

## **University of California Reaffirms Statement of Principles in Support of Undocumented Members of the UC Community**

### **STUDENT SUPPORT & SUCCESS**

The University of California welcomes and supports students without regard to their immigration status. UC will continue to admit students without regard to a student's race, color, national origin, religion, citizenship or other protected characteristic. In other words, undocumented applicants with or without DACA status will be considered for admission on the same basis as any U.S. citizen or other applicant.

The University is committed to creating an environment in which all admitted students can successfully matriculate and graduate.

Federal law protects student privacy rights, and the California Constitution and statutes provide broad privacy protection to all members of the UC community. University policy provides additional privacy protections. When the University receives requests for information that implicate individual privacy rights, the University will continue its practice of working closely with the Office of General Counsel to protect the privacy of members of the UC community. We will not release immigration status or related information in confidential student records, without permission from a student to federal agencies or other parties without a judicial warrant, a subpoena, a court order or as otherwise required by law.

### **UC CAMPUSES AND OTHER UC LOCATIONS**

Primary jurisdiction over enforcement of federal immigration laws rests with the federal government and not with UCPD or any other state or local law enforcement agency. UCPD is devoted to providing professional policing services that strive to ensure a safe and secure environment in which members of the University's diverse community can pursue the University's research, education and public service missions. Community trust and cooperation are essential to effective law enforcement on campus or other UC locations. The limited resources of UC police departments should not be diverted from this mission to enforcement of federal immigration laws. As such, in accordance with state law:

- a. No UC campus police department will join those state and local law enforcement agencies that have entered into an agreement with Immigration and Customs Enforcement (ICE), or undertake other joint efforts with federal, state or local law enforcement agencies, to investigate, detain or arrest individuals for violation of federal immigration law.
- b. It is in the best interest of all members of the UC community to encourage cooperation with the investigation of criminal activity. To encourage such cooperation, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by UC police officers will not automatically lead to an immigration inquiry and/or a risk of removal. Consequently:
  1. Campus police officers will not contact, detain, question or arrest an individual solely on the basis of suspected undocumented immigration status or to discover the immigration status of

an individual, except as required by law.

2. Campus police should avoid actions that create a disincentive to report crime, or to offer testimony as a witness to a crime, such as requesting information about immigration status from crime victims and witnesses.
- c. The California Attorney General has concluded that civil immigration detainers are voluntary requests to local law enforcement and compliance is not mandatory. Local law enforcement agencies may be liable for improperly detaining an individual who is otherwise eligible for release based on a civil immigration detainer. Consequently:
1. Campus police officers will not detain an individual in response to an immigration hold request from ICE, or any other law enforcement agency enforcing federal immigration law, unless doing so is required by law or unless an individual has been convicted of a serious or violent felony.
  2. In order to confirm compliance with legal requirements and these principles, campus police chiefs should review any other request for information from ICE, or any other law enforcement agency enforcing federal immigration law, and consult campus counsel before response.
- d. If campus police receive a request to assist a victim of or witness to a crime with a U visa or T visa application, the request should be immediately forwarded to the campus police chief who should take prompt action to facilitate the request, if appropriate.

A federal effort to create a registry based on any protected characteristics, such as religion, national origin, race or sexual orientation, would be antithetical to the United States Constitution, the California Constitution, federal and state laws, and principles of nondiscrimination that guide our University.

## UC MEDICAL FACILITIES

The University's medical centers treat all patients who require our services without regard to race, color, religion, national origin, citizenship or other protected characteristics. In keeping with the mission of the University of California, we recognize and understand that our ability to fulfill our public health responsibilities depends on the ability of patients to trust their providers. Our UC medical centers remain committed to these responsibilities and will vigorously enforce applicable University policies, including nondiscrimination and privacy policies and standards of professional conduct.

***These principles will be implemented through policies and procedures that will apply to all UC campuses and medical facilities.***