

Governor signs bills that seek to protect undocumented immigrants

By ALEJANDRO CANO | Posted: Friday, October 6, 2017 8:59 am

Gov. Jerry Brown signed into law on Oct. 5 a series of immigration bills that seek to protect the more than 2.3 million undocumented residents in California, including many who live in Fontana.

With the stroke of a pen, Brown officially made the state a sanctuary for immigrants; put a moratorium on detention expansion; protected immigrant tenants from intimidation and retaliation in their homes; and protected immigrant workers from disruptive workplace raids.

Defying the federal government that threatened to reduce or stop federal aid to states which don't comply with immigration authorities, Brown signed into law SB 54, the California Values Act, which prevents local and state law enforcement officers from being drafted by ICE to enforce immigration law, thus converting the state into a "sanctuary" for immigrants.

"This bill states that local authorities will not ask about immigration status during routine interactions. It also bans unconstitutional detainer requests and prohibits the commandeering of local officials to do the work of immigration agents. The bill further directs our Attorney General to promulgate model policies for local and state health, education, labor and judiciary officials to follow when they deal with immigration matters," said Brown in a signing message.

Brown added that "these are uncertain times for undocumented Californians and their families, and this bill strikes a balance that will protect public safety, while bringing a measure of comfort to those families who are now living in fear every day."

Even though Brown said that the new law "does not prevent or prohibit Immigration and Customs Enforcement or the Department of Homeland Security from doing their own work in any way," San Bernardino County Sheriff John McMahon, an opponent of the bill, said in a press release that he remains concerned the new bill "will restrict our ability to communicate with ICE regarding the release of criminals who are repeat drunk drivers, who assault peace officers and are gang members."

"It is important to note the San Bernardino County Sheriff's Department will always comply with the law. We do not use our resources to enforce federal immigration law. I do not want the fear of someone's immigration status to prevent them from reporting crimes or interacting with our deputies," said McMahon. "I can assure you, patrol deputies do not participate in immigration enforcement. Our department's position



Immigrants' rights rally

Many rallies in favor of immigrants' rights have been held in the Inland Empire over the years, including this event in Fontana in 2013. (Herald News photo by Alejandro Cano)

on immigrant detainees will not change. We do not honor immigration detainees without a legal warrant signed by a federal judge.”

In response to the signing, the Inland Coalition for Immigrant Justice, an organization with 45 community partners that advocate for immigrants' rights in the Inland Empire, stated its satisfaction and added the passage honors those who shared their stories and spoke against family separation.

“The passing of SB54 will be a breath of fresh air for some community members in our area who have been targets of racial profiling by discriminating law enforcement agents. At last, our migrant community will receive some piece of mind from knowing some protections will apply to them as they continue to be active members and contributors of this society, at least here in California,” said Ericka Flores, community organizer with the Center for Community Action and Environmental Justice.

The Inland Empire is home to about 300,000 undocumented residents who work, study and grow families -- immigrants who have been constantly attacked by authorities, according to the Coalition.

“In the Inland Empire region, law enforcement agencies have a dark history with respect to its relationship with the immigrant community, from calling ICE to serve as interpreters to attempting to deport U.S. citizens. SB 54 will give our communities the protection we need to slow down Trump's deportation machine,” said Julio Marroquin, executive director of Centro del Inmigrante in Riverside.

Brown also signed into law SB 1289, also known as the Dignity Not Detention Act -- a bill he vetoed last year. The budget portion of the bill stops expansion of intergovernmental service agreements with ICE; stops expansion of contracting with private immigration detention facilities; and prevents selling land or issuing permits for private immigration detention facilities, thereby significantly impeding these private prisons from the ability to contract directly with ICE for a new facility in the state, said Christina Fialho, co-founder/executive director of the Community Initiatives for Visiting Immigrants in Confinement (CIVIC).

“In addition, our law require private immigration detention facilities to respond to California Public Record Act requests. Before today, private prisons were immune from all open record laws in every state and including the Freedom of Information Act. This alone is a huge step forward,” added Fialho.

According to CIVIC, nearly 4,000 immigrants are detained in facilities across California on any given day, with more than “70 percent of them housed in for profit facilities.”

"An economy based upon the confinement of people for profit is immoral, and now in the state of California, its expansion is illegal. Governor Brown, Senator Ricardo Lara, the California Legislature, and human rights advocates across the state have come together to pass one of the most important pieces of pro-immigrant legislation in recent history. There is much more work to be done, but this bill is a step forward in the fight to end our costly, inhumane, and unaccountable detention system," said Fialho.

Brown also signed AB 291, the Immigrant Tenant Protection Act, which strengthens state law to protect immigrant tenants from intimidation and retaliation in their homes. The law will take effect on Jan. 1, 2018. Assemblymember David Chiu of San Francisco said in a press release that tenants will not live in fear anymore.

“Trump’s escalating war on immigrants is ripping apart families and mass deportations could be our new reality. This bill will deter the small minority of landlords who unscrupulously take advantage of the real or perceived immigration status of their tenants to engage in abusive acts. I appreciate the leadership of Governor Brown on this civil rights issue,” said Chiu.

Brown also signed AB 450, the Immigrant Worker Protection Act, also authored by Chiu, which “affirmatively protects workers from immigration enforcement through disruptive workplace raids.”

Chiu said that AB 450 comes as arrests of immigrants with no criminal record have more than doubled so far in 2017, generating panic among the immigrant community. The law will take effect on Jan. 1, 2018.

“Governor Brown understands that in an environment of division and fear, California must continue to defend its workers, to guard its values, and to ensure that its laws protect all of our residents,” said Chiu, a son of immigrants and a former civil rights attorney. “AB 450 demonstrates California’s determination to protect our economy and the people who are working hard to contribute to our communities and raise their families in dignity. At the same time, we are offering employers clarity about what to do when ICE agents target their places of business with indiscriminate raids.”