

**Ann Arbor City Council Regular Session: March 6, 2017
Email Redactions List Pursuant to Council Resolution R-09-386**

	A	B	C	D	E	F	G
1	<u>Received</u>						
	<u>Sent Time</u>	<u>Time</u>	<u>TO</u>	<u>From</u>	<u>CC</u>	<u>Redactions</u>	<u>Reason for Redaction</u>
2	7:17 PM		City Council, Christopher Taylor	Laura Nathan		Email address	Privacy
3	7:39 PM		Chuck Warpehoski, Susan Reed, Christine Sauve, Miriam Aukerman	Lena Graber		Email address	Privacy
4	7:48 PM		Jacqueline Beaudry	Chuck Warpehoski	Chuck Warpehoski		
5	7:50 PM		City Council	Iris Taylor		Email address	Privacy
6	7:54 PM		City Council	Jacqueline Beaudry	Stephen Postema, Howard Lazarus		
7	8:26 PM		Jacqueline Beaudry	Jane Lumm	Howard Lazarus, Christopher Taylor, Sumi Kailasapathy, Jason Frenzel, Kirk Westphal, Julie Grand, Zach Ackerman, Jack Eaton, Graydon Krapohl, Chip Smith, Chuck Warpehoski, Jane Lumm, Ryan Stanton, Edward Vielmetti		
8	8:26 PM		City Council	Jacqueline Beaudry	Howard Lazarus, Stephen Postema	Email address	Privacy

Archive, Journal

From: Laura Nathan [REDACTED]
Sent: Monday, March 06, 2017 7:17 PM
To: CityCouncil; Taylor, Christopher (Mayor)
Subject: Sanctuary City

Dear May and Council Members,
Thank you for making Ann Arbor a sanctuary city.

Please be certain that Ann Arbor's policy is as strong as it can possibly be. This would include ensuring that immigration status is not asked of anyone being arrested or stopped by law enforcement. This would help prevent the risk of deportation of people who might be totally innocent of any illegal activity and decrease risk of racial profiling.

I am proud that Ann Arbor continues to demonstrate compassion in protecting our residents and our democratic values.

Yours truly,
Laura Nathan

Archive, Journal

From: Lena Graber <lgraber@ilrc.org>
Sent: Monday, March 06, 2017 7:39 PM
To: Warpehoski, Chuck; 'Susan Reed'; Christine Sauve; Miriam Aukerman
Subject: RE: Details on implementation & FAQ about anti-solicitation ordinance

Hi Chuck,

I defer to local advocates in your community about the balance, but that seems right to me. Although the question about kids during an ICE action is a really important one, I think having AAPD participate in ICE actions is worse in terms of the message to immigrants in the community and public safety climate overall.

Regarding the exceptions in your ordinance about when asking about immigration status is appropriate, I don't think it's ever appropriate for city law enforcement to ask about immigration status. A simple prohibition on asking about immigration status is easy to implement, and sends a clear message against discrimination. If there is a criminal investigation, then that will proceed regardless of immigration status, and bringing immigration status into it only confuses the issue. Moreover, whenever a person is arrested, their fingerprints are checked against federal immigration databases, and ICE is notified if the person is a noncitizen. This is actually problematic for a variety of reasons, including incentivizing pretextual arrests, but the fingerprint sharing is beyond the control of the city council anyway. So in the context of your local ordinance, it is another reason that there's simply no need for police to ask about immigration status.

Lena Graber

Special Projects Attorney
Immigrant Legal Resource Center
1663 Mission Street, Suite 602 | San Francisco, CA 94103
Tel: 415-321-8545 | Fax: 415-255-9792
Email: lgraber@ilrc.org
Website: www.ilrc.org

From: Warpehoski, Chuck [mailto:CWarpehoski@a2gov.org]
Sent: Friday, March 03, 2017 11:08 AM
To: 'Susan Reed' <susanree@michiganimmigrant.org>; Christine Sauve <csauve@michiganimmigrant.org>; Lena Graber <lgraber@ilrc.org>; Miriam Aukerman <maukerman@aclumich.org>
Subject: RE: Details on implementation & FAQ about anti-solicitation ordinance

Thank you. Looks like we'll have support for removing section a.

