

Resolution No. _____

Resolution affirming support for Fourth Amendment protections in Johnson County for all residents.

WHEREAS, Johnson County has historically pursued equity and safety for all residents; and

WHEREAS, The trust and cooperation of all residents is necessary to the effective operation of Johnson County's local government functions, including law enforcement; and

WHEREAS, The 4th Amendment to the Constitution of the United States reads in full:

"The right of the people to be secure in their persons," houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized," and

WHEREAS, Executive Branch law enforcement agencies including Immigration & Customs Enforcement have recently engaged in a pattern of unconstitutional, warrantless workplace searches, which have disrupted small businesses, courts, and local communities in many counties, including Johnson County; and

WHEREAS, The threat of unconstitutional seizure by Federal authorities such as Immigration and Customs Enforcement is preventing immigrant households from safely engaging in public life, including pursuing education and employment; and

WHEREAS, Second-generation and non-immigrant Black, Indigenous, and People of Color families are also being unconstitutionally targeted, harassed, and arrested by Federal authorities and law enforcement officers under the guise of immigration enforcement; and

WHEREAS, Workers with Temporary Protected Status are at risk for arbitrary and unconstitutional persecution by Federal and State authorities at their places of work; and

WHEREAS, LGBTQ families remain at risk for illegal and unconstitutional persecution by Federal and State authorities; and

WHEREAS, Johnson County believes in the rule of law, and proposes only protection of Constitutional rights, not violation of any State or Federal law; and

WHEREAS, Johnson County can serve as an example of how local governments can advocate for the rights of all residents and discourage the overreach of Article II agencies in our communities;

Now, therefore, be it resolved by the Board of Supervisors of Johnson County, Iowa, as follows:

1. Warrants (County Workplaces). It shall be the policy of the County that County employees should request to see any warrant offered as authority to enter non-public areas in County facilities and shall contact the County Attorney's Office with any questions regarding the authority of the warrant presented before granting access.
2. Training & Notice and Signs. The County shall provide periodic workplace protocol training to supervisors and staff consistent with this Resolution and shall post clear signs on public entrances and non-public work areas stating that access to non-public work areas requires a judicial warrant.
3. Non-Retaliation. No employee or contractor shall face retaliation for contacting counsel, a union representative, or a community organization, or requesting to see a warrant serving as the basis for action taken.
4. Community Supports. The County reaffirms its commitment to resource (directly or through community partners) Know Your Constitutional Rights education, legal aid, and rental assistance funds for vulnerable populations impacted by the Administration's mass deportation policies, to the extent allowable under law.
5. Encouragement to Local Businesses. The County encourages local employers and businesses to adopt similar warrant-verification policies and signage to protect workers and ensure compliance with constitutional standards.
6. Legal Compliance. This Resolution does not:
 - a. "...prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." 8 U.S.C. § 1373.
 - b. "...influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States..." 18 U.S.C. § 1505.
 - c. "...adopt or enforce a policy or take any other action under which the local entity prohibits or discourages the enforcement of immigration laws." Iowa Code section 27A.4.
 - d. "...adopt or enforce a policy or take any other action under which the local entity or law enforcement department prohibits or discourages the enforcement of state, local, or municipal laws", such as Iowa Code section 27A.4. Iowa Code section 27B.2.
 - e. In any way condone, encourage or assist the violation of federal law which makes it a crime for any person commit the following acts, or to aid and abet said acts: "knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation." 8 U.S.C. § 1324.

It was moved by _____ and seconded by _____ the Resolution be adopted
this _____ day of _____, 2025.

Roll Call: Fixmer-Oraiz ____; Green ____; Green-Douglass ____; Sullivan ____; Remington ____

ATTEST:

Jon Green, Chairperson
Board of Supervisors

Julie Persons, Auditor
Johnson County, Iowa

Date