

Resolution No.

**Resolution affirming that Rochester is a Sanctuary City committed to equal rights for all, as amended**

WHEREAS, The City of Rochester, the home of Frederick Douglass and Susan B. Anthony, has a long tradition of support for equal rights for all people, including immigrants and refugees, as exemplified by City Council Resolution No. 86-29 recognizing Rochester as a City of Sanctuaries;

WHEREAS, Chapter 63 of the City Code requires that the City provide equal access to public services and prohibits discrimination in City services on the basis of age, race, creed, color, national origin, gender identity or expression, sexual orientation, disability or marital status;

WHEREAS, federal immigration enforcement is the responsibility of federal enforcement agencies, not local government agencies;

WHEREAS, federal law does not require local law enforcement or other local service providers to inquire into an individual's immigration status;

WHEREAS, in response to changes in federal immigration enforcement practices and priorities, Cities across the United States have reaffirmed their support for the principle of sanctuary for persons fleeing persecution and on January 19, 2017, the New York State Attorney General provided local governments and law enforcement agencies with guidance for improving public safety by protecting vulnerable immigrant communities; and

WHEREAS, the City of Rochester wishes to join these cities and to reaffirm its continued support to its residents in their efforts to maintain and further human rights for all who come within its borders, including immigrants and refugees; and

WHEREAS, a policy that assures immigrants and refugees that they can contact the police and other City agencies without fear of adverse immigration consequences will enhance public safety for all citizens; and

WHEREAS, the Council finds that it is in the public interest for Rochester to adopt "Sanctuary City" policies.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

1. That the Mayor and City Council reaffirm the City of Rochester's commitment that it is one community; that is welcoming and inclusive of all, is united and strengthened by our diversity and committed to upholding and protecting the civil and human rights of all individuals that come within its borders, including immigrants and refugees.

2. The City Council hereby requests that the Mayor and the City administration implement policies that further the City's role as a Sanctuary City to ensure compliance with the objectives herein, subject to Federal, state and local laws and the Constitutions of the United States of America and the State of New York;

3. The Police Department shall not engage in certain activities solely for the purpose of enforcing federal immigration laws, including not inquiring about the immigration status of an individual, including a crime victim, a witness, or a person who calls or approaches the police seeking assistance, unless necessary to investigate criminal activity ~~by that individual~~, and shall not stop, question, interrogate, investigate, or arrest an individual based solely on actual or suspected immigration or citizenship status;

4. That City personnel shall not inquire about or request proof of immigration status or citizenship when providing services or benefits, except where the receipt of such services or benefits are contingent upon one's immigration or citizenship status or where inquiries are otherwise lawfully required by federal, state, or local laws, or where such information is needed for a criminal investigation;

5. That the City shall not use its funds or personnel to enforce or to assist in the enforcement of Federal immigration policies or participate in any program requiring registration of individuals on the basis of religion, race, gender, gender identity or expression, sexual orientation, ethnicity, or national origin, except to the extent specifically required by law and subject to the principles embodied in the Constitutions of the United States and the State of New York.

6. This resolution shall take effect thirty days after the date it is adopted.

Strikeout indicates deleted text, new text is underlined