My chats with local immigrant rights activists is that they see the dangers of local law enforcement on site with ICE during a raid as not worth the potential benefits. Of course, if something comes up (e.g. altercation, injury), police will respond.

-Chuck

Chuck Warpehoski
Ann Arbor City Council, Ward 5
cwarpehoski@a2gov.org
c: 734-972-8304

Visit www.chuckwarpehoski.org for Ward 5 updates and to sign up for a Ward 5 email newsletter.

Emails received and sent to me as a Councilmember regarding City matters are generally subject to disclosure under the Freedom of Information Act.

From: Susan Reed [<mailto:susanree@michiganimmigrant.org>]

Sent: Friday, March 03, 2017 10:41 AM

To: Christine Sauve <csauve@michiganimmigrant.org>; Warpehoski, Chuck <CWarpehoski@a2gov.org>; Lena Graber <lgrabber@ilrc.org>; Miriam Aukerman <maukerman@aclumich.org>

Subject: Re: Details on implementation & FAQ about anti-solicitation ordinance

Hi Chuck:

I don't have deep background on these issues but I actually think that the exception you cite in (a) with respect to civil creates a huge loophole and I would discourage that reference to "civil" at the very least. I don't know enough about the origin of the language to explain what it's trying to do, but that line in particular would present a lot of challenges in a number of scenarios where you'd want to argue there was a policy violation.

I think your second question is a very good one. I've never considered it, but although it seems like there potentially could be a meaningful helping role, I think that unfortunately the pitfalls for destroying police/community trust where the presence would be so likely to be misunderstood or mistrusted. I'd be interested in other thoughts.

On Wed, Mar 1, 2017 at 11:11 AM, Christine Sauve <csauve@michiganimmigrant.org> wrote:

Hi Chuck,

I'm cc'ing a few more legal minds to assist in answering these questions...

Lena, Jonathan, Miriam, Susan -- please see Chuck's questions re: non-solicitation of status ordinance and role of police present at ICE activities.

--

Christine Sauvé

Welcoming Michigan

Senior Program Coordinator

csauve@michiganimmigrant.org

tel: [734-845-8695](tel:734-845-8695)

4605 Cass Ave. Detroit MI 48201

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[@Welcoming_MI](https://twitter.com/Welcoming_MI)

On Wed, Mar 1, 2017 at 10:45 AM, Warpehoski, Chuck <CWarpehoski@a2gov.org> wrote:

Thank you. The question that we've been facing is why the exemptions in the Detroit non solicitation ordinance. Those exceptions are:

(a) Solicitation of information concerning immigration status when performing public safety functions while assisting federal law enforcement in the investigation of a criminal or civil offense; o

(b) Solicitation of information concerning immigration status from the subject of an investigation only when relevant to the investigation or prosecution of a criminal offense, or **when processing an arrested person**; or [emphasis added]

Can you fill in a bit on the reasons for those exceptions?

Many people have also pointed us to the Oak Park ordinance as a good model to look at:

<http://mobile.oakpark.com/News/Articles/2-7-2017/Oak-Park-approves-sanctuary-city-ordinance/#/News/Articles/2-7-2017/Oak-Park-approves-sanctuary-city-ordinance/>

Finally, one issue that has come up in terms of what interaction AAPD does or does not have with ICE is presence at raids. I think we are moving toward a policy a policy that prohibits local law enforcement from assisting ICE in apprehending people whose only crime is an immigration violation, or (as Oak Park does) from assisting in apprehension by providing other types of support such as traffic control. That said, you hear stories of kids left alone after ICE raids. **Is there an acceptable role for AAPD to be present at an ICE action, not assisting in the apprehension, but to address other safety concerns such as those of children of immigrants?**

I'd really welcome feedback on this.

-Chuck

Chuck Warpehoski

Ann Arbor City Council, Ward 5

cwarpehoski@a2gov.org

c: [734-972-8304](tel:734-972-8304)

Visit www.chuckwarpehoski.org for Ward 5 updates and to sign up for a Ward 5 email newsletter.

