

Resolution No. 114-2026

By Council Members: Conwell, Griffin, Bishop, Davis, Gray, Harsh, Howse-Jones, Hudson, Jones, Kazy, Santana, Shah, Slife and Starr

An emergency resolution strongly opposing Ohio ICE legislation: House Bills 26, 42 and 281 and Senate Bill 172, which generally require state and local agencies, municipalities and hospitals to cooperate in all ICE-related immigration enforcement, even if contrary to established federal or Ohio law, and penalizes those institutions by eliminating funding if they do not comply.

WHEREAS, among other requirements and prohibitions, House Bill 26 requires every law enforcement agency in Ohio to take certain actions to cooperate with federal officials in the enforcement of federal immigration law, including requiring compliance with ICE detainer requests in all circumstances, even those that do not require compliance under Ohio law; the bill also prohibits any state or local governmental agency or political subdivision from adopting sanctuary policies; and

WHEREAS, House Bill 42 requires state and local government agencies to collect and annually report information about citizenship and immigration status of persons with whom they come into contact, including K-12 students, even though the US Supreme Court has held that states may not deny undocumented children access to K-12 public education; and

WHEREAS, House Bill 281 requires each hospital to allow ICE agents to enter the hospital to enforce immigration law; requires hospital employees to facilitate such access, and penalizes hospitals that fail to comply with penalties, include suspending Medicaid provider agreements and loss of grant funding from state agencies; and

WHEREAS, Senate Bill 172 requires state and local public offices and public officials to allow the arrest or detention of any person suspected of being unlawfully in the U.S. and allows such an arrest or detention anywhere in Ohio under any circumstances notwithstanding continuing Ohio law that extends privilege from arrest in certain cases, including in a courthouse and place of worship; the bill applies to arrests or detentions by a federal, state or local law enforcement agency or officer, with or without a warrant, and regardless of whether the proceedings are administrative, civil or criminal, despite the fact that protections under the U.S. Constitution and the Ohio Constitution continue to apply to any arrest or detention; a local government that violates this requirement is ineligible to receive Homeland Security funding from the state; and

WHEREAS, these bills violate not only the US Constitution, including the 4th Amendment and the Equal Protection Clause of the 14th Amendment, but also the Home Rule provisions of the Ohio Constitution; and

WHEREAS, these bills are meant to bully and intimidate local government entities into compliance; failure to comply will irreparably harm budgets and the ability to govern and provide services to the public; and

WHEREAS, this Council insists that local agencies, municipalities and hospitals should not be required to submit to corrupt laws that call for unconstitutional conduct, that are at odds with local law enforcement, and that oppress people and fail to protect the public; and

WHEREAS, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, in that the Ohio legislature should not make local agencies, municipalities and hospitals allow gross abuses of power by DHS and ICE agents; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council strongly opposes Ohio ICE legislation: House Bills 26, 42 and 281 and Senate Bill 172, which generally require state and local agencies, municipalities and hospitals to cooperate in all ICE-related immigration enforcement, even if contrary to established federal or Ohio law, and penalizes those institutions by eliminating funding if they do not comply.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to all members of the Ohio State House and Senate.

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted February 2, 2026.

Effective February 5, 2026.