



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R 24-0571

REPORT RE:

NOV 12 2024

**DRAFT ORDINANCE ADDING CHAPTER 19 TO DIVISION 19 OF THE
LOS ANGELES ADMINISTRATIVE CODE TO PROHIBIT THE USE OF CITY
RESOURCES, INCLUDING PROPERTY AND PERSONNEL, FROM BEING UTILIZED
FOR IMMIGRATION ENFORCEMENT OR TO COOPERATE WITH FEDERAL
IMMIGRATION AGENTS ENGAGED IN IMMIGRATION ENFORCEMENT**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 23-0243

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance adds Chapter 19 to Division 19 of the Los Angeles Administrative Code to prohibit the use of City resources, including property and personnel, from being utilized for immigration enforcement or to cooperate with federal immigration agents engaged in immigration enforcement.

Specifically, the draft ordinance would, unless required by state or federal law, prohibit City resources, including, but not limited to, City personnel and City property, from being utilized to:

- (1) Inquire into or collect information about an individual's citizenship or immigration status, except in specified circumstances;
- (2) Investigate, cite, arrest, or detain any person for purposes of enforcement of federal immigration law;

- (3) Comply with any administrative (i.e., non-judicial) detainer request from a federal immigration agent for purposes of enforcement of federal immigration law;
- (4) Provide any federal immigration agent access to any non-public areas of City property, including City jails, without a valid warrant;
- (5) Make any person in City custody available to any federal immigration agent for an interview for purposes of enforcement of civil immigration law absent informed, written consent from the person in custody;
- (6) Participate in any immigration enforcement operation or joint operation involving any federal immigration agent the purposes of which, in whole or in part, involves enforcement of federal immigration law.
- (7) Provide access to any information that can be used to determine or trace a person's citizenship or immigration status to any federal immigration agent or to any other person for purposes of federal immigration enforcement.

Finally, the draft ordinance recognizes that, by terms of the Charter, not all City departments would be bound by its prohibitions. For the City departments that are exempt from those prohibitions, the draft ordinance, as a statement of City Council policy, strongly encourages those departments to adopt policies consonant with the provisions contained in the draft.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to all City departments with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact the undersigned at (213) 978-8100. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By



MICHAEL J. DUNDAS
Senior Assistant City Attorney