



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

PALOMA AGUIRRE
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: January 13, 2026 and January 28, 2026

09

TO: Board of Supervisors

SUBJECT

ADOPT AN ORDINANCE ADDING ARTICLE LXV OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO LAW ENFORCEMENT ACCESS TO COUNTY FACILITIES (January 13, 2026– First Reading; January 28, 2026 - Second Reading unless ordinance is modified on second reading) (DISTRICTS: ALL)

OVERVIEW

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 returned on November 18, 2025 (20) and then again on December 9, 2025 (20) with a draft ordinance that restricts access to non-public areas of County of San Diego (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. Additional direction was provided by the Board on December 9, 2025 (20) to amend the language in the draft ordinance.

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 including the amendments presented on December 9th. If the Board acts as recommended, then on January 28, 2026, the Board is requested to adopt the ordinance (second reading) and take related actions. If the proposed ordinance is altered on January 28, 2026, then on that date, a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On January 13, 2026:

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1. Consider the recommendation to approve the introduction of the Ordinance (first reading):

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

If, on January 13, 2026, the Board takes action within recommendation #1 above, then on January 28, 2026:

1. 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, which is essential for effective in keeping all of our communities safe.

SUSTAINABILITY IMPACT STATEMENT

The proposed action supports the County'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

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

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On October 21, 2025 (17), the Board of Supervisors (Board) took action and directed the drafting of the 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.

The action directed that the ordinance provide guardrails to prohibit federal agents from entering non-public areas of County of San Diego's (County) facilities 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 these same requirements to County contractors, grantees, and leaseholders, ensuring consistent and enforceable civil rights safeguards across County partnerships and funded programs.

The proposed ordinance would restrict access to non-public areas of County facilities by federal and out of state law enforcement, or private parties acting under color of law, for purposes of law enforcement activities based on a protected characteristic or activity, unless required by law or court order. It would also require the Chief Administrative Officer (CAO) to report such access to the Board within three business days.

At County facilities providing services to the public, the ordinance would require signage regarding law enforcement access to non-public areas. Agreements to operate those County facilities must include language requiring display of signage. The ordinance also requires County agreements to include compliance with State laws relating to cooperation with law enforcement, and confidentiality of information relating to protected characteristics or activities unless sharing is required by law or required to perform the agreement. For agreements to provide services to County residents or handle personal information, notice must be given to the County within five days of certain requests from law enforcement. The ordinance would not apply to services required to be provided by a federal agency at a County facility, such as Customs and baggage inspection at County airports.

On November 18, 2025 (20) staff returned to the Board for introduction of the ordinance and subsequently on December 9, 2025 (20) for adoption. Additional direction was received directing the CAO to amend the proposed ordinance. Those amendments included addressing data sharing and joint task force operations, addressing exceptions to contractor compliance, noticing requirements by contractors and vendors, along with reporting requirements. Additionally, staff were directed to work with Chair Pro Tem Aguirre on amendments to Section 968 (b).

The recommendation before the Board is to consider the proposed amendments to adding article LXV to the San Diego County Administrative code relating to 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.

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LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The recommended actions align with the Strategic Initiatives of Community, Equity and Justice in the County of San Diego's 2026-2031 Strategic Plan with its focus on opportunities for health, safety, and quality of life by improving and ensuring transparency and safety.

Respectfully submitted,



EBONY N. SHELTON
Chief Administrative Officer

ATTACHMENT(S)

Attachment A: AN ORDINANCE ADDING ARTICLE LXV OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO LAW ENFORCEMENT ACCESS TO COUNTY FACILITIES (Clean Copy)

Attachment B: AN ORDINANCE ADDING ARTICLE LXV OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES RELATING TO LAW ENFORCEMENT ACCESS TO COUNTY FACILITIES (Informational Copy)

Attachment C: SUMMARY OF PROPOSED ORDINANCE