



Don't let hate "Trump" our values

A guide to fighting Trump's lawsuit against California

Top lines

- This lawsuit is an attack on our values of equality and compassion. Our state laws that limit local involvement in painful deportations, uphold rights for all workers, and challenge the indignity of detention are vital steps to recognizing our common humanity.
- It's well established under the Constitution that the federal government cannot seize our local resources to carry out their dirty work. "Sanctuary" and other policies that protect immigrants are on the right side history.
- Jeff Sessions is on the wrong side of history. He has launched numerous attacks on the civil liberties of all [communities of color](#) and recently invoked the "[Anglo-American heritage](#)" of Sheriffs' offices. We need to stand up to the Trump administration's hate-filled agenda and abuses of power.

What does the federal lawsuit do?

The [federal lawsuit](#) filed in the US District Court in the Eastern District of California, on March 6, 2018, seeks to invalidate and stop certain parts of three California state laws: SB 54, AB 450, and AB 103. SB 54, AB 450, and AB 103 are pro-immigrant state laws that limit the ways that local law enforcement and employers work with federal immigration authorities in addition to improving oversight of the conditions in detention facilities. **Despite the filing of this lawsuit, all three of these state laws remain valid and in effect.** Only a decision by a judge can invalidate an existing law.

How long will the lawsuit take and what is the process moving forward?

A final decision by the District Court could take a year or more. That decision could then be appealed to the Ninth Circuit and, ultimately, to the Supreme Court. The whole process could take years. However, the Trump administration has filed a [motion for a preliminary injunction](#), which asks the District Court to pause certain provisions of these laws from being in effect while the lawsuit moves through the courts. This means that before the court can decide whether the federal government will win the lawsuit, it first has to decide whether it will hit the 'pause button' on some provisions of these laws, and then go back and make a decision on the claims in the lawsuit. A hearing date for the preliminary injunction has not yet been set. The hearing could be as early as April 24, or it could be several months after that. Again, the entire process could take years to be fully resolved.



How does this impact SB 54, AB 450, and AB 103?

All three of the laws remain fully intact and in effect. Implementation efforts for each law should move forward as planned and the corresponding agencies are still required to comply with each law. It is important to note that the lawsuit is only challenging *some* of the provisions listed below, all of which *are valid state law*.

SB 54, the California Values Act or “Sanctuary” state law:

- SB 54 sets basic standards to limit local and state law enforcement from acting as deportation agents. The new law ends several local deportation practices and limits other abuses. SB 54 creates a foundation that local governments can and should continue to build on by adopting stronger protections for immigrants.
- SB 54:
 - Prohibits police from arresting community members for immigration enforcement purposes.
 - Prohibits police from using deportation agents as interpreters.
 - Prohibits police from detaining a community member in response to an ICE hold request. (These ICE hold requests have already been found unconstitutional by the courts).
 - Limits sharing personal information with Trump's deportation force.
 - Limits notifying ICE or CBP when a community member is about to be released from custody, or transferring a community member to ICE or CBP, with some exceptions.
 - Creates safe spaces at schools, hospitals, courthouses, libraries, and other public agencies by limiting assistance with immigration enforcement to the fullest extent under the law.

AB 450, the Immigrant Worker Protection Act:

- Requires employers to request a judicial warrant from immigration enforcement agents before allowing them access to private areas of the worksite.
- Requires employers to request a judicial warrant or subpoena before releasing private employee records.
- Prohibits employers from re-verifying the status of any current employee unless required by federal law.
- Requires employers to notify their workers if the employer receives notice of an upcoming inspection of I-9 forms or other employment records as well as the results of the inspection.

AB 103, State Budget Bill:

- Directs the Attorney General (AG) of California to monitor all California immigration detention facilities—both private and public.
- Prohibits local governments from entering into a new contract with the federal government to use local jail space for immigrant detention.
- Prevents local governments from modifying their existing contracts with ICE to expand their publicly-run immigration detention facilities.