



Date: March 13, 2025

To: Board of Directors

Submitted and Presented by: Vice-President Aquino-Fike

Subject: Adopt Resolution No. 2025-06, Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Acknowledging Support Of And Continue Compliance With California's State Sanctuary Law

Recommendation

Adopt Resolution No. 2025-06, Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Acknowledging Support Of And Continue Compliance With California's State Sanctuary Law.

Background

The Vice-President will provide the background to the request for adopting this resolution in her presentation.

Exhibit

- Adopt Resolution No. 2025-06, Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Acknowledging Support Of And Continue Compliance With California's State Sanctuary Law

RESOLUTION NO. 2025-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT ACKNOWLEDGING SUPPORT OF AND CONTINUED COMPLIANCE WITH CALIFORNIA'S SANCTUARY STATE LAW.

The Board of Directors of the Kensington Police Protection and Community Services District (the "District") finds as follows:

WHEREAS, we wish to affirm that Kensington is and will continue to be a safe, open and welcoming community, in recognition of the values of our residents; and

WHEREAS, Kensington is made up of residents, business owners, and workers from all places, including immigrants and refugees, many of whom we know and esteem; and

WHEREAS, the national rhetoric regarding immigration during and since the 2024 National Presidential Election has resulted in concerns and uncertainty among many, including but not limited to immigrants, vulnerable residents, and families in our community, across our State, and across our nation; and

WHEREAS, the District is committed to our community's public health and safety, which relies on trust and cooperation between all residents and local law enforcement; and to strengthen communities and foster trust between immigrant communities and local law enforcement,

WHEREAS, the statewide TRUST Act (AB 4) California Trust Act limits the circumstances under which local law enforcement can detain individuals on behalf of federal immigration authorities; and

WHEREAS, the statewide TRUTH Act (AB 2792) California Truth Act ensures transparency and oversight regarding local law enforcement's communication with federal immigration authorities; and

WHEREAS, the statewide VALUES Act (SB 54) California Values Act limits the circumstances under which local law enforcement may use funds or personnel to support immigration enforcement. It also prevents police and sheriff's deputies from asking about an individual's immigration status, from sharing a person's personal information with immigration authorities, unless otherwise required or permitted by law, or from arresting anyone only for having a deportation removal order or for most other immigration violations; and

WHEREAS, most of our surrounding communities, including Berkeley, Richmond, Albany, and El Cerrito, have already passed resolutions and/or ordinances to show support for their immigrant residents;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Board of Directors of Kensington Police Protection and Community Services District does hereby express its commitment, and that of the police department, to maintaining Kensington as a safe, welcoming, and law-abiding community and to support and comply

with California's SB 54 (the California Values Act), AB 4 (the California Trust Act), and AB 2792 (the California Truth Act).

BE IT FURTHER RESOLVED THAT:

The Board of Directors of Kensington Police Protection and Community Services District does determine and declare as follows:

Unless required by state or federal law, Kensington Police Department officers, agents, representatives, and employees are prohibited from using District resources, property, personnel, time, labor, or funds to:

(A) Investigate, interrogate, detain, detect, or arrest persons only for immigration enforcement purposes, (as defined in California Government Code § 7284.4(f)); or

(B) Coordinate with ICE to conduct immigration enforcement activities (as defined in California Government Code § 7284.4(f)), except as required by 8 U.S.C. § 1373 or other federal law.

BE IT FURTHER RESOLVED that the Board directs District staff to identify a means to translate and publicly share this resolution within 60 days in the most commonly used languages in our District so that this information is accessible to as many as possible.

BE IT FURTHER RESOLVED that the Clerk of the Board of Directors of this District shall be, and hereby is, authorized and directed to deliver a copy of this Resolution to

_____.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by _____, seconded by Director _____, on Thursday, the 13th day of March, 2025, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

David Spath
President, Board of Directors

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 13th day of March, 2025.

Lynelle M. Lewis
Clerk of the Board

