



Agenda Item Staff Report

To: Honorable Mayor and Members of City Council
Meeting of April 24, 2018

From: Blaine Michaelis, City Manager

Subject: City Council Discussion regarding SB 54

BACKGROUND

Per Council Request, the City Attorney has prepared a summary of SB 54 and AB 450. Assistant Sheriff Eddie Rivero will also be attending the meeting to provide information on the Los Angeles County Sheriff's Department's implementation of SB 54.

Staff proposes the following meeting format and procedure:

- Presentation – City Attorney Mark Steres
- Presentation – Assistant Sheriff Eddie Rivero
- Questions from the council – preliminary council comments
- Comments from the public (2 minute limit)
- Discussion and direction from the City Council. Possible actions of the council:
 - Do nothing.
 - Explore a consensus to adopt a Resolution regarding this matter – concepts for consideration have been submitted by Councilmember Vienna and Mr. and Mrs. Calderon and Mr. Rodriguez (in the attached information).
 - Explore a consensus to adopt an Ordinance – to implement a particular decision or position.
 - Direction to pursue legal action – join with existing legal actions of others, or file a separate city action.

A Resolution or Ordinance of the city council requires at least 3 affirmative votes regardless of the number voting or attending the meeting. If consensus text for a Resolution can be decided, that Resolution can be adopted at the April 24, 2018 meeting so long as there are 3 affirmative votes.

Meeting Decorum

The ground rules for public comments are as follows (to be read at the beginning of the public comment period and emphasized as needed):

1. We welcome public comments – public participation is most effective when it is respectful and orderly.
2. Speakers are to be respectful and to be aware of the need to make their comments within the allotted time of 2 minutes. Speakers may speak only once. For the record of the meeting, speakers will be asked to provide their name and city where they live. This is not a debate nor a contest; it is a period of time for the public to offer their views.
3. Members of the audience are to be courteous toward every speaker. While it is understood that there are strong feelings and opinions regarding this matter members of the audience should refrain from cat calls, boisterous support or challenge for what is said, as well as distracting and disruptive comments and behavior while others are speaking.
4. If there is disruptive behavior the Mayor may suspend the meeting to address the disruption up to and including the removal of those engaged in the disruption. The meeting will then continue.

RECOMMENDATION

Proceed with the meeting as outlined.

Attachments:

Emails and communications received by City Hall regarding this matter.



TO: Honorable Mayor and Councilmembers of the City of San Dimas

CC: Blaine Michaelis, City Manager

FROM: Mark W. Steres, City Attorney

DATE: April 24, 2018

RE: State of California “Sanctuary State” Laws Analysis

I. STATE OF CALIFORNIA “SANCTUARY STATE” LAWS

On January 1, 2018, three state laws went into effect limiting the ability of local law enforcement agencies to cooperate with federal immigration officials concerning the apprehension, detention, and release of undocumented aliens.¹ Collectively, these laws have come to be referred to as California’s “Sanctuary State” laws. A broad summary of the three laws follow:

AB 450 (“Immigrant Worker Protection Act”). Prohibits employers from voluntarily cooperating with federal officials seeking information relevant to immigration enforcement in a public or private place of employment. This includes denying consent to access and search non-public areas without a judicial warrant, and denial of access to documents

¹ This is the term used by the Internal Revenue Service (IRS). An “alien” is an individual “who is not a U.S. citizen or U.S. national.” Thus, an “undocumented alien” is “[a]n alien who entered the United States illegally without the proper authorization and documents, or who entered the United States legally and has since violated the terms of his or her visa or overstayed the time limit. An undocumented alien is deportable if apprehended.” See: <https://www.irs.gov/individuals/international-taxpayers/immigration-terms-and-definitions-involving-aliens> (Last accessed April 6, 2018). The Department of Homeland Security (DHS), which oversees U.S. Immigration and Customs Enforcement (ICE) defines “alien” the same way as the IRS. DHS fines the term “immigrant” by reference to its definition of “permanent resident alien,” which is “[a]n alien admitted to the United States as a lawful permanent resident.” DHS does not define the phrases “illegal alien” or “undocumented alien,” but does specifically note that the term “immigrant” is an imprecise and incorrect term. (See: <https://www.dhs.gov/immigration-statistics/data-standards-and-definitions/definition-terms> (Last accessed April 6, 2018.)) “Undocumented alien(s)” will be used for the remainder of this memorandum.

required to be kept as proof of immigration status without a judicial warrant, subpoena, or notice of inspection. A copy of AB 450 is attached.

