

2/23/2017

Dear Colleagues,

I had a chance to preview some of the drafts that Doug was working on for our meeting Monday. I marked up one of his working drafts for consideration during our discussion on Monday.

There are three significant changes from the draft I was looking at:

- 1) I removed the original leading paragraph. It was broader than I thought was useful.
- 2) I added a section to clarify that this makes it easier for immigrants to be protected by and cooperate with the police
- 3) I added a section to clarify that we aren't extending any protections to violent criminals

I made those changes with two key goals in mind. The first goal is to put forward a resolution that will attract a broader base of support in the town and in town meeting. If this debate is acrimonious and divisive, and the resolution passes or fails by a single vote, I think we have failed to guide the debate well. If the debate is passionate and polite and the resolution is adopted by a large part of Town Meeting, I will be pleased. I believe that by narrowing the scope some we can find a broader consensus.

The second goal is for clarity of purpose. I believe that if Town Meeting members see more clearly what this resolution does and does not do, it will be easier to find our way to yes.

Many thanks to Doug and all of the collaborators on this draft. I look forward to lively discussion on Monday.

Thanks

Dan

Arlington Trust Resolution- Dunn Draft

WHEREAS, the Town of Arlington desires to provide safety, opportunity, access, and equality for all immigrants and people of all ethnicities and religions; and

WHEREAS, the federal government's Immigration and Customs Enforcement ("ICE") Priority Enforcement Program, uses local law enforcement data to identify suspected "criminal aliens" in local custody; and

WHEREAS, ICE issues civil immigration detainer requests which allow for prolonged detention during which ICE investigates the immigration status of suspected "criminal aliens" in local custody; and

WHEREAS, fear of detainer requests and other immigration enforcement measures inhibits many community members from seeking protection from public safety officials and from providing aid to public safety officials during investigations of crimes; and

WHEREAS, the Arlington Police Department ("APD") has demonstrated its commitment to both the inclusionary values of the Town of Arlington and the efficacy of engendering trust throughout all facets of the Arlington community in the service of all residents without any sacrifice in its ability to protect residents from violent criminals; and

WHEREAS, Town Meeting wishes to voice its support for APD's continuation of its present practices, and make it known that all persons are safe from discriminatory law enforcement in Arlington.

NOW, THEREFORE, BE IT RESOLVED, that Town Meeting joins and supports APD's sound policing and human rights policies of refusing to investigate, arrest, or detain persons based purely on their immigration status without any other suspicion or cause.

NOW, THEREFORE, BE IT RESOLVED, that Town Meeting joins and supports APD's sound policing goal to keep all individuals, regardless of immigration status, who are violent or otherwise a threat to the public good off the streets.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages APD in fostering trust in a diverse community by specifically declining to arrest, detain, or extend the length of custody of an individual solely on the basis of a civil immigration detainer request, unsupported by a criminal warrant signed by a judge and/or probable cause.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages APD in specifically declining to respond to any ICE notification request seeking information about an individual's incarceration status, length of detention, home address, work address, personal information, hearing information, or pending release.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages APD in specifically declining to join in any operation led by a federal agency for the sole purpose of identifying and/or detaining persons not accused of any crime for deportation purposes, which would erode parts of our community's trust and could hamper effective law enforcement.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages APD, and other Town first responders and officials, in declining to inquire about the citizenship or immigration status of the victim of a crime, a person who is reporting a crime or a medical emergency, a person who requires aid, or witnesses, family members and/or bystanders unless required by valid federal or state law.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages each Town department and official from refusing to gather or disseminate information regarding the citizenship or immigration status, or the religious or ethnic identity of any person for the purposes of ICE detentions and deportation actions or the creation or maintenance of a registry of individuals based upon their religious affiliation, ethnicity, or national origin, unless required by valid federal or state law or directly relevant to business between that individual and the agency or department.

BE IT FURTHER RESOLVED, that nothing in this resolution shall be construed to prohibit any Town agency or department from providing another law enforcement agency information that is required to be provided by state or federal law, including 8 U.S.C. § 1373.