

PROTECTING SANCTUARY:

TOOLS FOR UPHOLDING THE CALIFORNIA VALUES ACT (SB 54)

IMMIGRANTS' RIGHTS POLICY CLINIC

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Introduction

The California Values Act (hereinafter “SB 54”) was enacted by the state legislature in 2017 to protect the rights of California immigrant communities, increase trust between law enforcement and these communities, and enhance public safety for all Californians.¹ SB 54 restricts the use of local and state law enforcement resources for cooperation with federal immigration officials except in certain circumstances.² In the years following SB 54’s enactment, numerous individuals, with the support of legal advocacy organizations, have been at the forefront of legal challenges both inside and outside the courtroom to hold law enforcement agencies and localities accountable when they have violated SB 54.

To seek redress for SB 54 violations, individuals have used a variety of tools, from administrative claims to lawsuits seeking damages or equitable injunctive relief. Efforts to enforce SB 54 have been brought both by individuals directly harmed by law enforcement agency violations of the law, and by community members who have not been directly harmed but who want to help hold law enforcement agencies accountable when violations occur. These efforts have achieved positive results that have fortified enforcement of SB 54 across the state.

But legal advocates on the ground cannot do this work alone. This is especially true in the current climate, where laws like SB 54—and those who advocate for these laws—face increasing threats at the local and federal levels. For example, some California localities have proclaimed themselves “non-sanctuary” cities, promising to fully cooperate with federal immigration authorities and suggesting that their law enforcement agencies will act in violation of SB 54.³ At the same time, the Trump administration has threatened to cut federal funding to localities it declares to be “sanctuary” jurisdictions as well as to non-governmental organizations (NGOs) whose work is determined by the administration not to be aligned with its priorities.⁴ These threats compound the challenges that many organizations providing essential legal and social services to immigrants already face, whether through personnel shortages or funding already stretched thin.

The present political moment requires that other stakeholders rise to the occasion to effectively enforce SB 54 and achieve the law’s goals of promoting public safety and fortifying trust between law enforcement and California’s immigrant communities. As the state’s chief enforcement officer, the California Attorney General can—and should—leverage his investigatory, enforcement, and advisory powers to do so. The Attorney General has the authority to exercise a wide range of tools both to ensure Californians know their rights under SB 54 and to enforce SB 54 where law enforcement agencies and localities are not complying.

This toolkit proceeds in three parts. Part I provides an overview of different localities’ opposition to SB 54 since its enactment, including unsuccessful legal efforts to repeal the law. Part II addresses tools that individuals and advocacy organizations have used, and should consider continuing to use, to raise awareness of SB 54 violations and to enforce the law when violated. These tools include: (1) formal complaints with law enforcement agencies; (2) formal

¹ CAL. GOV. CODE § 7284.2.

² Factsheet, *California Values Act (SB 54-Deleon)*, ICE OUT OF CALIFORNIA, https://www.iceoutofca.org/uploads/2/5/4/6/25464410/factsheet_california_values_act_sb_54-4.13.17__1_.pdf (last visited Mar. 16, 2025).

³ Press Release, *Huntington Beach City Council Declares City a “Non-Sanctuary City for Illegal Immigration for the Prevention of Crime,”* CITY OF HUNTINGTON BEACH (Jan. 21, 2025), https://www.huntingtonbeachca.gov/news_detail_T4_R269.php.

⁴ *Memorandum for the Heads of Executive Departments and Agencies: Advancing United States Interests When Funding Nongovernmental Organizations*, THE WHITE HOUSE (Feb. 6, 2025), <https://www.whitehouse.gov/presidential-actions/2025/02/memorandum-for-the-heads-of-executive-departments-and-agencies/>.

complaints with the California Attorney General’s Public Inquiry Unit; (3) administrative claims under the California Government Claims Act; (4) litigation; and (5) public records requests under the California Public Records Act.

Part III presents a call to action for the California Attorney General’s Office. It lays out three categories of tools the Attorney General should consider using to enforce SB 54 and help Californians understand their rights under the law: (1) enhanced reporting mechanisms for individuals seeking to report suspected violations of SB 54; (2) creation and promotion of a public education campaign to advise the public of their rights under SB 54 and mechanisms for reporting suspected violations; and (3) issuance of joint letters, demand letters, and warning letters as necessary to demonstrate to the public and to law enforcement agencies the Attorney General’s support of SB 54 and commitment to enforcement when agencies act in violation of the law.

Although the tools and recommendations focus on how different stakeholders can continue upholding SB 54 as it currently exists, we strongly encourage Attorney General Bonta to support policies that would expand protections for immigrants. The Attorney General plays a crucial role in ensuring all Californians have the legal rights and protections they need to be safe. We encourage the Attorney General to further strengthen his commitment to SB 54 by working with community groups who continue to seek ways to enhance the law’s protections for California’s immigrant communities.

I. Challenges to the California Values Act and the Current Moment

California enacted SB 54 in response to the first Trump administration’s aggressive immigration enforcement policies. A landmark piece of state legislation, SB 54 had an immediate positive impact by preventing state and local law enforcement agencies from inquiring about an individual’s immigration status, from detaining individuals solely based on Immigration and Customs Enforcement (ICE) requests, and from using local resources to assist in federal immigration enforcement.⁵ SB 54 introduced a significant layer of protection for immigrants as it sought to foster trust between California’s immigrant communities and law enforcement.

Yet since its inception and continuing today, SB 54 has faced strong resistance from localities throughout the state, mostly those with conservative leadership. At least five counties—Fresno, Kern, Orange, Siskiyou, and Tehama—have expressed opposition to the law and its protections.⁶ At a more local level, cities critical of SB 54 have (1) passed declarations

⁵ CAL. GOV. CODE § 7284.2 (defining “law enforcement” as any agency that enforces criminal law or operates/maintains custody of individuals in jails or juvenile detention facilities).

⁶ See Omar S. Rashad, *Fresno Sheriff Wants More Cooperation with ICE. Advocates Say That Would Erode Trust*, FRESNOLAND (Mar. 4, 2025), <https://fresnoland.org/2025/03/04/sb-54-sanctuary-state-law/> (noting Fresno County’s Sheriff John Zanon’s February 2025 public statement that SB 54 diminishes his office’s ability to “provide public safety” and that he would like to cooperate with immigration enforcement agencies); *Kern County Board of Supervisors Officially Vote to Oppose Senate Bill 54, the “Sanctuary State Bill,”* 23ABC NEWS (May 9, 2017), <https://www.turnto23.com/news/local-news/kern-county-board-of-supervisors-officially-vote-to-oppose-senate-bill-54-the-sanctuary-state-bill> (Kern County Board of Supervisors 4-1 vote in 2017 to oppose SB 54 while the bill was still moving through the state legislature); Peter Segall, *Kern County Supervisors Say ‘Sanctuary’ Status is Unlikely*, ANTELOPE VALLEY PRESS (Jan. 16, 2025), https://www.avpress.com/news/kern-county-supervisors-say-sanctuary-status-is-unlikely/article_8a27e422-d3be-11ef-9099-13bf8bb4505f.html (as of January 2025, the Kern County Board of Supervisors expressed it had “no intention of declaring sanctuary status for the county”); Spencer Custodio, *OC to Join Federal Lawsuit Against California Sanctuary Laws*, VOICE OF OC (Mar. 27, 2018), <https://voiceofoc.org/2018/03/oc-to-join-federal-lawsuit-against-california-sanctuary-laws/> (in 2018, the Orange County Board of Supervisors voted 4-0 in closed session to join a lawsuit challenging SB 54 brought by the U.S. Department of Justice); Alayna Shulman, *Sanctuaries? No. NorCal Counties Pledge ICE Cooperation*, RECORD SEARCHLIGHT (Feb. 24, 2017),

or resolutions condemning SB 54; (2) enacted anti-sanctuary ordinances to enable use of local resources for federal immigration enforcement; (3) participated as amici curiae in challenges to SB 54 in court; or (4) directly filed litigation seeking to repeal the law.

