

Legislation Details (With Text)

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City Council

MEETING DATE: 6/13/2018

TITLE:

Discussion on Signing the Amicus Brief in Support of Three Pro-immigrant California Laws

FROM:

Charlie McClendon, City Manager

RECOMMENDATION:

This item is for discussion and direction only.

BACKGROUND:

Councilmember Shelley Kaplan requested that an item be placed on the Study Session Agenda to discuss the consideration of signing the Amicus Brief in Support of three pro-immigrant California laws.

DISCUSSION:

In May of this year the City of Palm Springs approved a request from the ACLU of Southern California for their City to join other cities and counties throughout the state on signing an amicus brief in support of three pro-immigrant California laws that are the subject of a lawsuit filed by the Trump Administration against the State of California. The Justice Department sued California; Gov. Jerry Brown; and the state's attorney general, Xavier Becerra, over three (3) state laws passed in recent months, claiming they impaired and interfered with activity by federal immigration officials, and calling the laws unconstitutional. Last year, California enacted sanctuary laws that limit when and how local law enforcement can cooperate with federal enforcement officers.

Immigration has become a prominent political and policy issue at the federal, state and local levels. The rising concern follows changes in the magnitude and nature of immigration flows, and in the orientation of our nation's administration. Reactions to these changes have varied. Over the last several years, California has taken significant strides toward the protection of immigrants, passing a broad range of laws to expand and uphold the civil and labor rights of immigrants, equalizing access to higher education, and defining the role local law enforcement agencies may play in the enforcement of federal immigration law.

A summary of the state laws being threatened by the Trump Administration's lawsuit are Provided below:

Senate Bill 54 is the most comprehensive of the three (3) laws included in the lawsuit. The law contains provisions based upon a person's criminal history, pursuant to which communication and facilitation of transportation is permitted, but localities have the opportunity to limit interaction between law enforcement and ICE. This bill has garnered wide support from many state leaders who recognize that entangling police and sheriffs in deportations places even victims and witnesses of crime at risk.

Assembly Bill 450 deals with worksite raids and audits. If ICE comes to a workplace today, and wants to enter into a private area such as an office, an employer is not allowed to give ICE consent to enter unless ICE has a warrant. AB 450 also requires employers to notify employees if ICE is preparing to conduct an audit. Immigrants, authorized or unauthorized, energize and sustain California's economy with their labor. According to State Controller Betty Yee, undocumented immigrants' labor is worth more than \$180 billion a year. AB 450 makes California the first state to reaffirm constitutional rights and other legal protections of workers during illegal immigration raids in the workplace.

Assembly Bill 103 pertains to public safety, and includes provisions preventing state and local agencies from entering into contracts with the federal government to detain immigrants, and allowing the state attorney general to monitor federal immigration detention facilities. The law makes California the only U.S. state that provides local oversight of immigration jails.

Councilmember Shelley Kaplan will lead the discussion on this item and staff will look to the City Council for direction.

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

None