AB 103 (Budget Bill). Includes provisions that create an inspection and review scheme that requires the California Attorney General to investigate all public and private immigration detention/enforcement efforts in the state. The provisions also prohibit public and private contracting with federal agencies for immigration enforcement/detention services.

SB 54 ("California Values Act"). The more widely known measure implements a number of restrictions and requirements (a copy of SB 54 is attached):

- Limits ability of state and local law enforcement to provide federal officers with basic information about undocumented aliens in custody and who are subject to federal immigration custody, or to transfer such individuals to federal immigration custody
- Prohibition on complying with detention and transfer requests
- Prohibition on using local facilities, property, equipment, personnel, and money for such requests
- Bars law enforcement from inquiring into the immigration status of any detainee.
- Prohibits arrest based on civil immigration warrants
- Prohibits assisting federal immigration officers with detentions, arrests, and searches based upon immigration law enforcement
- Establishment of "safe zones" for undocumented aliens in all public schools, public libraries, courthouses, and health facilities operated by state or local governments, consistent with policies created by the Department of Justice
- Prohibits law enforcement officer participation in task forces in which the primary purpose is immigration enforcement

SB 54 includes an extensive list of exceptions and "exceptions to the exceptions" that are beyond the scope of this memorandum. Generally speaking, however, SB 54 does **not** prohibit the sharing of information on detained/incarcerated individuals who have previously been deported for a violent felony, or who are serving time on a misdemeanor or felony with a prior serious felony conviction. Additionally, many of the restrictions and requirements imposed do **not** apply to the California Department of Corrections and Rehabilitation. Below is a partial list of the exceptions, the applicability of which must be determined by local law enforcement and not sole reliance upon representations made by federal officers:

- Prior conviction for certain serious or violent felonies
- Prior conviction for felonies punished by imprisonment in state prison (as opposed to county jail)
- Prior misdemeanor convictions for specified violent “wobblers” (crimes that can be charged as a misdemeanor or a felony)
- Current mandatory registration as a sex offender or arson offender
- Prior conviction for certain aggravated felonies under federal law;
- Certain federal criminal arrest warrants
- Following determination by a magistrate of probable cause for certain enumerated crimes

Some commentators have stated, however, that the new requirements and restrictions represent a difficult challenge for local law enforcement policy creation, training, and implementation. The Los Angeles County Sheriffs Department (LASD), who provides local law enforcement services in San Dimas, can provide information in regards to the LASD’s policies, training and implementation of SB 54.

II. SUMMARY OF RELEVANT HISTORY RELATED TO “SANCTUARY STATE” LAWS

California’s Sanctuary State laws build upon prior actions and efforts taken by the state and federal governments concerning immigration enforcement and cooperation.

ICE Secure Communities Program. Although started in 2008, ICE fully implemented the Secure Communities Program in January 2013. The program prioritized the removal of undocumented aliens already in the custody of another law enforcement agency (federal, state, and local), who posed “the most significant threats to public safety as determined by the severity of their crime, their criminal history, and risk to public safety.” The Secure Communities Program also focused on those persons in violation of the nation’s immigration laws.² Integral to the success of the program were detention hold and transfer requests, whereby undocumented aliens in custody of a law enforcement agency were detained, sometimes beyond the point where they normally would be released, while ICE commenced follow up investigation and/or transfer procedures as a prelude to deportation. The program was suspended in 2014 and reactivated in January 2017.

