

Date of Hearing: April 18, 2023

ASSEMBLY COMMITTEE ON JUDICIARY
Brian Maienschein, Chair
AB 1306 (Wendy Carrillo) – As Amended April 13, 2023

SUBJECT: STATE GOVERNMENT: IMMIGRATION ENFORCEMENT

KEY ISSUE: SHOULD THE LEGISLATURE LIMIT THE ABILITY OF THE CALIFORNIA DEPARTMENT OF CORRECTION AND REHABILITATION TO COORDINATE WITH IMMIGRATION AND CUSTOMS ENFORCEMENT REGARDING THE DETENTION, RELEASE, OR INFORMATION OF SPECIFIC INMATES?

SYNOPSIS

In recent years, the Legislature has made various attempts to curb the role of California's law enforcement in coordinating inmate transfers with the U.S. Immigration and Customs Enforcement (ICE). In 2017, SB 54 (De Leon), also referred to as the California Values Act, amended existing law to sharply limit the extent to which local law enforcement agencies are able to use their resources to facilitate the detention of undocumented persons in California. The Values Act, however, did not entirely preclude state law enforcement from collaborating with ICE. For example, the Values Act did not limit law enforcement's ability to respond to a request from ICE for information regarding an incarcerated individual or to provide a release date if the requested information was already public, nor did it impose any of the prohibitions of cooperation on the California Department of Corrections and Rehabilitation (CDCR). Since 2017, several more attempts have been made to further expand the Values Act.

This bill would extend some of the prohibitions of the Values Act that are now imposed on local law enforcement agencies to CDCR. More specifically, this bill would prohibit CDCR from detaining an individual on the basis of a hold request; providing ICE with release date information; responding to a notification request; transferring an individual to ICE, or facilitating a transfer request if the incarcerated individual involved falls into one of ten categories that would qualify the individual for parole or clemency.

This bill is supported by a significant coalition of civil rights organizations and immigrant advocacy groups. There is no registered opposition. This bill was previously heard in the Assembly Committee on Public Safety, and passed out on a vote of 6-0.

SUMMARY: Restricts the California Department of Corrections and Rehabilitation (CDCR) from coordinating and cooperating with Immigration and Customs Enforcement (ICE) regarding the status, as specified, of individuals in CDCR custody who are eligible for specified forms of release. Specifically, **this bill:**

- 1) Makes various findings and declarations regarding California's prison system and the demographics of the state's prison population. Also makes various findings and declarations regarding California's efforts to reform the criminal justice system as well as its intersection with immigration policy.
- 2) Establishes the Harmonizing our Measures for Equality (HOME) Act.

- 3) Prohibits the Department of Corrections and Rehabilitation from detaining on the basis of a hold request, providing an immigration authority with release date information, or responding to a notification request; transferring to an immigration authority, or facilitating or assisting with a transfer request regarding any individual who is eligible for relief pursuant to specified forms of early release, parole, vacatur, or clemency.
- 4) Repeals two sections of the Penal Code that require CDCR to comply with specified forms of requests from ICE.

EXISTING LAW:

- 1) Provides that any authorized immigration officer may at any time issue an Immigration Detainer-Notice of Action, to any other federal, state, or local law enforcement agency, which serves to advise another law enforcement agency that the Department of Homeland Security (DHS) seeks custody of an alien presently in the custody of that agency, for the purpose of arresting and removing the alien; the detainer requests that the notified agency advise the DHS, prior to release of the alien, in order for the DHS to arrange to assume custody, in situations when gaining immediate physical custody is either impracticable or impossible. (8 C.F.R. Section 287.7 (a).)
- 2) Requires that, upon a determination by the DHS to issue a detainer for an alien not otherwise detained by a criminal justice agency, such agency shall maintain custody of the alien for a period not to exceed 48 hours, excluding Saturdays, Sundays, and holidays in order to permit assumption of custody by the DHS. (8 C.F.R. Section 287.7 (d).)
- 3) Authorizes the Secretary of Homeland Security to enter into agreements that delegate immigration powers to local police. (8 U.S.C. Section 1357 (g).)
- 4) States that notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual. (8 U.S.C. 1373 (a).)
- 5) States that notwithstanding any other provision of Federal, State, or local law, no State or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States. (8 U.S.C. 1644.)
- 6) Defines a “California law enforcement agency” to mean a state or local law enforcement agency, including school police or security departments, but not to include the Department of Corrections and Rehabilitation. (Government Code Section 7284.4 (a). All further statutory references are to the Government Code, unless otherwise indicated.)
- 7) Provides that a law enforcement official shall have discretion to cooperate with immigration authorities only if doing so would not violate any federal, state, or local law, or local policy, and where permitted by the California Values Act. (Section 7282.5 (a).)
- 8) Prohibits a California law enforcement agency from performing a number of immigration-related activities, including the following:

- a) Using agency or department moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, including providing information regarding a person's release date or responding to requests for notification by providing release dates or other information unless that information is available to the public, or is in response to a notification request from immigration authorities. (Section 7284.6 (a)(1)(C).)
 - b) Transferring an individual to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination, or in accordance with existing law. (Section 7284.6 (a)(4).)
- 9) Notwithstanding 3), above, allows any California law enforcement agency to do the following as long as it does not violate any policy of the law enforcement agency or any local law or policy of the jurisdiction in which the agency is operating:
- a) Investigating, enforcing, or detaining upon reasonable suspicion of, or arresting for a violation of a specified immigration offense that is detected during an unrelated law enforcement activity.
 - b) Responding to a request from immigration authorities for information about a specific person's criminal history, including previous criminal arrests, convictions, or similar criminal history information accessed through the California Law Enforcement Telecommunications System (CLETS), where otherwise permitted by state law. (Section 7284.6 (b).)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: In recent years, the Legislature has made various attempts to curb the ability of California's law enforcement to coordinate inmate transfers with Immigration Customs Enforcement (ICE). In 2017, SB 54 (De Leon), also referred to as the California Values Act (Act), sharply limited the extent to which local law enforcement agencies are able to use their resources to facilitate the detention of undocumented persons in California for the purpose of immigration enforcement. The Act, however, did not entirely preclude state law enforcement from collaborating with ICE. For example, the Act did not limit law enforcement's ability to respond to a request from ICE for information regarding an incarcerated individual or provide a release date if the requested information was already public, nor did it impose any of its prohibitions on the California Department of Corrections and Rehabilitation (CDCR). Since 2017, several more attempts have been made to further expand the protections of the Act. Most recently, AB 937 (W. Carrillo, 2021) would have closed perceived loopholes and effectively terminated any ability of local and state law enforcement to cooperate with ICE in the detention or transfer of undocumented incarcerated individuals. AB 937 was criticized by opponents as unduly expansive. Some worried that precluding local law enforcement's from engaging in any ICE-related activity would impede law enforcement's ability to carry out their duties on a daily basis. Regardless of the merits of that position, this bill appears significantly more narrow than AB 937. According to the author:

AB 1306, "The HOME Act" is a more narrow approach to end transfers between the Department of Corrections and Rehabilitation (CDCR) and Immigration Customs Enforcement (ICE) for individuals who have served their time and been paroled. The bill focuses on previous restorative justice legislation that has been signed into law and ensures

individuals under those policies are able to return home and restart their lives regardless of their citizenship status.

This bill would extend some of the prohibitions of the Act that are imposed on local law enforcement agencies to CDCR. More specifically, this bill would prohibit CDCR from detaining an individual on the basis of a hold request, providing ICE with release date information, responding to a notification request, transferring an individual to ICE, or facilitating a transfer request if the incarcerated individual falls into one of ten separate categories that qualify them for parole or clemency. These categories include the following: compassionate release (largely applies to individuals who have serious illnesses or who are permanently incapacitated); youth offender parole; elderly parole; medical parole; felony murder resentencing (which allows individuals who have previously been convicted of felony murder to have their conviction vacated under certain circumstances); vacated judgments due to a conviction based on race; vacated sentences for victims of human trafficking (which allows individuals who were convicted of certain offenses while they were a victim of human trafficking to petition for relief and resentencing); resentencing (typically available to individuals who have served 15 years of their sentence and were under 18 years old at the time of the crime); and clemency by the Governor. Additionally, this bill repeals provisions of the Penal Code that require CDCR to coordinate with ICE regarding the release or arrest of inmates under specified circumstances. The bill does not replace these provisions with any further requirement, and as such, is silent on the issue. Therefore, this bill would ultimately only limit CDCR's ability to coordinate with ICE regarding the subset of inmates specified by the bill.

