

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, An Act To create a Department of Corrections in the District of Columbia to prohibit the District from cooperating with federal immigration agencies, including by complying with detainer requests, absent a judicial warrant or order.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Sanctuary Values Emergency Amendment Act of 2019”.

Sec. 2. Section 7 of An Act To create a Department of Corrections in the District of Columbia, effective December 11, 2012 (D.C. Law 19-194; D.C. Official Code § 24-211.07), is amended to read as follows:

“Sec. 7. Prohibition on cooperation with federal immigration agencies.

“(a) Absent a judicial warrant or order, issued by a federal judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. § 631, that authorizes a federal immigration agency to take into custody the person who is the subject of such warrant or order, the District of Columbia shall not:

“(1) Hold an individual in the District’s custody after that individual would have been otherwise released, except as provided in § 24-211.02(c);

“(2) Provide to a federal immigration agency an individual’s date and time of release, location, address, or criminal case information;

34 “(3) Provide to any federal immigration agency an office, booth, or any facility or
35 equipment for a search of or inquiry about an individual in the District’s custody;

36 “(4) Permit any federal immigration agency to interview an individual in the
37 District’s custody without giving the individual an opportunity to have counsel present; or

38 “(5) Grant any federal immigration agency access to a District detention facility,
39 including St. Elizabeths Hospital or a facility under the control of the Department of Corrections
40 or the Department of Youth Rehabilitation Services, for the purpose of releasing an individual
41 into federal custody.

42 “(b) The District shall not inquire into the immigration status of an individual in its
43 custody.

44 “(c) This section shall not be construed to establish a right to counsel that does not
45 otherwise exist in law.

46 “(d) Nothing in this section shall be construed to create a private right of action.”.

47 Sec. 3. Fiscal impact statement.

48 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
49 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
50 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

51 Sec. 4. Effective date.

52 This act shall take effect following approval by the Mayor (or in the event of veto by the
53 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
54 90 days, as provided for emergency acts of the Council of the District of Columbia in section
55 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
56 D.C. Official Code § 1-204.12(a)).