- *Declarations and Resolutions.* Immediately following SB 54's enactment, cities including Tustin, Dana Point, Laguna Niguel, Lake Forest, San Juan Capistrano, and Murrieta all either adopted resolutions opposing the law or issued declarations stating they were not "sanctuary" cities.⁷ In early 2025, additional cities including Huntington Beach, El Cajon, and Oroville adopted similar resolutions.⁸
- *Anti-sanctuary ordinances.* In 2018, Los Alamitos passed an ordinance asserting that SB 54 was unconstitutional and that the city would not comply with the law.⁹ The ordinance quickly faced a legal challenge from a group of community members, Community United.¹⁰ The litigation resulted in a settlement requiring Los Alamitos to repeal its ordinance, pay \$200,000 in attorneys' fees to Community United, engage in meetings with the group to restore community trust, and designate a city representative to address concerns about the city's adherence to SB 54.¹¹
- *Amici Efforts.* The cities of Fountain Valley and Newport Beach joined an amicus brief to support a challenge the federal government brought in 2018 against SB 54's legality.¹² Other cities joined this same legal effort in addition to adopting anti-SB 54 resolutions.¹³

<https://www.redding.com/story/news/2017/02/24/sanctuary-cities-northern-california-counties-temaha-siskiyou-shasta/98356414/> (in 2017, Siskiyou and Tehama adopted resolutions declaring themselves "non-sanctuary" counties).

⁷ See *FAQs, California Senate Bill 54*, TUSTIN, <https://www.tustinca.org/FAQ.aspx?QID=184> (last visited Apr. 21, 2025) (Tustin City Council opposed SB 54 in a 3-2 resolution vote); Erika I. Ritchie, *Dana Point Supports County and a Growing Group of Cities in Opposing California's Sanctuary Law*, ORANGE COUNTY REGISTER (Apr. 18, 2018), <https://www.ocregister.com/2018/04/18/dana-point-supports-county-and-a-growing-group-of-cities-in-opposing-californias-sanctuary-law/> (Dana Point City Council approved a resolution opposing SB 54 in a 3-2 vote); Spencer Custodio, *Three More OC Cities Oppose State Sanctuary Law*, VOICE OF OC (Apr. 2, 2018), <https://voiceofoc.org/2018/04/three-more-oc-cities-oppose-state-sanctuary-law/> (City of Laguna Niguel and City of Lake Forest each adopted a resolution opposing SB 54 and joined an amicus brief to challenge the law in *United States v. California*); Kaitlyn Schallhorn, *Trump Administration's Lawsuit Against California Sanctuary Laws Backed by These Cities, Counties*, FOX NEWS (May 22, 2018), <https://noticias.foxnews.com/politics/trump-administrations-lawsuit-against-california-sanctuary-laws-backed-by-these-cities-counties.amp> (San Juan Capistrano Council voted 4-1 to adopt a resolution condemning SB 54); Renee Schiavone, *Murrieta 'Continues to Oppose' State's Sanctuary Law, SB 54*, PATCH (May 22, 2018), <https://patch.com/california/murrieta/murrieta-continues-oppose-states-sanctuary-law-sb-54> (City of Murrieta issued a formal statement opposing SB 54).

⁸ See Noah Biesiada & Hosam Elattar, *Huntington Beach Disregards California's Sanctuary Laws, Directs Police to Work With ICE*, VOICE OF OC (Jan. 22, 2025), <https://voiceofoc.org/2025/01/huntington-beach-disregards-californias-sanctuary-laws-directs-police-to-work-with-ice/> (in January 2025, Huntington Beach City Council voted unanimously to be a "non-sanctuary" city and ordering the city's police department to cooperate with ICE); Gary Warth, *El Cajon Declares It Will Help Immigration Enforcement, in Split Vote on 3rd Attempt*, SAN DIEGO UNION-TRIBUNE (Feb. 11, 2025), <https://www.sandiegouniontribune.com/2025/02/11/el-cajon-declares-it-will-help-immigration-enforcement-in-split-vote-on-3rd-attempt/> (El Cajon passed a resolution in February 2025 it will oppose SB 54 and comply with federal immigration enforcement to the extent legally possible); Ko Lyn Cheang, *Northern California Town Declares Itself a 'Non-Sanctuary City' in Opposition to California Laws*, S.F. CHRONICLE (Mar. 6, 2025), <https://www.sfchronicle.com/california/article/town-declares-non-sanctuary-city-20205179.php> (on March 5, 2025, the Oroville City Council passed a resolution declaring itself a "non-sanctuary" city).

⁹ Laura Wamsley, *Small City Moves to Opt Out of California Sanctuary Law*, NPR (Mar. 20, 2018), <https://www.npr.org/sections/thetwo-way/2018/03/20/595289947/small-city-moves-to-opt-out-of-california-sanctuary-law>.

¹⁰ *Settlement with Community Group Repeals City Ordinance that Defied 'Sanctuary State' Law*, ACLU OF SOUTHERN CALIFORNIA (May 11, 2020), <https://www.aclusocal.org/en/press-releases/city-los-alamitos-agrees-abide-ca-values-act>.

¹¹ *Id.*

¹² See Kaitlyn Schallhorn, *Trump Administration's Lawsuit Against California Sanctuary Laws Backed by These Cities, Counties*, Fox News (May 22, 2018), <https://noticias.foxnews.com/politics/trump-administrations-lawsuit-against-california-sanctuary-laws-backed-by-these-cities-counties.amp> (Fountain Valley City Council voted 3-1 in 2018 to join an amicus brief in *United States v. California* to challenge SB 54; Newport Beach City Council did the same).

¹³ See Spencer Custodio, *Three More OC Cities Oppose State Sanctuary Law*, VOICE OF OC (Apr. 2, 2018),

- *Litigation.* In 2020, the City of Huntington Beach filed a lawsuit in state court alleging that SB 54 infringed on the city’s right to “constitute, regulate, and govern a city police force,” a right protected under the California Constitution.¹⁴ While a lower court ruled in favor of the city, the California appellate court overturned that decision, holding SB 54 did not infringe on the authority of charter cities.¹⁵ More recently, after President Trump’s reelection in 2024, Huntington Beach reignited its legal battle against SB 54.¹⁶ On January 7, 2025, the city sued in federal court, alleging that SB 54 is preempted by the Supremacy Clause of the U.S. Constitution and violates various U.S. immigration laws.¹⁷ Huntington Beach’s challenge faces an uphill battle as a prior court ruling in 2019 upheld SB 54 after the first Trump administration brought a similar challenge.¹⁸ Although legal efforts challenging SB 54 have so far failed, they reflect a persistent attempt to undermine the law’s protections.

As political tensions grow and immigrant communities face heightened risk of discriminatory federal enforcement practices, it is more important than ever to elevate and utilize all the tools available to defend SB 54.

II. Legal Tools for Individuals and Organizations Seeking to Enforce SB 54

Since the passage of SB 54, advocates and community members have used various tools to enforce the law. These tools provide avenues for both directly impacted individuals and broader community members to hold noncompliant local law enforcement agencies accountable. This section will explore the benefits and efficacy of each tool.