In summary, this bill is a much more narrowly tailored than previous iterations in that it is largely focused on avoiding doubly punishing individuals such as elderly parolees and those who have terminal illnesses with a subsequent detention and potential deportation by ICE.

Distinction between criminal and civil detention. It is important to briefly note that, while functionally very similar, immigration detention is a function of *civil* law, rather than criminal law. As such, detainees are subject to different rights regarding their detention as compared to those who are subject to criminal detention. As just one example, albeit a significant one, defendants in criminal cases have the right to be represented by a court-appointed attorney if they are unable to afford their own. Defendants in immigration proceedings have a recognized right to counsel to present their defense in immigration court. However, they are not assured representation if they are unable to afford an attorney. Individuals facing immigration proceedings after serving time in jail or prison who are unable to access a defense attorney ultimately deal with a heightened risk of subsequent detention in ICE custody. In the case of individuals who are subject to immigration proceedings because of a criminal conviction, these immigrants are arguably punished twice for the same behavior. This practice has been criticized as unjust; it has been challenged as a violation of individuals' Fourth Amendment protections against unlawful searches and seizures under a theory that detention by ICE following a criminal charge or conviction constitutes a continued and illegal detention without probable cause. (*Gonzalez v. Immigration and Customs Enforcement*, 975 F.3d 788 (2019); *Ochoa v. Campbell*, 266 F. Supp. 3d 1237 (2017).)

While the legal foundation of civil detention may be distinct from criminal detention, as discussed in further detail, much of the experiences are substantively identical.

A brief history of mistreatment of detained immigrants. U.S. involvement in the Vietnam War and U.S.-led carpet bombing in Southeast Asia caused mass migration of refugees from Laos, Cambodia, and Vietnam to California. Southeast Asian refugees who resettled in California were generally housed in poor, hyper-criminalized, and under-resourced neighborhoods with little to no culturally competent support services. Southeast Asian refugee children – like other immigrants -- faced intense bullying. At the same time, all of these youth, as well as those who were Black, indigenous, and people of color (BIPOC), struggled to survive the 1990s — a decade marked by a proliferation of local and national “tough on crime” policies, including mandatory minimum sentences; the “war on drugs”; and trends favoring the trial, sentencing, and incarceration of children as if they were adults in criminal proceedings.

In 1996, the U.S. Congress passed an immigration bill that severely limited immigration relief for non-U.S. citizens with criminal convictions — including refugees and green card holders. By the time Southeast Asian refugee children, whose families survived famine and genocide, were teenagers, the school to prison to deportation pipeline was in full effect. The perfect storm of draconian criminal justice and immigration laws resulted in not only the mass incarceration of the immigrant and BIPOC communities, but also the mass deportation of immigrants to Central American, South American, and Southeast Asian refugees. Today, Southeast Asian refugees are at least three times more likely to be deported for past convictions than other immigrant communities. In 2018, at least 16,000 of the 2.7 million Southeast Asians in the United States had received final deportation orders, with more than 13,000 based on past criminal records. (Transactional Records Access Clearinghouse, “U.S. Deportation Outcomes by Charge, Completed Cases in Immigration Courts”, available at http://trac.syr.edu/phptools/immigration/court_backlog/deport_outcome_charge.php.) This means that 80% of the total Southeast Asian deportation orders were linked to old criminal records, compared to 29% of all immigrants with deportation orders. (*Ibid.*) Between 2017 and 2018, there was a 279% spike in deportations of Cambodian refugees and a 58% increase in the deportations of Vietnamese refugees (*Ibid.*).

