



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, February 5, 2025

6:00 PM

Council Chambers

Special Council Meeting - Act on Immigration Status Bill 4

Special Council meeting to discuss and vote on Bill 4 - An ordinance of the Council of the City of Allentown Pennsylvania requiring the city to obtain and maintain a welcoming city rating and work towards a score of no less than three stars from welcoming America; codifying the city's practices related to the provision of city services without regard to refugee or immigration status and requiring city council to advocate for the adoption of similar practices and policies by other municipalities; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect in accordance with Pennsylvania law.:

Roll Call

Mr. Daryl Hendricks stated that he is going to ask when he opens it up to the floor for comments. he stated please, if you are here representing an organization, only one member should speak for the entire organization. There is no need for everybody. Try to be as concise as possible. There are a lot of people here and they have a Council meeting to conduct tonight. He stated that he appreciates that. He asked Mr. Clerk to please read the Bill.

Mr. Michael Hanlon read the Bill.

Present: 7 - Cynthia Mota, Daryl Hendricks, Ed Zucal, Natalie Santos, Ce-Ce Gerlach, Candida Affa, and Santo Napoli

[15-7422](#)

Bill 4

An ordinance of the Council of the City of Allentown Pennsylvania requiring the city to obtain and maintain a welcoming city rating and work towards a score of no less than three stars from welcoming America; codifying the city's practices related to the provision of city services without regard to refugee or immigration status and requiring city council to advocate for the adoption of similar practices and policies by other municipalities; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect in accordance with Pennsylvania law.

Sponsors: Gerlach and Santos

Attachments: [Bill 4 New Immigrants and Refugees](#)
[R17 Welcomingdraft](#)
[Ordinance #16103.pdf](#)

Mr. Daryl Hendricks thanked Mr. Hanlon and stated that he will have Councilperson Gerlach to explain her proposal.

Ms. Ce Ce Gerlach stated that herself and Councilperson Natalie Santos signed on to this piece of legislation. Bill 4 is modeled after legislation that was passed in 2024 and the city of Lancaster. The city of Erie has also passed similar legislation. What this legislation would do is encourage and mandate that the city of Allentown become a certified Welcoming City through Welcoming America. She read a couple of the key aspects of the Resolution. She stated that the key elements to point out stating they all have been handed an Eight US Code Section 1373 concerning communication between government agencies and the Immigration and Naturalization Service. She stated that this ordinance is following that. It is not violating that Section of US Code because it clearly states time and time again, if you have not read the ordinance she strongly encouraged them to do so. It states time and time again that any restriction of communication with a federal agency is within federal law unless an agency has a warrant or a court order or subpoena, they will not cooperate, but if they have those items or have those documentations, yes, they will definitely cooperate and follow the federal law. She stated that this ordinance is not an attempt to become a Sanctuary city. There is no such thing as one. This is an attempt to make sure that they are not using our city resources that could be going to parks, playgrounds and public safety and enforcing federal immigration law. She stated again, when the federal government comes and they have the proper documentation, by all means, but other than that. She stated that they have their own issues to handle in the city of Allentown. She stated that they sure do want all populations of residents to feel comfortable working with our Police Department and reporting crimes. It would be a shame if someone didn't report a crime because they thought they might be deported by calling the cops. She stated that the last thing she would say how important is to codify. She stated that they write down how tall fences should be. They write down if you are allowed to ride a bike, where on the street. They write down how many trash they can put out. When something matters, you write it down. She stated that bumper sticker politics, is not good enough in times like these. She stated that they need a framework by which they can operate from. They need a guiding light so when times get even messier, they know where they stand and know what they can and cannot do. She stated that is why herself and Councilperson Santos have introduced this piece of legislation. She stated that is all she has for now.

Mr. Daryl Hendricks thanked Ms. Gerlach.

