



VICE CHAIRMAN SHAWN NELSON • FOURTH DISTRICT
PRESS RELEASE

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Orange County Supervisor Shawn Nelson Seeks to join USDOJ Litigation or initiate Separate Litigation against the State of California's Sanctuary State Legislation

SANTA ANA, CA— In response to Orange County Supervisor Michelle Steel's request to adopt a resolution against California Statute SB 54, Supervisor Shawn Nelson is asking County Counsel to either join existing litigation filed by the United States Department of Justice or initiate a separate legal action. This item will be heard by the Orange County Board of Supervisors at their regularly scheduled meeting on Tuesday, March 27th at 9:30 AM.

Supervisor Nelson is calling to enjoin enforcement of SB 54, which restricts local law enforcement officials from providing information to federal immigration authorities about the release date of removable criminal aliens in their custody; and AB 103 which imposes a state-run inspection and review scheme of the federal detention of aliens held in facilities pursuant to federal contracts. This includes review of immigration processes and the circumstances in which aliens were apprehended, and also requires access to privileged federal records that are under ICE's control. With this law, the State of California is trying to regulate federal immigration detention, which it cannot do under the United States Constitution.

"Both of these laws are pre-empted by Federal law. The state has no authority to target facilities holding federal detainees pursuant to a federal contract. Also, the state cannot direct county employees to refuse to engage in basic cooperation with federal immigration authorities that is contemplated by federal law" said Supervisor Nelson, who represents Fullerton, Anaheim, Buena Park, La Habra, Placentia and Brea on the Orange County Board of Supervisors.

"This legislation prevents law enforcement from removing criminals from our community and is a threat to public safety" said Supervisor Nelson.

Link to United States Department of Justice Lawsuit:

<https://www.justice.gov/opa/pr/justice-department-files-preemption-lawsuit-against-state-california-stop-interference>

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