
Equity Committee: Public Comment re: ICE Non-Cooperation

From David Wiegleb <djwiegleb@gmail.com>

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To Supervisor Scales-Preston <BOS5@bos.cccounty.us>; Supervisor Carlson <supervisorcarlson@bos.cccounty.us>; Kendra Carr <Kendra.Carr@oresj.cccounty.us>

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The federal terror campaign against our immigrant neighbors across our nation by ICE and CBP is well into its second year. Locally it reached a peak nearly a year ago. In August, the community demanded that the county government take a strong stand against these attacks. We are still waiting for county measures to be implemented, and are watching as these measures get watered down into something toothless — from an ordinance to weak “policy” with many loopholes.

At this point, nearly all of the counties around the Bay have implemented strong ordinances prohibiting ICE from staging on county lands, and many local cities have implemented similar strong measures. There are many models to build upon, and there is power in a unified approach by all the counties. So, I am beyond disappointed to see the tepid response being proposed for Contra Costa.

There are a number of specific ways the proposed measure can be strengthened so that we end up with something meaningful and effective.

There are four major changes needed:

- Turn the policy back into an ordinance.
- Reinstate contractor compliance.
- Delete the “conflict with other policies” language so that department policies cannot supersede the ordinance.
- Reinstate standard implementation language regarding severability and an implementation date.

Further details below.

Thank you,

David Wiegleb
Pleasant Hill

Key Concerns with New Language:

- The ordinance has been changed to a policy. A department can violate policies without the same consequences as violating the law. Changing the ordinance to a policy

removes the community's legal remedies to hold the Sheriff and all our departments accountable.

- Removing “Section 6 - Contractor Compliance” from the ordinance creates a loophole. Exempting contractors allows ICE to continue to practice massive surveillance on our community members - not only our immigrant community but anyone who they perceive to be a threat to their mass deportation and authoritarian agenda.
- The new version also created a loophole by deleting former “Section 8. Severability” and former “Section 9. Effective Date” and replacing them with new “Section 6. Conflict With Other Policies.” These edits essentially gut the enforcement of this entire ordinance by allowing any department’s own policies to supersede the ordinance. This is a provision that would allow any department, including the Sheriff or DA or Probation to simply choose different “specific policies.” The new section should be deleted and former sections 8 and 9 should be added back in.