² See <https://www.ice.gov/secure-communities> (Last accessed April 6, 2018)

The California Trust Act. The Trust Act (AB 4 (Ammiano)) was created in response to the Secure Communities Program, and signed into law by Governor Brown in October of 2013. Adding and implementing Chapter 17.1 (Sections 7282 and 7282.5) to the Government Code, the Trust Act prohibited state, county, and local law enforcement agencies from holding detainees unless they were charged with specific crimes, including violent felonies, registered sex offenders, registered arson offenders, domestic violence abusers, and other felonies, totaling approximately 800 enumerated crimes.

Transparent Review of Unjust Transfers and Holds (TRUTH) Act. In January 2017, the TRUTH Act became effective. Adding Chapter 17.2 (Sections 7283 through 7283.3) of the Government Code, the TRUTH Act required local law enforcement, prior to any interview with ICE officers, to provide a written consent form that would explain, among other things, the purpose of the interview, its voluntary nature, and the ability of the detained individual to decline the interview. Additionally, local law enforcement was required to provide to the detainee certain information ICE had provided to law enforcement, and inform the detainee of the agency’s intent to comply with ICE. Further, the Act declared records related to ICE access to be public records under the Public Records Act. Finally, the Act requires local governments “in which a local law enforcement agency has provided ICE access to an individual during the last year” to hold at least one open “community forum” during the following year, upon 30 days notice “to provide information to the public about ICE’s access to individuals and to receive and consider public comment.”

III. SOME RECENT RESPONSES BY BOTH FEDERAL GOVERNMENT AND SOME LOCAL JURISDICTIONS

Federal Lawsuit. In response to the California Sanctuary State laws, the federal Department of Justice has filed a lawsuit in the United States District Court for the Eastern District of California against the State seeking to invalidate the laws. The suit also names Governor Brown and California Attorney General Xavier Becerra. The Department of Justice asserts that the California Sanctuary State laws “intentionally obstruct and discriminate against the enforcement of federal immigration law.” The suit alleges that the state laws violate the Supremacy Clause of the Constitution (Article VI, cl. 2), the Naturalization Clause (Article I, Sec. 8, cl. 4. (Congress empowered to “establish a uniform Rule of Naturalization . . .”)), and the Executive Power authority (Article II, Sec. 3. (President invested with authority to “take care that the laws be faithfully executed.”)). Collaterally, the suit alleges that the laws interfere with the federal government’s ability to regulate foreign commerce. (U.S. Const., art. I, Sec. 8, cl. 3.)³

³ See: <https://www.justice.gov/opa/pr/justice-department-files-preemption-lawsuit-against-state-california-stop-interference> (Last accessed April 6, 2018.)

Los Alamitos “Exemption” Ordinance. In March 2018, the City of Los Alamitos in Orange County, a charter city with its own police department, introduced an ordinance “exempting” itself from compliance with the Sanctuary State Laws. The ordinance asserted that complying with the Sanctuary State laws: (1) conflicted with the oath elected officials took to “support and defend the Constitution of the United States;” (2) negatively impacted public safety by interfering with the ability of police officers to coordinate with federal immigration officials; (3) would interfere with the lives of a large number of city residents who worked with and for the federal government due to the presence of the Joint Forces Training Base (taking up half of the total land area of the city); and (4) would interfere with many local businesses that had contracts or other business contacts with the federal government. The legality of this ordinance is untested and the Department of Justice, along with the American Civil Liberties Union, have threatened legal challenges to the ordinance. The City also instructed its legal counsel to file an *amicus* (“friend of the court”) brief in support of the federal government against the state.

Amicus Brief by Immigration Reform Law Institute. In support of the federal government’s legal challenge to the Sanctuary State laws, the Immigration Reform Law Institute (IRLI), an affiliate of the Federation for American Immigration Reform (FAIR), has drafted an *amicus* brief and has solicited support from California elected officials and local governments and other organizations opposed to the Sanctuary State laws, on a *pro bono* basis.

Legal Action by Orange County. On March 27, 2018, the Orange County Board of Supervisors voted to “join” the federal lawsuit against California. Whether as an intervenor, like Huntington Beach (below) or via an *amicus* brief filing is not yet known.

