to cut funding from "sanctuary cities" that do not cooperate with deportations of undocumented individuals. Although there is no clear definition of what a sanctuary city is, the City of Madison has been labeled as one by Wisconsin and Federal leaders.

The implementation of this executive order creates a chilling impact in our communities for all undocumented individuals, as well as their documented family and friends. Individuals will be reluctant to contact or assist police departments, even if they are victims of crimes; and they will become susceptible to fraud and abuse in the workplace, in their homes, and in the community. The results will move an already isolated community further into the shadows and increase their distrust of police and government.

Dane County has long respected the rights of immigrants and refugees in our community. More than a dozen years ago, the Dane County Board of Supervisors adopted a privacy policy regarding access to county services. The goal of the policy was to let individuals in Dane

52 County know that they may seek and obtain the assistance of county agencies regardless of  
53 personal or private attributes, including immigration status, without negative consequences.

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55 Res. 65, 2004-05 DANE COUNTY PRIVACY POLICY CONCERNING ACCESS TO COUNTY  
56 SERVICES defines the meaning of “confidential information” to include immigration status, and  
57 specifies that no county officer or employee shall inquire about a person’s immigration status  
58 except as required by law, and further specifies that no county officer or employee shall  
59 disclose confidential information except as required by law.

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61 Res. 65, 2004-05, also requires any county employee other than law enforcement officers to  
62 consult with the Corporation Counsel’s office before disclosing confidential information,  
63 including immigration status, to any individual or government entity.

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65 Additionally, the Dane County Board of Supervisors recently passed Res. 486, 2015-16  
66 OPPOSING ASSEMBLY BILL 450 BANNING SANCTUARY CITIES OR COUNTIES,  
67 opposing requiring government employees to report an individual’s known immigration status  
68 to federal officials or to act in any way as immigration officials.

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70 These long-standing policies are even more relevant today.

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72 NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors re-commits  
73 to the policy established in Res. 65, 2004-05 DANE COUNTY PRIVACY POLICY  
74 CONCERNING ACCESS TO COUNTY SERVICES, specifically the policies that prohibit  
75 employees from inquiring into, or reporting of, the immigration status of any person, except as  
76 required by court order or law; and the policy that all inquiries by outside parties as to the  
77 immigration status of any individual be referred to the Corporation Counsel’s office for response.

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79 BE IT FURTHER RESOLVED, that the Dane County Board affirms that no county services shall  
80 be conditioned upon the status of United States citizenship, except as required by court order or  
81 law.

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83 BE IT FURTHER RESOLVED that the Dane County Board of Supervisors, understanding that  
84 the Dane County Sheriff is an independently elected constitutional officer, wishes to show its  
85 support of the current Dane County Sheriff’s Office policy following the above procedures for all  
86 interactions outside the Dane County Jail, except as required by court order or law; and the  
87 Dane County Board of Supervisors also supports the current Dane County Sheriff’s Office  
88 policy refusing to act as a federal agent or assist in the execution of any of the duties of the  
89 Immigration, Customs, and Enforcement officials, including refusing to authorize county  
90 personnel or funds to assist in any ICE actions, except as required by court order or law; and  
91 the Dane County Board of Supervisors also supports the current Dane County Sheriff’s Office  
92 policy of refusing to utilize the Dane County Jail for ICE detentions of any individual, except as  
93 required by court order or law.

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95 BE IT FURTHER RESOLVED that the Dane County Board of Supervisors expresses its desire  
96 that the Dane County Sheriff’s Office develop a policy refusing to report the immigration status  
97 of any individual booked into the Dane County Jail to ICE unless the individual is charged with a  
98 felony or poses a terrorist threat or a danger to the safety of the nation, except as required by  
99 court order or law.

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101 BE IT FINALLY RESOLVED that a copy of this resolution be shared with Representative Pocan,  
102 Senator Baldwin and Senator Johnson, and President Trump.