Mayor Matt Tuerk thanked Council President Hendricks for the opportunity to address Bill #4. He stated he appreciates the opportunity to speak on this Bill. He thinks Councilperson Gerlach and he agrees on quite a bit. Before, anything else, he wants to recognize the tremendous number of advocates that are here right now. They have expressed thoughtful advocacy over months now. Some of these conversations go by months and probably prior to the Presidential Election a lot of the folks here now working to advance the rights of people who has various immigrant statuses for many years, long before many of them were thinking about it. He stated that he is deeply appreciative of their advocacy of you being present here tonight because now more than ever they do need to commit to helping our neighbors. He wants to start by talking briefly about his grandmother. He stated today, is her birthday. She would have been 106 years old today. She is very important to him and it means a lot, particularly the last couple of days. It has helped guide his soul as they think about some of the work they have in front of them. She moved to the United States in 1948 to study dentistry and fell in love with she said his grandfather shortly after in East Stroudsburg. He stated that she really fell in love with this country. Over 26 years, she worked for her citizenship with clarity and confidence about a path forward and in 1974, the year before he was born she earned that citizenship and became a citizen and lived a life without worry. She pursued an American Dream speaking freely with her incredibly thick accent that he misses every day without fear of being falsely arrested by immigration authorities or without being pickup. That was the role that she lived in. She had this confidence and freedom from dread that not a lot of people are living with right now in 2025. He thinks a lot about how people are feeling at the moment. He stated that he heard stories recently from people who are worried about sending kids to school. People have shown them text that they sent them saying that they are worried about what would happen to their friends in school. He stated that he has spoken with friends who recently received their citizenship. They are walking around with their papers right now because they don't want to leave anything to doubt. He visited with the store manager at Suprema Supermarket a couple weekends ago where there was a rumor circulating on Facebook that ICE was going to raid Supremo. People are afraid and that's why he stated that they see so many people coming in tonight because they are feeling for their friends and their neighbors and the people they love. They are afraid and living in some level of with dread about what the future holds. Dread is more than fear. Dread is a feeling of uncertainty about something bad that might happen some time in the future. Not right now, but sometime in the future. That's where a lot of people are right now. They are turning to leaders to be clear with them about what we can do and what we cannot do. We as a city, can instruct our Police

Department through administrative policies to do certain things and not to do certain things. He stated that they had in fact instructed our Police Department about how to behave around immigration status. They can also work to ensure all the institutions: hospitals, churches, educational institutions understand exactly what their rights are and what their responsibilities are and what protections they can offer. He stated that is what they have done as a city. What they cannot do and he thinks Ms. Gerlach pointed it out is they cannot pull up the drawbridge at the border of the city of Allentown when they think that ICE is coming to conduct a raid in Allentown. He stated that he wants that totally clear tonight that everybody that is listening understands what they can and cannot do. He stated to Ms. Gerlach that she mentioned the text of Bill 4 mentions the codification of existing policy. The policy that exist already. He stated that they established prior to the past couple of months. They stated it what they do now already is they do not ask, and when they say we, he is talking about the Allentown Police Department ask about documentation status when they engage someone whose committed a crime or someone who witnessed a crime or whatever that police engagement looks like. He stated that they don't ask about their immigration status. They also don't discriminate on the basis of immigration status. The city of Allentown provide services to people in Allentown. He stated that they don't ask to see or ask for your passport. He stated that they don't ask for your Green Card. They are not looking for your immigration status. He stated that they provide those services and they don't provide logistical support to federal agencies that are conducting administrative whether it is immigration enforcement or otherwise. They work with folks that are here to help them with the mission is. The mission is to reduce violent crimes in the city of Allentown in an effort to create a safe clean welcoming environment for the well being of all our residents. That is what they do and the core of this ordinance will have them do. Yet, with all that said, he oppose this Bill as an ordinance. For one, the city Charter is clear about his responsibility as the mayor. His responsibly dictated by the powers and duties as the mayor is to establish and develop administrative policy. He stated that is what he has to do. He has to provide direction to our employees on how to work. How to do things on the things that they should do or what they should not do. He stated that is the role of the mayor and how to codify and put that into practice. Additionally, and he has been working with his office. It was important to him that they explore the creation of Welcoming status and becoming a Welcoming community through Welcoming America. He stated that his office has been working since mid December to understand what would be required of us to become a Welcoming community and he has here Welcoming Standard 2.0 and it was mentioned as a reference to the Welcoming Standard for this ordinance. One of his major concerns about this ordinance, is that it requires them to tie their administrative policy, their internal policy to an organization over what we have no control