Legal Action by Huntington Beach. On April 2, 2018, the City of Huntington Beach voted to intervene in the federal lawsuit, likely asserting that the interests of the City cannot adequately be represented by either party in the lawsuit, though common issues of law and fact are involved. Such an action allows Huntington Beach to assert arguments based on local concerns peculiar to it that neither the federal government nor the state government may likely address.

Consideration/Action by Other California Local Governments. Over the last few weeks, a number of other California public entities have considered action regarding the Sanctuary State laws, in addition to the actions listed above. The cities of Hesperia, Fountain Valley, Yorba Linda, Mission Viejo, Escondido, Aliso Viejo, San Juan Capistrano, Westminster, Orange, and Newport Beach all have taken some form of action against the Sanctuary State laws, ranging from joining the IRLI *amicus* brief, joining the Huntington Beach action, filing an individual *amicus* brief, and/or adopting resolutions against complying with state law. Fullerton and West Covina discussed the matter but took no action after considering possible options. Santa Ana and San Gabriel have taken steps to support the Sanctuary State laws.

Support for DOJ Lawsuit by Other States: A number of other states and state officials have expressed formal support for the DOJ lawsuit, including: South Carolina, Texas, Alabama, Arkansas, Florida, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Nebraska, Nevada, Ohio, Oklahoma, and West Virginia, and the Governors of Mississippi and Maine.

[END OF MEMORANDUM]

ATTACHMENT 1

ATTACHMENT 2

Personnel from the Los Angeles County Sheriff's Department (LASD) make more than two million public contacts every year. Our county is the most diverse in the United States. We welcome this rich diversity and share tremendous trust in all of our communities. We are the guardians of our communities and public safety is our top priority.

Does the LASD work to deport illegal immigrants? For example, could I be deported during a routine traffic stop or call for help?

Answer: No. Deputies from the Los Angeles County Sheriff's Department do not ask about immigration status during traffic stops or calls for service. In fact, deputies do not ask immigration status of ANY person, including a victim or witness to any crime. Immigration enforcement is the responsibility of the federal government. Our Department members shall investigate criminal activity without regard to an individual's immigration status. We shall not initiate police activity with the sole objective of discovering an individual's immigration status. We shall neither arrest nor book any individual solely on suspicion of violating federal immigration laws relating to illegal entry, being unlawfully present, or overstaying a visa.

What prevents an LASD Deputy from arresting someone for being an undocumented immigrant?

Answer: Our Department policy prohibits our deputies from arresting or booking an individual solely on the suspicion of violating federal immigration laws.

What happens to an LASD Deputy who asks about someone's immigration status?

Answer: The deputy can be subject to administrative action.

What can an undocumented immigrant do if LASD personnel inquire about their immigration status?

Answer: File a complaint, known as a "Watch Commander's Service Comment Report," by contacting a local LASD station or calling the LASD Internal Affairs Bureau.

Can I report crimes without fear of being deported?

Answer: Absolutely, yes. Our policy is to enforce all laws equally for all community members, regardless of the immigration status. Our deputies are prohibited from asking about immigration status and should not be asking. We have built trust within our communities and this trust is the basis for our "Immigration Inquiries and Notifications Policy." This policy is intended to reassure immigrant communities that there is no need for fear when contacting the Los Angeles County Sheriff's Department when they need us most. In fact, we offer U-Visa applications to all victims and witnesses of crime who fit the criteria. The number of U-Visa applications has increased, which is an indication of our strong community partnerships and public trust.

How many inmates were turned over to ICE in 2016?

Answer: In California, we are guided by the TRUST and TRUTH ACTS. In 2016, approximately 312,000 people were released from our custody. Of those, only 1,007 of the most serious and violent offenders were turned over to the custody of ICE agents. This is 1/3 of 1 percent and was only those who qualified as serious and violent offenders and posed significant potential risk to public safety in Los Angeles County.

Our communities benefit from our compliance with the TRUST and TRUTH ACTS so that dangerous criminals do not prey on innocent victims in our communities.