A. Formal Complaints with Law Enforcement Agencies

Filing formal complaints with California law enforcement agencies is crucial for holding their employees accountable to SB 54. Each California law enforcement agency is required to establish a procedure to investigate complaints against its officers.¹⁹ The complaint submission process is generally straightforward.²⁰ These complaints provide a way for individuals to

<https://voiceofoc.org/2018/04/three-more-oc-cities-oppose-state-sanctuary-law/> (noting that the City of Laguna Niguel and City of Lake Forest each adopted a resolution opposing SB 54 and joined an amicus brief to challenge the law in *United States v. California*).

¹⁴ Petition for Writ of Mandamus and Complaint, *City of Huntington Beach v. California*, No. 30-2018-00984280-CU-WM-CJC (Cal. Super. Ct. Apr. 4, 2018).

¹⁵ *City of Huntington Beach v. Becerra*, 44 Cal. App. 5th 243 (2020) (holding that SB 54 is constitutional because the law (1) addresses matters of statewide concern; (2) is reasonably related to resolution of those statewide concerns; and (3) is narrowly tailored to avoid unnecessary interference in local government).

¹⁶ *City of Huntington Beach v. California*, 25-CV-00026 (C.D. Cal, filed Jan. 7, 2025).

¹⁷ See, e.g., 8 U.S.C. § 1324 (aiding and abetting or harboring an undocumented person in the U.S); 8 U.S.C. § 1373(a) (information sharing provision); and 18 U.S.C. § 4 (noting that if an individual knows someone committed a felony, then the individual must notify the authorities).

¹⁸ See *United States v. California*, 921 F.3d 865 (9th Cir. 2019) (holding that SB 54 is not preempted by federal law and does not run afoul of the intergovernmental immunity doctrine).

¹⁹ See *Public Complaints*, COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING, STATE OF CALIFORNIA, <https://post.ca.gov/public-complaints> (last updated Dec. 5, 2024) (noting that “allegations of serious misconduct [] could lead to the decertification of a [police] officer in California”).

²⁰ See e.g., *How to File a Complaint*, OFFICE OF THE INSPECTOR GENERAL LOS ANGELES POLICE COMMISSION, <https://www.oig.lacity.org/how-to-file-a-complaint> (last visited Apr. 21, 2025) (LAPD’s complaint line); *How to File a Complaint or Commend a Santa Monica Police Department Employee*, CITY OF SANTA MONICA, <https://www.santamonica.gov/process-explainers/how-to-file-a-complaint-or-commend-a-santa-monica-police-department-employee>

challenge misconduct and violations of their rights, thus promoting transparency and trust between law enforcement and the community. Formal complaints can identify patterns of misconduct, enabling systemic changes that protect vulnerable populations from unlawful practices.

While complaints against law enforcement agencies are generally not publicly available, [this example](#) from the Laguna Beach Police Department provides a helpful example of what such complaints entail: a short form followed by a brief narrative. This narrative section, as seen in the Laguna Beach complaint, gives a space to highlight the errors the local police department made and how those acts were in violation of SB 54.

Moving forward, especially in this tense political moment, formal complaints can play a crucial role in identifying agencies that fail to comply with SB 54. By tracking these violations, advocates and other agencies can focus their attention on holding noncompliant departments accountable, pushing for greater transparency, and ensuring that the protections established by SB 54 are fully enforced. Strengthening the use of this tool can ultimately contribute to broader systemic reforms that safeguard immigrant communities from unlawful collaboration between local law enforcement and federal immigration authorities.

B. California Attorney General Public Inquiry Unit (PIU) Complaints

In addition to filing a complaint with the respective law enforcement agency, individuals who would like to report a suspected SB 54 violation may also file a formal complaint with the California Attorney General’s Public Inquiry Unit (PIU). The PIU accepts law enforcement misconduct complaints from members of the public seeking to notify the Attorney General of law enforcement conduct that may violate state law.²¹ Notifying the California Attorney General of possible SB 54 violations provides individuals with another reporting mechanism and gives the Attorney General’s Office more data points to aid its investigation and enforcement efforts.

Current PIU policy requires individuals to first file a complaint with the local law enforcement agency and wait “a reasonable period of time” before filing a formal complaint with the Attorney General’s Office.²² Although there is no guidance as to what constitutes a “reasonable period of time,” individuals should nevertheless consider making use of the PIU’s reporting tool when they believe a SB 54 violation has occurred. The complaint form, including PDF copies in English and Spanish, can be found [here](#).

C. Administrative Claims under the California Government Claims Act

The California Government Claims Act (“Act”) is another tool that individuals and advocates can use to hold law enforcement agencies accountable for SB 54 violations.²³ The Act establishes a formal process for individuals to bring claims against state and local government entities for monetary damages, requiring that an administrative claim be filed—typically within six months for personal injury or property damage and one year for contract-related issues—before a lawsuit can proceed.²⁴ By requiring that agencies process and respond to these claims,

(last visited Apr. 21, 2025) (Santa Monica Police Department’s complaint line).

²¹ *Local Law Enforcement Agency Complaints*, CALIFORNIA DEP’T OF JUSTICE, ATTORNEY GENERAL’S OFFICE, <https://oag.ca.gov/police-complaints> (last visited Apr. 21, 2025).

²² *Id.*

²³ CAL. GOV. CODE § 910.

²⁴ *See Claims Against the Government*, SACRAMENTO COUNTY PUBLIC LIBRARY, https://saclaw.org/resource_library/claims-

the Act creates a legal framework to document and challenge unlawful entanglement between local law enforcement and federal immigration authorities. If a claim is denied or not addressed within the statutory period, the claimant may then proceed with a lawsuit.²⁵ This mechanism not only builds a record of misconduct, like formal complaints filed with local departments, but also gives agencies an opportunity to address violations before they escalate into litigation. The successful claims of Daniel Valenzuela Rodriguez and Edgar Torres Gutierrez—both represented by the ACLU of Southern California (ACLU SoCal)—are prime examples.

In *Valenzuela Rodriguez*, ACLU SoCal brought an administrative claim under the California Government Claims Act on behalf of Mr. Valenzuela Rodriguez against the Corona Police Department (CPD).²⁶ The claim challenged a traffic stop during which CPD officers inquired about Mr. Valenzuela Rodriguez’s immigration status, notified Customs and Border Protection (CBP) of that status, and detained him solely for the purpose of facilitating his transfer to immigration authorities.²⁷ The claim alleged that these actions directly violated SB 54. CPD ultimately settled with Mr. Valenzuela Rodriguez for a monetary sum. The parties also agreed to policy changes within CPD that would (1) require officers to consult supervisors before contacting immigration authorities; (2) require additional training to ensure officers understand the legality of foreign licenses; and (3) impose restrictions on questioning drivers about their immigration status.²⁸

In *Torres Gutierrez*, a college student with DACA was arrested by the Laguna Beach Police Department (LBPD) following a driving infraction.²⁹ After his arrest, LBPD notified ICE, and an ICE hold was placed on him—an order with which LBPD complied.³⁰ As in *Valenzuela Rodriguez*, LBPD detained Torres Gutierrez solely for the purpose of transferring him to federal immigration custody, a clear violation of SB 54. ACLU SoCal and the UC Irvine Immigrant Rights Clinic filed an administrative claim against LBPD, citing these SB 54 (among other) violations.³¹ LBPD and Mr. Torres Gutierrez also settled for a monetary sum and policy changes within the department, including requiring all LBPD officers to watch a training video on SB 54 compliance and maintain documentation to verify completion.³²

In both cases, administrative claims were a crucial tool to hold law enforcement accountable and to bring about systemic change. These claims did more than lay the groundwork for potential litigation—they forced the respective cities to confront their unlawful practices and implement policy changes to prevent future violations. Advocates seeking to

against-the-government/ (last visited Apr. 21, 2025).

