

California Turns Republican: Anti-'sanctuary state' movement goes into high gear

 By CINDY CARCAMO
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Anti-'sanctuary state' movement picks up steam in Orange County

Mike McCoy calls attention to an ICE hotline as motorists drive along Katella Avenue outside Los Alamitos City Hall. (Robert Gauthier / Los Angeles Times)

Just more than a week after tiny Los Alamitos voted to defy California's law protecting immigrants in the country illegally, Orange County is poised to become a counterpoint against the state's resistance to the Trump administration's policies.

On Tuesday, Orange County supervisors may consider whether to take up a resolution to condemn and possibly take legal action against the state's "sanctuary" laws.

"These state laws are preempted by federal law," Orange County Supervisor Shawn Nelson said. "Our officers actually face penalties under state law if they so much as talk to federal agents for the wrong thing. That's just unacceptable and it's contrary to federal law."

Nelson said he'll broach in closed session whether to join a federal lawsuit against the state or launch its own litigation.

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Other cities in the county, including Yorba Linda, Buena Park, Huntington Beach and Mission Viejo are also starting to take action to voice their grievances against the state's sanctuary laws aimed at protecting immigrants from President Trump's immigration crackdown.

On Monday, Texas and more than a dozen other states led by Republican governors got behind the Trump administration and filed an amicus brief in support of a

lawsuit against California's sanctuary laws.

Nelson jumped onboard of a resolution initially brought on by Orange County Supervisor Michelle Steel that would condemn the state's sanctuary laws. She later added wording that would direct the county's public counsel to take legal action.

"We cannot allow this to happen in Orange County and we need to protect our families and our homes here in Orange County," she said. "And that means bolstering our cooperation with federal immigration enforcement and stopping our county from becoming a sanctuary for criminal illegal immigrants."

Once a conservative and Republican stronghold, Orange County has undergone stark demographic shifts. In 2016, Hillary Clinton defeated Trump in the county, which a Democrat hadn't won in a presidential election since the Great Depression.

The issue of illegal immigration and sanctuary laws has been highly divisive in Orange County.

Orange County Sheriff Sandra Hutchens, along with other California sheriffs, spoke out in opposition to the law, SB 54. On Monday, Hutchens made inmate release dates — including for those in the country illegally — public in response to the state law.

"We have an obligation to safeguard our community and we will use every tool available to help hold criminals accountable," said Orange County Undersheriff Don Barnes. "Our inability to relinquish these individuals to the custody of ICE causes them to be returned to the communities which they prey upon."

From Jan. 1 to March 19, the agency released 172 inmates in the country illegally into the community because state law prohibited authorities from notifying ICE, said Carrie Braun, a spokeswoman for the Sheriff's Department. It's unclear if any of those people —

whose convictions include domestic violence, theft, driving under the influence and criminal threats — have recidivated.

Orange County gave birth to Proposition 187, a ballot initiative approved by voters that sought to deny public services such as public schooling and healthcare to people in the country illegally; the measure was eventually struck down in the courts. And Costa Mesa passed anti-day laborer ordinances and became the epicenter of the anti-illegal immigration movement during the mid-2000s.

Since then, however, much of the county's anti-illegal immigration fervor has eased after many of its cities experienced an influx of Latino and Asian immigrants.

But the anti-sanctuary momentum gaining ground in Orange County shows that it remains a place with a very conservative core.

SB 54, which Gov. Jerry Brown signed after the Legislature passed it last year, prohibits state and local police agencies from notifying federal officials in many cases when immigrants potentially subject to deportation are about to be released from custody.

The Trump administration went to federal court to invalidate the state laws, contending they blatantly obstruct federal immigration law and thus violate the Constitution's supremacy clause, which gives federal law precedence over state measures. That case is pending.

Legal costs is one of the reasons Yorba Linda Mayor Gene Hernandez said the city has not done what Los Alamitos did.

Instead, the city voted to send a supporting amicus brief to the federal lawsuit. The city's decision was prompted by a request from the national field director of Federation for American Immigration

Reform, an anti-illegal immigration and immigration restrictionist group in Washington, D.C., known as FAIR.

A letter directed to Hernandez said that FAIR's legal team, the Immigration Reform Law Institute, had been working to support the federal government and that FAIR had been "searching for California Cities and Counties who are interested in filing supporting Amicus Briefs in this lawsuit."

Brian Lonergan, a spokesman for the Immigration Reform Law Institute, disputed the idea that it or FAIR had approached cities. Instead, he said, cities in the state had approached them.

State Sen. Kevin de León, who wrote SB54, warned cities going against the sanctuary state laws.

"Pushing a racist and anti-immigrant agenda devoid of facts or supporting legal analysis is a pretty sad use of taxpayer resources, especially when it could result in crippling legal costs for cities that rush to join this dead-end effort," he said in a written statement.

Times staff writer Alene Tchekmedyian and the Associated Press contributed to this report.

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