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From: Amanda Edmonds [mailto: [REDACTED]]
Sent: Tuesday, February 21, 2017 2:06 PM
To: Christine Sauve <csauve@michiganimmigrant.org>
Cc: Raquel Castaneda-Lopez <CouncilMemberRaquel@detroitmi.gov>; Susan Reed <susanree@michiganimmigrant.org>; Warpehoski, Chuck <CWarpehoski@a2gov.org>; Raquel Garcia Andersen [REDACTED] Mariana Martinez <Mcmartinez@detroitmi.gov>; Anne Roth <rotha@detroitmi.gov>
Subject: Re: Details on implementation & FAQ about anti-solicitation ordinance

Great-- that resource is a really good start-- I just sent it along to our chief.

Would love to have a call if we can. I'll look to hear from Councilperson Castaneda-Lopez's staff to set it up!

Amanda

On Tue, Feb 21, 2017 at 1:45 PM, Christine Sauve <csauve@michiganimmigrant.org> wrote:

Hi Amanda,

I'm cc'ing Council Member Raquel Castañeda-López and her staff members for their input and help arranging a call with someone from DPD who has more detailed knowledge on training & implementation.

Pages 6-8 describe the Detroit Police Department's internal training directive after the ordinance was passed: https://www.policefoundation.org/wp-content/uploads/2015/06/Appendix-O_0.pdf

She's in high demand right now but we could also invite [Lena Graber](#) from ILRC to a call.

Christine Sauvé

Welcoming Michigan

Senior Program Coordinator

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On Tue, Feb 21, 2017 at 11:30 AM, Amanda Edmonds [REDACTED] wrote:

Christine & Susan, Raquel--

Our anti-solicitation of immigration status ordinance-- based on the one Detroit has had in place-- is about to go into affect within a couple of weeks. And, Ann Arbor is looking closely at how to add to the protections they've already had in place and potentially adopt a similar one. Councilmember Chuck Warpehoski is cc:ed above. He's also ED of the Interfaith Council for Peace and Justice, so is active in this work in his day job as well.

What I'm looking for support on in terms of training & implementation among our staff and elected and appointed officials, and Chuck is looking for input on re: their consideration of passing the ordinance, is in the details of how the ordinance has played out, and what some of the reasoning was behind some of the Detroit ordinance's exceptions.

Could we set up a phone call with you and any others in Detroit city government or elsewhere who would have had experience in how this played out, especially from a policing perspective? And include you or others who could give insight into some of the language around the perspectives?

Amanda

--

Amanda Maria Edmonds

"It is better to light a candle than to curse the darkness" - Eleanor Roosevelt

For City of Ypsilanti business: mayor@cityofypsilanti.com

For Growing Hope business: amanda@growinghope.net

--

Amanda Maria Edmonds

"It is better to light a candle than to curse the darkness" - Eleanor Roosevelt

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For Growing Hope business: amanda@growinghope.net

--

Susan E. Reed
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Kalamazoo, MI 49009
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fax: (269) 492-7198

**Farmworkers seeking legal services or referrals should contact the statewide farmworker law hotline at 1-800-968-4046

**All other individuals seeking legal services or referrals should contact our Ann Arbor office at (734) 239-6863



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Archive, Journal

From: Warpehoski, Chuck
Sent: Monday, March 06, 2017 7:48 PM
To: Beaudry, Jacqueline
Cc: Warpehoski, Chuck
Subject: amendment to C-1

Strike 9:403(2)(a) and replace with:

- (a) Solicitation of information concerning immigration status from the subject of an investigation only when relevant to the investigation or prosecution of a criminal offense;
- (b) Solicitation of information concerning immigration status when attempting to determine the identity of an individual suspected of committing a crime punishable by 93 days or more in jail. Such solicitation may be solely for the purposes of determining the identity of the individual or assessing the individual's flight risk
- (c) Determination if consular notification is required or should be offered under the Vienna Convention on Consular Relations for individuals detained or arrested by the Ann Arbor Police Department or who have deceased within the City of Ann Arbor;
- (d) [renumber following sections as appropriate]

Chuck Warpehoski
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cwarpehoski@a2gov.org
c: 734-972-8304

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Archive, Journal

From: Iris Taylor [REDACTED]
Sent: Monday, March 06, 2017 7:50 PM
To: CityCouncil
Subject: immigration

