

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
TUESDAY, DECEMBER 09, 2025**

**MINUTE ORDER NO. 20**

**SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
ADOPT AN ORDINANCE ADDING ARTICLE LXV OF THE SAN DIEGO  
COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO LAW  
ENFORCEMENT ACCESS TO COUNTY FACILITIES (November 18, 2025- First  
Reading; December 9, 2025 - Second Reading unless ordinance is modified on  
second reading) (DISTRICTS: ALL)**

**OVERVIEW**

On November 18, 2025 (20), the Board of Supervisors took action to further consider and adopt the Ordinance on December 9, 2025.

On October 21, 2025 (17), the San Diego County Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to draft a Civil Liberties Enforcement and Accountability Rules (CLEAR) Ordinance based upon the Due Process and Safety Ordinance adopted by the City of San Diego City Council on October 21, 2025.

Based on direction from the Board, staff have prepared a draft ordinance that restricts access to non-public areas of County facilities by law enforcement without a judicial warrant or court order. It also directs the posting of clear, multilingual signage in County buildings to inform residents of their rights. Finally, it extends certain requirements to County contractors, grantees, and leaseholders, ensuring consistent and enforceable civil rights safeguards across County partnerships and funded programs.

Today's recommendation requests that the Board consider the introduction of an ordinance based upon the Due Process and Safety Ordinance adopted by the City of San Diego City Council. If the Board acts as recommended, then on December 9, 2025, the Board is requested to adopt the ordinance (second reading) and take related actions. If the proposed ordinance is altered on December 9, 2025, then on that date, a subsequent meeting date will be selected for the ordinance's adoption.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Consider and adopt the Ordinance:

**AN ORDINANCE ADDING ARTICLE LXV OF THE SAN DIEGO COUNTY CODE OF  
ADMINISTRATIVE ORDINANCES RELATING TO LAW ENFORCEMENT ACCESS TO  
COUNTY FACILITIES.**

**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

The proposed action supports the County of San Diego's Sustainability Goal #2 of providing just and equitable access to County services to promote equity, transparency, and community trust. Multilingual signage and clear communication of rights enhance accessibility and civic engagement. Overall, the ordinance supports transparency into County operations and community partnerships.

## FISCAL IMPACT

Funds for today's actions are included in the Fiscal Year 2025-26 Operational Plan based on existing staff time in the Department of Purchasing & Contracting and the County Communications Office based on Charges for Services to client departments and General Purpose Revenue, respectively. There will be no change in net General Fund cost and no additional staff years.

## BUSINESS IMPACT STATEMENT

N/A

### ACTION:

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Montgomery Steppe, the Board of Supervisors directed the Chief Administrative Officer to amend the proposed ordinance as follows, ensuring its legality, and return to the Board for the introduction of the proposed ordinance:

1. • **Amendments 1 and 2: Addressing data sharing and joint task force operations**
  - **To be inserted as new Section 968. All necessary terms are already defined in Section 966.**
  - Section 966. Guidelines for Upholding Civil Rights in County Operations
  - (a) Unless otherwise required by law, the County should not:
    - (1) Transmit or share data related to any protected personal characteristic or protected personal activity, unless such transmission or sharing is necessary for law enforcement activity where the alleged criminal activity is not based on a protected personal characteristic or is not a protected personal activity and is part of a suspect, victim, or missing person description or is relevant to the crime being investigated.
    - (2) Participate in a joint operation, task force, or patrol that involves, in whole or in part, an immigration enforcement action or other law enforcement activity that specifically investigates a protected personal characteristic or protected personal activity as criminal activity.
  - (b) Section 966 does not prohibit:
    - (1) the County's participation in a joint law enforcement task force, if the task force is not related to investigating a protected personal characteristic or protected personal activity as criminal activity; or
    - (2) cooperation with federal law enforcement agency personnel or out-of-state law enforcement personnel in response to an imminent threat to life or public safety. The County's cooperation shall be narrowly tailored to respond to the imminent threat to life or public safety. If the alleged crime is a protected personal characteristic or protected personal activity, the County's cooperation shall be reported in writing to the Board of Supervisors as required under Section 969.1.
- **Amendment 3: Addressing Exceptions to Contractor Compliance**
  - **Amend Section 968 (b)** to allow exceptions by the Director of Purchasing and Contractor or Director of General Services only under exigent circumstances, so the provision reads (changes in bold):