5-09/271.00 IMMIGRATION INQUIRIES AND NOTIFICATIONS

The Department must partner with some of the most diverse and immigrant-rich communities in the world. Serving the community, investigating illegal activity and preventing crime is immeasurably more difficult if law enforcement fails to maintain strong relationships with -- and the trust of -- all members of our community.

The Department is responsible for helping people in their time of need and investigating crimes that have occurred, regardless of the victim's or offender's immigration status. To that end, it has been the longstanding practice of the Department to provide law enforcement to all communities regardless of ethnicity or immigration status. In carrying out that mission, deputies are neither instructed nor trained to ask for a victim's or witness' legal residency status and are instead trained and instructed to treat all individuals with respect and dignity.

This policy is intended to reassure immigrant communities that there is no need to fear contact with the Department when they have been the victim or a witness to a crime.

IMMIGRATION STATUS INQUIRIES

In keeping with the highest traditions of the Department and with respect for the dignity of the people we serve, Department members shall investigate criminal activity without regard to an individual's legal status and shall not initiate police action with the objective of discovering the individual's immigration status. Department members shall neither arrest nor book an individual solely on suspicion of violating a federal immigration law relating to illegal entry, being unlawfully present, or overstaying a visa. When they are in contact with individuals under investigation for other criminal activity, Department members shall not inquire about immigration status unless the information is absolutely necessary to ascertain their true identity.

While interviewing victims and witnesses, Department members shall not inquire about a victim's or a witness' immigration status unless that information is an essential component in their investigation (e.g., human trafficking, involuntary servitude, etc.).

Nothing in this policy is intended to limit the ability of personnel to collect the necessary information and facts to handle an investigation completely and to conclusion, nor shall it preclude a witness or victim from being asked to give alternate contact information outside of the United States for purposes of ensuring that they can be contacted in the future for further investigation or to testify in court should they voluntarily or involuntarily leave the United States.

NOTIFICATIONS

If a victim's or a witness' immigration status is discovered during an investigation, Department personnel shall not forward that information to the United States Immigration and Customs Enforcement (ICE), unless such notification is required by documented mutual agreement and/or in regards to individuals already in LASD Custody.

Nothing in this policy is intended to interfere with Department personnel in their responsibility to assist undocumented immigrants who are victims and/or witnesses in certain criminal matters in obtaining U-Visas under the Victims of Trafficking and Violence Protection Act of 2000.

Moreover, this policy is not intended to interfere with a Department member's responsibility to notify foreign authorities pursuant to law or treaty when foreign nationals are arrested or otherwise detained (See section 4-04/035.00).

09/21/15 MPP

RESOLUTION 2018-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,
COUNTY OF LOS ANGELES, REGARDING SANCTUARY STATE
LAWS**

WHEREAS, the Constitution of the United States of America is the supreme law of the land and the States within the union have certain rights to enact laws that are not in conflict with Federal Laws, and

WHEREAS, the Federal government has exclusive and plenary power over immigration, and

WHEREAS, the members of the City of San Dimas City Council have taken an oath to support and defend the Constitution of the United States of America and the Constitution of the State of California, and

WHEREAS, the State of California enacted Senate Bill 54, called the California Values Act, and

WHEREAS, the California Values Act is codified into Government Code Title 1, Division 7, Chapter 17.25 entitled “Cooperation with Immigration Authorities”, and

WHEREAS, the State of California enacted Assembly Bill 450, called the Immigrant Worker Protection Act, and

WHEREAS, the Immigrant Worker Protection Act is codified into Government Code Title 1, Division 7, Chapter 17.3 entitled “Enforcement Actions” and Labor Codes Division 1, Chapter 4 entitled “Division of Labor Standards Enforcement” and Division 2, Part 3, Chapter 3.1 entitled “Unfair Immigration-Related Passages”, and

WHEREAS, the City of San Dimas finds that it is impossible to honor our oath to support and defend the Constitution of the United States of America and to be in compliance with Government Code Title 1, Division 7, Chapter 17.25, Government Code Title 1, Division 7, Chapter 17.3, Labor Codes Division 1, Chapter 4, and Labor Code Division 2, Part 3, Chapter 3.1, and