²⁵ *Id.*

²⁶ See *City of Corona Settlement Agreement and Mutual Release: Daniel Alberto Valenzuela Rodriguez adv. City of Corona – Claim #0619-01*, ACLU of Southern California (Feb. 25, 2020), https://www.aclusocal.org/sites/default/files/aclu_socal_valenzuela_20200225_settlement_agreement.pdf.

²⁷ *City of Corona to Pay Settlement to Man Turned Over to Border Agents*, ACLU OF SOUTHERN CALIFORNIA (June 9, 2020), <https://www.aclusocal.org/en/press-releases/city-corona-pay-settlement-man-turned-over-border-agents>.

²⁸ *Id.*

²⁹ See Daniel Langhorne, *Laguna to Pay DACA Student Detained by Police*, LAGUNA BEACH INDEPENDENT (Jan. 23, 2020), https://www.lagunabeachindy.com/news/laguna-to-pay-daca-student-detained-by-police/article_80dd9a7a-c57d-5b85-a3fe-b95c8117e0bc.html.

³⁰ Press Release, *City of Laguna Beach to Pay DACA Recipient in Settlement Deal*, UC IRVINE SCHOOL OF LAW (Jan. 22, 2020), <https://www.law.uci.edu/news/press-releases/2020/irc-daca-settlement.html>.

³¹ *Settlement and Release Agreement: Edgar Eduardo Torres Gutierrez adv. City of Laguna Beach*, ACLU OF SOUTHERN CALIFORNIA (Jan. 16, 2020),

https://www.aclusocal.org/sites/default/files/aclu_socal_torres_20200116_settlement_release_agreement.pdf. Other allegations in Mr. Torres Gutierrez’s claim included violations of his rights under the Fourth and Fourteenth Amendments to the U.S. and California Constitutions, as well as violations of the California Values Act (Cal. Gov. Code §§ 7284.6(a)(1)(B), (a)(4)), the Truth Act (Cal. Gov. Code § 7283.1), and the Bane Act (Cal. Civ. Code § 52.1). *Id.*

³² *Id.*

enforce SB 54 should view administrative claims as a vital enforcement tool that can both provide redress for those harmed and pressure law enforcement agencies to uphold their legal obligations.

D. Litigation

If complaints and administrative claims fail to adequately address SB 54 violations, litigation remains an essential backstop to enforce the law. Both individuals who have been directly harmed and community members who have been indirectly harmed can use litigation to enforce the protections of SB 54.

1. Litigation by individuals directly harmed by violations of SB 54

Two examples serve to illustrate the power of litigation brought by individuals harmed by SB 54. In *Maldonado Aguilar v. City of Huntington Park*, ACLU SoCal filed a lawsuit challenging the Huntington Park Police Department's (HPPD) practice of detaining noncitizens on immigration detainers past their release dates solely for the purpose of transferring them to immigration authorities, a practice clearly prohibited by SB 54.³³ After exhausting the administrative claim, attorneys filed suit, arguing the HPPD's practices violated the Fourth Amendment to the U.S. Constitution, California's Truth Act, California's Bane Act, and most importantly, SB 54.³⁴ The case resulted in an injunction that bars HPPD from detaining individuals solely for immigration enforcement purposes, including placing "no-bail holds" or extending detention based on ICE requests.³⁵

In *Hernandez Roman v. County of Orange*, Mr. Hernandez Roman was detained by the Orange County Sheriff's Department (OCSd) in violation of SB 54 and held for approximately 48 hours beyond the time he should have been released.³⁶ OCSd deputies were moments away from releasing Hernandez back to his family, but upon discovering an ICE detainer, they allegedly notified ICE and continued to hold him "solely to comply with the [ICE] detainer."³⁷ With representation by ACLU SoCal, Mr. Hernandez Roman filed two administrative claims—one against the City of Tustin and another against the County of Orange.³⁸ OCSd agreed to settle with Mr. Hernandez Roman for an undisclosed amount, avoiding further litigation.³⁹

These cases demonstrate how a lawsuit can bring about systemic changes, including more rigorous training for officers and increased transparency regarding how law enforcement handles

³³ Complaint, *Maldonado Aguilar v. City of Huntington Park*, Case No. 2:21-cv-05755, 2021 WL 9848340 (C.D. Cal. Jul. 15, 2021).

³⁴ *Administrative Claim Against the City of Huntington Park on Behalf of Jose Maldonado Aguilar*, ACLU of Southern California (Jan. 10, 2020), https://www.aclusocal.org/sites/default/files/aclu_socal_maldonado_aguilar_20200110_huntington_park_claim.pdf.

³⁵ *Aguilar v. City of Huntington Park*, Case No. 2:21-cv-5755-AB-KSx, 3 (C.D. Cal. Mar. 24, 2023) (holding that HPPD is prohibited from sharing detainee release dates, times, or other non-public information with ICE unless a legal exception applies, and any such disclosures must be documented. If HPPD notifies ICE of a detainee's release date, they must also notify the detainee, their attorney, or a designated individual. Furthermore, the injunction also requires the City of Huntington Park to hold an annual public forum to disclose and discuss ICE's access to individuals in HPPD custody, with at least 30 days' public notice and relevant data made available. This injunction remains in effect for five years.)

³⁶ Complaint at 3, *Hernandez Roman v. County of Orange*, No. 8:20-cv-01580 (C.D. Cal. Aug. 24, 2020).

³⁷ *Id.* at 12.

³⁸ *Claim Against the City of Tustin on Behalf of Kelvin Estiven Hernandez Román*, ACLU OF SOUTHERN CALIFORNIA (Jan. 10, 2020), https://www.aclusocal.org/sites/default/files/hernandez_roman_tustin_complaint_final_redacted.pdf.

³⁹ See Press Release, *Media Release from Immigrant Rights Clinic: Orange County Sheriff's Department to Pay Garden Grove Resident and Father in Settlement Deal*, UCI SCHOOL OF LAW (Dec. 17, 2021), <https://www.law.uci.edu/news/press-releases/2021/irc-ocsd-settlement.html>.

ICE detainees. As resistance to SB 54 mounts within some local law enforcement agencies, litigation will be an important tool to challenge SB 54 violations—*Maldonado Aguilar* and *Hernandez Roman* offer examples of the promise of this strategy.