and for whom they have new obligation exist to the residents of the city of Allentown. They become the organization that determines how they should operate as a city when they write an ordinance like this and their on Version 2.0 of the Welcoming Standard. His guess it will continue to evolve and asking them to cue to a certain star level he thinks it would be a mistake that will also open up to legal exposure. He stated that his primary concern with this Bill he believes creates a false sense of security for those who we are trying to protect and the ones that are most vulnerable. He wants to be clear on what they can and can't do as a city. He stated that his job is to reduce suffering and increase the well-being of our residents by being compassionate. He stated that they can be compassionate leaders. They can direct their employees to not discriminate. They can direct the employees to not ask about immigration status. They can direct the employees to do everything they can to welcome people to our city of Allentown. What they cannot do is prohibit ICE or any other federal agency from conducting operations in the city of Allentown. He stated that they can work closely with them to arrest violent criminals and make sure this is a safe city and everybody is safe in the city of Allentown. They can continue to encourage people to engage with our law enforcement to enhance their own protection. He stated that they can make sure that the places that hurt people are healing and where desperate people are praying and lonely people are looking for friends and where our hopeful children who are learning are safe. The way that they are doing it is providing the information to those organizations so they can provide protections. He stated that is our responsibilities as city leaders to be compassionate and to serve the people of the city of Allentown. He stated that what he is asking them to do is reconsider this Bill. He is asking them to confirm a commitment to working together with this administration to become a Welcoming City. He is asking them to be responsible leaders and be clear with our residents on what they can or cannot do. He stated that they want to create an America that welcomes everyone. He stated that they want to do their part to where their grandson or an immigrant can be successful or a son of an immigrant or an immigrant herself can be successful in our city. He stated that he thinks they can do that together. He doesn't think they need to codify these policies into ordinance to accomplish that. They can do it together and he thinks they can continue to lead compassionately and help people through a terrible period of fear and dread by being clear and giving them confidence that Allentown is a place for them. He stated that concludes his comments and thanked Council for the opportunity to speak and turned it back to them.

Mr. Daryl Hendricks thanked Mayor Tuerk and stated now, they will have the Chief of Police.

Chief Charles Roca thanked President Hendricks and stated he is the

Chief of Police for the city of Allentown Police Department. He thanked Council President Hendricks for the opportunity to speak on Bill 4. First and foremost, he wants to say that one of the most important foundational aspects of a Police Department is the trust it has with the community that it polices. He always notes that the Police does not simply police the community, but police with the community. One of the most basic needs of a person is to be safe and police safety is a top priority in the city of Allentown. The Police Department is committed to serving all persons who live, work, visit or transit through the city of Allentown. He stated that their primary function is to provide law enforcement services within the community. As part of this mission, is to work collaboratively with the law enforcement partners in all levels of government from local, state and federal agencies. They do not as a matter of patience as for immigration status of as any person as they are not a federal immigration officers. The Allentown Police Department also does not have the ability to conduct deportations. Their focus is clearly stated in their Mission Statement. The Mission of the Allentown Police Department is to reduce crime and contribute to the safety of those who they are sworn to serve and protect through collaboration with our diverse community. They will strive to be the most professional police organization serving with honor and integrity while adhering to the pillars of procedural justice. The Mission speaks to the oath that they have taken as law enforcement officers. At the end of the day, the Allentown Police Department must obey and defend the Constitution of the United States of America. In a time where division is rampant, let us remember that we must all work together to move forward within our framework of laws. He shared with them a personal story, his parents are immigrants from the Republic of Guatemala who came to this great nation in the 1970s. They worked hard in the textile mills in Allentown at the time and navigated the process of becoming citizens of this great country. He stated that he is so grateful to their commitment to come here which afforded him many opportunities that lead him to become the Chief of Police for the city that he loves. He empathize with the members of our community that want a better life for their loved ones and understand the current fear and dread as the mayor put it. He wants to reiterate the message that the Allentown Police Department is committed to our community and continue to work for the safety of all residents due the delivery of affective and professional law enforcement services and with that he wants to state his opposition to Bill 4.

Mr. Daryl Hendricks thanked Chief Roca.

Mayor Matt Tuerk stated that he wants to point out that the Fire Chief alerted him that they are not going to allow anyone else to enter Council Chambers. They are at capacity, but if they can open the doors so that people can hear or direct people to tune in via the Granicus weblink. That

may be a better way to hear and participate on what is going on. He stated that he is just letting Mr. Hendricks know as a Council President.

