

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
TUESDAY, OCTOBER 21, 2025**

**MINUTE ORDER NO. 17**

**SUBJECT: STANDING UP FOR DUE PROCESS: THE CIVIL LIBERTIES  
ENFORCEMENT AND ACCOUNTABILITY RULES (CLEAR) ORDINANCE  
(DISTRICTS: ALL)**

**OVERVIEW**

County facilities are where San Diegans turn for help, to apply for food assistance, enroll in healthcare, report wage theft, meet with a caseworker, or speak with a public defender. They are meant to be safe, welcoming, and rooted in trust, reflecting the County's highest purpose: that the noblest motive is the public good. Yet across the country, troubling incidents have shown what happens when that trust is violated.

In Los Angeles, rogue federal agents stopped a car on a busy street, pulling over a driver and intimidating them without cause, only to abruptly leave once they realized they had the wrong person. The individual was left shaken and humiliated, without answers or accountability. Similar incidents have taken place in clinics, shelters, and community centers, where people seeking help were confronted by individuals claiming to be law enforcement, often without identification or a valid warrant. These actions undermine constitutional rights, erode confidence in public institutions, and deter our constituents from accessing essential services.

The results are stark: families skip appointments, workers hesitate to file complaints, and patients avoid care. This chilling effect pushes residents away from the very systems designed to protect and support them.

At the same time, the existing laws are clear. Federal agents are already required by law to obtain a judicial warrant before entering non-public areas - whether on County property or private premises - but too often the public does not know their rights. Agents may enter under the color of authority, and staff or residents may feel pressured to allow access they are not legally required to give. The result is confusion, intimidation, and a climate of fear that keeps people from seeking the help they need. But confusion and fear are not inevitable; they persist because the rules aren't consistently clear or enforced.

The County can set the standard for how local government upholds public safety and civil rights, and ensure our constituents are protected from the worst impacts of these indiscriminate raids with a clear understanding of their rights. Today's action directs County staff to draft the **Civil Liberties Enforcement and Accountability Rules (CLEAR) Ordinance** to establish firm guardrails to protect the freedom and dignity of all San Diegans who walk through our doors. The County ordinance will be modeled on similar ordinances being passed across the region and would return within 30 days for board consideration and adoption.

The CLEAR Ordinance would set clear guidelines in place:

- **Judicial Authorization:** The ordinance clarifies the existing rules that federal agents are prohibited from entering non-public areas of County facilities without a valid judicial warrant or court order.

- **Public Awareness:** Clear, multilingual signage will be posted at County facilities so residents understand their rights.
- **Contractor Accountability:** Contractors, grantees, and leaseholders must uphold these same protections, ensuring consistent civil rights safeguards across County partnerships and funded programs.

Together, these measures uphold due process, protect individual privacy, and ensure County facilities remain spaces of care, not intimidation. This ordinance builds on the County's longstanding commitment to civil liberties by using every tool within our local authority and translating our values into enforceable policy. It turns our values into action, making the promise of equal protection real in everyday life.

This effort builds upon broad regional collaboration to advance similar legislation across jurisdictions and present a united front in defense of constitutional rights, especially for communities historically targeted by surveillance, detention, and harassment. This includes the City of San Diego, La Mesa, Vista, Oceanside, and local school districts.

At a time when fear and confusion have too often replaced trust, today's action makes clear that the County will stand up to protect due process, uphold civil rights, and ensure every resident can safely access the help they need

## **RECOMMENDATION(S)**

### **CHAIR TERRA LAWSON-REMER**

Direct the Chief Administrative Officer (CAO) to review the San Diego City Council Due Process and Safety Ordinance and return to the Board within 30 days with a draft ordinance similar in effect but tailored to the County's jurisdiction.

- The draft ordinance should be based upon the Due Process and Safety (#) passed by the City of San Diego City Council on October 21st, 2025, as outlined in attachment A.
- The draft ordinance shall strengthen civil liberties protections across all County operations. The ordinance explicitly prohibits federal agents from entering non-public areas of County facilities without a valid judicial warrant or court order, ensuring adherence to due process. It also directs the posting of clear, multilingual signage in County buildings to inform residents of their rights. Finally, it extends these same requirements to all County contractors, grantees, and leaseholders, ensuring consistent and enforceable civil rights safeguards across County partnerships and funded programs.

## **EQUITY IMPACT STATEMENT**

The proposed action aims to promote fairness and equal treatment in the justice system by preventing discriminatory practices that disproportionately impact immigrant communities. This approach supports the County's commitment to social justice and inclusion, fostering trust and cooperation between immigrant communities and the County of San Diego, which is essential for effective in keeping all of our communities safe.

## **SUSTAINABILITY IMPACT STATEMENT**

This action supports long-term community resilience by prioritizing local resources to protect due process and uphold public safety. Providing clear guidance reduces the risk of unjust deportations, strengthens trust in government, and fosters the social cohesion that underpins a safe and sustainable region.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2025-26 Operational Plan in the Office of County Counsel based on existing staff time funded by General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years. There may be future fiscal impacts associated with future related recommendations, which staff would bring back to the Board for consideration and approval.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended.

AYES: Aguirre, Lawson-Remer, Montgomery Steppe

NOES: Anderson, Desmond

State of California)

County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER

Clerk of the Board of Supervisors



**Signed**

**by** Andrew Potter