



Office of the City Manager

June 21, 2019

To: Honorable Mayor and Members of the City Council

From: *DWR* Dee Williams-Ridley, City Manager

Subject: Berkeley Police Policy 415: Immigration Law

This memo is intended to inform the Council that Policy 415, Immigration Law, has been implemented at the Berkeley Police Department, per Council's Sept 13, 2018 action.

Policy 415 provides guidance to members of the Berkeley Police Department relating to immigration law and interacting with federal immigration officials. The policy includes elements from the California Values Act, and from the Berkeley City Council Resolution 68,131-N.S., City of Refuge Policy Regarding Interaction with U.S. Immigration and Customs Enforcement (ICE).

On Sept. 13, 2018, Council passed on consent a recommendation to decline approval of MOU Compendium Item 3.4, which briefly described the City's older legislative actions from 1971 and 2007, and when the Police Department may interact with ICE officials. The Police Department proposed removing Item 3.4 from the MOU compendium because there was and is no existent MOU with ICE, and because the Department planned to develop a policy governing interactions with ICE officials, in accordance with new legislation. Council approved this recommendation, and asked to be informed upon the implementation of the new Police Department policy.

The new policy was provided to the PRC's Policy Subcommittee for review and feedback. On May 22, 2019, the Subcommittee and the full Police Review Commission unanimously approved Policy 415 with no recommended changes to the policy.

On May 24, 2019, the Police Department issued and implemented the policy. Policy 415 is available to the public on our Police Department's website here:

[https://www.cityofberkeley.info/uploadedFiles/Police/Level_3 -
General/415%20immigration%20law.pdf](https://www.cityofberkeley.info/uploadedFiles/Police/Level_3_-_General/415%20immigration%20law.pdf)

cc: Paul Buddenhagen, Deputy City Manager
Dave White, Deputy City Manager
Jenny Wong, City Auditor
Mark Numainville, City Clerk
Matthai Chakko, Assistant to the City Manager / Public Information Officer
Chief Greenwood, Chief of Police