Mr. Daryl Hendricks thanked Mayor Tuerk stated that at this time, they are going to have their Solicitor Maria Montero speak.

Attorney Maria Montero thanked Mr. Hendricks and stated Welcoming America is a non-government organization that formally doesn't bait local governments as certified welcoming with a star rating system and ranking system. It is unknown from her research what legal action would result if the city of Allentown fails to obtain or maintain this angios ranking and the city could potentially be exposed to lawsuits that would attempt to force the city to comply with the ranking requirements or potentially penalize the city for failing the ranking requirements. As one of her rules as City Council Solicitor is to provide advice on avoiding litigation.

Mr. Daryl Hendricks thanked Council Solicitor Maria Montero and opened it up to the dais for comments.

Mr. Ed Zucal thanked President Hendricks stating that it is no secret that it is a very emotionally charged issue. He stated that he thinks that and will explain the paper that Ms. Gerlach was referring to earlier There are some federal laws that the Chief and the Mayor alluded to and they cannot violate. He thinks what's happening is, there is always this when it is a major issue. People like to instigate. He stated ISIS, he has not seen one person from ISIS here in Allentown. He stated maybe someone has. He has not. He stated that they are not here to look for the gentlemen that is just living here. There are looking for people that are setting people on fire on subways, killing people at birthday parties, and killing runners while they are out exercising. They are not here looking for the guy that is cooking our food, working on the farm. They are looking for the criminals. Quite frankly, he does not know if anybody would ever disagree with this, he doesn't think he would want them personally living next to him neither. He stated that he probably has lots of people that probably undocumented living here and they work every day, they feed their families every day and he doesn't think those are the people ISIS is looking for. He stated that he would be totally honest with them. He stated yes, they should be a Welcoming City for everyone, regardless of what your nationality is because at one point in time our ancestors were all immigrants. He stated let him just explain what he does things. He kind of want to do a little research. The paper the Ms. Gerlach was referring to is a federal statute. It is Title VIII, United States Code 1373 which has to do with communication between government agencies and Immigration and Naturalization Service. He stated notwithstanding of any other provision of federal, state or local law, a federal, state or local government entity or official may not prohibit or any

way restrict any government entity or official from sending to or receiving from Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful of any individual which basically means that he does not care if you are a local or state you cannot interfere. You can absolutely be investigated and charged as well. He stated that he knows that this is a very important thing, but the Welcoming City part is great, but unfortunately he doesn't think that they should be violating any law let alone federal law.

Mayor Matt Tuerk asked if he could weigh in on the last point that Mr. Zucal made, he would ask Ms. Montero or our the city Solicitor to clarify if possible. He stated that a couple of weeks ago, he was talking with somebody from Georgetown Institute on Constitution Law and it made it clear to the US Conference of Mayors that the key provision here is they must transmit information to Immigration and Naturalization Services, if they collect it. He stated that they are not required to collect the information, but if they do they must collect it and presently the city of Allentown Police Department does not collect Immigration Information, does not collect immigration status, so they are not in the position where we are violating any federal law and it is no provision in this ordinance that would require them to break the law. He wants to make that clear and they are on the same page of that.

Mr. Daryl Hendricks thanked Mayor Tuerk.

Ms. Candida Affa stated that she has to agree with Mr. Zucal. It is a very sensitive subject. She stated that her grandparents came from abroad and the law is the law. She doesn't see how they can handcuff our Police Department. She stated through the years in Allentown and she remembers during Ray O'Connell's administration, it was a lot going on about a Sanctuary City and so on and so forth. She stated that he explained it to her and the Chief explained it to her and this is the way it has been working in Allentown. She stated that they do not go after undocumented people. She stated that they don't go into schools, they don't go into places of business. She stated that they don't look for them, but if they do commit a crime, the Police Department will notify ICE and get them out of our city which is exactly what we want to do. She stated in plain English, the city of Allentown is a Welcoming City and for years have you ever heard of any raise from our city or anything like that. It doesn't happen here. She stated that they don't go out looking for them. They respect all the immigrants that are here and as far as she knows, not one undocumented immigrant has broken a law in the city that she knows of. At least a serious law. She stated that they can't break the law. They have to go with what the federal government issues and can't handcuff the Police Department and tell them what they can and cannot do when the federal

