



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

February 9, 2017

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

I appoint Sobeida Javier of 18 Wilmot Street Lawrence, MA 01841 to serve as a Constable in the City of Salem for a term to expire January 30, 2018.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Kim Driscoll", is written over a faint, larger version of the same signature.

Kimberley Driscoll  
Mayor



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

Date 12-29-16, 2016

Office of the Mayor  
City Hall  
Salem, Massachusetts

Application is hereby made under Chapter 41, Section 91B, for appointment as Constable. (PLEASE PRINT OR TYPE)

Name Scheida Javier Date of Birth 5-25-79

Place of Birth Tenares Dominican Republic  
(City) (State)

Home Address 18 Wilmot St Lawrence 01841  
(Street) (City) (Zip)

Telephone (Home) 978-258-6971 (Business) \_\_\_\_\_ (Cell) 978-902-1783

Present Employer (Name & Address)

Position Held

Previous Employer

Avenue Home Care Services

From: 8-20-2013

To: 9-30-2016

[Signature]  
Signature of Applicant

The signatures of five reputable citizens of applicant's city or town are required, at least one of whom must be an attorney. The undersigned consider the above applicant to be of good moral character. (PLEASE PRINT NAME & ADDRESS AND SIGN.)

NAME	ADDRESS	SIGNATURE
1. KENNETH PROHERY (ATTY)	73A Winthrop Ave Lawrence MA	[Signature]
2. ALBERTICO MEJIA	16 Campo Seco Lawrence MA	[Signature]
3. Denise Matos	151 Margate St Lawrence MA 01841	[Signature]
4. Sandra Martinez	231 Hampshire St Lawrence MA 01841	[Signature]
5. Martin Francisco	372 Broadway #2 Lawrence MA 01843	[Signature]

Note: Application for appointment as constable shall be accompanied by a fee of Twenty-Five Dollars (\$25.00) for each year of the appointment, payable to the City of Salem to cover costs of processing. Fee must be received by the Mayor's office before appointment is presented to the City Council. A Bond must also be posted with the application covering entire period of re-appointment. Re-appointments may be made for periods of one, two or three years.

APPROVED: [Signature]  
(Chief of Police - Salem)

APPROVED: [Signature]  
(Chief of Police - Applicant's City/Town)

Issued through

**A. A. DORITY COMPANY, INC.**

BOSTON

**CONSTABLE BOND**

KNOW ALL MEN BY THESE PRESENTS: That we, Sobeida Javier  
of 18 Wilmot St. , Lawrence, MA 01841, as **Principal**,

and **NGM Insurance Company** , a corporation under the laws of the State of Florida , and having a usual  
place of business in Boston, in the county of Suffolk and Commonwealth of Massachusetts, as **Surety**,


are held and stand firmly bound and obliged unto the City of Salem , Massachusetts, as **Obligee**, in the full  
and just sum of Five Thousand dollars (\$5,000.00) lawful money of the United States of America, well and  
truly to be paid, and for the payment of which we jointly and severally bind ourselves, our  
heirs, executors, administrators, successors & assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS THAT:

WHEREAS, the said **Sobeida Javier** has been duly appointed and confirmed a Constable of the  
City of Salem , Massachusetts for a period of One Year , beginning  
January 30, 2017 , and ending on January 30, 2018 and has accepted said appointment,

NOW THEREFORE, if the said **Sobeida Javier** , shall well and faithfully perform all the duties of Constable,  
then this obligation shall be null and void, otherwise to be and remain in full force and effect.

SIGNED, SEALED AND DATED January 30th, 2017.

  
Sobeida Javier

**NGM Insurance Company**

Bond No. 309678

By:   
James M. Crawford Attorney-in-Fact  
A.A. Dority Company, Inc.  
262 Washington Street, Suite 99  
Boston, MA 02108  
(617) 523-2935





KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint **Philip B Crawford, Richard W Crawford, James M Crawford, Katie E Ford, Jeffrey W Crawford** \_\_\_\_\_

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. No one bond to exceed Five Million Dollars (\$5,000,000.00)

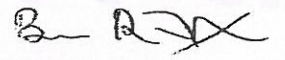
and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 8th day of January, 2016.

NGM INSURANCE COMPANY By:

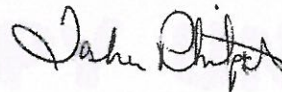
  
Bruce R Fox  
Vice President, General  
Counsel and Secretary



State of Florida,  
County of Duval.

On this January 8, 2016, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Bruce R Fox of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 8th day of January, 2016.



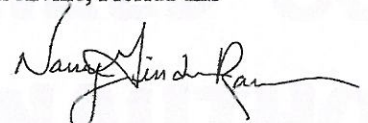


Tasha Ann Philipot  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF913117  
Expires 10/3/2019

I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this

30th day of January, 2017.



WARNING: Any unauthorized reproduction or alteration of this document is prohibited  
TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646  
TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.







## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

February 9, 2017

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am very pleased to appoint Raymond Swartz of 30 Ocean Avenue to the Salem Bicycle Advisory Committee for a three-year term to expire February 9, 2020.

Mr. Swartz is an experienced and enthusiastic urban cyclist, having cycled in Boston for over 45 years. He has cycled the Salem to Boston route and is passionate about safe cycling. Mr. Swartz works at Boston University as an app developer and holds a B.S. in Physics from the Massachusetts Institute of Technology. He has already attended meetings of the Bicycle Advisory Committee and is excited to become more involved in the committee's work on behalf of our community.

I strongly recommend confirmation of Mr. Swartz's appointment. We are fortunate that he is willing to volunteer to serve our community in this important role and lend his expertise and dedication to this committee and their work.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kim Driscoll", written in a cursive style.

Kimberley Driscoll  
Mayor  
City of Salem



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

February 9, 2017

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to Council confirmation, the following City employees:

Name	Position	Term to Expire
Sarah Stanton	Finance Director/Auditor	January 31, 2020
Whitney Haskell	Purchasing Agent	January 31, 2019

Very truly yours,

A handwritten signature in blue ink, appearing to read "Kim Driscoll", is written over a faint, larger version of the same signature.

