

RESOLUTION NO. 2025-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA APPROVING
THE DECLARATION OF EUREKA AS A SANCTUARY CITY THAT SAFEGUARDS
THE CIVIL RIGHTS, SAFETY, AND DIGNITY OF ALL EUREKA RESIDENTS**

WHEREAS, the City of Eureka's Mayor and City Council hereby affirm and express that the core values of the City of Eureka include, regardless of nationality or citizenship status, a climate that welcomes, honors, protects and preserves the values of democracy, freedom, and human rights of all; and

WHEREAS, the City of Eureka has long embraced refugees that flee persecution and violence; and

WHEREAS, the recent presidential election has renewed a sense of uncertainty and fear among many communities in Eureka, across our state, and across the Nation; and

WHEREAS, the City of Eureka assures its vulnerable communities that the City supports them, will do all it can to maintain and improve their quality of life, and will not tolerate acts of hate, discrimination, bullying, or harassment; and

WHEREAS, immigrants and their families in Eureka contribute to the social and economic fabric of this community by establishing and patronizing businesses, participating in the arts and culture, achieving significant educational accomplishments, and more; and

WHEREAS, it is important for our City Council to make a statement of support to the immigrant community and for the City to be a place of sanctuary for immigrants who live and work in our community; and

WHEREAS, the Eureka Police Department will continue to provide public safety that promotes a collaborative relationship with the City of Eureka's residents, including all members of its diverse communities; and

WHEREAS, the enforcement of civil immigration laws by local police agencies raises many complex legal, logistical, and resource issues for the City, including undermining the trust and cooperation with immigrant communities, and detracting from the core mission of the Eureka Police Department to create safe communities; and

WHEREAS, that trust and cooperation are threatened when local agencies are involved in immigration enforcement; and

WHEREAS, it has been and shall continue to be the Eureka Police Department's policy not to engage in Federal civil immigration enforcement; and

WHEREAS, the Eureka City Council declares that Eureka is a safe place for everyone, including, but not limited to, immigrants from all Nations, people of color, people of all religions, gender identity, sexual orientation, people with disabilities, and all vulnerable communities; and

WHEREAS, the City of Eureka adopting a policy of sanctuary will increase cooperation between its residents and law enforcement, making our city safer for everyone; and

WHEREAS, immigration law enforcement is an area of federal, not local, concern, and the Tenth Amendment of the United States Constitution prevents the federal government from commandeering state or local agencies or officers to implement federal policies or regulation; and

WHEREAS, the City Council is greatly concerned about public safety in Eureka and the mission of the Eureka Police Department is to protect the safety of the public against crimes committed by persons whoever they may be; and

WHEREAS, it is the City Council's desire to ensure that its immigrant residents participate in civic life and daily activities without fear of being arrested or detained by, or reported to the United States Immigration and Customs Enforcement agency based solely on immigration status; and

WHEREAS, most residents in the City, including the vast majority of immigrants, are law-abiding citizens and are, when crimes occur, themselves the victims of crime, and because the City wishes to foster trust and cooperation and wishes to encourage immigrants to report crime and speak to the police without fear of being arrested or detained by, or reported to the United States Immigration and Customs Enforcement agency; and

WHEREAS, consistent with the law and with City policy, the Eureka Police Department already declines to enforce federal civil immigration laws, does not conduct civil immigration raids, and does not question, detain or arrest individuals on the sole basis that they might be in this country illegally in violation of Federal civil immigration laws; and

WHEREAS, a strong and safe community is one that includes people of all backgrounds; and

WHEREAS, a strong and safe community is one that invests in all of its people; and

WHEREAS, the City of Eureka should commit to equal treatment of its residents regardless of their immigration status.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka, that:

1. The City of Eureka declares itself a place of sanctuary in that no City resources may be used to assist in the enforcement of Federal civil immigration law or to gather or disseminate information regarding the immigration status of individuals or any other such personal information unless such assistance is required by Federal or State statute, regulation, or court decision.
2. The Eureka City Council opposes deportations based solely on immigration status and calls upon the federal government to promptly legislate a pathway to citizenship for undocumented immigrants, and to refrain from deportations of immigrants who have not been convicted of felonies endangering the community, until such time as the U.S. Congress does legislate such a pathway.
3. No City money or personnel will be used to investigate, interrogate, detain, detect, or arrest persons for civil immigration enforcement purposes.
4. City resources shall not be used by the federal government to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.
5. The City of Eureka will not respond to any federal immigration enforcement hold requests nor provide information regarding a person's release date nor respond to requests for notification of release dates.
6. The City of Eureka shall not transfer any individual to immigration enforcement authorities unless ordered by a judicial warrant or a judicial probable cause determination.
7. The City shall track annually requests regarding detainer and notification requests from the federal government for monitoring purposes.
8. Absent a judicial warrant, Eureka Police Department should honor Federal Immigration detainer requests only in cases of serious and/or violent felonies.
9. Consistent with Government Code 7283.1, Eureka Police Department should not provide Federal Immigration Authorities with access to individuals in its custody for questioning solely for civil immigration enforcement purposes unless the individual voluntarily agrees to the interview and signs the written consent.
10. Eureka Police Department shall protect the due process rights of persons as to whom federal immigration enforcement request have been made, including providing those persons with appropriate notice.

11. The Eureka Police Department shall not collaborate or share immigration related information with Federal immigration authorities unless required by federal or state law.
12. The City Council commends the Eureka Police Chief for not involving his department with federal immigration policies and for building trust with all the communities his department serves.
13. The City Council directs City departments to review their confidentiality policies in order to ensure that eligible individuals are not deterred from seeking services or engaging with City services based on immigration status.
14. The Eureka City Council commends the work of other local institutions and individuals who join in building a climate of trust and support for our immigrant community.
15. The Eureka City Council welcomes opportunities to partner with Humboldt County, other local cities, organizations and businesses to support Legislation that support and defend these populations.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the ___th day of _____, 2025 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Kim Bergel, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Miles Slattery, City Manager

Autumn E. Luna, City Attorney