



**ADMINISTRATIVE DIRECTIVE**

<b>USE OF CITY PROPERTY FOR CIVIL LAW ENFORCEMENT</b>	NUMBER	PAGE
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**ADMINISTRATIVE DIRECTIVE**

**I. PURPOSE**

This Directive is intended to provide clear direction, pursuant to the Charter and other legal authority, as to use of City property for civil law enforcement purposes.

**II. POLICY**

Real and personal property belonging to, or subject to the control of, the City shall only be used for authorized City purposes and shall not be used as or in connection with a staging area, processing location, or operations base for unauthorized civil law enforcement actions, including civil immigration enforcement.

**III. DEFINITIONS**

Staging Area – an area used to assemble, mobilize, or deploy vehicles, equipment or materials, and related personnel, in a manner that is outside of regular business hours or purposes, or that disrupts or impedes its use for City purposes.

**IV. RESPONSIBILITIES**

To ensure that City spaces remain accessible and available for City purposes and their intended public uses, City departments are directed to work with City leadership to identify and, where possible, control access to real and personal property that has been used, or is likely to be used, for unauthorized purposes, including unauthorized civil law enforcement or civil immigration enforcement.

**A. DEPARTMENT RESPONSIBILITIES**

1. Each City department shall identify and catalog any City parcels or other real property (“Controlled City Property”) within its control that may be subject to or have been subject to unauthorized use, including for unauthorized civil law enforcement or unauthorized civil immigration purposes. City Right of Way (ROW), including publicly accessible streets and/or sidewalks, is not Controlled City Property.
2. Upon identification of Controlled City Property, each department shall then identify locations and number of signs necessary (“Signage Plan”) to post clear signage at each identified location, stating the following: **THIS PROPERTY IS OWNED AND/OR CONTROLLED BY THE CITY OF TUCSON. USE FOR ANY OTHER PURPOSE, INCLUDING CIVIL LAW ENFORCEMENT, CIVIL IMMIGRATION ENFORCEMENT, AS A STAGING AREA, PROCESSING LOCATION OR**



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**OPERATIONS BASE IS NOT PERMITTED WITHOUT PRIOR WRITTEN AUTHORIZATION.**

3. City departments shall also identify, where possible, means of controlling access (“Access Control Plan”) to Controlled City Property, outside of regular business hours or when not in use for its intended purpose.
4. Each department shall keep and provide to the City Manager’s Office, or their designee, an updated list of Controlled City Property, its Signage Plan and Access Control Plan for approval.
5. Upon approval of each department’s Signage Plan and Access Control Plan by the City Manager or their designee, the department shall implement the Signage Plan and Access Control Plan and clearly communicate both to departmental employees. City departments should also designate a departmental point of contact (POC) to receive and provide notifications of unauthorized use of Controlled City Property. The department POC will receive notifications of unauthorized use from staff and communicate them to the City Manager’s Office as well as the City Attorney’s Office for further action.

**B. CITY LEADERSHIP RESPONSIBILITIES**

1. The City Manager, or their designee, shall be responsible for approving each department’s Signage Plan, Access Control Plan and related expenditures before implementation.
2. The City Manager may authorize additional uses of Controlled City Property as necessary and consistent with the intended purpose of the property and this Directive.
3. The City Manager shall approve or deny any requests from local, state or federal law enforcement agencies to engage in civil law enforcement of any kind on Controlled City Property consistent with this Directive and the recommendation of the Chief of Police of the Tucson Police Department (“Police Chief”). The Police Chief shall serve as the central contact for local, state or federal law enforcement agencies making such requests. For each request, the Police Chief shall gather enough information to determine the impact of any proposed operation on City property and its use and shall make a recommendation as to whether to grant the request. No such request shall be required for the service of a lawful judicial warrant or where exigent circumstances objectively exist.

**C. EMPLOYEE RESPONSIBILITIES**



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1. **Reporting:** City employees who become aware of the unauthorized use of Controlled City Property should contact their department POC or immediate supervisor and Director if no other department POC has been selected. To the extent possible, the reporting employee should report and/or document: 1) the location; 2) agency(ies) involved; 3) physical descriptions and number of unauthorized users; and 4) the activities engaged in.
2. Consistent with other City policies, employees are not authorized to engage, obstruct or impede unauthorized users engaged in civil law enforcement without further direction from the City Manager or their designee.

**D. EXCEPTION**

1. This Directive is not intended to restrict or interfere with the execution of lawful judicial warrants or the enforcement of criminal law, nor does it limit the rights of any person or entity under local, state or federal law.

**Appendices**                      None

**References**                      None

**Review Responsibility and Frequency**      The City Manager’s Office, in consultation with the City Attorney shall review this Directive annually, based on date of publication. Last review date: \_\_\_\_\_.

**Authorized**

\_\_\_\_\_  
City Manager  
Timothy M. Thomure, P.E., ENV SP

\_\_\_\_\_  
Date



Appendix 2

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