

Local Civil Rights Restoration Act

This city remains firmly committed to the protection of civil rights and civil liberties for all people, and enacts this ordinance to secure those aims.

In passing this ordinance, we seek to address and codify the following:

Constitutional rights

We support simple requirements to reiterate longstanding Fourth Amendment protections eroded by the post-9/11 domestic surveillance programs:

- The police department shall not engage in undercover infiltration of groups or organizations pursuing First Amendment-protected activities, absent probable cause that a criminal offense may be committed.
- Collaboration with federal and military officials for purposes other than disaster preparedness or criminal law enforcement shall be limited.
- The police department shall not engage in efforts to collect or retain information about the lawful activities of individuals or groups without probable cause that such activities relate to criminal activity.

Reason: The federal surveillance system remains cloaked in secrecy, preventing checks and balances, yet it relies increasingly on state and local law enforcement agencies. Our Constitution carefully guards the sovereignty of states, which (along with municipalities) play a crucial role in defending constitutional rights. As long as Congress continues to ignore proposals to curb law enforcement abuses, only local legislative limits can protect and restore the rights of the city's residents.

Commitment against racial profiling and for transparency

We oppose profiling based on race, religion, national origin, immigration status, and political affiliation, and support legal measures to prevent such profiling:

- Local police shall be required to record, track, analyze, and disclose aggregate data about the demographics of people stopped, searched, arrested, charged, and subjected to force.
- Local police shall make a commitment against selecting individuals, organizations, or associations for investigative scrutiny on the basis of their First Amendment-protected activities.

Reason: Profiling according to race, religion, national origin, or political speech wastes taxpayer dollars by scrutinizing law-abiding people rather than focusing investigative attention on real criminal activity. As police chiefs across the country have argued, law enforcement agencies must focus their resources on investigating individuals whose behavior indicates potential criminal activity to catch criminals and protect national security. Profiling affects all vulnerable communities (Latinos, African Americans, Muslims, Arabs, South Asians, political activists, and more). Accordingly, these proposed reforms offer leadership opportunities for officeholders and police chiefs seeking support and trust from those communities.

Preserving community trust

We support measures that bolster community trust by placing sensible limits on local authorities' cooperation with federal counterparts on immigration enforcement and intelligence collection:

- This city shall not participate in federal immigration programs such as 287(g) and Secure Communities.
- Local police officers shall not monitor, stop, detain, question, interrogate, or search a person for the purpose of determining that individual's immigration status.
- The police department shall not collect or retain information about the lawful activities of individuals or groups without probable cause that such activities relate to criminal activity.

Reason: Enforcing federal immigration policy is the job and financial responsibility of the federal government. Federal mandates (such as immigration enforcement or intelligence collection) distract local law enforcement and divert scarce resources from the police department's core public safety mission of protecting this city's residents. In addition, pervasive surveillance does not actually enhance security, but in fact undermines it: our law enforcement agencies are searching for needles, and throwing hay on the stack does not help. Further, local immigration enforcement and domestic intelligence collection undermine the community trust necessary for effective investigations.