Kimberley Driscoll  
Mayor  
City of Salem





CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

February 9, 2017

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept the following donation from Notch Brewery in the amount of One Thousand Fifty dollars (\$1,050.00). These funds will be deposited into the No Place for Hate account 23691-4830.

In order to accept the donation approval must be given by both the Mayor and City Council. I ask that the members of the City Council join with me in accepting these funds to be used towards the No Place for Hate.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over the typed name.

Kimberley Driscoll  
Mayor



# CITY OF SALEM

In City Council,

February 9, 2017

Ordered:

To accept the donation(s) listed below totaling One Thousand and Fifty Dollars (\$1,050.00). These funds will be deposited into the Salem No Place for Hate Committee Fund 23691-4830 as listed in accordance with the recommendation of Her Honor the Mayor.

From:	Fund Name	Org/Obj	Amount
Notch Brewery	No Place for Hate	23691-4830	\$ 1,050.00
Total			\$ 1,050.00





**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

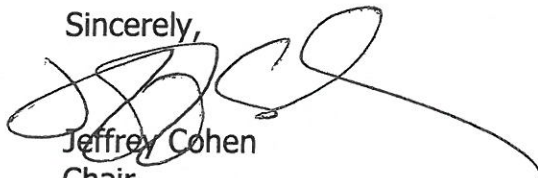
January 26, 2017

Dear Mayor Driscoll;

I am writing to request the acceptance of a \$1050.00 donation written to the Salem No Place for Hate Committee from Notch Brewery (Notch Tap Room, LLC).

Please accept the \$1050.00 for deposit into the Salem No Place for Hate revolving account number 23691-4830. The money will be used to help sponsor community related event and social justice work done through the committee.

Sincerely,



Jeffrey Cohen  
Chair  
No Place for Hate Committee



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

February 9, 2017

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentleman of the Council:

Enclosed herewith is a request to transfer Fifty-One Thousand Six Hundred and Ninety Dollars (\$51,690.00) from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "Police Medical-Active" account (12101-5318).

This transfer is necessary to cover the costs associated with medical bills for Police Officers.

I recommend passage of this accompanying order.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over a faint, larger version of the same signature.

Kimberley Driscoll  
Mayor





# CITY OF SALEM

In City Council,  
February 9, 2017

Ordered:

That the sum of Fifty-One Thousand Six Hundred and Ninety Dollars (\$51,690.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "Police Medical-Active" Account (12101-5318) in accordance with the recommendation of Her Honor the Mayor.



# City of Salem, Massachusetts

## Police Department Headquarters

CHIEF OF POLICE  
MARY E. BUTLER

January 31, 2017

Mayor Kimberley Driscoll  
Salem City Hall  
93 Washington Street  
Salem, MA 01970

Re: Request for Appropriation to Medical Line Item 12101-5318

Dear Mayor Driscoll:

On October 14, 2016, I requested a supplemental appropriation to cover the outstanding medical bills for the fiscal year, as the Medical Expense line item was budgeted at \$17,400. On December 8, 2016, the City Council appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" and additional \$30,000 in funding. We currently stand with a balance of approximately \$258.00 in this line item. As you know, we have experienced some significant costs with multiple injuries in the line of duty. Some have since returned to duty, but others are still undergoing treatment from recovery of recent surgery and physical therapy, and we are anticipating losing another to a knee injury while on duty.

As of this date, we are awaiting costs for a knee surgery and expect continued physical therapy costs associated with surgeries on three officers going forward, one for eight weeks, two for approximately five months. We anticipate that cost to be approximately \$30,000 for the remainder of the fiscal year. Additionally, as we are undertaking the screening process to hire between fifteen and eighteen reserve officers, costs associated with a medical evaluation \$755 and a psychological evaluation \$450, we can anticipate the cost to be approximately \$21,690.

Therefore, I am respectfully requesting an additional appropriation for the Medical Expense line item 12101-5318 in the amount of \$51,690. It certainly is my intent and hope that this will carry us until the end of the fiscal year. Any required documentation or material of support can be provided and, as always, I am available at your convenience to further discuss this request.

Very truly,

  
Mary E. Butler  
Chief of Police

Cc: ✓ Sarah Stanton, Finance Director  
Captain Mark Losolfo  
Ms. Jayne Connors



**CITY OF SALEM – Finance Department**  
**Free Cash, W & S R/E, R/Res & Budget Transfer Request Form**

From: 210- Police Department  
Department

Marye Sue  
Department Head/Authorizing Signature

January 31, 2017  
Date

**Budget or R/Res**

**Transfers** To : \_\_\_\_\_ Desc: \_\_\_\_\_ Budget Amt: \_\_\_\_\_  
(Org/Object) Balance: \_\_\_\_\_

From : \_\_\_\_\_ Desc: \_\_\_\_\_ Budget Amt: \_\_\_\_\_  
Balance: \_\_\_\_\_

(\*Note - Please include letter to Mayor for Transfers from different Personnel & Non-personnel lines)

Current Balance in Receipts Reserved Fund Above (if applicable) - \$ \_\_\_\_\_ Date: \_\_\_\_\_

**Free Cash or** To : 12102-5318 Desc: Medical Budget Amt: \$17,400.00  
**Retained Earnings (W/S)** (Org/Object) Balance: \$ 258.24

Please circle one

**Amount Requested:** \$ \$51,690

**Reason (Be Specific)** Additional funds needed to pay medical bills for officers injured on duty.

**For Finance Department and Mayor's Use Only:**

\_\_\_\_\_ Budget Transfer \_\_\_\_\_ Mayor Approval \_\_\_\_\_ City Council Approval

☒ Free Cash Appropriation – City Council Approval – Gen Fund \$ 671,691.90  
Free Cash Balance

\_\_\_\_\_ R/E Appropriation –Water \$ \_\_\_\_\_ R/E Appropriation Sewer \$ \_\_\_\_\_  
R/E Balance R/E Balance

