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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,)	Case No. 2:18-cv-00490-JAM-KJN
)	
<i>Plaintiff,</i>)	BRIEF OF AMICI CURIAE
)	THE CITY OF NEW YORK, 20 LOCAL
v.)	GOVERNMENTS, AND THE UNITED
)	STATES CONFERENCE OF MAYORS
STATE OF CALIFORNIA, et al.,)	IN OPPOSITION TO PLAINTIFF'S
)	PRELIMINARY INJUNCTION MOTION
<i>Defendants.</i>)	AND IN SUPPORT OF DEFENDANTS'
)	MOTION TO DISMISS
)	
)	Hearing Date: June 20, 2018
)	Hearing Time: 10:00 a.m.
)	Location: Courtroom 6
)	
)	Judge: Hon. John A. Mendez

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1 information with the government without fear that it will lead to their deportation or the
2 deportation of a family member. And the federal government focuses particular attention on
3 California’s refusal to share the release date of certain detainees, which likewise sends a clear
4 and unmistakable signal to residents that the state government is not a mere instrument of the
5 federal government’s deportation apparatus; such information-sharing will happen only in
6 accordance with California’s own law enforcement needs. *See* Cal. Gov’t Code
7 § 7284.6(a)(1)(C); DOJ Mem. in Supp. of Prelim. Inj. at 23–29.

8 Federal attempts, such as those here, to conscript local officers into providing sensitive
9 information about local residents unconstitutionally “impress” those officers “into [federal]
10 service” and impermissibly confuse lines of accountability, resulting in local governments
11 “taking the blame” in immigrant communities for federal choices. *Printz v. United States*, 521
12 U.S. 898, 922, 930 (1997); *see also* Cal. Mem. in Opp’n to Prelim. Inj. at 14–17. This is
13 particularly so where the federal statute invoked by DOJ—8 U.S.C. § 1373(a)—cannot be seen
14 as “anything other than a direct command” to state and local governments, invalid under the
15 Tenth Amendment. *Murphy v. NCAA*, Nos. 16-476, 16-477, 2018 U.S. LEXIS 2805, at *39
16 (May 14, 2018) (also finding the distinction “empty” between a law requiring an affirmative
17 obligation and a law imposing a prohibition on state governments).

18 The outcome would not change even if federal preemption, rather than anti-
19 commandeering doctrine, supplied the proper framework for analysis. Contrary to the federal
20 government’s claims, policies that clearly separate local public services from the federal
21 immigration enforcement system—like the challenged provisions of the California Values
22 Act—are neither “intended to uniquely impede the enforcement of the immigration laws” nor
23 “specifically designed to obstruct federal immigration enforcement.” DOJ Mem. in Supp. of
24 Prelim. Inj. at 31, 32. They are instead essential to fulfilling local governments’ fundamental
25 role in serving their residents, as experience confirms that absent the trust engendered by
26 policies protecting personal information, people simply will not seek assistance or cooperate
27 with local governments in the provision of essential services. The basic purpose—and
28

1 demonstrated effect—of such policies is thus to improve public health, safety and welfare, all
2 police powers in “fields of traditional state regulation” that are not lightly to be preempted.
3 *Riegel v. Medtronic, Inc.*, 529 U.S. 598, 618 (2008).

4 Ensuring that all of our residents, including immigrants, can and do access government
5 services is not a minor concern, but rather indispensable to the vitality, prosperity, and safety of
6 our communities, because immigrants play central roles in cities large and small. For example,
7 nearly six out of every ten New York City residents are immigrants or the children of
8 immigrants, and immigrants contributed \$195 billion to the City’s gross domestic product in
9 2017.¹ In Chicago, immigrants pay \$1.6 billion in state and local taxes (and more in federal
10 taxes); additionally, while immigrants make up 20.7 percent of Chicago’s population, they
11 account for 36.4 percent of its entrepreneurs, a remarkable measure of economic dynamism.² In
12 Tukwila, Washington, 41 percent of the city’s residents were born outside the country and half
13 speak a language other than English at home. Meanwhile, in Philadelphia, immigrants make up
14 13 percent of the City’s population but were responsible for 96 percent of the “Main Street”
15 neighborhood business growth between 2000 and 2013 and 75 percent of the city’s workforce
16 growth since 2000.³

17 Our concern is not—and cannot be—limited to those who have legal status in this
18 country. In New York City alone, roughly 560,000 residents are undocumented and
19 approximately one million residents live in a household where at least one member is
20 undocumented.⁴ And in broader ways, the well-being of all our residents is connected. No one
21 benefits when large portions of the population are reluctant to obtain vaccinations against
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23 ¹ N.Y.C. Dep’t of City Planning, *The Newest New Yorkers*, 2013, available at
24 <http://on.nyc.gov/2drcFH6>; Mayor’s Office of Immigrant Affairs, *State of Our Immigrant City*,
25 March 2018, at 6, available at <https://on.nyc.gov/2Iu3Lw6>.

