



OFFICE OF THE GOVERNOR
ALBANY, AC

EXECUTIVE ORDER 32: The Humane Protection of Immigrant Atlanteans

February 2nd, 2020

Whereas, the Federal government is planning imminent ICE raids and enforcement action

Therefore, I, unorthodoxambassador, Governor of the Atlantic Commonwealth, hereby order the following:

Section 1: Cooperation with Federal Immigration Authorities Permitted in Limited Case

- a. An Atlantic law enforcement officer may, at their discretion, cooperate with federal immigration authorities only under the following circumstances:
 - i. In providing information or other assistance related to an individual convicted of a felony crime of violence or against the property of another, or any felony punishable by imprisonment in an Atlantic Commonwealth state prison after proof of warrant shown.
 - ii. In providing information or other assistance related to an individual convicted, in the past 15 years, of a misdemeanor crime of violence such as assault, battery, and threats of the same, child abuse, endangerment, or similar crimes, a crime of dishonesty such as theft, robbery, fraud, embezzlement, or similar, a felony conviction for driving under the influence of alcohol or drugs, crime against justice such as obstruction of justice or bribery, any crime involving the unlawful possession or use of a firearm, a crime involving gang activity, crime resulting in death, any crime that would require the convicted to register as a sex offender, elder abuse, any hate crime, stalking, rape, kidnapping, or a related offense to those listed here after proof of warrant shown.

- iii. In providing information or other assistance related to any individual on a state or local registry for sex offenders or similar after proof of warrant shown
- iv. In providing information or other assistance related to any individual for whom there is an outstanding federal felony arrest warrant
- v. In providing information or other assistance related to an individual charged with a felony in the Atlantic Commonwealth for which a Atlantic Commonwealth judge has found probable cause for the charge

Section 2. Cooperation With Immigration Authorities

- a. Atlantic Commonwealth law enforcement officers or agencies shall not:
 - i. Use agency or department funds or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, including any of the following:
 - 1. Inquiring into an individual's immigration status.
 - 2. Detaining an individual on the basis of an ICE hold request.
 - 3. Providing information regarding a person's date of release from the custody of Atlantic Commonwealth law enforcement officers or responding to requests for notification by providing release dates or other information unless that information is available to the public
 - 4. Providing personal information about an individual, including, but not limited to, the individual's home address or work address unless that information is available to the public.
 - 5. Making or intentionally participating in arrests based on civil immigration warrants.
 - 6. Assisting immigration authorities in the activities described in [8 U.S. Code § 1357(a)(3)](<https://www.law.cornell.edu/uscode/text/8/1357>).
 - 7. Performing the functions of an immigration officer
 - ii. Place Atlantic Commonwealth law enforcement officers or any other personnel under the supervision of federal agencies or employ Atlantic Commonwealth law enforcement officers or other personnel deputized as special federal officers or special federal deputies for purposes of immigration enforcement. All Atlantic Commonwealth law enforcement officers remain subject to Atlantic Commonwealth law governing conduct of Atlantic Commonwealth law enforcement officers and the policies of the employing agency or department.
 - iii. Use immigration authorities as interpreters for law enforcement matters relating to individuals in agency or department custody.
 - iv. Transfer an individual to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination
 - v. Provide office space exclusively dedicated for immigration authorities for use within a city or county law enforcement facility.
 - vi. Contract with the federal government for use of Atlantic Commonwealth law enforcement agency facilities to house individuals as federal detainees
- b. Notwithstanding the limitations in subsection (a), this section does not prevent any Atlantic Commonwealth law enforcement officer or agency from doing any of the following that does not violate any policy of the law enforcement agency or any local law or policy of the jurisdiction in which the agency is operating:

- i. Conducting enforcement or investigative duties associated with a joint law enforcement task force, including the sharing of confidential information with other law enforcement agencies for purposes of task force investigations, so long as the following conditions are met:
 - 1. The primary purpose of the joint law enforcement task force is not immigration enforcement
 - 2. The enforcement or investigative duties are primarily related to a violation of state or federal law unrelated to immigration enforcement.
 - 3. Participation in the task force by an Atlantic Commonwealth law enforcement officer does not violate any local law or policy to which it is otherwise subject.
 - ii. Making inquiries or otherwise exchanging information with immigration authorities necessary to certify applications for immigrant or non-immigrant visas related to being a victim or witness of a crime.
- c. If an Atlantic Commonwealth law enforcement agency chooses to participate in a joint law enforcement task force, for which a Atlantic Commonwealth law enforcement agency has agreed to dedicate personnel or resources on an ongoing basis, it shall submit a report annually to the Department of Justice, as specified by the Attorney General. The law enforcement agency shall report the following information, if known, for each task force of which it is a member:
 - i. The purpose of the task force
 - ii. The federal, state, and local law enforcement agencies involved.
 - iii. The total number of arrests made during the reporting period.
 - iv. The number of people arrested for immigration enforcement purposes.
- d. All records described in Section 2(c) of this order shall be public records. Personal identifying information may be redacted prior to public disclosure. To the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation or a related investigation, that information shall not be disclosed.
- e. The Attorney General, by June 1, 2020 and annually thereafter, shall report on the total number of arrests made by joint law enforcement task forces, and the total number of arrests made for the purpose of immigration enforcement by all task force participants, including federal law enforcement agencies. To the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation or a related investigation, that information shall not be included in the Attorney General's report. The Attorney General shall post the reports required by this Act on the Attorney General's Internet Web site.
- f. Nothing in this section shall prohibit a Atlantic Commonwealth law enforcement officer or agency from asserting its own jurisdiction over criminal law enforcement matters.

Section 3: Statewide Policies**

- a. The Attorney General, or the Governor should the Attorney General position be vacant, in consultation with the appropriate stakeholders, shall publish model policies limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law, and state executive orders at public schools,

public libraries, public health facilities including hospitals, courthouses, and all Departments and agencies of the Atlantic Commonwealth, ensuring that they remain safe and accessible to all Atlantic Commonwealth residents, regardless of immigration status. All such entities provided with the model policy are encouraged to adopt the model policy.

- b. The Atlantic Commonwealth Department of Justice shall, within 30 days, audit, evaluate, and recommend modifications to all databases used or operated by Departments or Agencies of the Atlantic Commonwealth for the purpose of limiting access to such databases by federal immigration authorities and to remove any immigration-status information from any such database where immigration status is not directly relevant to the primary purpose of such database.

Section 4. Penalties

- a. Any Atlantic Commonwealth law enforcement officer or employee of a local law enforcement agency that has received greater than \$.01 in State funds in the past 60 months, shall, upon violation of any section or provision of this order:
 - i. Shall be immediately terminated from their employment, for cause, and sacrifice all accruals, benefits, and/or other entitlements under the state retirement system.
 - ii. Shall not be eligible for employment by any entity which receives greater than \$.01 in Atlantic Commonwealth funds

Signed,

Unorthodox Ambassador

/u/unorthodoxambassador

GOVERNOR OF THE ATLANTIC COMMONWEALTH