

**RESOLUTION NO. 17-014**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT TOWNSEND, WASHINGTON, AFFIRMING THAT THE CITY IS A WELCOMING CITY THAT PROMOTES POLICIES THAT FOSTER INCLUSION FOR ALL, REAFFIRMING THE CITY'S COMMITMENT TO SERVE ALL RESIDENTS AND VISITORS, AND CLARIFYING THE CITY COUNCIL'S POLICY RELATED TO NON-DISCRIMINATION IN THE PROVISION OF CITY SERVICES**

**WHEREAS**, the government of the City of Port Townsend is committed to supporting the Constitution of the United States and of the State of Washington and, where it is within the City's power, to protecting the constitutional rights of its residents and visitors; and

**WHEREAS**, the City Council has repeatedly demonstrated its commitment to human and civil rights, most recently enacting Resolution 16-054 on December 5, 2016, reaffirming its commitment to Human and Civil Rights and recommitting to its policy that City staff will continue to serve all residents; and,

**WHEREAS**, Port Townsend strives to be a vibrant city and community that welcomes and serves residents and visitors regardless of age, citizenship status, color, familial status, gender identity, gender expression, marital status, national origin, physical and intellectual abilities, race, religion, religious observance, sex, sexual orientation, military service status, and source or level of income; and,

**WHEREAS**, Washington State welcomes thousands of refugees each year and the City is proud of our state's commitment to human rights and human dignity; and,

**WHEREAS**, the recent increase in anti-immigrant and anti-refugee rhetoric and racist hate speech toward immigrant and refugee communities is alarming; and,

**WHEREAS**, a study published by the Center for American Progress concluded that "communities are safer when law enforcement agencies do not become entangled in federal immigration enforcement efforts," and that "35.5 fewer crimes are committed per 1,000 people," and that when those communities "protect all their residents, they see significant economic gains<sup>1</sup>; and,

**WHEREAS**, the City is committed to continue building a welcoming, safe, and hate-free community where all immigrants and refugees are welcomed, accepted, and integrated; and to encourage business leaders, civic groups, community institutions, and residents to join in a community-wide effort to adopt policies and practices that promote integration, inclusion, and equity; and,

---

<sup>1</sup> The Effects of Sanctuary Policies on Crime and the Economy  
By Tom K. Wong Posted on January 26, 2017, 1:00 am.  
<https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/> Last viewed March 7, 2017 at 4:10 p.m.

**WHEREAS**, The City has a long history of being a port of entry for immigrants and refugees seeking a better life and fleeing discrimination, violence, and strife; and,

**WHEREAS**, the City is committed to recognizing the dignity and human rights of all its residents and visitors, including the right of all residents and visitors to be in a City where they are not subject to prejudicial treatment or discrimination; and,

**WHEREAS**, the City recommits to its policy to continue building a city of inclusion and participation by all;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Port Townsend as follows:

The City Council reaffirms its commitment to human and civil rights and equality for all of its residents and visitors, regardless of age, citizenship status, color, familial status, gender identity, gender expression, marital status, national origin, physical and intellectual abilities, race, religion, religious observance, sex, sexual orientation, military service status, and source or level of income. Within available resources, City staff will take the following actions.

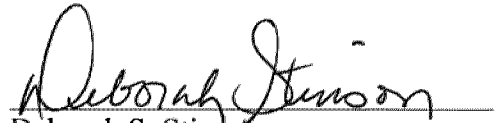
- A. The Port Townsend Police Department (PTPD) will not detain or arrest a person based on their immigration or citizenship status unless pursuant to a federal criminal warrant issued by a federal judge or magistrate. Consistent with Port Townsend Resolution 09-025, PTPD Policy Manual Section 409.7, and PTPD Policy Manual Section 412, the Police Department will not comply with, or assist in the execution of, administrative warrants issued by the Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) agencies of the Department of Homeland Security regardless of whether they are specifically delivered to the Police Department or entered into the National Crime Information Database.
- B. The City requests that the Jefferson County Sheriff's Office adopt written policies and procedures consistent with Section A above. The City further requests that the Jefferson County Sheriff's Office adopt a policy that it will not provide ICE or CBP agents with information regarding release dates of individuals detained in the Jefferson County jail, that informs all detainees of their right to refuse interviews with ICE and CBP agents, and honors this right for detainees who decline such interviews.
- C. The Port Townsend Police Department is focused on the safety and security of all our residents and visitors regardless of immigration status. The City will not enter into any agreement with the federal government that would allow or require employees, including the Police Department, to act as *de facto* immigration officers pursuant to 8 U.S.C. § 1101, Sec. 287(g) or to enforce any civil provisions of the Immigration and Naturalization Act.
- D. Because the City wants to encourage witnesses and victims of crime to report and assist in solving crimes, it will focus its limited law enforcement resources on criminal investigations rather than civil immigration law violations. Except as required by law,

City employees, including employees of the Police Department, will not request information pertaining to immigration status or any protected class from any person seeking City services, or seeking to use City facilities, or during any other interaction with the City. No employee of the City will make any record of any person's immigration or any other protected class status except as expressly required by federal law. City Departments will review their procedures to ensure that they only collect information that is necessary to perform City functions or to provide services, and that this information is not used for any other purpose unless required by law.

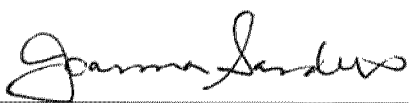
- E. The City supports comprehensive federal immigration reform that creates a pathway to citizenship for undocumented persons, including students who arrived in the U.S. as children under the Development, Relief, and Education for Alien Minors ("DREAM") Act.
- F. City staff will continue to not tolerate harassment or intimidation of users of its facilities or services by other users or by City staff. Where appropriate, staff will refer such matters to the Police Department for investigation. The Police Department shall work with the community to ensure that City residents and visitors are protected under state and local malicious harassment laws and understand these protections. It shall proactively identify persons and groups who are likely targets for hate crimes to help them form prevention and response networks. It shall provide victim assistance where possible. It will investigate and refer hate crimes for prosecution to the City or County prosecutor where appropriate or will assist the victim in reporting the incident to the State Human Rights Commission. (City Personnel Policies 2.2 (Equal Opportunity); 2.5 (Anti-Harassment); Port Townsend Police Department Policy Manual Section 318, (Training, prevention, investigation, and reporting of hate crimes)).
- G. City staff will continue to assist residents and visitors who believe they have been discriminated against in the sale, rental, or financing of land to be used for housing in reporting instances of violations of state and federal laws related to housing to the Washington Human Rights Commission, U.S. Department of Housing and Urban Development, or other appropriate agency. (Resolutions 94-111A and 08-044). When considering entering into or renewing interlocal or mutual aid agreements, City staff will request that the agreement contain language consistent with this Resolution.
- H. When appropriate, City staff will revise City documents and websites that refer to "citizens" to instead refer to "residents".

I. The City Manager will ensure City staff are trained on these policies.

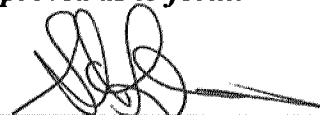
**ADOPTED** by the City Council of the City of Port Townsend at a special meeting thereof, held this 27th day of March, 2017.

  
Deborah S. Stinson  
Mayor

**Attest:**

  
Joanna Sanders, CMC  
City Clerk

**Approved as to form:**

  
Steven L. Gross  
City Attorney