26 ² Memorandum from City of Chicago to City of New York (May 16, 2018).

27 ³ Americas Society/Council of the Americas & The Fiscal Policy Institute, *Bringing Vitality*
28 *to Main Street: How Immigrant Small Businesses Help Local Economies Grow*, available at:
<http://www.as-coa.org/sites/default/files/ImmigrantBusinessReport.pdf>.

⁴ Mayor’s Office of Immigrant Affairs, *supra* note 1 at 6.

1 preventable disease or are afraid to speak to the police because they worry that sharing their
2 personal information might lead to deportation for themselves or their family members.

3 Thus, local governments have adopted policies—some going back decades—motivated
4 by the same concerns and experiences that underlie the California Values Act’s information-
5 sharing provisions.⁵ These policies are diverse in approach and scope, as befitting the diverse
6 needs of our jurisdictions, but all are based on the need to maintain trust with communities.
7 Many of these policies, such as New York City’s, protect not only the confidentiality of
8 residents’ immigration status, but also other sensitive information such as sexual orientation,
9 status as a victim of domestic violence or sexual assault, or receipt of public assistance.⁶ Others
10 are specifically focused on information sharing by law enforcement. The valid and legitimate
11 concerns animating these policies are as simple as they are powerful. Our experience as local
12 governments makes plain that we must build trust with residents if we are to govern effectively.
13 Contrary to the DOJ’s unsupported claims that states and local governments lack any
14 “legitimate interest” in these policies, DOJ Mem. in Supp. of Prelim. Inj. at 32, the policies
15 serve an important and lawful purpose. Indeed, they are critical to effective local governance.

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24 ⁵ See, e.g., N.Y.C. Mayoral Exec. Order 41 (2003); N.Y.C. Admin. Code § 9-131(h)(1);
25 Chicago Mun. Code § 2-173; Cook Cty. Bd. of Comm’rs Res. 07- R-240; Cook Cty. Ill., Mun.
26 Code § 46-37(b); Denver Rev. Mun. Code §§ 28-250 to 28-253; Denver Exec. Order 142
27 (2017); Madison Res. 17-00125; Minneapolis Code of Ordinances Ch. 19; Or. Rev. Stat.
28 § 181A.820; 2017 Or. Laws Ch. 724 (HB 3464); Phila. Exec. Order 8-09; Phila. Exec. Order 5-
16; Rochester Res. No. 2017-5; Tukwila Res. 1900.

⁶ See e.g. N.Y.C. Charter § 8(g); N.Y.C. Mayoral Exec. Order 41 (2003).

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ARGUMENT

**POLICIES THAT PROTECT SENSITIVE
INFORMATION ABOUT IMMIGRANT
POPULATIONS ARE ESSENTIAL TO LOCAL
GOVERNMENTS' ABILITY TO
EFFECTIVELY DELIVER SERVICES**

A. The fear of immigration enforcement can discourage residents from engaging with essential local government services, including police, schools, and medical care.

In immigrant communities, fear of government officials can pose a considerable obstacle to basic government functions. According to one recent study, 40 percent of Latino parents surveyed told their children to avoid medical care, police, and other public services, and almost half told their children to stay away from authorities generally.⁷ These fears are not limited to those without legal status, because undocumented immigrants are the parents, siblings, and friends of citizens and legal residents. Even parents who were citizens or had permanent resident status were found to have issued similar warnings to their children, at only slightly lower rates.⁸ Notably, these instructions stemmed directly from immigration-related fears.⁹ Local governments cannot effectively prevent crime, or halt the spread of communicable diseases, when parents instruct their children to avoid police and doctors.