2. Litigation brought by other community members to enforce SB 54

While some individuals directly harmed by SB 54 violations have successfully sued to hold law enforcement agencies accountable, others similarly situated may hesitate to bring legal action. The Trump administration’s expansion of detention and aggressive deportation policies may stoke fear and deter individuals from seeking legal recourse. This reality makes it important for people who suffer only indirect harm to consider litigation to challenge law enforcement agency violations of SB 54 by invoking California’s taxpayer standing statute, found at California Civil Procedure Code Section 526a.⁴⁰

Section 526a gives California taxpayers standing in state court to seek equitable relief to block illegal or wasteful expenditures by local agencies. The requirements for using Section 526a to obtain standing are not demanding. First, the plaintiff must be a California taxpayer whose taxes fund the defendant agency. The statute defines “tax” broadly to include income tax, sales and use or transactions and use tax, property tax, and business license tax.⁴¹ Second, the plaintiff must “reside” within the jurisdiction of the defendant agency, for example by living, working, owning property, or attending school there.⁴² Historically, California courts have interpreted section 526a broadly to promote the statute’s underlying remedial goals of increasing individuals’ ability to challenge government conduct in court where standing requirements might otherwise prevent them from doing so⁴³ and providing “a general citizen remedy for controlling illegal governmental activity.”⁴⁴

Section 526a’s broad applicability makes this law a powerful vehicle for community allies to bring legal challenges against law enforcement agencies who are using their funds to violate the mandates of SB 54. A taxpayer plaintiff who files suit and uses Section 526a to assert standing need not have personally suffered an injury from the alleged illegal conduct.⁴⁵ Taxpayer plaintiffs who have not been directly injured can sue local agencies for violations of SB 54 even if other plaintiffs would have standing to sue.⁴⁶

Lagleva v. Doyle presents an excellent example of community members invoking California’s taxpayer standing statute to challenge law enforcement actions in violation of SB 54. In October 2021, three Marin County residents and immigrants’ rights activists⁴⁷ sued Marin County and the Sheriff over his department’s illegal transfer of driver’s license plate data and location information to hundreds of federal and out-of-state agencies, including ICE and CBP.⁴⁸ The three community members used Section 526a to establish standing as California taxpayers and allege that the Marin County Sheriff’s conduct violated SB 54 because the plate data

⁴⁰ CAL. CIV. PROC. CODE § 526a.

⁴¹ CAL. CIV. PROC. CODE § 526a(a)(1)–(4).

⁴² CAL. CIV. PROC. CODE § 526a(d)(2).

⁴³ See *Blair v. Pitchess*, 5 Cal.3d 258, 267–68 (1971) (“The primary purpose of this statute, originally enacted in 1909, is to ‘enable a large body of the citizenry to challenge governmental action which would otherwise go unchallenged in the courts because of the standing requirement.’”) (citation omitted).

⁴⁴ *White v. Davis*, 13 Cal.3d 757, 763 (1975).

⁴⁵ See *Tobe v. City of Santa Ana*, 9 Cal.4th 1069, 1086 (1995).

⁴⁶ See *Van Atta v. Scott*, 27 Cal.3d 424, 467–69 (1980).

⁴⁷ See *Plaintiff Statements: Lagleva v. Doyle*, ACLU OF NORTHERN CALIFORNIA (Oct. 14, 2021), <https://www.aclunc.org/article/plaintiff-statements-lagleva-v-doyle>.

⁴⁸ Complaint, *Lagleva v. Doyle*, Civ. No. 2103424 (Cal. Super. Ct. Oct. 14, 2021).

constituted “personal information,” which SB 54 prohibits law enforcement agencies from sharing with federal immigration enforcement agencies for purposes of immigration enforcement.⁴⁹ Eight months after the plaintiffs sued, the parties settled, and the Sheriff agreed to stop sharing license plate and location data with agencies outside the state.⁵⁰

Lagleva exemplifies how community members can use litigation to help ensure their immigrant neighbors remain safe from law enforcement agency violations of SB 54. Individuals and organizations looking for ways to continue protecting immigrant community members may consider bringing legal challenges like *Lagleva*, particularly where the law enforcement agencies charged with protecting their communities are violating SB 54.

E. Public Records Requests under the California Public Records Act

Public records requests are a powerful tool to expose possible entanglement between local law enforcement and federal immigration authorities, information that can also help inform other legal efforts to enforce SB 54. The California Public Records Act (CPRA) requires that government entities disclose public documents upon request to any person or entity requesting the documents, with a few exemptions.⁵¹ Once a request is received, the entity has ten calendar days to respond. If more time is needed to make a determination because of special circumstances (such as high volume of records to search through or need to consult with another implicated agency or office), the time limit for initial response can be extended by written notice stating the reason for the extension and anticipated date when the requestor can expect to receive a determination. The extension cannot be more than 14 days. Despite the time limits to notify a requestor as to whether the entity is able to produce a record, there is no specific time limit for turning over the record to the requestor. Rather, the CPRA states only that the record must be “promptly” disclosed to the public once the relevant determination has been made.⁵²

A public record request by the Harbor Institute for Immigrant & Economic Justice shows how the public can use these requests to reveal collaboration practices between local law enforcement and federal immigration enforcement agencies.⁵³ The Harbor Institute requested data on transfers that occurred between the Orange County Sheriff’s Department (OCSD) and ICE from 2021 to 2024, which culminated in a report on the impact of SB 54 on OCSD’s collaboration with ICE.⁵⁴

Government entities may publish information on their websites about how to request public records. The Long Beach Police Department, for example, has an [online request center](#) for individuals looking to file a public records request with the agency. Individuals and organizations should consider using the CPRA to request public disclosure of documents that may point to patterns or practices of conduct that violates SB 54. By continuing to leverage this

⁴⁹ *Id.*

⁵⁰ *Community Activists Reach Settlement with Marin County Sheriff for Unlawfully Sharing Drivers’ Locations with Out-Of-State and Federal Agencies*, ACLU OF NORTHERN CALIFORNIA (June 1, 2022), <https://www.aclunc.org/news/community-activists-reach-settlement-marin-county-sheriff-unlawfully-sharing-drivers-locations>.

⁵¹ Under the CPRA, agencies resisting disclosure of certain requested documents can cite privacy, public safety, or other specific concerns to prevent disclosure.

⁵² CAL. GOV. CODE § 6253(c).

⁵³ See, e.g., Harbor Inst. for Immigrant & Econ. Just., *County Board of Supervisors Archives*, <https://harborinstituteoc.org/tag/county-board-of-supervisors/> (last visited Apr. 21, 2025).

⁵⁴ Mai Nguyen Do, *Safeguarding Which Communities? An Analysis of the Orange County Sheriff’s Department’s Continued Collusion with Immigration & Customs Enforcement*, HARBOR INSTITUTE FOR IMMIGRANT & ECONOMIC JUSTICE (Jan. 31, 2025), https://harborinstituteoc.org/wp-content/uploads/2025/02/MND_OCSD-ICE_Jan25_v1.pdf.

tool, advocates can help raise awareness of illegal law enforcement practices and inform other strategies used to enforce SB 54.

As discussed above, individuals and organizations can and should invoke a wide array of tools to continue enforcing SB 54. Yet mounting threats against immigrants and those who support them, coupled with already constrained budgets and the possibility of additional federal funding cuts, threaten to undermine efforts to uphold SB 54. In light of this reality, the California Attorney General must play an important role in enforcing the law.

III. California Attorney General's Office: Leveraging Tools to Enforce SB 54

In January 2025, Attorney General Bonta emphasized that California would “not divert vital public safety resources for federal immigration enforcement,” signaling his office’s commitment to ensure local and state law enforcement agencies comply with SB 54.⁵⁵ As the state’s chief law enforcement officer, the California Attorney General is uniquely positioned to exercise a wide range of tools to ensure that local and state entities comply with state laws. Attorney General Bonta’s commitment to enforcing SB 54 is especially crucial in the current political moment in which the federal government has threatened to prosecute state and local officials who comply with laws like SB 54 and cut federal funding to states and localities it declares to be “sanctuary” jurisdictions.⁵⁶

This hostile political climate requires an even stronger call to action for the Attorney General to lead with resolve and uphold SB 54’s goals of protecting the safety, well-being, and constitutional rights of all Californians. Key are supporting law enforcement agency compliance with SB 54 and enforcing SB 54 when conduct by a law enforcement agency violates the law. In seeking to uphold these goals, the Attorney General should consider implementing or building upon three categories of tools, some of which the Attorney General’s Office has implemented in other contexts:

- (1) Enhanced reporting mechanisms for individuals seeking to report suspected violations of SB 54;
- (2) Creation and promotion of a public education campaign to advise the public of their rights under SB 54 and options for reporting suspected violations; and
- (3) Issuance of joint letters, information request letters, and warning letters as necessary to guide law enforcement agencies on their continuing responsibilities under SB 54 and place potentially noncompliant agencies on notice ahead of investigative and/or enforcement actions.

