

SUMMARY:

Proposed Mayor Woodfin Executive Order on “Fostering Trust and Promoting Public Safety and Civil Rights for All City Residents”

In April 2018, a group of Latino and Muslim residents, supported by a coalition of civil rights organizations, met with Birmingham Mayor Randall Woodfin and asked him to sign an executive order to limit the city’s participation in the Trump Administration’s immigration enforcement efforts.

This proposed Trust Policy would implement a set of urgently needed and reasonable, lawful provisions to ensure that Birmingham honors its Civil Rights legacy, welcomes and respects the rights of all residents and visitors to the city, and is not coerced into expending our city resources to enforce federal civil immigration law. Below is a summary of each section of the proposed Birmingham Trust Policy that we are asking Mayor Woodfin to immediately sign and implement.

Section 1: The City of Birmingham will **not expend our city resources on enforcing federal civil immigration laws**, including by detaining individuals in city custody at the request of immigration officials without a judicial warrant, or entering into any 287(g) agreements to deputize our local police to act as immigration agents.

Section 2: Birmingham will not participate in any unlawful federal registry or surveillance programs **targeting Muslims** or other religious or ethnic minorities.

Section 3: City personnel will **protect the confidentiality** of immigration status information (to the extent permitted by law), and will not unnecessarily inquire about individuals’ immigration status.

Section 4: Birmingham makes a general commitment to **resisting unlawful federal policies** intended to coerce the city into expending local resources to enforce federal immigration laws.

Section 5: Establishes a task force to study creation of a **municipal ID** card.

Section 6: Ensures that the **ordinance does not violate federal law**—specifically, 8 U.S.C. § 1373, the federal statute that Trump Administration officials claim that some “sanctuary cities” are violating

Section 7: Severability clause (if one part of the order is struck down, the other parts remain in effect)

For more information on the campaign and the coalition of civil rights organizations supporting these efforts, visit www.adelantealabama.org/campaigns/birmingham-trust.

For a legal analysis of the policy, read this letter from Prof. Bryan Fair, a constitutional law scholar at the University of Alabama School of Law: <http://bit.ly/ProfFairLetter>.