\_\_\_\_\_ Receipts Reserve – City Council Approval \$ \_\_\_\_\_  
R/Res Fund Balance

\_\_\_\_\_ Raise & Appropriate \_\_\_\_\_ Other \_\_\_\_\_  
Finance Director

Recommendation: \_\_\_\_\_ Approved \_\_\_\_\_ Denied

Completed: Date: \_\_\_\_\_ By: \_\_\_\_\_ CO # \_\_\_\_\_ JE#: \_\_\_\_\_ Transfer #: \_\_\_\_\_

2/2/2017  
10:40 AM

H:\AUDITING\BUDGET\FY2017\Free Cash Summary FY 2017.xls



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

February 9, 2017

To the City Council  
City Hall  
Salem, Massachusetts


Ladies and Gentlemen of the Council:

It is with great sadness that I enclosed herewith a request for an appropriation of Forty-Three Thousand Nine Hundred and Eight Dollars and Sixty-Two Cents (\$43,908.62) from the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) for unpaid leave to be paid, pursuant to the collective bargaining agreement with the Salem Fire Fighter's Association, to the family of Fire Fighter Scott Hebert who passed away suddenly at the young age of 46.

NAME	DEPARTMENT	AMOUNT
Scott Hebert	Fire	\$43,908.62

I recommend passage of the accompanying Order.

Very truly yours,

  
Kimberley Driscoll  
Mayor



# CITY OF SALEM

In City Council,

February 9, 2017

Ordered:

That the sum of Forty-Three Thousand Nine Hundred and Eight Dollars and Sixty-Two Cents (\$43,908.62) is hereby appropriated in the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2017 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Scott Hebert	Fire	43,908.62
		<hr/>
		<b>43,908.62</b>





KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

## CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL: (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

### MEMORANDUM

TO: Sarah Stanton, Director of Finance  
DATE: February 2, 2017  
RE: Retirement Stabilization Fund

Attached is a PAF for a deceased employee of the Salem Fire Department.

The deceased employee is contractually entitled to the following amount of sick and vacation buyback.

Scott Hebert

Vacation days (2016) 8 days @ \$348.58 per day	\$2,788.64
90 sick days @ \$381.02 per day	\$34,291.80
SMV Pro-rated Stipends 30 days @ \$13.28 per day	\$ 398.40
Vacation days (2017) 18 days @ \$357.21 per day	\$6,429.78

Total: \$43,908.62

In accordance with the July 2008 Policy, I am requesting you verify the availability of the funds from the Retirement Stabilization Fund, prepare the Council Order, and continue the process in order that my staff can input the information in MUNIS and issue payments to this former employee upon Council approval.

Thank you for your cooperation, and if you should have any questions, please do not hesitate to contact me.

LBC

Finance Director

CITY OF GREEN  
**APPROVAL-SICK DAYS/VACATION BUY-BACK**

From: Department Fire

Date 8-2-17

Authorized Signature: [Signature]

Department Head/City or Business Manager/School

NAME: Scott Hebert

**CALCULATION**

2016 <sup>DAYS</sup>  
VACATION HOURS # 8 @ \$ 348.58 = \$ 2,788.64

<sup>DAYS</sup>  
SICK HOURS # 90 @ \$ 381.02 = \$ 34,291.80

<sup>SMV</sup>  
PRO-RATED STIPENDS # 30 days @ \$ 1328 = \$ 398.63

<sup>2017 VACATION</sup>  
OTHER DAYS # 18 @ \$ 357.21 = \$ 6,429.78

Total Amount Due: \$ 43,908.85

Please attach corresponding PAF or other backup to this sheet.

Reason: Deceased

**For Human Resources's Use Only:**

- ☒ VACATION HOURS  
☒ SICK HOURS  
☐ PER ACCRUAL REPORT  
☒ OTHER

Org and Object: 3113 - 544

Recommendation:

☒ Approved

[Signature]  
HR Director/City or Superintendent/Schools



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

February 9, 2017

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to submit to you the enclosed Community Benefits Agreement between the City of Salem and North Shore Medical Center. This agreement represents many months of discussions between City staff and NSMC officials and, I believe, reflects appropriately many of the impacts our community will bear from the larger hospital campus and facility. I was also pleased that we were able to include extensive specific mitigation to the Ward 3 neighborhood where the hospital is located.

The agreement includes the following:

- \$700,000 over seven years to help address public safety impacts;
- \$325,000 for roadway and traffic signal upgrades along the Jefferson Avenue corridor;
- \$75,000 to bolster City's parking, transit, mobility, and sustainability efforts;
- \$350,000 to fund additional supports for our students' social, emotional, and behavioral well-being in the Salem Public Schools;
- \$100,000 for utility impacts off site from the hospital campus but related to the project, including \$35,000 for storm water upgrades on Jackson Street;
- \$45,000 over three years to help fund the City's revamped bicycle sharing program; and
- \$100,000 over four years to fund implementation of the *Salem For All Ages* Action Plan.

The agreement also provides for the City's use of the NSMC parking lot at 55 Highland Avenue on evenings and weekends by members of the public attending events at Bertram Field and continues NSMC's commitment to collaborating on the development of the potential South Salem Commuter Rail stop. NSMC additionally commits to providing \$37,500 over five years towards participation in a transportation management association of the City's selection, which can help reduce traffic congestion on streets around the hospital.

In all, the agreement consists of \$1,732,500 in benefits. These benefits are in addition to NSMC's annual payment in lieu of taxes of \$125,000, which will continue going forward.

I would like to thank the NSMC leaders who participated in the dialogue around its creation. My thanks also go to the Department of Planning and Community Development staffers, our Fire and Police Chiefs, City Engineer, and the City Solicitor, all of whom were so helpful in the completion of this agreement. NSMC's campus consolidation project will bring more jobs, greater access to quality health care services, and positive indirect economic benefits. That does not mean, however, that it will not be without disruption or impact. I believe the benefits provided by this agreement will help toward mitigating and addressing those impacts, and I strongly recommend adoption of the enclosed Order authorizing me to sign it.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kim Driscoll", written in a cursive style.

