

Amendment 2 to Council Bill No. 63-2020

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Amendment No. 2

(This Amendment provides that County resources may not be used for civil immigration enforcement; generally prohibits County participants in task forces from asking about or disclosing citizenship, immigration, or nationality status; and provides that the County must withdraw from a task force that is not primarily acting to investigate or enforce criminal law, but instead as a pretext for immigration enforcement.)

1 On the title page, in the purpose paragraph, in the fifth line after the second semicolon, insert
2 “specifying which actions may and may not be taken by certain County departments, officers,
3 and officials during participation on certain task forces:”

4 On page 3:

- 5 • In line 4, strike “**OR CONFLICTS**”.
- 6 • Beginning in line 5, strike “**CONFLICTS WITH**” and substitute “IS PREEMPTED BY”.
- 7 • In line 6, after “**EXISTING**” insert “INTERGOVERNMENTAL SERVICE” and strike “**THE**”
- 8 • Strike line 7 and substitute “HOWARD COUNTY AND IMMIGRATION AND CUSTOMS
9 ENFORCEMENT.”
- 10 • In line 9, before “**CRIMINAL**” insert “STATE OR LOCAL”
- 11 • In line 15, before the period, insert “, PROVIDED THAT COUNTY RESOURCES ARE NOT USED FOR
12 THE PURPOSE OF CIVIL IMMIGRATION ENFORCEMENT”
- 13 • After line 15, insert:

14 “(I) WHEN PARTICIPATING IN A TASK FORCE UNDER THIS PROVISION, THE COUNTY POLICE
15 DEPARTMENT SHALL NOT DISCLOSE ANY INFORMATION REGARDING THE CITIZENSHIP,
16 NATIONALITY, OR IMMIGRATION STATUS OF AN INDIVIDUAL TO ANOTHER LOCAL, STATE, OR
17 FEDERAL AGENCY.

18 “(II) WHEN PARTICIPATING IN A TASK FORCE UNDER THIS PROVISION, SECTION 12.2103
19 SHALL BE ENFORCED SO AS TO REQUIRE THAT THE COUNTY POLICE DEPARTMENT OFFICERS AND
20 OFFICIALS, EXCEPT AS AUTHORIZED IN 12.2103(B), SHALL NOT ASK ANY PERSON ABOUT HIS OR

21 HER CITIZENSHIP, NATIONALITY, OR IMMIGRATION STATUS, NOR ASK ANY PERSON ABOUT THE
22 CITIZENSHIP, NATIONALITY, OR IMMIGRATION STATUS OF ANOTHER PERSON.

23 (III) WHEN PARTICIPATING IN A TASK FORCE UNDER THIS PROVISION, IF AT ANY TIME AN
24 OFFICER IN CHARGE OF THE COUNTY POLICE DEPARTMENT REASONABLY BELIEVES THAT THE
25 TASK FORCE IS NOT PRIMARILY ACTING TO INVESTIGATE OR ENFORCE CRIMINAL LAW, BUT
26 INSTEAD AS A PRETEXT FOR IMMIGRATION ENFORCEMENT, THE COUNTY POLICE DEPARTMENT
27 SHALL IMMEDIATELY CEASE ASSISTANCE AND WITHDRAW FROM THE TASK FORCE.”

- 28 • Strike line 19 and substitute “AN EXISTING INTERGOVERNMENTAL SERVICE AGREEMENT
29 BETWEEN HOWARD COUNTY AND IMMIGRATION AND CUSTOMS ENFORCEMENT;””