



Agenda Report

Fullerton City Council

MEETING DATE: APRIL 3, 2018

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: KENNETH A. DOMER, CITY MANAGER

SUBJECT: CONSIDERATION OF SUPPORT FOR THE
DEPARTMENT OF JUSTICE LAWSUIT AGAINST THE
STATE OF CALIFORNIA REGARDING SANCTUARY CITY
LAWS

SUMMARY

Consideration to support the Department of Justice (DOJ) lawsuit against the State of California regarding sanctuary city laws as requested by Mayor Pro Tem Greg Sebourn and Council Member Jennifer Fitzgerald.

RECOMMENDATION

Provide direction to staff regarding support of the DOJ lawsuit against the State of California regarding Sanctuary City laws.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Public Safety

FISCAL IMPACT

None at this time.

DISCUSSION

The DOJ is suing the State of California over three state statutes that federal officials say interfere with their immigration authority and impede existing immigration laws:

1. AB 450 – prohibits private employers from cooperating with federal immigration officials and requires that private employers notify employees in advance of a potential worksite enforcement inspection. DOJ claims that this forces California

employers to be caught between state and federal law. Business owners could be fined \$2,000 to \$10,000 for failing to comply with AB 450.

2. SB 54 – prevents local law enforcement from providing information to federal authorities about the release date of undocumented immigrants who are in their custody and bans the transfer of these criminal immigrants to federal custody. DOJ claims this breaks federal law that pertains to communication between government agencies and the Immigration and Naturalization Service.
3. AB 103 – imposes a state-run inspection and review of the federal detention of immigrants held in facilities pursuant to federal contracts and includes a review of immigration processes and the circumstances in which immigrants were apprehended. This review applies only to facilities with civil immigration detainees. DOJ claims this law seeks to regulate federal immigration detention, which is not allowed under the Constitution.

The Los Alamitos City Council voted March 19, 2018 in favor of an ordinance exempting itself from SB 54 and to file an amicus brief to support the DOJ lawsuit against the State of California regarding Sanctuary City laws.

The Yorba Linda City Council voted on March 20, 2018 to file an amicus brief to support the DOJ lawsuit against the State of California regarding sanctuary city laws.

The Mission Viejo City Council voted on March 27, 2018 to approve a resolution in support of Los Alamitos' recent vote to exempt itself from SB 54 and to file an amicus brief to support the DOJ lawsuit against the State of California regarding Sanctuary City laws.

The Orange County Board of Supervisors voted in closed session on March 27, 2018 to file an amicus brief to support the DOJ lawsuit against the State of California regarding sanctuary city laws.

Attachments:

- Attachment 1 - Background Information on Trust Act and Values Act