Kimberley Driscoll  
Mayor  
City of Salem



## COMMUNITY BENEFIT AGREEMENT

THIS AGREEMENT is entered into this 25<sup>th</sup> day of January 2017 by and between North Shore Medical Center, a Massachusetts not for profit corporation with a principal office address of 81 Highland Avenue, Salem, MA 01970 ("NSMC") and the City of Salem, a Massachusetts municipal corporation with a principal address of 93 Washington Street, Salem, MA 01970 ("the City").

WHEREAS, NSMC wishes to expand their existing health care complex in the City of Salem, to include a larger Emergency Room and the consolidation of services from Union Hospital into an upgraded facility on Highland Avenue and at Spaulding North; and

WHEREAS, NSMC intends to provide certain benefits to the City to assist with addressing the impacts associated with the growth of its campus; and

WHEREAS, NSMC is in the process of obtaining the necessary municipal and state approvals for the upgraded campus facilities therefore all future payments and obligations hereunder are subject to and conditioned upon receiving such approvals.

NOW THEREFORE, in consideration of the provisions of this Agreement, NSMC and the City agree as follows:

1. NSMC agrees to provide a payment to the City of \$700,000.00 payable over seven years to be used to reimburse the City for costs related to public safety associated with the larger hospital campus.
2. NSMC shall provide \$325,000 in funding to support paving and roadway improvements, including signal/intersection upgrades, in and along the Jefferson Avenue corridor.
3. NSMC shall provide \$75,000 to assist with citywide transportation, parking, mobility and sustainability projects and planning.
4. NSMC shall provide \$350,000 to assist with Salem Public Schools social, emotional and behavioral program needs payable on or before the next school calendar year (September 1, 2017).
5. NSMC shall provide up to \$100,000 for related off site water, sewer and drainage project costs, as directed by the City Engineer, including a \$35,000 contribution to the Jackson Street storm water improvements.

6. NSMC shall provide \$37,500 payable over five years toward the transportation management association working in Salem and the North Shore to assist with providing and promoting transportation solutions for commuters that reduce traffic congestion, improve air quality and increase access to economic development opportunities.
7. NSMC shall provide \$45,000.00 payable over three years in support of the city's bike sharing program.
8. NSMC shall provide \$100,000 payable over four years to assist with the implementation of the City's age friendly plan, Salem for all Ages.
9. NSMC has paid \$207,950.00 in total project Permit Fees, which receipt by the City is hereby acknowledged, it being agreed that this shall represent the total amount of permit fees to be paid by NSMC and its contractors to the City for the project.
10. NSMC shall allow attendees to sporting events at Salem's Bertram Field on Dove Avenue to utilize NSMC's parking lot at 55 Highland Avenue to the rear of Bertram Field home stand for event parking. This lot shall only be utilized by event attendees on evenings and weekends.
11. NSMC agrees to work collaboratively with the City of Salem on the design and implementation of a South Salem Commuter Rail Stop.
12. NSMC acknowledges and agrees to maintain its current support for ongoing community public health programs and activities in the City of Salem, including the current annual Payment In Lieu of Taxes ("PILOT") payment to the City of Salem of \$125,000.00, which payment is above and beyond any payments listed herein.

All payments referenced in 1-8 above shall commence upon the issuance of a certificate of occupancy for the building referenced in Paragraph 2 unless otherwise agreed to herein.

CITY OF SALEM

NORTH SHORE MEDICAL CENTER

By: \_\_\_\_\_  
Kimberley Driscoll, Mayor

By: \_\_\_\_\_  
Gregg S. Meyer, M.D., Interim CEO

Dated: January 25, 2017



# CITY OF SALEM

In City Council, February 9, 2017

**Ordered:**

The Mayor is hereby authorized to execute, on behalf of the City of Salem, a Community Benefit Agreement by and between North Shore Medical Center, a Massachusetts not for profit corporation with a principal office address of 81 Highland Avenue, Salem, MA, and the City of Salem. The Agreement provides certain benefits to the City to assist with addressing the impacts associated with the expansion of the existing health care complex



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

February 9, 2017

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed please find a proposed ordinance, *Sanctuary for Peace: A Human Rights Declaration*, that is being submitted for your review and consideration following weeks of discussions and outreach with a coalition of community leaders, many of whom have signed on to show their support for this action.

The question of how we treat our neighbors, how we treat one another, is the moral basis of our government. Are we advancing policies that keep our community safe, or will we allow the corrosion of community policing in the name of fear? Are we providing services impartially to all who walk through the doors of City Hall, or do we pick and choose who is deserving of public services? When we adopted – unanimously – our landmark non-discrimination Ordinance just a few short years ago, Salem sent a clear message that we collectively viewed Salem as a City that valued community safety, inclusivity, and equal protection under the law. “What is this life?” asked famed Salem Reverend William Bentley shortly after the American Revolution, “A storm at sea! Let us help each other.” The matter before the City Council now asks simply: will we help?

Here, in summary, are the components of this Ordinance:

1. City services are to be provided to all residents who so qualify, regardless of immigration status, unless provision of said service violates state or federal law. This, in many respects, adds immigration status to our existing non-discrimination Ordinance.



2. City employees shall not ask for immigration status from a resident in providing a service, unless they are required to do so by state or federal law.
3. Salem Police officers shall abide by existing Police Department policy that states that members of the Police Department shall not undertake immigration-related investigations, nor shall they routinely inquire of any person their specific immigration status during normal police operations unless required by law.
4. In compliance with existing federal law, the City shall not discriminate in employment matters on the basis of immigration status and all persons hired by the City shall be required to verify identity and eligibility to work in the United States.
5. Nothing in the Ordinance shall confer additional benefits to immigrant residents of Salem.
6. An Inclusion Advisory Community shall be formed to advise City officials on how best to provide services and information in a manner that protects and supports the civil rights of all residents.
7. Nothing in the Ordinance shall violate state or federal law or result in a loss of federal funding to the City.