Immigration concerns can cripple a city's ability to investigate or prosecute crime. Because they fear that police will ask about their immigration status or the status of people they know, 45 percent of Latinos say in surveys that they are less likely to report a crime or offer information about crimes, whether as a witness or a victim.¹⁰ This behavior extends throughout entire communities, far beyond undocumented immigrants or even immigrants with legal

⁷ Kathleen Roche, et al., *Impacts of Immigration Actions and News and the Psychological Distress of U.S. Latino Parents Raising Adolescents*, J. Adolescent Health (forthcoming 2018), available at <https://bit.ly/2FAbbrT>.

⁸ *Id.*

⁹ *Id.*

¹⁰ Nik Theodore, *Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement*, May 2013, available at <https://bit.ly/1Adp6RD>.

1 status: 28 percent of Latinos born in the United States—U.S. citizens—say they are less likely
2 to contact police, as the direct *victims* of a crime, because they fear immigration consequences
3 for those close to them.¹¹ The result is plain. “[T]he failure to obtain that victim and witness
4 cooperation could both hinder law enforcement efforts and allow criminals to freely target
5 communities with a large undocumented population, knowing that their crimes will be less
6 likely to be reported.” *City of Chicago v. Sessions*, No. 17-2991, 2018 U.S. App. LEXIS 9862,
7 at *15 (7th Cir. Apr. 19, 2018).

8 Recent federal actions and rhetoric have worsened this problem. In January 2017, for
9 example, President Trump issued a sweeping executive order instructing law enforcement
10 agencies to target more immigrants for deportation, encourage state and local government
11 participation in federal immigration enforcement, and unilaterally withdraw all federal funding
12 from whatever jurisdictions the Attorney General deemed “sanctuary jurisdictions.” Exec.
13 Order No. 13,768, 82 Fed. Reg. 8799 (Jan. 25, 2017). This unprecedented attempt to coerce
14 local governments into serving as federal immigration agents has already been found
15 unconstitutional. *County of Santa Clara v. Trump*, 275 F. Supp. 3d 1196 (N.D. Cal. 2017).
16 Even so, it sent an unmistakable message to immigrants, raising the specter that any interaction
17 with local authorities could risk immigration consequences. Indeed, in remarks before
18 Congress, acting Immigration and Customs Enforcement Director Tom Homan told
19 undocumented immigrants, “[Y]ou should be uncomfortable ... You should look over your
20 shoulder.”¹²

21 This message was heard loud and clear, sending many residents into the shadows, to the
22 detriment of their own safety and the public’s. In Houston, for example, the number of Latinos
23 reporting rapes dropped by 40 percent compared to the year before, even as non-Latino victims
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26 ¹¹ *Id.*

27 ¹² Dara Lind, *Fear Itself: Donald Trump’s Real Immigration Policy*, Vox (Sep. 17, 2017),
28 <https://bit.ly/2h3IcGo>.

1 reported an increased number of rapes.¹³ Latinos in Salt Lake City reported 36 percent fewer
2 larcenies and thefts, even as crime reporting among other demographics stayed roughly the
3 same.¹⁴ Fears of deportation caused victims to drop their domestic violence cases in cities like
4 Austin, San Antonio, and Denver.¹⁵

5 Public health, too, has suffered. Doctors have reported parents cancelling their
6 children’s pediatric appointments and vaccinations over immigration fears,¹⁶ or cancelling
7 health insurance coverage altogether.¹⁷ Many immigrant patients have applied for public
8 medical coverage but withheld sensitive identifying information from their forms—precisely
9 the kind of information many cities and the California Values Act try to keep confidential—and
10 then are predictably denied for having submitted incomplete applications.¹⁸ Nationwide, in one
11 of the worst flu seasons in memory, eight percent fewer Hispanic adults received flu shots this
12 year than in 2016, compared to a two percent decline among all Americans.¹⁹ As one legal
13 resident explained to the Associated Press, “We’re afraid of maybe getting sick or getting into
14 an accident, but the fear of my husband being deported is bigger.”²⁰

17 ¹³ Jennifer Medina, *Too Scared to Report Sexual Abuse. The Fear: Deportation.*, N.Y.
18 Times (Apr. 30, 2017), <https://nyti.ms/2pOOe0Q>; Brooke A. Lewis, *HPD Chief Announces*
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20 ¹⁴ Christopher Smart, *Fearful of deportation, unauthorized immigrants in Salt Lake City are*
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22 ¹⁵ Tom Dart, *Fearing deportation, undocumented immigrants wary of reporting crimes*, The
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25 ¹⁷ Emily Bazar, *Some Immigrants, Fearful of Political Climate, Shy Away from Medi-Cal*,
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26 ¹⁸ Kelli Kennedy, *Immigration Concerns Drive Legal Immigrants Away from Public Health*
27 *Care*, Christian Sci. Monitor (Jan. 22, 2018), <https://bit.ly/2IxTi2z>.