⁵⁵ *In Preparation for New Threats to California’s Immigrant Communities, Attorney General Bonta Issues Package of Guidance Advising Law Enforcement, Prosecutors, and Defense Counsel on State Law*, CALIFORNIA DEP’T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL (Jan. 17, 2025) <https://oag.ca.gov/news/press-releases/preparation-new-threats-california%E2%80%99s-immigrant-communities-attorney-general#:~:text=Attorney%20General%20Bonta%20issued%20updated,enforcement%2C%20with%20very%20limited%20exceptions>.

⁵⁶ Memorandum, *Interim Policy Changes Regarding Charging, Sentencing, and Immigration Enforcement*, U.S. DEP’T OF JUSTICE (Jan. 21, 2025), https://www.washingtonpost.com/documents/2f9af176-72c5-458a-adc4-91327aa80d11.pdf?itid=hp-top-table-high_p001_f002; Memorandum, *Sanctuary Jurisdiction Directives*, U.S. DEP’T OF JUSTICE (Feb. 5, 2025), <https://www.justice.gov/ag/media/1388531/dl?inline>.

A. Enhanced Reporting Mechanisms for Suspected Violations of SB 54

1. Establish a Dedicated Hotline within the Civil Rights Enforcement Section for the Public to Report Suspected SB 54 Violations

The Attorney General's Office can further demonstrate and enhance its commitment to enforcing SB 54 by creating a hotline within the Civil Rights Enforcement Section (CRES) for members of the public who would like to report suspected violations. Establishing a dedicated SB 54 hotline would offer community members a meaningful mechanism to inform the Attorney General of possible illegal conduct by law enforcement agencies. Information received through the hotline would also help the Attorney General's Office track suspected violations and efficiently engage enforcement tools—such as demand letters or investigations—as necessary to ensure law enforcement agency compliance with SB 54.

Oregon, a state with sanctuary laws like California's, has successfully implemented and operates such a hotline. The Sanctuary Promise Violations Hotline is administered by the State's Department of Justice. Individuals can report suspected violations of the state's sanctuary laws either by phone or by submitting an online form.⁵⁷ Of the reports made to the hotline since its inception in 2021, 50 have prompted the Oregon Department of Justice to open 29 inquiries into alleged violations of the state's sanctuary laws.⁵⁸

2. Relax the Local Remedy Exhaustion Policy for Law Enforcement Misconduct Complaints Filed with the AG's Public Inquiry Unit (PIU)

In addition to establishing a SB 54-specific hotline, the Attorney General can further support community members' ability to report suspected SB 54 violations by relaxing its local remedy exhaustion policy, so that individuals can file complaints concurrently with the respective law enforcement agency and with the Attorney General's Public Inquiry Unit (PIU). Although the PIU does accept complaints from Californians seeking to report unlawful conduct of local law enforcement officers or agencies, only *after* the local agency does not act "within a reasonable period of time" on a complaint filed directly with the agency can an individual file a formal complaint with the PIU.⁵⁹ This exhaustion requirement risks obstructing effective enforcement of SB 54. First, the policy does not define "reasonable period of time," and research did not yield any sources that shed light on how the PIU interprets this phrase. This definitional ambiguity risks delaying an individual's decision to file a complaint with the PIU sooner, and in turn, risks impeding the Attorney General's ability to investigate complaints of suspected SB 54 violations soon after they occur.

⁵⁷ *Sanctuary Promise Violations Hotline*, OREGON DEP'T OF JUSTICE, <https://www.doj.state.or.us/oregon-department-of-justice/civil-rights/sanctuary-promise/reporting-sanctuary-promise-violations-to-the-hotline/> (noting that the hotline is ran by hotline advocates who speak over 240 languages. The online form has the option to include reports in over 100 languages).

⁵⁸ Beck, Frye-Holcomb, Officer, et al., *Reported Violations of Oregon's Sanctuary Promise Act: Per House Bill 3265 (2021)*, OREGON CRIMINAL JUSTICE COMMISSION 6 (July 1, 2024), <https://www.oregon.gov/cjc/CJC%20Document%20Library/2024%20Sanctuary%20Promise%20Legislative%20Report.pdf>. Although Oregon established its hotline as required by the state's sanctuary law, ORS 181A.827, the absence of similar language in SB 54 does not foreclose the California Attorney General from establishing a similar hotline. California's state legislature envisioned the state's Attorney General playing an active role in the protection and enforcement of SB 54. This role is evidenced by § 7284.6(d) (requiring the Attorney General to report the total number of arrests made by joint law enforcement task forces for the purpose of immigration enforcement) and § 7284.8 (requiring the Attorney General to publish model policies that limit entanglement with immigration enforcement to the fullest extent possible consistent with federal and state law).

⁵⁹ *Local Law Enforcement Agency Complaints*, CALIFORNIA DEP'T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, <https://oag.ca.gov/police-complaints> (last visited April 1, 2025).

Second, individuals who want to file a complaint against a police officer, a sheriff's deputy, and/or the respective agency might hesitate to file that complaint for fear of retaliation or concerns that their complaint will not be acted upon in a timely manner. Third, even when individuals do choose to file a complaint with the local law enforcement agency, they might have concerns that without an independent decisionmaker, the agency will not properly adhere to procedures to investigate the individual's allegations.⁶⁰

Both the Attorney General's Office and the public will benefit from allowing individuals to file complaints concurrently with the respective local law enforcement agency and with the PIU. Concurrent complaints put the Attorney General's Office on notice about suspected SB 54 violations sooner than if individuals exhaust local remedies first. Furthermore, knowing that the Attorney General will be notified at the same time and can investigate the suspected SB 54 violation can fortify trust between the Attorney General's Office and California's immigrant communities. Allowing concurrent complaints would encourage community members who would otherwise hesitate to initiate formal complaints to do so.

B. Public Education Campaign on SB 54

The Attorney General's Office of Community Awareness, Response, and Engagement (CARE) seeks in part to "build trusted relationships with California's communities" and "work directly to meet [their] needs, particularly [for] those who have been historically marginalized and underrepresented."⁶¹ By launching and promoting a public education campaign dedicated to SB 54, CARE can play a prominent role in informing Californians about their rights under SB 54 and about available avenues to report suspected law enforcement violations of the law.

A public education campaign could include (1) publishing an online community toolkit with information about SB 54 and how to report suspected violations; and (2) hosting SB 54 public forums throughout the year in collaboration with community stakeholders. Implementing these initiatives would mirror strategies the California Attorney General's Office itself has previously implemented as well as strategies that other Attorneys General in other states have adopted to educate the public about their state sanctuary laws.