The recent rise in violence directed at the Asian Pacific Islander (API) Community is the latest development in a long history of bias and violence against marginalized communities, including by abuse of the immigration system. While the media and the public have focused on the recent rise of traumatic and horrendous interpersonal acts of violence against Asian and Pacific Islander American community members, it is also important to also recognize the less discussed large-scale and multi-generational impact of systemic violence against API communities. At such a time, California would be remiss to not reflect on and address its role in the criminalization, family separation, and perpetual punishment of API refugee communities. Southeast Asian refugees have been especially impacted by mass incarceration, ICE transfers, and deportation.

ICE regularly employs methods that range between inhumane and illegal. ICE was created in response to the tragic events of September 11, 2001, with a stated mission to protect the United States from cross-border crime and illegal immigration that threaten national security and public safety. However, critics claim that the agency has gained a notorious record of abuse, illegality, waste, and ineffectiveness in carrying out its intended purpose. ICE’s abusive tactics are well-documented. They include the separation of toddlers from their parents, forced sterilization, and inhumane treatment in facilities. ICE has therefore earned a reputation amongst immigration advocates as a dishonest and racist agency that regularly ignores legal limits. (*See, e.g., Ms. L. v. ICE* (S.D. Cal.) No. 3:18-cv-00428, filed February 26, 2018; *Flores v. Garland* (C.D. Cal.), No.

2:85-cv-04544-DMG-AGR, filed June 26, 2020; *Crew et al. v. ICE* (D.D.C.), No. 1:20-cv-03120, filed October 29, 2020.)

Immigration advocates began criticizing ICE during the George W. Bush administration. However, it was during the Obama administration that internal removal of immigrants by ICE reached what was then an all-time high. The Obama administration removed approximately 1,242,486 immigrants from the *interior* of the United States during its full eight years, averaging 155,311 removals per year. During his second term, President Obama responded to the outcry against the high rates of deportation, which led to a pronounced shift in focus to the removal of recent border crossers and criminals, rather than ordinary status violators apprehended in the interior of the U.S. Nevertheless, border removals stayed high and increased, from 207,525 to 279,022 over the same period. (See Transactional Records Access Clearinghouse, *The Role of ICE Detainers Under Bush and Obama* (Feb. 1, 2016), available at <https://trac.syr.edu/immigration/reports/458/>.) President Obama summarized this later policy as: “Felons, not families. Criminals, not children. Gang members, not a mom who’s working hard to provide for her kids.” (See Barack Obama, *Remarks by the President in Address to the Nation on Immigration* (Nov. 20, 2014), available at <https://obamawhitehouse.archives.gov/the-press-office/2014/11/20/remarks-president-address-nation-immigration>.)

The Trump administration, however, changed the federal government’s immigration enforcement priorities and tactics. Many of those changes emanate from Executive Order 13768: “Enhancing Public Safety in the Interior of the United States,” which President Trump issued on January 25, 2017, five days after taking office. (Executive Order No. 13768, 82 Fed. Reg. 8799.) President Trump largely echoed President Obama in his rhetoric regarding his immigration enforcement priorities, stating that he intended to focus on criminals. His actual policies, however, dramatically expanded the list of immigration enforcement priorities to include virtually every undocumented person. Pursuant to executive orders from President Trump, on February 20, 2017, Department of Homeland Security Secretary John Kelly issued a pair of memoranda changing immigration enforcement policy. In those memos, Secretary Kelly directed ICE to prioritize:

Removable aliens who: (1) have been convicted of any criminal offense; (2) have been charged with any criminal offense that has not been resolved; (3) have committed acts which constitute a chargeable criminal offense; (4) have engaged in fraud or willful misrepresentation in connection with any official matter before a governmental agency; (5) have abused any program related to receipt of public benefits; (6) are subject to a final order of removal but have not complied with their legal obligation to depart the United States; or (7) in the judgment of an immigration officer, otherwise pose a risk to public safety or national security. (See John Kelly, *Enforcement of the Immigration Laws to Serve the National Interest*, U.S. Department of Homeland Security (Feb. 20, 2017) at 2, available at https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf.)