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Mail Calendar ContactsDeleted ItemsDrafts [3]Inbox (23183)Junk Email [62]Sent ItemsClick to view all foldersManage Folders... Reply Reply All Forward JunkClose Fwd: Improve Chapter 120: Solicitation of Immigrant StatusJoanna Warren [REDACTED] Sent:Monday, March 6, 2017 1:55 PMTo:

----- Forwarded message -----

From: Joanna Warren [REDACTED]
Date: Mon, Mar 6, 2017 at 1:45 PM
Subject: Improve Chapter 120: Solicitation of Immigrant Status
To: "CityCouncil@a2gov.org" <CityCouncil@a2gov.org>

Dear City Council Members:

Thank you for postponing the first reading of Chapter 120: (Solicitation of Immigrant Status) in order to improve the language. I believe this is a step toward more just immigration policies in Ann Arbor.

However, there are still two provisions included in the ordinance that I urge you to improve. They are bulleted below, followed by my objections to them:

EXCEPTIONS (a) Solicitation of information concerning immigration status from the subject of an investigation only when relevant to the investigation or prosecution of a criminal offense, or when processing an arrested person; or...

Objection: A person could be taken into custody, whether or not they are eventually charged, and be asked their immigration status, possibly leading to deportation. This exception also increases the likelihood of racial profiling.

f) Nothing in this Chapter shall be construed to prohibit, or in any way restrict, any public servant from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual as required by 8 U.S.C. Sec. 1373...

Objection: Instead of reassuring the Trump Administration that we are staying within the bounds of the law, we should be resisting and fighting any attempt to penalize our city for standing by our undocumented residents in court.

Again, I'm asking you to improve the language of this ordinance in order to ensure the safety of all members of our community. Please postpone the reading of this ordinance at tonight's meeting (Monday March 6th).

Thank you for your time,

Iris Taylor
Ann Arbor born

Archive, Journal

From: Beaudry, Jacqueline
Sent: Monday, March 06, 2017 7:54 PM
To: *City Council Members (All)
Cc: Postema, Stephen; Lazarus, Howard
Subject: FW: amendment to C-1

From: Warpehoski, Chuck
Sent: Monday, March 6, 2017 7:48 PM
To: Beaudry, Jacqueline <JBeaudry@a2gov.org>
Cc: Warpehoski, Chuck <CWarpehoski@a2gov.org>
Subject: amendment to C-1

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- (d) [renumber following sections as appropriate]

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Archive, Journal

From: Lumm, Jane
Sent: Monday, March 06, 2017 8:26 PM
To: Beaudry, Jacqueline
Cc: Lazarus, Howard; Taylor, Christopher (Mayor); Kailasapathy, Sumi; Frenzel, Jason; Westphal, Kirk; Grand, Julie; Ackerman, Zach; Eaton, Jack; Krapohl, Graydon; Smith, Chip; Warpehoski, Chuck; Lumm, Jane; Ryan J Stanton; Edward Vielmetti
Subject: Proposed Amendment to DC-2

Amendment revises the language after (5) in the First Resolved Clause

Current language: (5) at a cost that is competitive with the cost of WMM's proposal for interim operation services.

Proposed language: (5) at a cost that is no higher than the cost of WMM's proposal for interim operation services and no fee increases above the contract cost will be considered.

Archive, Journal

From: Beaudry, Jacqueline
Sent: Monday, March 06, 2017 8:26 PM
To: *City Council Members (All)
Cc: Lazarus, Howard; Postema, Stephen
Subject: FW: Proposed Amendment to DC-2

From: Lumm, Jane
Sent: Monday, March 6, 2017 8:26 PM
To: Beaudry, Jacqueline <JBeaudry@a2gov.org>
Cc: Lazarus, Howard <HLazarus@a2gov.org>; Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; Kailasapathy, Sumi <SKailasapathy@a2gov.org>; Frenzel, Jason <JFrenzel@a2gov.org>; Westphal, Kirk <KWestphal@a2gov.org>; Grand, Julie <JGrand@a2gov.org>; Ackerman, Zach <ZAckerman@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Krapohl, Graydon <GKrapohl@a2gov.org>; Smith, Chip <ChSmith@a2gov.org>; Warpehoski, Chuck <CWarpheoski@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>; Ryan J Stanton <RStanton@mlive.com>; Edward Vielmetti
[REDACTED]
Subject: Proposed Amendment to DC-2

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