

California may become the nation's first 'sanctuary state'

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A recent legislative initiative has some observers wondering if California as a whole will become a "sanctuary state."

Last week, California Senate President Kevin de Leon introduced a bill, dubbed the California Values Act, that would prevent local law enforcement from sharing with U.S. Immigration and Customs Enforcement (ICE) agents any information about immigrants being released from custody.

Additionally, under the bill, immigration laws would not be enforceable in "safe zones," which would include public schools, hospitals and courthouses.

In a statement release last week, de Leon assured undocumented residents that "the state of California will be your wall of justice should the incoming administration adopt an inhumane and over-reaching mass-deportation policy."

Since Donald Trump's election to the presidency, California lawmakers have proposed several bills aiming to protect the state's **estimated** 2.67 million undocumented immigrants from Trump's promised efforts to deport them.

More than 200 cities in America are listed as sanctuary cities, meaning they protect illegal immigrants from deportation while vowing not to cooperate with ICE. No entire state, however, has yet done the same. California, under de Leon's bill, would be the first.

David Bier, an immigration-policy expert at the Cato Institute, said there already is a law in California – the Trust Act -- that provides some level of protection for people who have run-ins with local state police.

"The definition of sanctuary is really what's up for debate here," Bier told AMI Newswire. "Is it not a sanctuary if (it) shares information with the federal government? Some people would say that's not a sanctuary anymore, other people would say it is."

Under California's Trust Act enacted in 2014, local law enforcement officials are prohibited from detaining an individual based on an ICE "hold" once that individual becomes eligible for release from custody, unless he or she has been convicted of specified crimes.

Joseph Villela, the director of policy for the Coalition for Human Immigration Rights of Los Angeles (CHIRLA), said the actions the state has taken towards protecting undocumented immigrants essentially makes it a sanctuary state already.

“We believe that the steps we have taken in the past are steps that reflect what a sanctuary place is in that it is welcoming and integrates immigrants into the fiber of our state,” Vilella said.

Santa Ann became the latest city in California officially to declare itself a sanctuary when City Council members voted for the designation.

Sanctuary cities came under fire last year after the fatal shooting of a San Francisco woman, Kate Steinle, allegedly by an illegal immigrant who had been deported repeatedly and not held by local police despite immigration agents wanting to deport him.

Pedro Rios, program director for the American Friends Service Committee’s San Diego office, said there are pockets within California that aren’t as friendly to immigrant communities, but “there would be much wider support for the state to become a sanctuary.”

Bier said that whether the proposed bill is constitutional or not hasn’t been litigated, but if that were to pass, the Trump administration would simply cut funding to the state of California.

“You can expect that the Trump administration will be cutting off funds, and then you’ll really see which side officials in California and police officers in California are going to stand on,” he said. “Are they going to stand on the side of the immigrants in that situation, or are they going to stand on the side of getting the funds back so they can use them to enforce the law?”

Hans von Spakovsky, manager of the Election Law Reform Initiative and senior legal fellow at the Heritage Foundation, said the bill has no chance of becoming law because de Leon's bill would directly violate federal immigration law.

“The new U.S. attorney general could easily and quickly have this law thrown out by a federal court even if it passes the California legislature. It would not even be a close case - the federal law is crystal clear,” Spakovsky said. “The attempts in California to obstruct enforcement of U.S. immigration laws are reprehensible and show a complete contempt for the rule of law.”