

DUE PROCESS ORDINANCES IN CALIFORNIA: A BLUEPRINT FOR LOCAL LEADERSHIP

THE PROBLEM:

Nationwide, aggressive federal law enforcement tactics have created a climate of fear, intimidation and uncertainty which has traumatized our communities, making people feel less safe in their daily lives.

THE SOLUTION:

We need laws that will protect our privacy, strengthen public trust, and reinforce democratic principles. We also need to set up clear standards for how local government resources are used. Existing laws have gaps: while California state laws such as the California Values Act (SB 54) and the TRUTH Act (AB 2792) provide important baseline protections, including limiting cooperation between local law enforcement and Immigration and Customs Enforcement (ICE), local governments should pass ordinances that strengthen and clarify those protections at the city, county, or school district levels. Here is what we need to be safe and free:

MODEL POLICIES FOR STRONG DUE PROCESS ORDINANCES:

MODEL ORDINANCE 1: CITY OF SAN DIEGO – DUE PROCESS AND SAFETY ORDINANCE (DPSO)¹

Strong intersectional ordinance: prohibits city participation in federal enforcement activity that criminalizes protected personal characteristics or protected personal activity, including immigration status, disability status, gender identity, sexual orientation, race, ethnicity and/or history accessing reproductive or gender affirming healthcare.

MODEL ORDINANCE 2: CITY OF LYNWOOD – LYNWOOD VALUES ACT²

Strong data protection and accountability measures: prevents collection and disclosure of sensitive personal information for immigration enforcement purposes, requires strong data privacy safeguards and prohibits contracts with companies that share data with or provide data-mining tools to immigration authorities. Establishes private right of action for individuals whose rights are violated.

MODEL POLICY 3: LOS ANGELES COUNTY – CIVIL IMMIGRATION ENFORCEMENT POLICY³

Strong limits on cooperation with federal immigration enforcement: prohibits transfers to ICE without a judicial warrant, restricts ICE access to county jail facilities for civil immigration enforcement, and limits inquiries into immigration status.

THE VISION:

Everyone should feel safe participating in civic life and accessing public services without fear of federal law enforcement, misuse of personal information, or harassment.

1 [San Diego, Cal., Due Process and Safety Ordinance \(Oct. 29, 2025\)](https://www.sandiego.gov/blog/peoples-business-october-17-2025), available at <https://www.sandiego.gov/blog/peoples-business-october-17-2025>.

2 [City of Lynwood, Cal., Lynwood Values Act \(March 3, 2026\)](https://www.lynwoodca.gov/AgendaCenter/ViewFile/Agenda/03032026-390), available at <https://www.lynwoodca.gov/AgendaCenter/ViewFile/Agenda/03032026-390>.

3 [County of Los Angeles, Cal., Ending ICE Transfers Without a Judicial Warrant in Los Angeles County \(Sept. 1, 2020\)](https://file.lacounty.gov/SDSInter/bos/sop/1077955_090120.pdf), available at https://file.lacounty.gov/SDSInter/bos/sop/1077955_090120.pdf.

DUE PROCESS ORDINANCES ARE ABOUT GOOD GOVERNANCE:

By establishing clear rules for how local personnel, facilities and public funds are used, these ordinances strengthen fiscal accountability, reduce legal and financial risk and help ensure local resources are used responsibly and remain focused on local priorities.

KEY FEATURES OF STRONG DUE PROCESS ORDINANCES⁴:

- **Confidentiality of Private Information:** Limit local collection and disclosure of sensitive personal information, including immigration status, race or ethnicity, gender identity, disability status, health history and history of accessing reproductive or gender-affirming care.
- **Clear Limits on Use of Local Resources and Access to Local Facilities:** Limit use of local resources and access to non-public areas of local facilities by federal authorities to assist in federal immigration or law enforcement actions that target protected characteristics or criminalize protected activities. Limit communicating with federal authorities or facilitating the investigation, transfer, or arrest of individuals in city or county custody. Provide clear implementation guidance, training, and protections for local government employees.
- **Clear Limits on Participation in Joint Operations and Joint Task Forces:** Prohibit local participation in joint operations or joint task forces that involve federal immigration enforcement or target protected characteristics or activities, unless required by law. Require transparency for any permitted collaboration.
- **Intersectionality:** Extend protections to other historically marginalized groups, including LGBTQIA+ communities, people with disabilities, and Black and brown communities (e.g., protections against discriminatory surveillance).
- **Judicial Warrant Requirement:** Allow exceptions only pursuant to a judicial warrant, judicial probable cause determination, or as otherwise required by law.
- **Extension to Contractors:** Extend confidentiality and data protection requirements to contractors, lessees and grantees of the local government.
- **Community Education:** Require distribution of multilingual know your rights materials and signage on local government and contractor facilities.
- **Accountability:** Permit individuals to institute private right of action if there is a violation of ordinance requirements.
- **Transparency:** Require regular public reporting on the ordinance including but not limited to all requests for protected information by federal immigration authorities and the local government's response, as well as requests for assistance, support, or coordination from local law enforcement agencies related to federal enforcement activities.
- **Community Engagement:** Incorporate input from impacted communities and local stakeholders to ensure policies reflect local needs and support effective implementation.

WE NEED LOCAL LEADERSHIP. In addition to these ordinance models, local governments should pass resolutions supporting SB 1105 (Protect California Rights Act), which prevents state and local agencies from being used in federal operations that violate California civil rights protections.

⁴ This factsheet list is intended to be educational and not legal advice. The list is a suggested starting point and is not exhaustive. Ordinance design should reflect local context and benefit from input by impacted communities, legal experts and local stakeholders.