

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Village of East Hampton will hold a public hearing on the 22<sup>nd</sup> day of April 2026 at 11:00 a.m. at the Emergency Services Building, 1 Cedar Street, East Hampton, New York, at which time all persons interested will be heard with respect to Introductory #3-2026 "A Local Law amending the Code of the Village of East Hampton so as to add Chapter 212, entitled: "Public Safety and Federal Immigration Law Enforcement," for purposes of promoting transparency, peace and good order and public safety, in relation to immigration law enforcement activities conducted within the Village.

### **INTRODUCTORY NO. 3 -2026 LOCAL LAW NO. \_\_ - 2026**

A Local Law amending the Code of the Village of East Hampton so as to add Chapter 212, entitled: "Public Safety and Federal Immigration Law Enforcement," for purposes of promoting transparency, peace and good order and public safety, in relation to immigration law enforcement activities conducted within the Village.

BE IT ENACTED by the Board of Trustees of the Village of East Hampton as follows:

SECTION I. Chapter 212 of the Code of the Village of East Hampton is hereby added as follows (bold and underlined material is to be added:

#### CHAPTER 212

#### PUBLIC SAFETY AND FEDERAL IMMIGRATION LAW ENFORCEMENT

##### SECTION 212-1 Legislative Findings and Purpose.

A. The Village of East Hampton recognizes that:

- (1) the federal government possesses authority to enforce federal immigration laws pursuant to the United States Constitution;
  - (2) under the Supremacy Clause, federal law preempts conflicting state or local laws;
  - (3) under the Tenth Amendment to the U.S. Constitution, powers not delegated to the federal government are reserved to the states;
  - (4) pursuant to New York state law, including but not limited to the New York State Constitution, Municipal Home Rule Law, and Village Law, the Village possesses police power to protect public health, safety, and welfare;
  - (5) the Village has a professional police department dedicated to safeguarding residents and visitors while maintaining strong community trust; and
- As such, transparency and clear boundaries regarding the use of Village resources promotes orderly and lawful governance, public safety, the safety of Village law enforcement officers and general peace and good order.

B. Federal Authority Recognition

- (1). The Village acknowledges the authority of federal agencies to enforce federal immigration law.
- (2). Nothing in this local law shall restrict lawful federal operations conducted independently by federal officers.
- (3). This law governs only the use of Village personnel, property, and resources.
- (4). Nothing herein shall be construed to prohibit or interfere with lawful federal law enforcement activities conducted independently by federal authorities.

SECTION 212-2 Civil Immigration Enforcement Non-Participation Policy.

(A). 287(g) Agreements Prohibited. The Village shall not enter into, renew, or participate in any agreement pursuant to Section 287(g) of the Immigration and Nationality Act (8 U.S.C. §1357[g]).

(B). No Assistance in Civil Immigration Enforcement. Village personnel including but not limited to Village Police Officers, shall not use Village resources, equipment, property, databases, or funds to investigate, detain, question, arrest, or transport any individual solely for purposes of federal civil immigration enforcement, except pursuant to a judicial warrant or as otherwise required by law.

(C). No Civil Immigration Detention. Village facilities shall not be used to detain individuals solely for civil immigration enforcement purposes absent a judicial warrant.

(D). Nothing herein prohibits or is intended to prohibit cooperation with federal authorities in criminal investigations.

#### SECTION 212-3 License Plate Recognition (LPR) Technology.

(A). The Village Police Department is authorized to utilize LPR technology for legitimate public safety and law enforcement purposes. Access to LPR data shall be restricted to authorized personnel and logged for supervisory review.

(B). LPR technology may be used for identification of stolen vehicles, vehicles associated with criminal and/or vehicle and traffic investigations, real-time alerts, and investigative review in connection with reported crimes. LPR technology shall not be used solely based on race, religion, ethnicity, national origin, immigration status, or lawful First Amendment activity.

(C). LPR data shall not be accessed, queried, or shared for purposes of federal civil immigration enforcement.

(D). "Non-hit" LPR data (that is, data that is not acted upon or which relates to searches that do not return a result) shall be retained for no longer than thirty (30) days and thereafter shall be permanently deleted unless flagged for a criminal investigation or otherwise required by law.

(E). All LPR data shall be stored in secure, password-protected systems consistent with state law.

#### SECTION 212-4 Reporting of Federal Enforcement Activity.

(A). When Village Police respond to incidents involving federal immigration law enforcement operations within the Village, the Chief of Police shall provide notice to the Mayor as soon as practicable.

(B). The Mayor may provide summary information to the Village Board as soon as practicable, consistent with operational security, public safety, considerations of peace and good order, within legal limitations.

#### SECTION 212-5 Establishment of an Advisory Task Force.

(A). An Advisory Task Force may be established by the Village Board to review public safety and peace and good order concerns relating to federal immigration law enforcement activities within the Village, and transparency

relating to same.

(B). The Advisory Task Force shall consist of the Mayor, the Village Chief of Police, a Village Trustee and a Village resident (to be appointed by the Village Board) who is not an officer or employee of the Village.

(C). The Task Force shall, on a quarterly basis, provide an advisory report to the Village Board based on its findings, if any.

SECTION 212-6 Severability.

If any portion of this local law is held invalid by a court of competent jurisdiction, such invalidity shall not affect remaining provisions.

SECTION 212-7 Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

Dated: March 20<sup>th</sup>, 2026

By Order of the  
BOARD OF TRUSTEES  
Inc. Village of East Hampton  
GABRIELLE MCKAY  
Village Clerk