28 ¹⁹ Donald G. McNeil, Jr., *Trump, Tell Us About Your Flu Shot*, N.Y. Times, Feb. 9, 2018,
<https://nyti.ms/2KRM8EI>.

²⁰ Kennedy, *supra* note 18.

1 These trends are consistent with what local governments have long known: when states
2 and local governments engage in immigration enforcement, immigrant communities disengage
3 from public services. After Arizona enacted SB 1070—which among other things allowed and
4 sometimes required state and local police officers to enforce federal immigration law²¹—
5 Mexican-origin citizens and non-citizens alike avoided basic preventive health care, including
6 for their children.²² Notably, even the *message* that states will engage in immigration
7 enforcement is enough to trigger this effect. California’s Proposition 187, for example, would
8 have required all government officials to report any person using public services who was
9 suspected of being an undocumented immigrant to federal immigration enforcement.²³ Even
10 though Prop. 187 was immediately enjoined by a federal court, it nonetheless resulted in
11 reduced medical care in immigrant communities—including for highly communicable diseases
12 like tuberculosis.²⁴ Likewise, Alabama’s HB 56 required, among other things, that public
13 schools check the immigration status of all students.²⁵ Again, although this provision was
14 blocked from taking effect, the U.S. Department of Justice observed that 13.4 percent of
15 Hispanic children dropped out of school as a result, while other groups of students were
16 unaffected.²⁶ And in the public health arena, when Indiana began asking women and children
17 receiving nutritional assistance about their immigration status, enrollment immediately
18 plunged.²⁷

20 ²¹ *Arizona v. United States*, 567 U.S. 387, 394 (2012).

21 ²² Russell B. Toomey, et al., *Impact of Arizona’s SB 1070 Immigration Law on Utilization*
22 *of Health Care and Public Assistance Among Mexican-Origin Adolescent Mothers and Their*
23 *Mother Figures*, 104 Am. J. Pub. Health S28 (2014), available at <https://bit.ly/2IbAx1w>.

23 ²³ See *LULAC v. Wilson*, 908 F.Supp. 755 (C.D. Cal. 1995).

24 ²⁴ Kari White, et al., *Impact of Alabama’s Immigration Law on Access to Health Care*
25 *Among Latina Immigrants and Children: Implications for National Reform*, 104 Am. J. Pub.
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25 ²⁵ See *Hispanic Interest Coalition v. Governor of Ala.*, 691 F.3d 1236 (11th Cir. 2012).

26 ²⁶ *Feds: Alabama immigration law caused spike in Hispanic student absences*, CNN (May
27 4, 2012), <https://cnn.it/2IbV0U3>.

28 ²⁷ Emily Baumgaertner, *Spooked by Trump Proposals, Immigrants Abandon Public*
Nutrition Services, N.Y. Times (Mar. 6, 2018), <https://nyti.ms/2HeoMqg>.

1 **B. Local policies to limit information sharing with federal immigration authorities**
2 **promote trust in local governments, which is necessary to protect public safety**
3 **and health.**

4 As the data discussed above illustrates, the mere threat of local participation in federal
5 immigration enforcement efforts drives a wedge between local governments and their residents.
6 But state and local governments can mitigate the fear that drives people away from engaging in
7 essential government services by sending a clear, unequivocal message that we will protect the
8 information that immigrants and their loved ones provide to the police, the public health
9 system, and schools. For example, unlike many other cities, in early 2017 New York City saw
10 no decline in crime reporting associated with ZIP codes with the highest foreign-born or non-
11 citizen populations.²⁸ This trend extended to crimes like harassment and rape, where a greater
12 chilling effect would be expected if residents were afraid to contact the police because of
13 immigration concerns.²⁹ Crimes continue to be reported—and therefore, dangerous criminals
14 continue to be arrested and prosecuted. New York City clinics and hospitals reported no
15 decrease in outpatient visits across population groups, including by immigrant communities.³⁰
16 Residents continue to get the medical care they need, and communicable diseases are not
17 allowed to spread through the population unchecked. And despite the intense distress of public
18 school students with immigrant family members,³¹ there was no decrease in New York City
19 school attendance.³² Notably, New York City data showed immense anxiety in immigrant
20 communities during this time period—such as huge spikes in requests for birth certificates and
21 other vital records by families planning for the safety of their children should they be
22 deported—but that anxiety did not cause immigrants to disengage from local service providers.

