

CA IMMIGRATION POLICIES FAQ

IS CA A SANCTUARY STATE?

On October 5, 2017 Governor Jerry Brown signed SB 54 making California a Sanctuary State. This prohibits local and state agencies from cooperating with Immigration and Customs Enforcement (ICE) as well as greatly limits the circumstances in which state and local law enforcement interacts with ICE.

WHAT IS CALIFORNIA'S TRANSPARENT REVIEW OF UNJUST TRANSFER AND HOLDS (TRUTH) ACT?

Effective January 1, 2017, the TRUTH Act ensures that local law enforcement agencies provide individuals in their custody with basic due process and information about their rights should federal immigration authorities seek to make contact with them.

DOES THE CALIFORNIA RACIAL AND IDENTITY PROFILING ACT (AB 953) APPLY TO IMMIGRANTS?

Beginning in January 2016, in addition to reporting on citizen complaints received by law enforcement agencies, AB 953 requires law enforcement agencies to begin collecting and reporting data on complaints that allege racial and identity profiling.

WHAT IS CALIFORNIA'S IMMIGRANT VICTIMS OF CRIME EQUITY ACT?

Under federal law, immigrant victims of serious crimes – and certain family members – may qualify for protection from deportation and, eventually, legal status, if law enforcement officials certify that they have assisted, are assisting, or will be assisting in the investigation or prosecution of the crimes. U visas are designed for individuals who have suffered substantial mental or physical abuse because of criminal activity, and who have and/or are willing to continue to assist federal, state, and local law enforcement agencies or government officials in the investigation of that criminal activity. "The Act established statewide guidelines for law enforcement to follow when interacting with victims of crime, to eliminate disparities between local entities and help provide equal treatment and access to the U Visa program."

WHAT IS CALIFORNIA'S TRANSPARENCY AND RESPONSIBILITY USING STATE TOOLS (TRUST) ACT?

Effective January 1, 2014, California's [Transparency and Responsibility Using State Tools \(TRUST\) Act](#) defines the circumstances in which local law enforcement agencies may comply with immigration detainer requests. Detainer requests are the tool that Immigration and Customs Enforcement (ICE) uses when it wants state or local law enforcement agencies to detain individuals beyond their ordinary release because ICE believes the individual is in violation of federal immigration laws.

SB 54 modifies the provisions on the TRUST Act and now no detainer holds are allowed, and transfer requests to ICE are only granted in certain circumstances involving felonies and other serious crimes.

DO IMMIGRANTS HAVE ACCESS TO CRIME REPORTS FOR VICTIMS OF CRIME?

Effective January 1, 2014, Assembly Bill 1195 ensures that any victim of crime, regardless of that individual's legal status, has the right to access their crime report, and specifies that a state or local law enforcement agency cannot deny a victim of a crime access to his or her crime report because the victim cannot prove lawful presence in the country.