In 2017, motivated by the Trump administration’s cruel and extreme immigration policies, California passed a number of measures to protect residents of the state, including undocumented immigrants. Among these were three “sanctuary bills”: AB 450 (Chiu, Chap. 492, Stats. 2017, dealing with immigration inspection of workplaces), AB 103 (Committee on Public Safety, Chap. 17, Stats. 2017, imposing inspection requirements on facilities that house civil immigration detainees), and, as previously mentioned, SB 54 or the Values Act (DeLeon, Chap.

495, Stats. 2017, limiting the cooperation between state and local law enforcement with federal immigration authorities). In response to a Trump administration challenge to the laws, the 9th Circuit Court of Appeals upheld most parts of all three of them. (*U.S. v. California* (9th Cir. 2019) 921 F.3d 865, cert. denied, *U.S. v. California* (2020) 141 S. Ct. 124.) And while Donald Trump's presidency may have inspired the Values Act, it is also true that the suffering and abuse of immigrant communities inflicted by ICE that motivated the Legislature to enact SB 54 began long before the Trump administration and still persists today.

The Biden administration has received significant criticism from all sides of the political spectrum. While the administration has on the one hand made efforts to protect the Deferred Action for Childhood Arrivals (DACA) program, it has on the other hand increased targeted interior enforcement. In 2022, ICE conducted more than 72,000 removals, up around 22% from the previous year. (*Biden at the Two-Year Mark: Significant Immigration Actions Eclipsed by Record Border Numbers*, Muzaffar Chishti and Kathleen Bush-Joseph (Migration Policy Institute) January 26, 2023 available at: <https://www.migrationpolicy.org/article/biden-two-years-immigration-record>.) However, overall it appears that the current administration has made attempts to reduce ICE detention numbers, and instead focus on ICE's alternatives to detention (ATD) programs, such as tracking individuals through apps or ankle monitors while their immigration case is pending, rather than detaining them. (*Ibid.*)

Criminal and immigration detention during the pandemic. The conditions immigrants experience in ICE detention were dire even before the onset of the Coronavirus pandemic in 2020, and since the pandemic these conditions have only worsened. In April 2020, the American Civil Liberties Union (ACLU) filed a class action lawsuit against ICE and one of the Department's private contractors. The class action lawsuit alleged that two detention facilities, Mesa Verde and Yuba County Jail in California, had engaged in a number of practices that exacerbated unsafe conditions at the facilities, including delays in testing during an outbreak, continuing to house individuals with COVID symptoms in crowded dormitories, and misrepresenting details of their COVID response. (*Groundbreaking COVID-19 Settlement to Yield Protections for Immigrants Detained by ICE, Limit Re-detention for People Released*, Lawyers' committee for Civil Rights of the SF Bay Area (January 27, 2022) available at: https://lccrsf.org/pressroom_posts/groundbreaking-covid-19-settlement-to-yield-protections-for-immigrants-detained-by-ice-limit-re-detention-for-people-released/.) According to a report by the Los Angeles Times from 2022, approximately 15% of the total detained population in ICE custody had tested positive for COVID-19. (*California settlement limits ICE from re-detaining immigrants freed because of COVID*, Andrea Castillo (Los Angeles Times), January 27, 2022, available at: <https://www.latimes.com/world-nation/story/2022-01-27/california-lawsuit-settlement-limits-ice-detention-immigrants-freed-pandemic>.)

While ultimately both the Mesa Verde and Yuba County Jail released the vast majority of their detained population over the course of the litigation, the settlement was nonetheless reflective of the heinous health and safety conditions that undocumented immigrants experience upon being detained by ICE. What's more, the condition of the ICE detention centers was not unique to immigration detention. Over the course of the pandemic, jails and prisons also came under fire for the lack of care available to inmates. Likely due to overcrowding and a lack of ventilation, incarcerated individuals are five times more likely than the general public to be infected with the virus, and less than one year into the pandemic, at least 1,200 residents and 70 staff members of jails and prisons had died from COVID-19 nationwide. (*For Prisoners, Pandemic Hits with*

Greater Force, Laura Kurtzman (University of California San Francisco) October 25, 2020, available at: [For Prisoners, Pandemic Hits with Greater Force | UC San Francisco \(ucsf.edu\)](https://www.ucsf.edu/news/2020/10/451816/greater-force).