government is. She stated that they have nothing and Ms. Gerlach said if they come in here, ICE, there is nothing they can do about it. They will come in and they will raid and it has nothing to do with them. She stated that they are a Welcoming City and she thinks that they are all sensitive to wanting the immigrants that are legal and even illegal. She stated that if they are not bothering anybody, it takes years sometimes to become an American citizen. She stated that Allentown is not broke, they don't have to fix it because they have been doing it for years. She stated that they have not chased them. They have not harassed them. They have not arrested them. She stated that she thinks that they have to respect the law.

Mr. Daryl Hendricks thanked Ms. Affa.

Dr. Cynthia Mota stated that she does agree with Mr. Zucal. She stated the part that he says that no one wants to live next to a criminal. She stated that she agrees with him in that in that aspect, but what she doesn't agree is that they are only picking up criminals. If you are undocumented, they will pick you up. It does not matter if you are not working 14 hours a day, they will pick you up if you are undocumented. She stated that she has prided herself on being a City Councilwoman for the people, but she cannot deny her heritage. She stated that she is an immigrant. She stated that she was blessed to be the first Dominican woman to be on City Council and the first Dominican woman to be a City Council President in the state. All these accomplishments means nothing when our neighbors are suffering. She stated every time we choose to oppress one set of people, we hurt the entire human race. She stated that they are discussing immigration, but this is more about dividing our community. Today, we are targeting immigration, but tomorrow it could be any minority group. It could be the LGBTQ. It could be affirmative action. Once it is acceptable to alienate one of us, it is easier to alienate us all. On Sunday, her 13 year old daughter was afraid of going to school. She said that she is afraid to go to school because of her skin color because ICE might mistakenly take her and her 14 year old son came up with an escape plan because they do not feel safe. She stated our city, our youth are suffering and we have to do something. She stated that she really believes when the kids go to school, they should be going to school and thinking about field trips and social studies and about different things that kids think about. What to do with their friends. They should have to be thinking about having an escape plan if ICE comes to their school. She said come on. The reality is, she does agree with Mr. Zucal that ICE is not here yet. She also went to the Supremo and went to different supermarkets. She went to Little Apple and went to C - Town and spoke to the managers. They all told her that they have not seen ICE yet, ok. She stated that they also told her that they make a certain amount of money which she is not going to say how much daily. Now, the money that they are making in the supermarket it has been

very, very low and it is a problem. She went on Sunday and the supermarket was empty. She stated that people are scared. Not only undocumented, but people with green cards because the reality is, if you don't have something on you could be taken. It is happening in different cities. She stated that they are lucky right now that it is not happening in the city. She stated that she trusts the Police Department. She understands what the mayor is saying, but let's say we have another Chief of Police, what's going to happen later on. She stated that they are not only talking about undocumented, we are talking about the citizens of this city that are afraid. She stated to be honest with them, something needs to be done. She stated that she doesn't have all the answers stating she don't. She knows what it is to live in the shadows. She knows when people comes to her office because they want to become US citizens, they are afraid. She stated that she has been getting lots and lots of phone calls and it is heartbreaking. On Sunday, she stated that she went out with a group of friends just for an hour. She had to do laundry. She had to do what mothers do when kids needs to go to school. When she went out, the people that she was with had their passport. She stated this is like insane. They had their passports on them. This is sad. People are just terrified. She stated so they have to keep this in mind. Something needs to be done. She stated that she doesn't want any criminals, definitely. If you are undocumented and you do something or a criminal act, let's send them back to their countries and their homeland, but the reality is people are suffering. This is a community that is suffering and then what's going to happen. What's going to happen in the future. Now, it is us, later on, it could be you.

Mr. Daryl Hendricks thanked Ms. Mota.

