

**Policy, Rules, and Municipal Structure Committee (PRMSC)**  
**“Welcoming Town” For Council Discussion**  
**11/5/18**

**Background and Justification**

Following the recommendation of the PRMSC, the council voted on 6-4-18 to amend Article 1 of the UP Town Charter as follows:

*Town officials, employees, and agents, in carrying out their official duties, shall not unlawfully discriminate against a person based on age, ancestry, citizenship, color, creed, disability, gender identity or expression, genetic information, immigration status, marital or family status, nationality, national origin, physical characteristic, political affiliation, pregnancy, race, religion, sex, sexual orientation or socio-economic status.*

To give the new clause practical effect, the PRMSC recommends additional written policies to make it clear that town resources should not be used for law enforcement or related activities based on any of the characteristics contained therein. The purpose for such policies is to ensure, with a couple of narrow exceptions, citizenship, immigration status, national origin, religious affiliation, and the other listed personal characteristics have no legitimate bearing on the town government’s fulfillment of its duties, and therefore, town staff and officials can take no legitimate interest in them. We know that they do not now. In the present circumstances, however, we think it would be prudent to formalize that principle, to help town staff in the event of attempts to encroach on the town’s ability to determine for itself how it will carry out its responsibilities.

**Action Items**

“Welcoming Town” Concepts for Council Discussion

The PRMSC recommends that the council and town residents discuss the following concepts for later codification:

- Town officials, employees, or agents shall
  - not inquire about-, act in any way based upon-, keep any information on file-, or use documents or forms that have a place for people to declare- citizenship, immigration, national origin, or religious status;
  - not spend – or agree to spend - town funds or resources to enforce federal immigration operations or activities.
  
- Additionally, the town police may not
  - detain or arrest anyone based on known or suspected immigration status;
  - use immigration status as an interrogation tool or tactic;
  - convey the immigration status of anyone to any federal entity without a warrant signed by a federal judge or federal magistrate.

### Codification

The committee recommends that the council direct the town attorney to identify the appropriate sections in all town policy documents that require revision to reflect the “Welcoming Town” concepts expressed above and to present them to the council for voting.