AB 1306 would provide welcome protections to a population already burdened with inhumane living conditions. By prohibiting CDCR from coordinating regarding the release or detention of an undocumented individual, this bill would help ensure that detained individuals, many of whom have lived the majority of their lives in this country, are not subjected to duplicative punishment simply because of where they were born. Furthermore, this bill is very narrow, and would only explicitly prohibit coordination in the case of individuals who qualify for specified forms of parole, vacatur, resentencing, or clemency. In practice, these are individuals who are terminally ill; victims of human trafficking; sentenced as a result of their race or ethnicity; or have a sufficiently compelling story to be able to obtain a grant of clemency from the Governor. Allowing them to return home and to the care of their families, rather than being subjected to another round of detention in an ICE facility, seems a small grace that arguably benefits the communities they are returning to with no apparent harm to California generally.

ARGUMENTS IN SUPPORT: This bill is supported by a large coalition of civil rights advocates, and is co-sponsored by 22 organizations. One of the bill's co-sponsors, Asian Americans Advancing Justice – Southern California, writes:

In particular, the HOME Act (AB 1306) would prevent CDCR from transferring any individual to immigration authorities who is eligible for release pursuant to specified provisions, including, youth offender, elderly, and medical parole releases. Those provisions also include clemency actions by the Governor, as well as re-sentencing or vacatur of one's conviction under SB 1437 (Skinner, 2018), AB 256 (Kalra, 2021), or AB 124 (Kamlager, 2021).

In recent years, the Legislature, California voters, and Governors have demonstrated a strong commitment to reforming our criminal legal system, and addressing systemic racism and mass incarceration by enacting landmark reforms. Tragically, solely because of their place of birth, immigrants and refugees who would otherwise benefit from these reforms approved by the legislature are instead released to ICE and subjected to the double punishment of ICE detention and deportation. Once in immigration detention, immigrants face dire consequences including lack of due process, no appointed legal counsel, no right to bail, and an arbitrary second detention never handed down in a criminal court in facilities beyond state oversight where abuses are well documented. Moreover, this unjust practice perpetuates a criminal legal system that treats individuals unequally simply because of where they were born. The state's role in voluntarily sending California residents to the custody of ICE undercuts our progress towards a more equitable society, and unfairly targets immigrants and refugees.

When California's prisons voluntarily and unnecessarily transfer immigrant and refugee community members eligible for release from state custody to ICE for immigration detention and deportation purposes, they also subject these community members to permanent separation from the country, their families, homes, and livelihoods. California should not be actively participating in the separation of immigrant and refugee families and inflict irreparable harm to those who came here fleeing war and genocide or to simply build a better life for themselves and their children.

In addition, state collaboration in federal immigration enforcement programs has raised constitutional concerns, including arrests and detentions that violate the Fourth Amendment to the United States Constitution, and that target immigrants on the basis of race or ethnicity in violation of the Equal Protection Clause.

Finally, transferring California residents to ICE custody is costly. By passing AB 1306 California stands to save state resources that can be invested in mental health, housing, youth development, and access to living wages— all of which have been proven to reduce crime and stabilize communities.

As the state with the largest immigrant community, California has an ethical and moral obligation to be a national leader that ensures the steps the state has already taken towards reforming our criminal legal system includes our immigrants and refugee communities. California should not subject community members to double punishment, nor disregard otherwise applicable laws that would enable their return home purely because they are refugees or immigrants. Harmonizing broadly-supported reforms to ensure equal application to immigrants and refugees will reunite families, strengthen communities, and fulfill the state's commitment to addressing racial injustice and upholding our values of fairness and equality.

Related Prior Legislation: AB 937 (Carrillo, 2021) would have eliminated the ability that law enforcement agencies have under existing law (the Values Act) to cooperate with federal immigration authorities by giving them notification of release for inmates or facilitating inmate transfers and to prohibit all state and local agencies from assisting, in any manner, the detention, deportation, interrogation, of an individual by immigration enforcement. Status: Failed, Sen Floor.