WHEREAS, the California Values Act and Immigrant Worker Protection Act may impede, delay, and obstruct law enforcement creating a threat to public safety, and

WHEREAS, employers, including the City of San Dimas, operating within the jurisdiction of the City of San Dimas, who accept Federal Contracts and must comply with Federal Laws, including lawful requests for access to premises, and

WHEREAS, the United States Forest Service may be required to comply with Federal Laws and is wholly located within the boundaries of the City of San Dimas, and

WHEREAS, the California Values Act and Immigrant Worker Protection Act may be in direct conflict with Federal Laws and the Constitution of the United States of America, and

Resolution 2018-XX
Sanctuary State Laws

WHEREAS, the City of San Dimas City Council accepts that when State Law conflicts with the Federal Law, the Federal Law shall be the supreme law of the land as specified in the Constitution of the United States of America, and

WHEREAS, the City of San Dimas believes in the rule of law both as it applies to our service to the United States of America and the State of California.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of San Dimas does hereby resolve the following:

SECTION 1. The City Council is committed to protecting the City of San Dimas residents through the enforcement of local, state, and federal laws.

SECTION 2. The City of San Dimas City Council does hereby reject the effort through the Sanctuary State Laws to violate the Constitution of the United States of America.

SECTION 3. The City of San Dimas City Council reaffirm their Oath of Office and support of the rule of law.

SECTION 4. Requests the Congress and Senate of the United States of America address the need for comprehensive immigration reform and bring certainty to those who are desirous of becoming citizens of this county.

SECTION 5. The City of San Dimas commits itself to being respectful, compassionate, inclusive, and sensitive to the many residents it serves.

SECTION 6. The City of San Dimas supports the efforts of public safety, be it local, state, and federal, to conduct their duties in a manner which is honorable, humane, dignified, compassionate, and respectful to keep our communities safe.

PASSED, APPROVED AND ADOPTED this 24th day of April, 2018.

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

Debra Black, Assistant City Clerk

April 17, 2018

City Council of San Dimas
245 Bonita Ave
San Dimas, CA

Dear Mayor and City Council members,

Many residents of the City of San Dimas are concerned with the actions of the council regarding getting involved with Federal and State issues related to immigration enforcement; to wit, supporting the federal lawsuit against California regarding SB54 and its so called sanctuary policies.

The council meeting of April 10, 2018 is evidence of the divisiveness this is creating in the community. Many residents and concerned citizens are submitting this draft of a resolution of diversity, respect and equality for all that we propose to be added to the agenda for the city council to adopt.

Residents of San Dimas,

Rore Calderon

Alicia Rodriguez
Rore Calderon

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SAN DIMAS, CALIFORNIA, AFFIRMING
THE CITY'S LONG STANDING COMMITMENT TO DIVERSITY AND
SAFEGUARDING THE CIVIL RIGHTS, DIGNITY AND VALUES OF ALL PEOPLE

WHEREAS, the City of San Dimas City Council has long promoted an environment of diversity, acceptance and respect of all persons in the community; and

WHEREAS, the City of San Dimas is made up of many individuals, both native born and immigrants, whose collective cultures, religions, backgrounds, orientations, abilities, and viewpoints join to form a diverse community which prides itself on being a place that welcomes persons and families of all walks of life and nations; and

WHEREAS, the City of San Dimas wishes to assure the community that the City has long worked and continues to work to improve their quality of life and protect their safety, and opposes the forces of hate, discrimination and violence; and

WHEREAS, the State of California enacted State Senate Bill ("SB-54") entitled the California Values Act, into law on October 5, 2017, which limits local law enforcement's involvement with federal immigration enforcement agencies; and

WHEREAS, consistent with the State Law and City policies and procedures, the City assures that all persons will have equal protection of the laws as to the laws of California as required by the U.S. Constitution, Fourteenth Amendment; and

WHEREAS, SB-54 promotes a relationship of trust and open communication between City Officials and the community which is essential to maintaining public safety as declared by the California Legislature in it's findings of legislative intent; and

WHEREAS, maintaining the mutual trust, respect and open communication of all persons with City Officials is critical to supporting a vibrant and diverse economy and efficient delivery of public services to all persons regardless of their race, religion, national origin, gender, sexual orientation, ethnicity, disability or immigration status.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS;

SECTION 1. The San Dimas City Council reaffirms it's position that the community, city departments, and city employees should reject bullying, discrimination, hate and violence and to stand up for those who may be the subject of such targeted acts.

