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FOR IMMEDIATE RELEASE

City makes formal request to federal Immigration and Customs Enforcement for timely notice when agents working in the city make arrests of Hayward residents

Request intended to bolster capacity of local officials to respond to inquiries about immigration enforcement, support relatives affected by arrests and educate residents about local law enforcement practices

Hayward, Calif., Aug. 10, 2017—The City of Hayward has made a written and formal request to U.S. Immigration and Customs Enforcement officials to provide timely notice to city police when immigration arrests of Hayward residents occur in the city.

The request followed the arrests of two men the morning of Aug. 3 by Immigration and Customs Enforcement (ICE) agents who were in Hayward looking for another man. City officials did not learn of the arrests until reading a newspaper account the following weekend.

In a letter to ICE signed by Mayor Barbara Halliday, the city said timely notice of ICE arrests are key to “our legitimate and substantial interests” in being able to provide assurances that the due process rights of Hayward residents are being met, to provide support for relatives of people taken into custody as needed and appropriate, and to safeguard community trust of local law enforcement.

In the letter, Mayor Halliday noted that ICE, as a public safety measure, already provides notice to local police when ICE agents plan to be operating in the city. Similarly, she noted, providing post-operation notice of arrests will help the city to meet and fulfill other of its responsibilities and expectations without interfering or undermining the important work of federal immigration officials.

“Going forward, we respectfully request that when the outcome of ICE operations in our community result in arrests, that this information be shared as soon as possible with the Hayward Police Department,” the letter states.

The City of Hayward made its request of ICE as a Community Task Force appointed by the City Council in January is evaluating progress and preparing recommended updates to a 1992 Hayward Anti-Discrimination Action Plan.

The Task Force earlier recommended the City Council adopt a resolution declaring Hayward a Sanctuary City, which took place on June 6. The declaration and a subsequent administrative rule issued by the City Manager effectively reiterated and restated policies and practices that already were in place—among them, that city police and municipal employees treat residents equally regardless of immigration status; that City employees may not inquire or gather information about residents’ immigration status in the course of doing their jobs; and that city employees may not participate in or expend municipal resources in the enforcement of immigration law.