AB 2596 (Bonta, 2020) would have eliminated the existing ability for law enforcement agencies to cooperate with federal immigration authorities by giving them notification of release for inmates or facilitating inmate transfers. AB 2596 was never heard in the Assembly Public Safety Committee.

AB 2948 (Allen, 2018) would have repealed the California Values Act SB 54, which defines the circumstances under which law enforcement agencies may assist in the enforcement of federal immigration laws and participate in joint law enforcement task forces. AB 2948 failed passage in the Assembly Public Safety Committee.

AB 2931 (Patterson, 2018) would have expanded the list of qualifying criminal convictions which permit law enforcement to cooperate with federal immigration authorities. AB 2931 failed passage in the Assembly Public Safety Committee.

AB 298 (Gallagher, 2017) would have repealed the TRUST Act and required law enforcement to cooperate with federal immigration by detaining an individual convicted of a felony for up to 48 hours on an immigration hold, as specified, after the person became eligible for release from custody. AB 298 failed passage in the Assembly Public Safety Committee.

AB 1252 (Allen, 2017) would have repealed the TRUST Act and prohibited state grants to county and local “sanctuary jurisdictions.” AB 1252 failed passage in the Assembly Public Safety Committee.

SB 54 (De Leon, 2017) limits the involvement of state and local law enforcement agencies in federal immigration enforcement. Chapter 495, Statutes of 2017.

AB 2792 (Bonta, 2016), requires local law enforcement agencies to provide copies of specified documentation received from ICE to the individual in custody and to notify the individual regarding the intent of the agency to comply with ICE requests. Chapter 768, Statutes of 2016.

REGISTERED SUPPORT / OPPOSITION:

Support

Asian Americans Advancing Justice - Asian Law Caucus (co-sponsor)
Asian Americans Advancing Justice - Southern California (co-sponsor)
Asian Pacific Islander Re-entry and Inclusion Through Support and Empowerment (co-sponsor)
Asian Prisoner Support Committee (co-sponsor)
Buen Vecino (co-sponsor)
California Coalition for Women Prisoners (co-sponsor)
California Immigrant Policy Center (co-sponsor)
Communities United for Restorative Youth Justice (CURYJ) (co-sponsor)
Freedom for Immigrants (co-sponsor)
Harbor Institute for Immigrant and Economic Justice (co-sponsor)
Ice Out of Marin (co-sponsor)
Indivisible Sausalito (co-sponsor)
Interfaith Movement for Human Integrity (co-sponsor)
Legal Services for Prisoners With Children (co-sponsor)
Long Beach Immigrant Rights Coalition (co-sponsor)
National Day Laborer Organizing Network (NDLON) (co-sponsor)
Orange County Rapid Response Network (co-sponsor)
San Diego Immigrant Rights Consortium (co-sponsor)
San Francisco Public Defender (co-sponsor)
Siren: Services Immigrant Rights and Education Network (co-sponsor)
Tsuru for Solidarity (co-sponsor)
Vietrise (co-sponsor)
18 Million Rising
ACLU California Action
Alliance for Boys and Men of Color
Alliance San Diego
Amnesty International USA
Bend the Arc: Jewish Action, Southern California
California Collaborative for Immigrant Justice
Chinese Progressive Association
Contra Costa Immigrant Rights Alliance
Council on American-Islamic Relations, California
Courage California
Cure California
Dolores Huerta Foundation
Drop LWOP Coalition
Felony Murder Elimination Project
Homerise San Francisco

Human Impact Partners
Immigrant Defense Advocates
Immigrant Legal Resource Center
Indivisible CA Statestrong
Indivisible Sacramento
Indivisible San Francisco
Initiate Justice
Mujeres Unidas Y Activas
Norcal Resist
Orange County Equality Coalition
People's Budget Orange County
Santa Cruz Barrios Unidos INC.
Smart Justice California
Southeast Asia Resource Action Center
The Transformative In-prison Workgroup

Opposition

None on file

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