

Sanctuary Cities in Alameda and Contra Costa Counties

There is no single definition of what constitutes a sanctuary city. In general, a sanctuary city is a city that formally welcomes refugees and undocumented workers. Often this formal declaration includes a statement that employees and officers of the city or agency will limit cooperation with federal immigration enforcement activities as much as allowed by law. However, local police, public officials, and employees do not have the authority to intervene in or actively interfere with federal immigration enforcement. Individuals residing in or visiting sanctuary cities are still exposed to federal immigration enforcement actions, up to and including deportation.

In Alameda and Contra Costa Counties, the cities of Berkeley, Oakland, and San Leandro are formally declared sanctuary cities. Emeryville declared itself a “Welcoming City”, adopting a limited cooperation policy for its officers and employees. Though Richmond has not formally adopted the sanctuary city designation, its elected officials have publicly referred to the City as a sanctuary city for more than 15 years. Finally, although Alameda has not adopted a sanctuary city designation, the City has adopted a policy of limited cooperation with federal immigration enforcement. **All seven of these cities – Berkeley, Oakland, San Leandro, Emeryville, Fremont, Richmond, and Alameda – are identified by third party organizations and news media coverage as sanctuary cities, regardless of whether or not they have formally adopted the title.**

Hayward Unified School District declared its schools “safe zones”, taking the position that all students have the right to attend school regardless of their immigration status or the immigration status of their family members. More broadly, many Bay Area cities passed resolutions in support of diversity and inclusion around LGBTQ, disabled, religious, and women identities.

	Formally Declared Sanctuary Cities				“Welcoming City”	Sanctuary City IDed by 3 rd party list or media		Hayward’s Policies & Practices
	Berkeley	Oakland	San Leandro	Fremont	Emeryville	Richmond	Alameda	
Formal support for progressive immigration policies	X	X				X		X
Formal opposition of immigration raids	X	X				X		
Formal declaration of Refuge City or Sanctuary City status	X	X	X	X	X			
Formal support for respect of diversity	X	X	X	X	X	X	X	X
Police department policy not to cooperate with INS	X	X*	X*	X*	X	X	X*	X*
Policy for all employees not to cooperate with INS	X	X	X		X	X	X	(X)

**Criminal activity/public safety exemption*

(X) – Unwritten practice

What do these criteria mean?

Formal support for progressive immigration policies: The city has adopted legislation (usually a resolution) in support of specific progressive immigration reform legislation or progressive immigration reform generally.

Formal opposition of immigration raids: The city has adopted legislation (usually a resolution) formally opposing immigration raids.

Formal declaration of Refuge City or Sanctuary City status: The city has made a formal declaration as a refuge or sanctuary city in the language of a resolution. Jurisdictions that pass resolutions formally declaring themselves a “Sanctuary City” or “Refuge City” in name are more frequently added to online websites that track lists of “sanctuary cities” (e.g. OJJPAC.org, sanctuarycities.info, cis.org). While there is no single sanctuary city list identified by the federal government or a centralized sanctuary city organization, a city’s appearance on any of these online lists can heighten the scrutiny of federal funding awards.

Formal support for respect of diversity (e.g. LGBTQ, disability, religion, women): The city has made an affirmative statement of support for the diversity within a community. Alameda, San Leandro, Berkeley, Richmond, and Oakland further resolved to disallow the use of public resources or honor any federal program requiring the registration of individuals based on religious affiliation, race, national or ethnic origin, gender, disability, or sexual orientation.

Police department policy not to cooperate with INS (*criminal activity/public safety exemption): The city has an internal law enforcement policy that articulates non-cooperation with federal agents for the purposes of enforcing federal immigration law. An asterisk in this category reflects a caveat that the jurisdiction’s law enforcement can cooperate with federal agents in matters involving criminal activity and the protection of public safety (e.g. individuals convicted or charged with a serious offense, or is a sex offender or arson registrant).

Policy for all employees not to cooperate with INS (except where required by law): The city has an internal policy that prohibits agency officials from taking any direct action against any individual based solely on his or her immigration status, except where required by law.