Perhaps no other place in America has the same relationship with the tragic lessons of what can transpire when those in power reject these values. 325 years ago, Salem struggled with a crisis that saw fear used as weapons against those who were perceived to be different. We hope the lessons and the legacy from our own tragic historic episode here in Salem can serve as a cautionary example. Distrust, division, and hate will never create a more secure environment in our city. In fact, it will only undermine it.

In Salem, we continue to view local law enforcement through a community policing lens. We know that when local law enforcement is able to foster strong, collaborative relationships with the communities that they protect, everyone is safer. If local police were to play a role in enforcing federal laws related to deportation it would only serve to erode trust in local law enforcement among many of our immigrant families. We do not want our immigrant friends and neighbors to fear calling police or be less likely to report crimes or cooperate with local law enforcement. Moreover, we don't expect Salem Police to enforce any other federal laws, including federal tax laws, federal labor laws, federal workplace safety rules or, by and large, any other violation of federal law.

To be clear, nothing in this proposal prevents federal authorities from enforcing federal laws and policies in Salem. Nothing in this proposal prohibits Salem Police from sharing information with federal officials. It is entirely possible, indeed desirable, for local police to communicate with and collaborate with federal law enforcement authorities. However, it is not the role of our local police department to be enforcing federal law. In fact, the 10<sup>th</sup> Amendment to our Constitution ensures that no federal statute or executive order can compel or commandeer a local police force to carry out a federal policy. This separation of powers was so important to our Founders that it was incorporated in the Bill of Rights itself.

Further, this Ordinance does not violate federal law or executive order. This proposed ordinance will not disqualify the City from any federal funding. It does not protect any criminal – whether or not they are an undocumented resident – from deportation. And it does not shield undocumented residents who are found guilty of a criminal act from deportation pursuant to federal statute.

Beyond the public safety arguments, it has also been proven that cities that welcome and include immigrants are more prosperous than those that do not, with higher median incomes, lower poverty levels, and slightly lower unemployment rates. There is a reason why our most diverse cities in America are also our most prosperous, our hubs of innovation and growth, and the lifeblood of our national economy and the social service programs that millions of Americans, in red states and blue states alike, rely upon to survive. When communities protect all of their residents, all of their residents see economic benefits. When communities enact policies that keep families intact, the household's economic integrity is enhanced, contributing to the enhancement of the community's economic integrity.

While Salem is known for its rich and diverse history, we also benefit from a rich and diverse immigrant population over our nearly 400-year history. Salem was founded by immigrants and built by immigrants. Our shores have welcomed waves of newcomers from all manner of nations and continents, all of whom helped to shape our community's economic and social fabric and all of whom continue, to this day, to bring cultural and linguistic diversity to our streets, our neighborhoods, and our schools.

As the Council continues this public conversation about how our community will treat those who live among us who were not fortunate enough to have been born here, we hope we will do so with respect and an awareness that our incredible city has a nearly four century legacy of being a safe and welcoming home to immigrants seeking a place in America to make a better life for themselves and their families. We won't turn our backs on that legacy. And we won't turn our backs on them.

We believe that rhetoric that targets a segment of our population because of their immigration status, or their race, or their faith – because of *who* they are – is directly contrary to the values of our community and of our country.

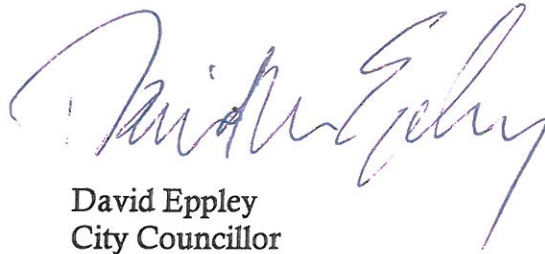
In Salem, 'equal rights' is not just a slogan. It is a value that inspires us to tangible, meaningful action, and it is deeply and directly connected to our history. From a town where neighbors once turned so viciously and so terribly on each other, we have become, instead, a community where we turn toward each other. The legacy that marred Salem then is part of what drives the positive actions we take today to lift up our City: Salem is not and never ought to be a place for hate.

Robert Kennedy said, "We must recognize the full human equality of all our people before God, before the Law, and in the Councils of our government. We do this not because it is economically advantageous – although it is – and not because the laws of God or Man command it – although they do... We must do it for the single and fundamental reason that it is the right thing to do." There could be no more true test of that sentiment than this.

Sincerely,



Kimberley Driscoll  
Mayor  
City of Salem



David Eppley  
City Councillor  
Ward Four



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

**February 7, 2017**

**The following individuals/organizations have signed on to support the adoption of the proposed Sanctuary for Peace Ordinance:**

Congressman Seth Moulton

State Representative Paul Tucker

Deb Amaral, Salem School Committee

Jim Fleming, Salem School Committee

Mary Manning, Salem School Committee

Patrick Schultz, Salem School Committee

Kris Wilson, Salem School Committee

Dr. Brendan Walsh, Salem School Committee

Police Chief Mary Butler

Fire Chief Dave Cody

Superintendent Margarita Ruiz, Salem Public Schools

Patricia Meservey, President, Salem State University

Dan Monroe, Director & CEO, Peabody Essex Museum

Gregg S. Meyer, M.D., Interim President, North Shore Medical Center

Alexandra Pineros Shields, Executive Director, Essex County Community Organization

Ana Nuncio, President, Latino Leadership Coalition (LLC)