1. Publish a SB 54 Community Toolkit on the AG's Website

CARE can ensure the public has access to accurate and reliable information about SB 54 by publishing and continually updating a centralized community toolkit on the Attorney General's website with the following pieces of information:

⁶⁰ Take, for example, the Pasadena Police Department (PPD). A 2024 audit of the PPD's handling of misconduct complaints concluded that the department's investigations of citizen complaints against personnel were deficient in at least four respects: (1) not all allegations made in complaints were always reviewed; (2) not all witnesses necessary to investigations were interviewed; (3) not all personnel complaints were handled in a timely manner; and (4) contrary to best practices, the department did not record the interviews conducted for investigations. In response, the independent police auditor recommended that the PPD obtain an independent outside source to ensure "thorough and complete investigations and administrative reviews, appropriate findings, and the reasonable imposition of discipline." Richard A. Rosenthal, *Assessment of Pasadena Police Department Handling of Misconduct Complaints (For Investigations Closed in 2023)*, CITY OF PASADENA, CALIFORNIA (July 8, 2024), <https://www.cityofpasadena.net/commissions/wp-content/uploads/sites/31/2024-07-08-Assessment-of-Pasadena-Police-Dept.-Handling-of-Misconduct-Complaints-1.pdf>; see also Rachel Moran, *Ending the Internal Affairs Farce*, 64 U. BUFF. L. REV. 837, 853–68 (2016) (noting that most U.S. police departments use internal affairs units to review civilian complaints of officer misconduct and discussing the various issues this status quo presents, including risk of inadequate investigations).

⁶¹ *Office of Community Awareness, Response, and Engagement (CARE)*, CALIFORNIA DEP'T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, <https://oag.ca.gov/care> (last visited Mar. 16, 2025).

- (1) A summary of SB 54;
- (2) The Attorney General’s history of efforts to enforce the law and protect it when it has been challenged in court;
- (3) Frequently asked questions from the public regarding protections under SB 54;
- (4) “Know Your Rights” fact sheets and family preparedness materials in different languages in the event of interaction with federal immigration officials;
- (5) Details that individuals should gather after any interactions with ICE or other federal immigration officials;
- (6) Examples of warrants that comply with SB 54 and examples of those that do not; and
- (7) Information regarding community members’ options for reporting suspected SB 54 violations.

The Attorney General’s Office has already started engaging in this type of information sharing and can continue improving the resources it already makes available. For example, the Attorney General’s Office maintains a webpage titled “Resources for California’s Immigrant Communities” on which it has published the following information:

- A list of individuals’ general immigration rights and protections under California laws;
- Guidance for immigrant students and families;
- Information for how immigrants can protect themselves from immigration scams;
- Guidance and model policies for public institutions on limiting support of immigration enforcement activity;
- A summary of law enforcement’s responsibilities under SB 54;
- Resources for employers;
- Links to find immigration assistance; and
- A link to file complaints of suspected violations.⁶²

The Attorney General also recently published consumer alerts with summaries of immigrants’ general rights under California’s laws and how individuals can protect themselves from immigration scams.⁶³ Separately, the Civil Rights Enforcement Section (CRES) maintains a published list summarizing other California laws that protect immigrants’ civil rights, including the TRUTH Act, the TRUST Act, the Immigrant Victims of Crime Equity Act, and the Racial and Identity Profiling Act.⁶⁴ Creating an online community toolkit specific to SB 54 would provide the public with a centralized source of helpful information on the state’s sanctuary law and how the Attorney General takes action to enforce it.

The Attorney General’s Office would not be the first state justice department to provide the public with such a centralized hub of information. Both the Oregon and Illinois Attorney

⁶² *Resources for California’s Immigrant Communities*, CALIFORNIA DEP’T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, <https://oag.ca.gov/immigrant/resources> (last visited March 15, 2025).

⁶³ Consumer Alert, *Know Your Rights and Protection Under the Law*, CALIFORNIA DEP’T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, <https://oag.ca.gov/system/files/attachments/press-docs/Know%20Your%20Immigration%20Rights%5B88%5D.pdf> (last visited Apr. 1, 2025); Consumer Alert, *Protect Yourself from Immigration Scams*, CALIFORNIA DEP’T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, <https://oag.ca.gov/system/files/attachments/press-docs/Protect%20Yourself%20from%20Immigration%20Scams.pdf> (last visited Apr. 1, 2025).

⁶⁴ *California Laws Protecting Immigrants’ Civil Rights*, CALIFORNIA DEP’T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, <https://oag.ca.gov/immigrant/ca-law> (last visited Apr. 1, 2025).

Generals maintain similar information on their websites specific to their states' sanctuary laws. The Oregon Attorney General's Civil Rights Unit, for example, published a Sanctuary Promise Community Toolkit on its website.⁶⁵ Oregon's toolkit provides information on various topics, including: background about the state's sanctuary status; locations protected under state sanctuary laws; details individuals should gather after encounters with ICE or other federal immigration authorities; examples of warrants that are and are not compliant with the state sanctuary laws; and the value of and process for reporting suspected violations with the Oregon Department of Justice.⁶⁶ The Illinois Attorney General's Civil Rights Bureau created and published "Know Your Rights" fact sheets and pocket guides for individuals to prepare in the event of interactions with federal immigration authorities.⁶⁷ On its website, Oregon similarly links fact sheets and family preparedness materials created by outside organizations.⁶⁸

A centralized online information hub for SB 54 would allow the Attorney General's Office to signal its ongoing commitment to enforcing SB 54 and ensure California's immigrant communities have the information and support they need to thrive.

2. Host Educational Public Forums on SB 54 in Collaboration with Community Stakeholders

CARE can further strengthen the Attorney General's relationship with California's immigrant communities by collaborating with community stakeholders to host ongoing educational public forums on individuals' rights under SB 54 and how to report suspected violations of the law. Hosting public forums both in person in different cities across the state and virtually would allow the Attorney General to broadly disseminate critical information and communicate the Office's support of SB 54. A public forum on SB 54 could include the following conversation topics:

- (1) Background on SB 54, the Attorney General's history of support for the law, and how the Attorney General works to enforce SB 54;
- (2) Individuals' specific rights under SB 54 and what law enforcement agencies specifically can and cannot do under the law;
- (3) Individuals' options for reporting suspected violations of SB 54; and
- (4) An opportunity for community members to ask questions and provide input on the Attorney General's enforcement efforts in support of SB 54.

Co-hosting these public forums with stakeholders who work closely with California's immigrant communities—such as legal services providers or wrap-around services organizations—would be an excellent opportunity for CARE and CRES to fortify the Attorney General's relationships with stakeholders and continue building rapport with different immigrant communities across the state.

The Attorney General's Office and CARE have already started to implement this recommendation. In December 2024 and January 2025, Attorney General Bonta participated in

⁶⁵ *Civil Rights Unit Sanctuary Promise Community Toolkit*, OREGON DEP'T OF JUSTICE, <https://www.doj.state.or.us/oregon-department-of-justice/civil-rights/sanctuary-promise/community-toolkit/> (last visited Apr. 1, 2025).

⁶⁶ *Id.*

⁶⁷ *Civil Rights: "Know Your Rights" for Immigrants Interacting with Law Enforcement*, OFFICE OF THE ILLINOIS ATTORNEY GENERAL, <https://illinoisattorneygeneral.gov/rights-of-the-people/civil-rights/immigration/> (last visited Apr. 1, 2025).

