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US v CA amicus from CA supervisors

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MOTION BY SUPERVISOR HILDA L. SOLIS AND
CHAIR SHEILA KUEHL

May 1, 2018

Amicus Support for California in *United States v. State of California* Lawsuit

On March 6, 2018, the United States Department of Justice (DOJ) filed a lawsuit against the State of California seeking a preliminary and permanent injunction to prevent the State from enforcing three of its duly-enacted laws. Those laws – AB 450, AB 103, and SB 54 – were enacted by the Legislature and signed into law by the Governor to protect California’s 10 million immigrant residents, including the 3.5 million immigrants who live in Los Angeles County, from the Trump Administration's aggressive, cruel, and inhumane immigration-enforcement practices.

Generally, AB 450 protects immigrant employees by preventing public and private employers from voluntarily allowing immigration-enforcement agents to enter non-public areas of their facilities without a judicial warrant; by precluding such employers from consenting to immigration-enforcement agents accessing employee records without a subpoena or court order; and by requiring such employers to notify their employees of a request by immigration-enforcement agents to inspect employment records.

MOTION

SOLIS _____

RIDLEY-THOMAS _____

HAHN _____

BARGER _____

KUEHL _____

AB 103 requires the California Attorney General (AG) to inspect public and private locked facilities in which non-citizens are detained for purposes of civil immigration proceedings; requires the AG to examine the "due process provided" to such detainees and the "circumstances around their apprehension and transfer to the facility"; and instructs that the AG must be given all necessary access to such facilities to be able to conduct its inspections and reviews.

SB 54 (the California Values Act) sets various restrictions and prohibitions on State and local law enforcement agencies' ability to cooperate with federal immigration enforcement activities. While opponents of SB 54 broadly paint immigrants as criminals and claim that the new law hurts public safety, we know that forcing local law enforcement to carry out immigration enforcement activities would actually undermine public safety. If immigrants lose trust in our local law enforcement agencies, victims of crime or witnesses to a crime may be deterred from reporting criminal activity out of fear of being deported. SB 54 helps to ensure the public safety of every California resident.

Los Angeles County must stand with California in support of AB 450, AB 103, and SB 54 in order to maintain public safety and to protect the immigrants who every day make significant contributions to our County and our State.

WE THEREFORE MOVE that the Board of Supervisors direct County Counsel to join and/or file an amicus brief in support of the State of California in its defense of the lawsuit filed by the DOJ.

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HLS:jv