23
24 ²⁸ Memorandum from Sabrina Fong, N.Y.C. Mayor’s Office of Immigrant Affairs to file
(May 8, 2018).

25 ²⁹ *Id.*

26 ³⁰ *Id.*

27 ³¹ Monica Disare, *Could fear of Trump’s immigration policies keep New York City students*
out of school?, Chalkbeat (Mar. 1, 2017), <https://bit.ly/2rxW5iu>.

28 ³² Memorandum from Sabrina Fong, *supra* note 28.

1 New York City officials attribute these successes to the City’s policies protecting
2 confidential information, including by limiting the information it shares with federal
3 immigration authorities, and the City’s visibly demonstrated independence from immigration
4 enforcement efforts, for instance, its refusal to share the release dates of certain detainees with
5 immigration authorities. Local agencies have systematically communicated these policies to
6 residents as part of sustained efforts to maintain trust with immigrant communities and other
7 vulnerable populations.³³ Without such policies, New York City could not credibly assure its
8 immigrant communities that they can confidently and safely interact with government. It has
9 taken decades to build the trust needed to prevent the disruptions to public safety and public
10 health on display elsewhere. The DOJ would have local governments betray that trust
11 overnight. As the Seventh Circuit recently recognized, “[s]uch trust, once destroyed by the
12 mandated cooperation and communication with the federal immigration authorities, would not
13 easily be restored.” *City of Chicago*, 2018 U.S. App. LEXIS 9862, at *45.

14 Cities and counties across the nation, likewise, have experienced the importance of
15 these kinds of policies. In Cook County, for example, both the county’s prosecutors and its
16 public defenders have provided sworn declarations that forcing the county to provide federal
17 immigration officials with information like notifications of inmate release dates would reduce
18 cooperation with the legal system and increase violent crime.³⁴ According to Philadelphia
19 Police Commissioner Richard Ross, crime has decreased by 17 percent—including a 20 percent
20 drop in violent crime—since 2009 when the city’s mayor issued an executive order requiring
21

22 ³³ See, e.g., Cassi Feldman, *Despite Trump immigration crackdown, city tells students and*
23 *families: ‘We stand with you’*, Chalkbeat (Jan. 30, 2017), <https://bit.ly/2rxttWz>; N.Y.C. Health
24 + Hospitals, *Seek Care Without Fear*, <https://bit.ly/2G4otx1> (last visited May 7, 2018); CBS
25 New York, *NYPD Memo Emphasizes Commitment to Immigrants* (Feb. 22, 2017),
26 <https://cbsloc.al/2L0eD2Y>. See also Cara Buckley, *New York City Police Seek Trust Among*
Immigrants, N.Y. Times (May 31, 2007) (showing length of efforts to build trust between
police and immigrant communities).

27 ³⁴ Brief of Amicus Curiae Cook County and other Amici in Support of Pl. Motion for
28 Prelim. Injunction, *City of Chicago v. Sessions*, 264 F. Supp. 3d 933, No. 1:17-cv-5720 (N.D.
Ill. 2017).

1 city officers and employees to maintain the confidentiality of residents' immigration
2 information.³⁵ Philadelphia is currently experiencing its lowest crime rate in four decades for
3 serious crimes such as murder, rape, robbery, and aggravated assault. Moreover, in separate
4 litigation involving the Department of Justice, a federal district court in the Eastern District of
5 Pennsylvania issued findings of fact, after an evidentiary hearing, that without Philadelphia's
6 policies regarding the disclosure of immigration information, "the overall security and safety of
7 many neighborhoods and communities would suffer" and there would be an increased risk of
8 the "spread of an infectious disease." *City of Philadelphia v. Sessions*, 280 F. Supp. 3d 579, 611
9 (E.D. Pa. 2017).

