



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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Title: Impacts of Proposed Sanctuary County Initiative

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Certification of Petition, 3. Handout.pdf

Date	Ver.	Action By	Action	Result
9/4/2018	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: County Administrative Office

SUBJECT:

Impacts of Proposed Sanctuary County Initiative

RECOMMENDATION(S):

That the Board of Supervisors receive the staff report and analysis of financial and operational impacts to the County of Humboldt from the proposed Sanctuary County Initiative.

SOURCE OF FUNDING:

General Fund

DISCUSSION:

The proposed Sanctuary County Initiative contains several clauses that will directly or indirectly involve staff and other ancillary and material costs associated with enactment, monitoring and enforcement of the initiative. Provisions within the proposed initiative require commitment of staff time in reporting, monitoring, assisting, researching, and training. The list of departments directly impacted by the requirements of the initiative include, but are not limited to, the Board of Supervisors, County Administrative Office, Sheriff's Office, Probation, Department of Health & Human Services (DHHS), Clerk of the Board, Human Resources, and County Counsel. Indirectly, all county departments and staff play a role in the initiative due to training, enforcement and possible disciplinary actions if provisions within the initiative are violated. Additionally, the Human Rights Commission plays a role in reviewing and monitoring compliance with the initiative and preparing reports to the Board of Supervisors.

The initiative requires semi-annual reporting by both the Sheriff's Office and Probation along with requirements to report when the federal immigration enforcement officials request information or assistance. If approved by voters, written reports would be required to be submitted to the Board of Supervisors detailing civil immigration detainers, as well as all communications (requests and responses) with the federal immigration agency. There are also requirements that assistance only be provided when federal warrants, subpoenas or certain other orders are issued to the Sheriff's Office. The requirements would mandate the Sheriff's Office to notify the individual in writing of the federal agency's request. As part of the assistance requirement, the Sheriff's Office is to make good faith efforts in seeking reimbursement when complying with

a federal order regarding immigration. Probation already reports some of the information that would be required under this initiative. However, separate reports would need to be prepared and staff would need to be trained on an ongoing basis as to the specifics of the new ordinance.

DHHS also plays a role in the implementation of the proposed initiative, as the section “Welfare of Children of Deported Parents” requires staff time and resources for the welfare of those children affected by immigration actions. The initiative states that the county “shall assist the families according to the wishes of the parents as law allows and to the extent resources are available.” The proposed ordinance further states when DHHS determines that appointed guardianship and/or reunification is not in the best interest of the child, the determination shall be made in writing and mailed to the parents and appointed guardians at least 15 days prior to any legal action. DHHS would have to devote additional staff time in such instances by providing programs and services.

The Clerk of the Board also plays a role of notifying all county departments (to include agencies and commissions), state and federal elected officials representing California, federal agencies charged with immigration enforcement, the Attorney General, Secretary of State and the President of this initiative (upon voter approval) and any future amendments.

Upon notification to county departments, department heads are charged with notifying employees of the prohibition of this initiative upon being codified. Notification shall be in the form of a written directive for implementation of provisions of the initiative. Failure to comply with the initiative subjects county employees to disciplinary initiatives. Training, notification and new disciplinary proceedings would involve county Human Resources in terms of staff time, investigations and proceedings. The County Administrative Office would likely be charged with writing the policy itself with a review by County Counsel.

Under the section regarding Severability, County Counsel will be required to research and prepare legal opinions to present to the Board of Supervisors in regards to any provision within the proposed initiative that jeopardizes funding at the state or federal level. Staff time in researching and preparing responses will add to the workload of the attorneys assigned to that office.

In terms of the provisions pertaining to the Human Rights Commission, the added oversight and workload may incur the use of county staff and the need for additional monetary resources in order to comply with the initiative. The Human Rights Commission will perform a role of compliance review in terms of adherence to the requirements as set forth for county departments and county employees. The commission will be required to notice the department or individual regarding noncompliance and then report such findings to the Board of Supervisors.

FINANCIAL IMPACT:

The aforementioned all have a cost associated with adhering to the provisions of the initiative whether via staff time, additional staff or actual monetary resources. Staff estimates that compliance with the initiative will require an annual financial commitment of \$171,500 to \$312,650.

Department	Initiative Requirements	Low End Cost	High End Cost
County Administrative Office	Policy Development and Implementation	\$1,250	\$2,500
Sheriff's Office	Tracking and Reporting	\$85,000	\$130,000
Probation Department	Tracking and Reporting	\$1,250	\$2,500
Department of Health and Human Services	Communication and Additional Services	\$34,000	\$46,000

County Counsel	Research and Communication	\$10,000	\$25,000
Clerk of the Board	Noticing Requirements	\$5,000	\$7,500
Human Resources	Training, Tracking and Disciplinary Procedures	\$15,000	\$46,000
Human Rights Commission	Monitoring and Reporting	\$7,500	\$15,000

This agenda item supports your Board's Strategic Framework, Core Roles of enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board's discretion.

ATTACHMENTS:

Certificate of Petition

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-8

Meeting of: July 10, 2018