



SENATOR KEVIN DE LEÓN PRESIDENT PRO TEMPORE

SB 54 (De León) The California Values Act

Purpose

To protect the safety and well-being of all Californians by ensuring that state and local resources are not used to fuel mass deportations, separate families, or divide Californians on the basis of race, gender, sexual orientation, religion, immigration status, or national or ethnic origins.

Background

The President-Elect has stated publicly that he will order the increased deportation of a broad category of immigrants and that doing so will be a top priority. Any expansion of federal deportation efforts will have a significant effect on California's economy and society.

A relationship of trust between California's immigrant residents and our state and local agencies, including police, schools, and hospitals, is essential to carrying out basic state and local functions. That trust is threatened when state and local agencies are involved in immigration enforcement.

According to the President Obama's Taskforce on 21st Century Policing, "Immigrants often fear approaching police officers when they are victims of and witnesses to crimes and when local police are entangled with federal immigration enforcement. At all levels of government, it is important that laws, policies, and practices not hinder the ability of local law enforcement to build the strong relationships necessary to public safety and community well-being. It is the view of this task force that whenever possible, state and local law enforcement should not be involved in immigration enforcement."¹ A study conducted by the University of Illinois similarly found that 44 percent of Latinos are less likely to contact police officers if they have been the victim of a crime because they fear that police officers will use this interaction as an opportunity to inquire about their immigration status or that of people they know.²

California is already familiar with the harmful effects of entangling local law enforcement agencies with immigration enforcement. Prior to its termination, the discredited "Secure Communities" program (S-Comm) operated in California as an indiscriminate mass

¹ Final Report of the President's Taskforce on 21st Century Policing (May 2016).

² Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement, Nik Theodore, Dep't of Urban Planning and Policy, University of Illinois at Chicago (May 2013)

deportation program at great cost to California both financially and otherwise. According to a report prepared by Justice Strategies in 2012, when the Secure Communities program was still active, California taxpayers spent an estimated \$65 million annually to detain people for ICE.³

For that reason, it is necessary to evaluate the appropriate use of state and local resources for immigration enforcement purposes and recognize the devastating impact deportations have on a state with thousands of mixed status families, and a heavily immigrant workforce.

Proposal

The California Values Act will provide essential safeguards to ensure that police, schools, hospitals and courts remain accessible to Californians from all walks of life and that California's limited resources are directed to matters of greatest concern to state and local governments.

1. State and local law enforcement agencies and school police and security departments will not engage in immigration enforcement. No state or local resources will be used to investigate, detain, detect, report, or arrest persons for immigration enforcement purposes. And regardless of whether state or local resources are implicated, no state or local law enforcement agency will detain or transfer any person for deportation *without a judicial warrant*.
2. State and local resources will not be used to facilitate the creation of a national registry based on religion or other protected characteristics.
3. State agencies will review their confidentiality policies in order to ensure that eligible individuals are not deterred from seeking services or engaging with state agencies. State agencies shall not collect or share information from individuals unless necessary to perform agency duties.
4. California schools, hospitals, and courthouses will remain safe and accessible to all California residents, regardless of immigration status. Each shall establish and make public policies that limit immigration enforcement on their premises to the fullest extent possible consistent with federal and state law.

*For more information, please contact Alexandra Salgado, (916) 651-4024,
Alexandra.Salgado@sen.ca.gov*

³ See Judith Greene, "The Cost of Responding to Immigration Detainers in California," Justice Strategies Report, August 22, 2012.