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In City Council January 14, 2019

CITY OF BROCKTON
Brockton United Ordinance

1. PURPOSE

The purpose of this ordinance is to create unity among residents of Brockton, whether born here or abroad; to welcome newcomers; and to engage community members in building trust and solidarity between the different ethnic groups that make up the City of Brockton and the City's government.

As a City with a large population of foreign-born residents and children of immigrants, we value the diversity of our population. We also strive to make our City safe and welcoming for all who live and work here. In order to support public safety for all, it is crucial that foreign-born residents feel encouraged to interact with our City agencies and to seek and obtain police assistance and protection regardless of their specific immigration and/or documentation status.

This ordinance serves as a public statement that it is not within the purview nor mandate of the City of Brockton to enforce federal immigration laws or seek the detention, transfer or deportation of Brockton residents for civil immigration purposes, nor should City resources be expended toward that end. By this Ordinance, we declare that the City of Brockton is a welcoming community and that it will equally enforce the law and serve the public without consideration of nationality, ethnicity, or immigration status.

2. EQUAL TREATMENT

The City of Brockton will equally enforce the law and serve the public without consideration of nationality, ethnicity, or immigration status. Citizenship, immigration status, lack of immigration documentation, national origin, race, and ethnicity shall have no bearing on an individual's treatment by employees or officers of City of Brockton agencies or departments.

3. COMMUNITY POLICING AND COLLABORATION WITH IMMIGRATION AUTHORITIES

- A. The Brockton Police Department is committed to providing the highest quality services by working in collaboration with the community to improve the quality of life in Brockton.

In furtherance of the Department's Community Policing philosophy, Brockton police officers do not generally inquire about the immigration status of any person with whom they have contact and do not take any law enforcement action on the basis of immigration status.

A person's immigration status has no bearing on his or her treatment by officers or employees of the Brockton Police Department, including the right to file police reports and serve as witnesses to crimes, participate in police-community activities, and otherwise benefit from general police services.

- B. The Massachusetts General Laws do not authorize the Department to arrest or detain an individual solely on the basis of an immigration detainer. Consequently, BPD officers or employees will not continue to hold a person beyond the time when he or she is released from local custody on the sole basis of an ICE detainer and will not extend the length of detention

by any amount of time before the individual is transferred to court or admitted to bail for the purpose of allowing immigration authorities time to apprehend him or her.

- C. The Brockton Police Department will not provide federal immigration authorities information relating to the incarceration status, length of detention, home address, work address, hearing information, or pending release of a person in police custody or who has come to the attention of the police, except for information that is available through the Massachusetts Public Records Laws, G.L. c. 66, section 10 and G.L. c. 4, section 7 (twenty-sixth).
- D. In furtherance of the US Victims of Trafficking and Violence Prevention Act, the Brockton Police Department considers and signs U Visa certification requests if an individual (i.) is the victim of a qualifying crime, and (ii.) has been, is being, or will likely be helpful in the investigation/prosecution of that crime.

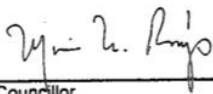
4. SCHOOLS

The Brockton Public Schools are committed to fulfilling their constitutional obligations to educating all Brockton students without regard to nationality or immigration status.

No employee of the Brockton Public Schools shall require a student or parent to provide information regarding their immigration or citizenship status to establish the student's residency in the district for enrollment purposes. If such information becomes known to an employee of the Brockton Public Schools, such information shall not be kept or distributed, and shall have no bearing of the student's ability to register for school or the school's treatment of that student. Information collected regarding place of birth for the purpose of providing English Language Learners with appropriate services shall be used only for that purpose and not distributed further.

5. COMPLIANCE WITH FEDERAL LAW

Nothing in this Section shall be construed to violate any valid federal law, or to prohibit any Brockton agency or department from providing another law enforcement agency citizenship or information status, consistent with 8 U.S.C. § 1373.


Councillor

Moises M. Rodrigues
Councillor-At-Large



Jean Bradley Derencourt
Councillor-At-Large

IN CITY COUNCIL

January 14 2019
READ AND REFERRED TO STANDING
COMMITTEE ON Ordinance