Mr. Santo Napoli stated you know, the matter of change and how quickly it is happening is something that he has seen before. In two weeks, how everything can change. He hears what is happening in the community. He sees it and there is no doubt there is a lot of anx. He stated that he does see all the sides. Mayor Tuerk mentioned about the Administrative Policy that's in the Home Rule Charter. It is our laws that they mayor does set that policy and City Council does not. He does worry that if City Council does do an ordinance that it could add duplication and confusion within our departments to what the administration is doing. He thinks that and one of his concerns is reducing that or eliminating that and that is something that it needs to be more discussion about because the last thing they want is confusion or anything that hampers the effective delivery of city services. He stated that it is really important especially with APD. Allentown Police Department will be at the crux of this entire conversation. Regarding the Allentown Police Department, he learned a lot over the last couple of weeks. They do follow the laws of the constitution. He did learn that they

don't collect immigration status. He stated that he did not know that. He thinks that it is a good thing. If somebody is engaged by the Allentown Police Department, there is nowhere on the box that asked about immigration so that was something that he was happy to see. He did also find out from Lehigh County that there is no box on Lehigh County sheet either for arrest or for bookings. He stated that tells him that they are not collecting data which he thinks is great because if they are not collecting it, then they can't share it. He stated that he thinks it is something that it was good to see. He also learned from speaking with many folks from the Allentown Police Department, they are in the business of public safety and enforcing our local laws. They are not in the immigration business. That was also something he was happy to hear. He stated really, one of his biggest concerns and he is sure it has been talked about at nauseam everywhere is the affects of an ordinance like this and what it could do. Mayor Tuerk mentioned the false sense of security. He looks at and always looks at unintended consequences and doing something that was going to create another issue. This ordinance could do more damage to our immigrant community by putting more of a spotlight on Allentown. He stated that he knows some folks will push back on that and that is a chance he doesn't know if he is willing to take. You hear the rhetoric and try to not watch it all because for mental health reasons it is hard to watch, but it seems more of a focus of other areas and it doesn't make it right, but it is trying to keep Allentown off the radar which is something that he would want to see. Whether it is with federal agencies or whether it is with our leaders in Washington. He stated that they have work to do and the one thing he has learned is they all need to learn more about what this administration is doing and how they are doing it. He stated that he has learned a lot the last week or two. He thinks it is still more to learn of how our administration is handling this issue and how it impacts our community. He stated that they need to learn more about that and it is also having more conversations on how we could be better and how they can improve ways to do business to protect our entire community. That conversation needs to be had. It is really something that he is interested in having. He stated that he is a son of immigrants. He stated that his parents came on a boat. He stated that his wife is a daughter of immigrants. This issue is and they all talked about how sensitive and how it hits home and the toughest part of this job is balancing everything. It would be real easy to say yes, but what are the impacts. What are the results? What are the consequences? He stated that they have to think all that through. He stated that is what they are here for. He stated that he trying to understand more of big picture and at the end of the day what's the best results for our residents. It is something that he knows they continue to have this conversation, but he is hoping that they can learn more about what they can do legally to protect our community.

Mr. Daryl Hendricks thanked Mr. Napoli and stated that he would like to

add also that he doesn't know if this legislation will make a difference. He stated that we are a Welcoming City. He stated that they have been for a long time. He stated that he has spent 40 years as a police officer. He is always welcoming people into our community. He lives not far from Center City and also shopped in the supermarkets. He stated that he has not seen the fear, but he could understand it. He stated what he fears is the legislation that could come their way and lawsuits that could be filed if they allow a nongovernmental agency to dictate city policy. He stated that he does not need legislative action to continue his thought nor does the city as a welcoming city. It causes more problems to do it and willing to work as the mayor has stated to continue with America and the administration as long as those are within legal guidelines that they can. He knows the City Solicitor and Council's own Solicitor have warned them about the problems if they would enact this legislation. He stated that he does support our law enforcement as he has been a member for a long time.

Ms. Ce Ce Gerlach thanked Mr. Hendricks and stated it has been stated that the mayor has responsibilities and stated you do. She stated that they have responsibilities as well. She stated that they are legislators. She stated that their responsibility is to legislate. Their responsibility is to see a need and a problem in the community and address that through legislation. She stated that is what this bill will attempt to do. She stated that is Point 1. She stated as it has been stated, the city of Lancaster and the city of Erie have already passed Welcoming City legislation. There have not been any lawsuits against the city of Erie or the city of Lancaster. She asked hav

This Ordinance was approved.