10 Drawing a bright line separating local governments' efforts to provide services from
11 federal activities around immigration enforcement is a well-established best practice,
12 particularly among law enforcement organizations. The International Association of Chiefs of
13 Police has recognized the concern that state and local police cooperation with federal
14 immigration enforcement activities "could have a chilling effect in immigrant communities and
15 could limit cooperation with police by members of those communities," especially in the realm
16 of domestic violence reporting.³⁶ Similarly, the Major Cities Chiefs Association—whose
17 members include the 69 largest law enforcement agencies in the United States—concluded that
18 local police efforts in support of enforcing federal immigration law "undermines the trust and
19 cooperation with immigrant communities which are essential elements of community oriented
20 policing."³⁷

21 The President's Task Force on 21st Century Policing adopted a similar position. The
22 Task Force—formed under the previous administration—engaged with a wide variety of
23 stakeholders from across the country to formulate recommendations designed to "strengthen
24

25 ³⁵ Memorandum from City of Philadelphia to City of New York (May 16, 2018).

26 ³⁶ Int'l Ass'n of Chiefs of Police, *Enforcing Immigration Law: The Role of State, Tribal
and Local Law Enforcement*, at 5, available at <http://bit.ly/2ksLZxb>.

27 ³⁷ Major Cities Chiefs Ass'n, *Major Cities Chiefs Association Immigration Position* (Oct.
28 2011), accessed May 4, 2018, <https://bit.ly/2IoRh91>.

1 community policing and trust among law enforcement officers and the communities they
2 serve.”³⁸ The Task Force recognized that the ability of local law enforcement to build strong
3 relationships with immigrant communities is necessary for public safety and community well-
4 being. Thus, the President’s Task Force counseled, “whenever possible, state and local law
5 enforcement should not be involved in immigration enforcement.”³⁹ The Task Force
6 recommended, as a matter of good law enforcement practice, that agencies should “decouple”
7 local policing from federal immigration enforcement, including by ending the use of
8 notification requests by the Department of Homeland Security.⁴⁰ When California and other
9 state and local governments decline requests to notify federal immigration authorities of certain
10 detainees’ release dates, they are implementing policies supported by the best law enforcement
11 thinking nationwide.

12 Congress too has recognized that keeping personal information confidential can serve
13 important functions. For instance, the federal government has used confidentiality guarantees to
14 encourage people to participate in the census and pay federal taxes. *See* 13 U.S.C. § 9(a);
15 26 U.S.C. § 6103. Congress recognized that these goals could be better achieved by removing
16 the threat that the information people share with the government will be used against them in a
17 context wholly divorced from the reason they shared their information in the first place.

18 This, in the end, is what so-called sanctuary policies try to do. They create a zone free
19 of immigration anxiety in which other essential government interests can be realized. In its rush
20 to condemn the California Values Act, the DOJ misses the law’s basic purpose—a purpose that
21 animates similar local government policies across the nation. Charged with the responsibility
22 for protecting, teaching, and serving all of our residents, we have enacted policies to make clear
23 to our residents that they can engage with local governments, secure in the knowledge that we
24 will protect their confidential information and keep our services separate from federal

25
26 ³⁸ The President’s Task Force on 21st Century Policing, *Final Report* (May 2015), at iii, 1,
available at <https://bit.ly/2KPn51P>.

27 ³⁹ *Id.* at 18.

28 ⁴⁰ *Id.*

1 immigration enforcement efforts to the utmost of our ability. Based on our experiences as the
2 front-line providers of government services, we have concluded that these policies are essential
3 to our ability to engage in good and effective governance. They create safer and more
4 prosperous communities.⁴¹ Contrary to the DOJ's suggestions, we—and the State of
5 California—have the most compelling interests at stake: public safety, health, and education.
6 The federal government's pursuit of its immigration enforcement objectives need not and
7 should not cripple the ability of state and local governments to perform their core jobs serving
8 all residents. The federalist structure of our Constitution, far from requiring that result, is meant
9 to guard against it.

10 CONCLUSION

11 The Court should deny plaintiff's motion for a preliminary injunction and grant
12 defendants' motion to dismiss.

13
14 Respectfully submitted,

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28 ⁴¹ Tom K. Wong, Center for American Progress, *The Effects of Sanctuary Policies on Crime and the Economy* (Jan. 26, 2017), available at <http://ampr.gs/2kxOchX>.

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