

RESOLUTION: _____

WHEREAS, the City of Austin has long embraced and welcomed individuals of diverse racial, ethnic, religious, and national backgrounds, including a large immigrant population; and

WHEREAS, fostering a relationship of trust, respect, and open communication between City officials and the community is essential to the City’s mission of delivering efficient public services, ensuring public safety, public health, a prosperous economic environment, opportunities for our youth, and a high quality of life for residents; and

WHEREAS, the City of Austin interacts with the community in a number of ways, and requesting or investigating immigration status during those interactions is a federal matter outside the City’s jurisdiction; and

WHEREAS, the City of Austin seeks to foster trust and cooperation between City officials and employees, law enforcement, and the community, to protect limited local resources, and to ensure public safety and due process for all; and

WHEREAS, the City does not receive federal funding to compensate for the enforcement of federal immigration law and is following all federal laws related to immigration enforcement, including Title 8, U.S. Code, Section 1373; and

WHEREAS, a United States District Court recently issued an injunction preventing the President from implementing an Executive Order that would penalize “sanctuary jurisdictions,” finding that even self-proclaimed sanctuary cities such as San Francisco comply with federal law by declining to use municipal resources to enforce civil immigration offenses; and

WHEREAS, the City of Austin joined dozens of large cities and counties nationwide in opposing the Executive Order by signing a join amicus brief in the San Francisco litigation; and

WHEREAS, the Major Cities Chiefs Police Association, composed of the 68 largest law enforcement agencies in the U.S., have supported this position, explaining that local law enforcement professionals acting as federal immigration officials “would result in increased crime against immigrants and in the broader community, create a class of silent victims and eliminate the potential for assistance from immigrants in solving crimes or preventing future terroristic acts;” and

WHEREAS, a 2017 study conducted by the Center for American Progress, in collaboration with the National Immigration Law Center, determined that cities with welcoming policies towards immigrants had fewer crimes committed overall, higher annual household incomes, and lower rates of unemployment; and

WHEREAS, the City of Austin affirms that the Austin Police Department’s mission is to enforce criminal laws, not federal civil immigration laws; and

WHEREAS, Austin, Texas, is consistently ranked as among the safest cities in Texas and across the U.S., in part due to relationships of trust between law enforcement and the community as a whole; and

WHEREAS, City Council declared Austin a Welcoming City through Resolution 20140320-049 to celebrate the contributions of members of the immigrant community and demonstrate that the City strives to include immigrants in all aspects of our city; and

WHEREAS, the City of Austin has committed in Resolutions 20161215-066 and 20170276-018 to provide funding to local organizations for immigrant legal services; and

WHEREAS, the City of Austin seeks to maintain the right to self-governance, particularly on matters relating to public safety; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is hereby directed to prepare and pursue litigation against, and defend litigation from, the State of Texas as appropriate, in order to provide relief to the City of Austin and the people of Texas from Senate Bill 4. The City Manager is hereby directed to explore, identify, and allocate the necessary resources, financial or otherwise, to prepare and pursue effective litigation and defense. Additionally, the City Manager is directed to explore coordination with other municipalities and entities engaging in similar litigation.

ADOPTED: _____, 2017

ATTESTED: _____

Jannette S. Goodall
City Clerk