Lucy Corchado, LLC member and Chair, Point Neighborhood Association

Rev. Silvestre Romero, St. Peter's Church and Latino Leadership Coalition member



Rev. Jeff Barz-Snell, Pastor, First Church

Rev. Joseph Amico, Pastor, Tabernacle Congregational Church

Episcopal City Mission

Jeff Cohen, Chair, No Place for Hate Committee

Beth Kontos, President, Salem Teachers Union

Charity Lezama, Executive Director, Salem YMCA

Joanne Scott, Executive Director, Boys & Girls Club of Greater Salem

Linda Saris, Executive Director, Salem LEAP for Education

Kara McLaughlin, Executive Director, House of Seven Gables

Mickey Northcutt, Executive Director, North Shore CDC

Bob Rivers, CEO, Eastern Bank

Nicole Lashomb, publisher *Rainbow Times*, No Place for Hate Committee member

Gricel Ocasio, editor *Rainbow Times*, No Place for Hate Committee member

Jason Etheridge, Executive Director, Lifebridge

Mary Margaret Moore, Executive Director, Independent Living Center of the North Shore/Cape Ann

Steve Harrington, Executive Director, North Shore Alliance of Gay, Lesbian, Bisexual, and Transgender Youth (nAGLY)

Salem Award Foundation for Human Rights and Social Justice

Salem Chamber of Commerce

North Shore Labor Council

Patricia A. Gozemba, Courting Equality and SAFE

Karen Kahn, Courting Equality and SAFE

Jim Bostick, No Place for Hate Committee member

Michael Millet, No Place for Hate Committee member



## Salem Public Schools

February 6, 2017

### A Proclamation

WHEREAS, the Salem Public Schools are committed to every child by creating a safe and welcoming place where all children are valued, appreciated and encouraged;

WHEREAS, Salem Public Schools' teachers and leaders are here to support all students to reach their fullest potential;

WHEREAS, the Salem Public Schools welcome and celebrate the diversity of our students whose native language represents thirty-four countries and dialects;

WHEREAS, the Salem Public Schools are committed to educating every student regardless of citizenship and national origin; and,

NOW, THEREFORE, as MEMBERS of the SALEM SCHOOL COMMITTEE, WE DO HEREBY PROCLAIM, as follows:

That Salem Public Schools on this day, February 6, 2017, and forever in the future, shall continue to be a school district that welcomes and recognizes the value and contributions of all students, including immigrants, who strengthen our schools and our community.

FURTHER, We hereby express our support for the City of Salem adopting the attached Sanctuary for Peace Ordinance, which re-affirms our City's commitment to ensuring that municipal services shall be accessible to all residents, regardless of immigration status and specifically limits City employees from inquiring about immigration status in the performance of daily tasks, unless required to do so by Federal or State statute, regulation or court decision.

*Adopted by a vote of 7 in favor, 0 opposed  
Salem School Committee  
School Committee Chambers, Collins Middle School  
February 6, 2017*

# City of Salem

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*In the year Two Thousand and Seventeen*

**An Ordinance** relative to providing city services regardless of immigration status and the formation of an Inclusionary Advisory Committee.

*Be it ordained by the City Council of the City of Salem, as follows:*

**Section 1.** Chapter 2- Administration is hereby amended by adding the following new Article:

“ARTICLE XVII. CITY SERVICES RELATED TO IMMIGRATION STATUS;  
INCLUSIONARY ADVISORY COMMITTEE

Sec. 2-2060. Purpose.

To reaffirm existing policies and provide guidance to City employees on protecting all residents’ access to police protection and public services.

Sec. 2-2061. Preamble.

WHEREAS, Salem is a welcoming City that serves and protects its residents regardless of their immigration status and country of origin;

WHEREAS, in Salem, all people, including immigrants, are valued contributors and are vital to our shared prosperity;

WHEREAS, according to the latest United States Census Data, approximately 26% of Salem residents describe themselves as Hispanic/Latino, Black/African American, Asian, American Indian/Alaskan Native or Native American or are comprised of two or more races;

WHEREAS, 15% of Salem residents have a country of origin outside the United States and are proud to call Salem their home and live peacefully as our neighbors, colleagues, and friends;

WHEREAS, Salem Public Schools currently teach students who speak 33 different languages, reflecting the approximately 1,200 students within the Salem school district for whom English is not their first language;

WHEREAS, we know there are youth living in Salem and/ or attending Salem State University that have received temporary status through the Deferred Action for Childhood Arrivals (DACA) program and they deserve an opportunity to have a bright future and to

contribute their time and talent to make Salem a prosperous City of innovation and growth;

WHEREAS, the vitality of the City of Salem, increasingly ethnically, racially and religiously diverse and has been built on the strength of its immigrant communities;

WHEREAS, The City and its public safety personnel value and recognize that the cooperation of and communication with all persons, both documented citizens and those without documentation status, is essential to achieve the City's goals of ensuring the health, safety, and welfare of all, and the protection of life and property, the prevention of crime and the resolution of problems;

WHEREAS, Salem desires to maintain and foster a culture and environment where our immigrant and refugee residents can fully participate in and be integrated into the social, civic, and economic fabric of their adopted City;

WHEREAS, the City of Salem does not believe in the unwarranted identification, detention, and deportation of residents in good standing and/or the separation of families that may result;

WHEREAS, no person living, visiting or working in Salem should ever fear calling public safety personnel for assistance; and

Now therefore, be it Ordained by the City of Salem:

Sec. 2-2062. Policy.

(a) City employees shall serve all residents and City services shall be accessible to all residents, regardless of immigration status or identity, including ancestry, race, ethnicity, national origin, color, age, sex, sexual orientation, gender variance, marital status, physical or mental disability, or religion, unless providing such service is prohibited by State or Federal statute, regulation, or court decision.

(b) City employees shall not ask for information about immigration status in the performance of daily tasks unless required to do so by Federal or State statute, regulation or court decision. City employees, with the exception of police officers, shall continue the longstanding practice to refrain from inquiring about the immigration status of any person. Police officers shall abide by Police Department Policy #138.

(c) Salem public safety personnel, including police and fire fighters, recognize and value as their first priority, the safety, protection and security of all Salem residents, regardless of one's country of origin. No person living, visiting or working in Salem should ever fear calling public safety personnel for assistance. Further, local public safety personnel recognize that being able to have clear and open communication with any and all Salem residents is the most effective way to ensure the health, safety and welfare of the entire community.