Enactment No: 16103

[15-7488](#)

R17 Draft

Allentown City Council recognizes the primary mission of the Allentown Police Force is to keep our citizens safe, we support the dignity and worth of every human being, that we are and will further become a WELCOMING CITY, focusing on ensuring that all residents, including immigrants, can fully participate in civic life, the economy, access to education and local services, participate in community institutions, give feedback to government officials, and develop trusting relationships with local safety services such as law enforcement and emergency response and that everyone needs to get away from extremism and remember this Country has a fundamental uniqueness, we are all basically immigrants, and we migrated here because we wanted opportunity and to call ourselves Americans, and this is something we should all be celebrating together.

Sponsors: Mota, Hendricks, Affa and Administration

Attachments: [R17 Welcoming.doc](#)

ADJOURNED: 8:53 PM[15-7422](#)**Bill 4**

An ordinance of the Council of the City of Allentown Pennsylvania requiring the city to obtain and maintain a welcoming city rating and work towards a score of no less than three stars from welcoming America; codifying the city's practices related to the provision of city services without regard to refugee or immigration status and requiring city council to advocate for the adoption of similar practices and policies by other municipalities; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect in accordance with Pennsylvania law.

Sponsors: Gerlach and Santos

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[R17 Welcomingdraft](#)

[Ordinance #16103.pdf](#)

Attorney Maria Montero stated Point of Order, under Section 2, Councilperson and stated that Ms. Gerlach stated earlier in this city during its 2025 certification should pursue. She stated so that she understands, should or shall.

Ms. Ce Ce Gerlach stated shall pursue.

Mayor Matt Tuerk stated shall pursue.

Ms. Ce Ce Gerlach stated shall pursue and stated try. She stated that she shares the concern about voting on things and nothing happens and stated aight that the truth. She stated what does gives her some level of confidence is that our DEI and asked what is her new role or title.

Mayor Matt Tuerk stated People and Culture Specialist.

Ms. Ce Ce Gerlach stated that she is on this and been on this and what also gives her some confidence is it does state a year then 2025 so their is a level of accountability. She is confident as long as they are all here that they will hold the administration and themselves accountable. She stated that she hopes they hold them accountable. She stated those are her Motions and she doesn't know if it is still a second that there was the last time.

Ms. Natalie Santos stated that she will second those Motions.

Mr. Daryl Hendricks stated that there is just one question for Ms. Montero

and asked if she was ok with that. Would that comply with the law and they would not be?

Attorney Maria Montero stated in understanding what the wishes and desires of Council are, it seems as though they are interested in moving forward with this type of legislation and working with the administration, correct.

Ms. Ce Ce Gerlach stated that it is suggesting. It is no longer mandating. It is no longer required that they become a Welcoming City. It is simply suggesting to the administration that they keep doing what they are doing and work on becoming a Welcoming City. She stated that they all have varying viewpoints up here. If they were to pass this amendment, it would still pass through the legislation in terms of our relationship with federal enforcement. If you are 100 percent against that portion, Section 3 then vote accordingly.

Mayor Matt Tuerk stated it includes the Section of no official or employee of the City shall inquire into an individual's citizenship or immigration status, unless required to do so by state or federal law or court order and cascades from there.

Ms. Ce Ce Gerlach stated so that Section will stay. She stated just so you know because just how much she wants this to pass, she doesn't want someone on here voting against something that they don't believe in just because we have these amendments now. She stated so if you are not exactly down with immigration and you feel that there are people who need to leave, then you vote accordingly. She stated just know that for those that are here, this ordinance will still delineate between their role as a local government and the federal role. It would make sure that if ICE comes here that got to have their Ps and Qs. They got to have their paperwork, judicial warrants, they got to have their court orders that they are not going to collect data. When they say undocumented folks do you got, I don't know. We don't collect that data. It will still make sure that law enforcement aren't able to specifically target people because it looks like they might be undocumented. It would still make sure all of that will happen. It is just the only change is that we are suggesting that we become a Welcoming City. She stated that is it just so some of you may have a different political perspective no.

Mr. Santo Napoli stated thanks for the clarification.

Ms. Candida Affa stated that she just need to what you were just saying here. She stated that she is going to make it as clear as she can for herself in her own head. She stated ICE comes in here and they have to

have reason to come in here.

