

## **Berkeley won't impound cars for 30 days**

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### **Body**

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Illegal immigrants pulled over for minor traffic violations in **Berkeley** will no longer have their **cars impounded** for **30 days**, thanks to a new police policy here.

**Berkeley** police Chief Michael Meehan agreed to the change last month and is now training officers on the new policy, he said.

City Manager Phil Kamlarz said in a memo to city staff that "This policy will prevent those who simply cannot get a driver's license, in many cases due to their immigration status, from having their vehicles **impounded** ..."

Meehan said the new policy was not necessarily designed to make it easier on illegal immigrants, but will benefit anyone who "never got a license for whatever reason" and is designed to "balance safety and a reasonable level of law enforcement."

The new policy gives officers discretion whether to **impound** a **car** for **30 days**, a situation which can cost the **car's** owner about \$2,500 in fees. **Cars** still will be towed at the officers discretion but not held for **30 days**.

Members of **Berkeley** Organizing Congregations for Action said they have been lobbying the police department for two years for the change to make it easier on some of their members who are illegal immigrants. California requires proof of legal presence in the United States to get a driver's license.

"The first thing we had in mind is that there are a lot of people who need to drive to work, take their children to the hospital or to school," said Mario Ibarra, a member of the congregations.

"Those people should not be afraid to drive without a license." In addition to changing the policy, Ibarra said Meehan has pledged to train his officers and employees to be more sensitive to the needs of illegal immigrants who need to drive but technically cannot.

"He is telling the police they need to be nice to people if they don't have licenses," Ibarra said.

"We've had people caught in this situation where their **car** is **impounded** and they went to the police department to see what they could do and they were told it's not a police problem, it's a DMV problem and the DMV said it's not their problem it's a police problem."

Ibarra said a lot of work in convincing the chief to change the policy had to do with an interpretation of state law that, depending on how it is read, may or may not require police to **impound cars** driven by unlicensed drivers.

Michael McBride, executive director of the congregations group, said the failure of the federal government to address immigration reform has cities like **Berkeley** doing it themselves.

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"The lack of reform on the national level has required communities to have a conversation about how they want to live and how they can provide a quality of life for their constituents," McBride said.

"We place a high value on everyone being here." Meehan said he agreed to the change after reviewing a similar policy in San Francisco and after hearing from City Council members.

"I looked at the policy in San Francisco and they just felt people were being treated unduly harshly for minor traffic offenses, and I couldn't disagree," Meehan said.

"If someone has never been arrested, but got stopped and lost their car for a month I felt that was harsh and did not make our city any safer."

Meehan said the decision had nothing to do with fees charged while a car is impounded since that money does not go to the city.

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