(d) The Immigration Reform and Control Act of 1986 (IRCA) makes it illegal for the City, as an employer, to discriminate with respect to hiring, firing, or recruitment or referral for a fee, based on an individual's citizenship or immigration status. Consistent with Federal law, all persons hired by the City of Salem will be required to verify identity and eligibility to work in the United States and to complete an employment eligibility verification document form upon hire. The City affirms that employment eligibility verification will occur only after an offer to hire has been made, unless citizenship status is required of the position by law or regulation.

(e) City department heads shall use tools at their disposal, including meetings and trainings, to direct their staff to comply with the City's policies described above. A communication shall be issued by City department heads to their staff upon adoption of this Ordinance.

Sec. 2-2063. Policy Limitations; Severability.

- (a) No provision continued herein shall condition additional benefits to immigrant or refugee residents in the City of Salem.
- (b) No provision contained herein shall violate Federal or State statutes, regulations or case law nor impact Federal funding.
- (c) As provided in Sec. 1-9 of this Code, the sections, paragraphs, sentences, clauses and phrases of this Article are severable, and if any phrase, clause, sentence, paragraph or section of this Article shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Article.

Sec. 2-2064. Inclusion Advisory Committee; Creation.

- (a) The Mayor shall establish an Inclusion Advisory Committee to advise her and City department heads in their efforts to protect the civil liberties and civil rights of all Salem residents and provide supportive services and information as necessary to communities of color, people with disabilities, women, LGBTQ residents, people of low-income, persons of differing religious beliefs or practices, immigrants and refugees, particularly in light of potential changes in Federal government policy and operations.
- (b) The Committee shall provide advice on initiatives including, but not limited to, the following:
  - 1) Developing a comprehensive public awareness effort around anti-hate speech and hate crimes, and bias-based incidents;
  - 2) Collaborating with immigrant and refugee community stakeholders and community based organizations to identify priority needs and opportunities to partner within municipal activities; and



- 3) Strengthening efforts to ensure that Salem remains an inclusive and equitable City in support of immigrants and their civil rights and civil liberties.”

## SALEM POLICE

DEPARTMENT MANUAL

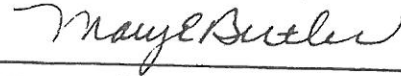
## CHAPTER 138.0

DATE OF ISSUE  
02/02/17EFFECTIVE DATE  
02/02/17

SUBJECT:

IMMIGRATION LAWS AND THE ROLE  
OF THE SALEM POLICE DEPARTMENT

ISSUING AUTHORITY



REFERENCE(S): CAEA 26. 1. 3

PAGE  
1 of 4X NEW ☐ AMENDS ☐ RESCINDS**I. PURPOSE****A. The Salem Police Department Mission and Policy**

*"The primary purpose of the Salem Police Department is to provide a high level of safety, security and service for all members of the community. It is the police...who have the sworn duty to directly apply and execute the law fairly and objectively for the benefit of the entire community. This task has become one of the most difficult and most demanding responsibilities in the public service."*(1)

*"The delivery of police services to the community is a unique and complex undertaking. The reputation of the organization is fundamentally dependent upon the personal conduct and professional competence of its individual officers. It requires that police officers conduct themselves at all times within the limitations of their police authority. They cannot act outside of, above or beyond their lawful authority and any abuse of their police powers violates the authority entrusted to them."*(2)

*"The police are the most visible and most readily accessible representatives of local government. As such we are tasked with protection life and safeguarding property; preventing and controlling crime; providing immediate response to public emergencies; advancing a cooperative relationship with the general public; and creating a sense of safety and security for the entire community."*(3)

These excerpts from the Salem Police Department Rules and Regulations provide the background for the expectations of fair and unbiased treatment of all residents regardless of race, religion, gender, age, ethnicity, sexual identity, and status in the United States. The policies and procedures and rules and regulations of the Salem Police Department do not provide for a differentiation in the application of services to anyone; all service is equal.

We are aware that, over the course of our City's history, many of our residents have emigrated to our community from other countries for a myriad of reasons and that many have become naturalized citizens of the United States and others have yet to attain permanent legal status. We have long recognized, valued and respected the diversity and cultural differences in the Salem community and as a police department we are committed to providing the best public service to all the City's residents regardless of any preconceived biases of others.

\*Note: 1, 2, 3 –Salem Police Department Rules and Regulations, Forward and Section 1, pages 3 &4

In furtherance of our Community Policing philosophy, we seek to ensure all our residents understand the mission of and receive the encouragement of the Department to seek and to obtain police assistance when needed. Residents will receive fair and equitable treatment throughout any and all interactions from all members of the Department without exception. We recognize that some individuals may remain in the shadows and fear police due to prior experiences from their country of origin and a political climate that leads to concerns about anticipated treatment or outcome. We recognize unreported crimes will only increase the likelihood of continued victimization. We rely on the input and cooperation of all our residents, regardless of status in the United States, in order to ensure crimes are solved, offenders are held accountable, and victims and witnesses can feel safe and have access to the appropriate resources available to them. Therefore, consistent with past practice, the Salem Police Department has reduced to written form the policy that we have always undertaken with regard to treatment of all individuals regardless of immigration status.

## **I. POLICY**

### **A. Federal Jurisdictional Authority vs. Local Law Enforcement Jurisdictional Authority**

The Salem Police Department recognizes the "truism" of the 10<sup>th</sup> Amendment of the U.S. Bill of Rights that provides that powers delegated to the Federal Government are under their control. Federal Immigration Laws fall under the purview and the enforcement jurisdiction of the Federal Government, and, as such, there is no authority or power of a local law enforcement entity of any state to enforce said laws. This was affirmed in a ruling by the Supreme Court in *U.S. v. Arizona* which held that the federal government had the sole authority to enforce both border and immigration law. Therefore, in compliance with this decision and in fostering trust within the community, consistent with past practice and our authority, the Salem Police Department shall not undertake immigration-related investigations, nor shall they routinely inquire of any person their specific immigration status during normal police operations unless required by law.

