

OFFICE OF THE ATTORNEY GENERAL  
STATE OF INDIANA



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INDIANAPOLIS, IN 46204-2770

**TODD ROKITA**  
ATTORNEY GENERAL

May 14, 2024

City of Gary Common Council  
401 Broadway, Ste. 209  
Gary, Indiana 46402

Re: City of Gary Ordinance No. 9100

Dear Members of Gary Common Council:

On May 16, 2017, Gary's Common Council passed and adopted "An Ordinance Establishing the City of Gary Indiana as A Welcoming City." (Ordinance 9100, signed and approved by Mayor Karen Freeman-Wilson on May 22, 2017). Today, following the passage of [SEA 181](#), I write to (1) inquire whether this ordinance is still in effect; (2) demand the City of Gary to repeal it if it remains in effect; and (3) inform the Common Council of the legal consequences of failing to repeal this ordinance.

Please respond in writing to this letter by June 14, 2024, to let my office know whether the ordinance is currently in effect. If it has been repealed, please attach to your response the document giving effect to its repeal.

If the ordinance has not been repealed, this body must do so on or before July 1, 2024. I.C. §§ 5-2-18.2-3 and 4 prohibit a government body, including the Gary Common Council, from enacting an ordinance, rule or policy that would prohibit any local employee or official from communicating or cooperating with federal officials as to information regarding the citizenship or immigration status, lawful or unlawful, of an individual—or restricting the enforcement of our nation's immigration laws to less than the full extent permitted under federal law. Ordinance 9100 violates chapter 18.2. Therefore, respectfully, I demand that the Common Council repeal it.

After July 1, 2024, if I, as Indiana's Attorney General, determine that probable cause exists that the City of Gary has an ordinance, rule or policy in place that violates chapter 18.2, I will be statutorily required to bring an action to compel the City of Gary to comply with such chapter. See [SEA 181](#) (effective July 1, 2024). Unless Ordinance 9100 has been repealed on or before July 1, 2024, probable cause

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will exist to bring an action against the City of Gary to compel its compliance with Indiana law—and I will do so.

Thank you for your time and attention regarding this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Todd Rokita". The signature is written in a cursive style with a large, looping initial "T".

Todd Rokita

Indiana Attorney General