

California is Now a Sanctuary State for Undocumented Immigrants

When the State of California enacted new laws designed at protecting undocumented immigrants, it prompted a stern response from federal authorities. Now, neighborhoods and workplaces face the threat of more frequent raids by Immigration and Customs Enforcement (ICE) agents looking to take undocumented immigrants into custody.

New California Law

State Bill 54 was signed by California Governor Jerry Brown on October 5, 2017, and it created statewide sanctuary for those who may be living in the state as illegal aliens. The new law includes the following provisions:

- State and local police officers now are prohibited from inquiring about an individual's immigration status during the routine course of their work.
- State and local officers are forbidden from holding illegal immigrants until they can be transferred into federal custody.
- Federal agencies are prohibited from commandeering local authorities to work with immigration agencies and perform the work of immigration agents.

However, despite insinuations from opponents, the law does not prevent ICE and Homeland Security personnel from performing their duties within the state, and ICE agents are still allowed to enter state prisons, conduct interviews at county jails, and access data relative to a detainee's release date. The governor and rights groups considered the new law a balance between protecting the public and providing some reassurance to those of undocumented status.

Federal Authorities Consider Next Steps

Despite the Governor's assurances that the new law will not keep federal agents from performing their duties, ICE representatives have suggested that the law will force its officers to make more arrests in public rather than targeting those in police custody. The agency claims that, although its priority is finding and deporting undocumented immigrants with criminal backgrounds, working around the new statute will result in detaining immigrants who, while in the country illegally, have led a peaceful life while here.

State Follows Up with Additional, Targeted Laws

Concerned that federal immigration enforcement officers might step up their efforts at places of employment, state lawmakers passed additional bills designed to resist actions by federal authorities and protect those who are fearful due to their immigration status:

- Assembly Bill 450 prevents employers from sharing personal information about employees with federal authorities or allowing access to the workplace without first ensuring that authorities have secured the appropriate court documents.
- Assembly Bill 291 prohibits landlords from using a person's immigration status or perceived status against them in cases of disputes over rent, living conditions, or other relative matters.

SAC Attorneys LLP
1754 Technology Dr #122
San Jose, CA 95110
Phone: (408) 436-0789