Ms. Ce Ce Gerlach stated that they have to have a reason.

Ms. Candida Affa stated that they can't go to the Chief of Police and the Police says yes, we are going to raid this place. She stated that is all this is.

Ms. Ce Ce Gerlach stated yes. She stated that if there is a person who has been going around and killing people and they are undocumented and ICE knows that and they went to a judge and they got the paperwork they need to get to say hey, there is this killer that is in Allentown and she is undocumented. They come in and say hey, Chief Roca you got a killer in your town and help us.

Ms. Candida Affa stated that if her neighbor is selling fentanyl and she notices it, who does she go to, the Police.

Chief Charles Roca stated yes.

Ms. Ce Ce Gerlach stated if somebody is committing a crime, she would always encourage your to.

Ms. Candida Affa stated undocumented and then our Police Department would then get a hold of ICE. She asked Chief Roca is that the way it works.

Chief Charles Roca stated what this is would be a compromise and still allow them to work in the role of criminal deportation. If they committed a homicide for example, they would still work with the ICE authorities.

Ms. Candida Affa stated that you would work with ICE.

Ms. Ce Ce Gerlach stated yes.

Mayor Matt Tuerk stated that they are not deporting anybody.

Ms. Candida Affa stated that she just wants to clarify that.

Mr. Daryl Hendricks asked Chief Roca directly if he had any issues with this in a way it would be.

Chief Charles Roca stated that he doesn't. He thinks it is a part of compromise and it is important as they as law enforcement as Allentown Police maintain a safe environment for all. He stated that he is not

concerned with immigration status. He is concerned with holding people accountable that commit crimes.

Mr. Daryl Hendricks stated ok, thank you.

Dr. Cynthia Mota asked if she could say something. She stated that she is just hoping that everybody just votes yes for this legislation because she is telling them that they have serious issues in our community. She stated that people are scared. Children are scared and this is the time to be courageous. She stated that she is hoping with this amendment, with this compromise she is hoping that we are ok with this legislation. She stated that they need the children to be safe and parents to be safe and our community to go to the supermarket for God's sake and buy their food.

Ms. Candida Affa asked if they could get it done tonight.

Ms. Ce Ce Gerlach stated yeah, we are voting on this tonight.

Mr. Santo Napoli said thank you for the clarification and also working on the amendment. He stated he and Ms. Gerlach both withdrew their Motions. He stated that he wants to bring his back as a second.

Ms. Natalie Santos stated that she already seconded earlier.

Mr. Daryl Hendricks stated that the motion was made by Ms. Gerlach and seconded by Ms. Santos.

Mr. Santo Napoli stated Ms. Santos. It is ok.

Dr. Cynthia Mota stated you can say Natalie and Mr. Santo.

Mr. Santo Napoli stated that it is ok. He stated that they are all going in the same direction. It is fine.

Dr. Cynthia Mota stated yes.

Ms. Candida Affa asked if it is time to vote.

Ms. Ce Ce Gerlach stated there is no discussion.

Ms. Candida Affa stated that they are voting on a compromise, correct.

Mr. Michael Hanlon stated that the only other thing he would say to Ce Ce and asked is she ok with him putting a Section 4 on advocacy requirement saying something to the affect that it is suggested that City Council shall as

part of its annual.

Ms. Ce Ce Gerlach stated yes, she is ok with that.

Mr. Daryl Hendricks asked do they need comments.

Mr. Michael Hanlon stated if they want, he can go through what he has to make sure he has it.

Mr. Daryl Hendricks stated that he thinks they had plenty of comments on it and think they are at that point.

A motion was made by Ce-Ce Gerlach, seconded by Natalie Santos, that this Ordinance be amended. The motion carried by the following vote:

Yes: 7 - Cynthia Mota, Daryl Hendricks, Ed Zucal, Natalie Santos, Ce-Ce Gerlach, Candida Affa, and Santo Napoli

Enactment No: 16103

A motion was made by Daryl Hendricks that this Ordinance be approved as amended. The motion carried by the following vote:

Yes: 7 - Cynthia Mota, Daryl Hendricks, Ed Zucal, Natalie Santos, Ce-Ce Gerlach, Candida Affa, and Santo Napoli

Enactment No: 16103