This prohibition of enforcing federal law does not impede the ability of the Salem Police Department to cooperate with, provide information to, or receive from any local, state or federal agency information regarding citizenship or immigration status, consistent with 8 U.S.C. § 1373. As immigration enforcement falls under the direct authority of the federal government, Officers will communicate and cooperate with DHS-ICE when: (1) formally requested as part of an on-going investigation; (2) notifying federal officials of serious situations that may present a public safety threat to a group, community, state, or the nation; or (3) in any other instance required by law.

## **II. PROCEDURE:**

### **A. Statement of Police Standards**

Every resident or visitor shall be free to obtain the assistance of the Salem Police Department without regard to the individual's citizenship or documented or undocumented status in the United States. Therefore, Officers should employ unbiased standards, including:

- 1) Officers I, should not consider immigration status in exercising their discretionary authority to arrest, summons, issue a warrant, or to take no action;
- 2) Officers will not arrest or detain a person based solely on their immigration status;
- 3) Officers will not engage in the surveillance of an individual solely for the purpose of identifying or confirming their legal status. Immigration status will never be the primary reason to initiate an investigation;

- 4) Officers shall not question any individual about his or her specific citizenship or immigration status unless that individual is:
  - a. **Arrested** for any reason as consistent with the Booking Procedures. The Booking Officer will ascertain the country in which the individual is a citizen to ensure the arrested person is provided their due process rights to confer with the Consulate of their country contemporaneous to the arrest and in compliance with SPD P.P.# 111.0 Consulate Notification. Immigration status is not a relevant matter pertaining to the arrested person's due process rights by law;
  - b. **Arrested** for any reason as consistent with the Booking Procedures and requirements of the Fingerprint Procedures for the LiveScan data entry in compliance with SPD P.P.# 5.0 Fingerprinting and Photographing Prisoners. Officers will ascertain the country in which the individual is a citizen, immigration status is not a relevant matter;
  - c. A direct or indirect **Victim** (Affected Witness) of a qualifying crime who is cooperating with the investigation and is eligible for the Police Department or District Attorney's Office to make application for federal U-Visa protections in compliance with SPD P.P.# 132.0 U-Visa; or
  - d. Victim of a **civil rights violation or hate crime** based on ethnicity, race or ancestry or bias-motivated threats, intimidation, coercion and violence, consistent with M.G.L. c. 265, §39 and SPD P.P.# 72.0 Handling Civil Rights Violations and P.P.#78.0 Hate Crimes; and
- 5) Officers have no reason to ask any individual for his or her visa, resident alien card, or travel documents unless:
  - a. Identification is **required by law** and other standard forms of identification are unavailable or when proceeding under Section III (B), herein;
  - b. An operator of a lawfully stopped motor vehicle presents what appears to be a **valid Foreign Country's Driver's License** in which the license is valid in this state for only one (1) year and requires the operator to produce proof to the investigating officer of the most recent admission date to the United States in order to competently calculate the one year time period; and
  - c. Making application for a municipal license where verification of identification is required consistent with SPD P.P.# 5.5 Fingerprinting Municipal License Applicants and no other forms of identification are available.

#### **B. Notification to Federal Immigration Authorities**

In accordance with Salem Police Department's Policy and Procedure, 89.0 Identification and Prevention of Biased Based Profiling, the Salem Police "Department is committed to protecting the constitutional and civil rights of all. Allegations of bias based profiling or discriminatory practices, real or perceived, are detrimental to the relationship between the police and the communities they serve, because they strike at the basic foundation of public trust. This trust is essential to effective community based policing,"(4)

As a result of the aforementioned, in conjunction with the Salem Police Department's jurisdictional authority and restrictions not to "act beyond their lawful authority," Salem Police Officers will communicate with DHS-ICE when:

- 1) The individual is determined to be a **public safety risk** to the community, the state or the nation, and the Salem Police Department, other City officials, or law enforcement personnel are in possession of information to support that contention;

- 2) The individual has been arrested for a violent felony by the Salem Police Department;
- 3) The individual has been arrested by the Salem Police Department and there is reliable information that the individual in custody has been **convicted of any violent felony or multiple felony convictions or has a violent felony case pending**;
- 4) The individual is arrested for **terrorism-related offenses** or is reasonably suspected of involvement in any terrorist activities;
- 5) The individual is arrested for **Human Trafficking** or arrested on other charges with reasonable suspicion that the individual is or has been involved in Human Trafficking of any kind;
- 6) The individual is reasonably suspected of **participating in criminal street gang activity** in furtherance of the gang's illegal activity;
- 7) The individual is arrested for **Drug Trafficking** or arrested on other charges but there is an open ongoing investigation reasonably suspecting, using the legal standard, that the individual is involved in Drug Trafficking;
- 8) The individual is arrested and **is a substantial threat** to any person, group, or the community; or
- 9) As otherwise required by law.

**C. DHS-ICE Request the Assistance of Salem Police Department**

1. The Department of Homeland Security – Immigration and Customs Enforcement (DHS-ICE) agency is responsible for the enforcement of all Border and Immigrations Laws.
2. DHS-ICE tactical operations for civil enforcement of federal immigrations laws falls solely under the jurisdictional enforcement authority of the federal government. Therefore, the assistance of the Salem Police Department is not needed unless:
  - a. A response from the Department is requested on a temporary basis for **Officer Safety or Public Safety** purposes only and officers are not actively engaged in the enforcement efforts;
  - b. To assist in the apprehension of any individual who has an active **Criminal Warrant** that can be found in the Massachusetts Criminal Warrant (WMS) which remains in full force and effect at the time of the request;
  - c. To provide requested support, not participation, for DHS-ICE to affect the arrest of an individual with an **administrative warrant** and there is a request for Officer Safety or Public Safety reasons;
  - d. The Salem Police Department requests the assistance of DHS-ICE to address or take into custody and individual that is believed to be a **public safety threat**; or
  - e. Any other action so directed by law.