⁶⁸ *Outreach Materials and Media, Oregon Department of Justice Sanctuary Promise Guidance*, OREGON DEP'T OF JUSTICE, <https://www.doj.state.or.us/oregon-department-of-justice/civil-rights/sanctuary-promise/outreach-materials-and-media/> (last visited Apr. 2, 2025).

five regional convenings with immigrants' rights groups and elected officials to share resources, hear concerns, and discuss efforts to protect immigrant communities across the state in anticipation of changes to federal immigration policy under the Trump administration.⁶⁹ On January 10, 2025, CARE hosted a virtual a Community Briefing on Immigrant Rights Resources to share an overview of SB 54 and the model policies and guidance the Attorney General's Office has made available to public institutions.⁷⁰

The Attorney General's Office can build on this momentum by continuing to host public forums across the state dedicated to SB 54 and the conversation topics recommended above, or by giving community groups the opportunity to formally request these sessions. An intentional focus on SB 54 benefits both the public and the Attorney General. First, ongoing public forums can help the Office strengthen existing relationships with immigrant communities and build new ones with others. Second, immigrants may feel safer and more empowered to assert their rights and report violations when they continue to see representatives from the Attorney General's Office in their communities providing critical information about their SB 54 rights. Finally, helping Californians understand their rights under SB 54 and how to report suspected violations can benefit the Attorney General's own SB 54 enforcement efforts. Individuals may be more likely to report violations to both the Attorney General and local law enforcement. In turn, this would provide the Attorney General with more data to inform possible investigative and enforcement efforts.

Other states continually offer community groups information and training sessions on their sanctuary laws. Take, for example, Oregon DOJ's Civil Rights Unit. Oregon offers information sessions across the state to community groups on its sanctuary laws and its reporting hotline.⁷¹ Community groups interested in scheduling an information session are encouraged to submit an online form with the Civil Rights Unit to request the session and can designate if they prefer a virtual or in-person offering.⁷² The California Attorney General's Office can follow in Oregon's footsteps and similarly offer community groups the opportunity to request virtual or in-person public forums on SB 54.

C. Joint Letters, Information Request Letters, and Warning Letters

The Attorney General's Office can also help ensure law enforcement compliance with SB 54 by using its authority to issue publications that (1) express the Attorney General's support of and commitment to enforcing SB 54 and (2) caution law enforcement agencies of their responsibilities under the law and highlight potential liability for violating SB 54. In January 2025, Attorney General Bonta issued an updated information bulletin to state and local law enforcement agencies regarding their responsibilities under SB 54 and other California laws.⁷³ His office issued a similar bulletin in April 2025 concerning administrative warrants and ICE

⁶⁹ Press Release, *Attorney General Rob Bonta Reminds California Immigrants of Their Rights and Protections Under the Law*, CALIFORNIA DEP'T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL (Dec. 17, 2024), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-reminds-california-immigrants-their-rights-and>.

⁷⁰ Calif. Dep't of Just., *January 10, 2025 CARE Community Briefing – Immigrant Rights Resources*, YOUTUBE (Jan. 14, 2025), <https://www.youtube.com/watch?v=YigZK7WVK6A>.

⁷¹ See *Civil Rights Unit Sanctuary Promise Community Toolkit*, *supra* note 65.

⁷² *Id.*

⁷³ Information Bulletin, *Updated Responsibilities of Law Enforcement Agencies Under the California Values Act, California TRUST Act, and the California TRUTH Act*, CALIFORNIA DEP'T OF JUSTICE DIVISION OF LAW ENFORCEMENT (Jan. 17, 2025), <https://oag.ca.gov/system/files/attachments/press-docs/2025-dle-03.pdf>.

hold requests and SB 54’s prohibition on enforcing these requests.⁷⁴ The Attorney General should consider the tools below as a means to build on these informational publications.

1. Joint Letters

The Attorney General should consider issuing a joint letter with California Governor Gavin Newsom to express both office’s aligned commitment to protecting SB 54 and ensuring law enforcement agencies comply with the law. An effective joint letter expressing support for SB 54 can include the following points:

- The constitutionality of SB 54, as upheld by the U.S. Court of Appeals for the Ninth Circuit in *U.S. v. California*;
- The importance of SB 54 to enhance public safety, build trust between law enforcement and immigrant communities, and allow immigrant communities to access essential services in their communities without fear;
- Local and state law enforcement agencies’ responsibilities under SB 54; and
- Possible actions the Attorney General’s Office may take to investigate law enforcement agencies for suspected violations of SB 54 and the enforcement efforts that may follow from such investigations.

Attorney General Bonta has previously invoked this tool in collaboration with Governor Newsom on matters of import to Californians.⁷⁵ Issuing a joint letter would send a powerful message to Californians and state and local law enforcement agencies that the Attorney General and the Governor have every intention of standing behind existing state law that courts have held is valid under the U.S. Constitution.⁷⁶

2. Information Request Letters and Warning Letters

The Attorney General’s Office should consider issuing information request letters or warning letters when necessary to put potentially defiant law enforcement agencies on public notice of officer and agency practices that may be violating SB 54.

Information Request Letters. Information request letters can be a particularly effective tool where the Attorney General’s Office is already aware of a specific agency with policies, practices, and/or customs that may be in violation of SB 54 and additional information from the agency would assist the Attorney General’s investigative efforts. Attorney General Bonta has issued such letters in the past seeking information regarding local entity actions to assess if they may have violated state law.⁷⁷

⁷⁴ Information Bulletin, *National Crime Information Center Administrative Warrants*, CALIFORNIA DEP’T OF JUSTICE DIVISION OF LAW ENFORCEMENT (Apr. 7, 2025), <https://oag.ca.gov/system/files/media/2025-dle-08.pdf>.

⁷⁵ In June 2023, the Governor, the Attorney General, and the State Superintendent of Public Instruction issued a joint letter to public school leadership cautioning against removal of books and instructional materials that may violate state law and the federal constitution. Joint Letter, *Educational Rights and Requests to Remove Instructional Materials*, CALIFORNIA DEP’T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL (June 1, 2023), <https://oag.ca.gov/system/files/attachments/press-docs/Educational%20Rights%20and%20Requests%20to%20Remove%20Instructional%20Materials.pdf>.

⁷⁶ See *United States v. California*, 921 F.3d 865 (9th Cir. 2019).

⁷⁷ For example, in June 2023, Attorney General Bonta requested that the Temecula Unified School District Board provide information regarding its decision-making process to reject a curriculum program despite the program’s recommendation by district staff and adoption by the State Board of Education. Letter, *Information Request Regarding May 16, 2023 Board Action Rejecting Elementary Social Science Curriculum*, CALIFORNIA DEP’T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL (June 7,

Warning Letters. The Attorney General's Office should similarly consider issuing warning letters to specific law enforcement agencies for which the Attorney General has received reports of suspected SB 54 violations. Issuing warning letters to law enforcement agencies about reports of SB 54 violations can signal to agencies that the Attorney General is committed to enforcing SB 54 and provide them with the opportunity to implement remedial measures before further action is taken against them.⁷⁸

Conclusion

In the face of continued resistance to SB 54 from local jurisdictions and threats from the federal government, the need to uphold and enforce the law has never been more urgent. Although individuals and advocacy organizations have employed various tools to uphold SB 54's protections, they cannot carry the burden alone. The California Attorney General is uniquely positioned to leverage his authority to ensure full compliance with the law. The legal, policy, and educational tools discussed and recommended above are vital to ensuring that SB 54 fulfills its promise to protect the rights and safety of all Californians.

2023), <https://oag.ca.gov/system/files/attachments/press-docs/Letter%20to%20TVUSD.pdf>.

⁷⁸ Attorney General Bonta most recently issued over 200 warning letters to hotels and landlords in Southern California to put them on notice that they had been accused of price gouging while a state of emergency was in effect. Letter, *Hotel Warning Letter*, CALIFORNIA DEP'T OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL (Jan. 16, 2025), <https://oag.ca.gov/system/files/attachments/press-docs/Hotel%20Warning%20Letter%5B4%5D.pdf>.