- “Exceptions to these requirements may be granted by approval of the Board of Supervisors, **or** by the Director of Purchasing and Contracting or Director of General Services **based on exigent circumstances**, or where compliance is expressly preempted by federal, State or local law.”
- **Amendment 4: Addressing Notice Requirements by Contractors or Vendors**
  - **Add as Section 969(a)(3):**
    - For all agreements to provide services to the public in non-County-owned facilities, the Chief Administrative Officer shall require the contractor to post signage at the public entrances to those facilities. The Chief Administrative Officer shall require that contractors comply with all applicable State and local law prohibiting ICE access to non-public areas of their facilities located within the County.
- **Amendment 5: Reporting Requirements**
  - **Add new section prior to Sec. 970:**
  - Sec. 969.1: Reporting Requirements
    - (a) The Chief Administrative Officer shall provide a written report to the Board of Supervisors by the end of each fiscal year with the following information from the preceding calendar year:
      - (1) A summary of the County’s participation in joint law enforcement task forces as described in California Government Code section 7284.6(c)(1).
        - (A) The report shall include the following information in a separate section for each joint law enforcement task force:
          - o (i) The purpose of the task force.
          - o (ii) The federal, state, and local law enforcement agencies involved.
          - o (iii) The total number of arrests made during the reporting period.
          - o (iv) The number of people arrested for immigration enforcement purposes.
          - o (v) The number of San Diego County Sheriff officers officially assigned to the joint law enforcement task force and a general description of the types of investigations that officers participated in that year.
          - o (vi) The total number of San Diego County Sheriff personnel hours, pre-operational briefings held at a County facility that immediately precede law enforcement action that involves contacting members of the public, and total amount of County funds, including salary costs, allocated to the joint law enforcement task force.
          - o (vii) The number of case referrals between San Diego County Sheriff and the joint law enforcement task force.
          - o (viii) A list of the law enforcement databases or data-sharing systems used in the course of the joint law enforcement task force, unless such information is exempt from public disclosure under federal or state law.
        - (B) The Chief Administrative Officer shall not include information in the report that would endanger the safety of a person involved in an investigation or the successful completion of the investigation or a related investigation, or the disclosure of which is prohibited or exempt under federal or state law.

- (2) Any information required to be reported to the California Department of Justice under California Penal Code section 13777(a)(2) and all data and reports made publicly available under Government Code section 12525.5(f) of the Racial and Identity Profiling Act of 2015 (RIPA). Disclosure of information under section 969.1 shall be consistent with California Government Code section 12525.5(d) and shall not result in the release of protected information, including personally identifiable information.
- (3) A summary of any changes to federal or state law that affect the San Diego County Sheriff's ability to participate in a joint law enforcement task force.
- (4) A summary of any known law enforcement activity by federal law enforcement agency personnel, out-of-state law enforcement personnel, or a private party acting under color of law enforcement authority involving any person for a protected personal characteristic or protected personal activity within the jurisdiction of the County. Section 969.1 is not intended to include investigations of criminal activity unrelated to a protected personal characteristic or protected personal activity when a protected personal characteristic or protected personal activity is part of a suspect description or may be relevant to the investigation of the underlying crime.
- (5) A summary of the Transparent Review of Unjust Transfers and Holds (TRUTH) Act forum held by the County under California Government Code section 7283.1(d), including the place and time that the forum was held, and a general description of the information that was presented by the County, if during the reporting period, the County provided ICE access to a person in the custody of the San Diego County Sheriff.
- (b) If the San Diego County Sheriff responds to a call for service related to law enforcement activity by federal law enforcement agency personnel, out-of-state law enforcement personnel, or a private party acting under color of law enforcement authority where the alleged crime is a protected personal characteristic or protected personal activity, the San Diego County Sheriff shall issue a publicly available incident report within three business days of the response. The report shall include: (1) the names of all agencies present; (2) whether a judicial warrant was presented by any agency to the San Diego County Sheriff; and (3) any available identifying information of the law enforcement personnel involved, such as badge numbers, and agency designations, or the private party acting under color of law enforcement authority. (c) If the San Diego County Sheriff responds to a call or cooperates with federal law enforcement agency personnel or out-of-state law enforcement personnel in response to an imminent threat to life or public safety where the alleged crime is a protected personal characteristic or a protected personal activity, the San Diego County Sheriff shall report such cooperation in writing to the Board of Supervisors within three business days.

2. Directed the Chief Administrative Officer to work with Chair Pro Tem Aguirre on amendments to Section 968 (b) to narrow the scope or strike it as needed operationally.

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