

Legislative Liaison Report

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2/21/2018

Advisory 18-01: Sanctuary Jurisdiction Legislation was released by the Office of the General Counsel and the Chancellor's Office to provide guidance on SB 54 and AB 21.

The purpose of these policies established by these bills is to explain how to limit assistance with federal immigration enforcement to the fullest extent possible.

Six categories where cooperation with immigration enforcement is prohibited.

District Police

- Are prohibited from the use personnel or funds to investigate, interrogate, detain, detect, or arrest persons on the basis of their immigration status.
- May not be under the supervision of federal agencies or be deputized as special federal officers or special federal deputies for purposes of immigration enforcement.
- Shall not use immigration authorities as interpreters.
- Shall not transfer an individual to immigration authorities unless authorized by a judicial warrant.
- Shall not provide office space exclusively dedicated for immigration authorities.
- Shall not contract with the federal government to allow local facilities to house individuals as federal detainees.

Five categories where cooperation with immigration enforcement is permitted.

District Police

- If law enforcement detects an attempt at re-entry following a deportation.
- May respond to a request from immigration authorities for information about a specific persons criminal history.
- May conduct enforcement or investigative duties associated with a joint law enforcement task force as long as the task forces primary purpose is not immigration enforcement.
- May inquire into information necessary to certify that an individual who has been identified as a potential crime or trafficking victim is eligible for a specified visa program.
- Under certain conditions, immigration authorities may be provided access to custodial interviews.

AB 21 places a number of affirmative obligations on community college districts to prevent student, staff, and faculty from participation in federal immigration enforcement efforts to the fullest extent consistent with state and federal law. The bill is intended to protect the state's students, faculty, staff, and the public, by ensuring that everyone in California has an opportunity to pursue an education free from intimidation, and without fear or undue risk.

Our Affirmative Obligations

Specifically for our District and Board of Governors, this advisory spells out:

- The Protection of Personal Information from disclosure to ICE, with some exceptions.
- Notice of Immigration Enforcement Activity.
- Notification of Emergency Contact. If there is reason to suspect that a student, faculty, or staff person has been taken into custody in an immigration enforcement action, the college district shall immediately notify the persons emergency contact.
- Compliance with Judicial Warrants and Subpoenas. An immigration officer may only be allowed access to nonpublic areas of the campus upon presentation of a judicial warrant.
- The college district shall advise all students, faculty, and staff having contact with an immigration officer executing a federal immigration order to refer the entity or individual to the office of the president, to verify the legality of the warrant, court order, or subpoena.

Our Affirmative Obligations

Specifically for our District and Board of Governors, this advisory spells out:

- **Single Point of Contact.** College districts shall designate a staff person to serve as a point of contact for any student, faculty, or staff person who could be subject to an immigration order or inquiry on campus.
- We shall maintain and provide free of charge to students a contact list of immigration legal services providers upon request.
- College districts shall adopt and implement, by March 1, 2019, the model policy developed by the Attorney Generals Office (or an equivalent policy) that limits assistance with immigration enforcement to the fullest extent possible consistent with federal and state law.
- We must post and maintain current information prominently displayed on their Internet sites including, the Attorney Generals Office model policy, and relevant guidance regarding their rights under state and federal immigration laws.
- **Hold Undocumented Students Harmless.**

Hearings are now being held in the State House and Senate on the proposed budget.

Now is the time to reach out to your senators and representatives if you want to comment on the budget.

Recall the following legislation:

SB 25 (Portantino D)

Education: integrated K-14 system. This bill would require the Legislative Analyst to conduct an assessment and make recommendations for the integration of the states elementary schools, secondary schools and the California Community Colleges into one coordinated education system. In preparing the assessment, the LAO shall consider the expansion of concurrent enrollment programs, determine the cost of providing free access to the California Community Colleges, and determine what, if any, curriculum changes are needed to better facilitate transfer and employment.

And the ASCCC Position on the bill: !!!x*@!!!