SECTION 2. The San Dimas City Council, consistent with it's mission and the values of the State of California calls upon the community, city employees and officials to work to create a just society by eliminating, hate, violence, discrimination, prejudice and stereotyping based on race, religion, sexual orientation, national origin age, disability, immigration status or any other arbitrary factor.

SECTION 3. No city agency, department, officer, employee, or agent shall request, maintain or disclose a person's citizenship or immigration status in providing any city service, except as required by a valid and enforceable court order or any applicable law.

SECTION 4. The City shall comply with all provisions of SB-54 as required under the California Constitution and the U.S. Constitution, 14th Amendment, Equal Protection of the law and it's obligation to maintain public health, safety and tranquility.

SECTION 5. The City shall maintain a list of available resources that can assist community members and businesses with immigration related issues which will be readily available at sites where city services are available including police services.

SECTION 6. Nothing in this Resolution shall be construed or implemented to conflict with any valid obligation imposed by a court of competent jurisdiction or any applicable law.

SECTION 7. The Mayor shall sign and the City Clerk Shall attest to the passage of the Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of San Dimas at the regular meeting of this ____ day of _____ 2018

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 12:47 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: SB54 San Dimas have you voted to opt out?

See below as requested.

From: Rickie Hulsey <rickiehulsey@yahoo.com>

Reply-To: "rickiehulsey@yahoo.com" <rickiehulsey@yahoo.com>

Date: Friday, April 20, 2018 at 8:56 AM

To: Curt Morris <cmorris@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, John Ebiner <jebiner@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>

Subject: SB54 San Dimas have you voted to opt out?

Good morning council,

I hope for a vote to opt out.

I am asking for clarity on your SB54 agenda. I'd heard both: you opted out of SB54. No you didn't opt out?

I am motioning, if you have not voted on SB54, that SB54 opt out be put on the city councils agenda. I plead that you vote to opt out of SB54 and joiner or file an amicus brief.

Here is my speel for the SB54 agenda issue. I ask you vote to opt out of SB54 and file an amicus brief

1. YOU EACH TOOK AND OATH TO UP HOLD THE U.S. CONSTITUTION, WHEN YOU TOOK OFFICE.

2. PUBLIC SAFETY: WE LOST ONE OF OUR OWN. <http://www.latimes.com/newsletters/la-me-ln-essential-california-20170221-story.html>

3. IMMIGRATION FALLS UNDER FEDERAL RULE.

4. NO REALLY COST TO THE COUNTY TO OPT OUT, per Newport Beach & Westminster's attorneys.Plus, the cost of illegals, to the county is way more than the cost to file.

5. 2012 THE SUPREME COURT RULED LOCAL LAWS CANNOT OVERRIDE FEDERAL LAW.

2012 when the Obama-led Department of Justice and Supreme Court determined that local laws can't override Federal law.

6. ILLEGALS out not immigrants. Vote to opt out of SB54.

7. THE MAKER OF SB54 IS AN ANCHOR BABY, I'VE HEARD FROM HIS OWN LIPS, ILLEGAL PARENTS HERE. He has agenda for himself not the best interest of the citizens.

8. THIS IS NO DIFFERENT than a father bringing home his pay check, but goes and gives it away to take care of illegal criminals. Eventually, his own family starves.

9. 3 EXAMPLES: PUBLIC SAFETY/TAXPAYERS COST Not communicating with ICE.

1 of 3. 20 illegal aliens in horrific crimes in 2016

Read more at <http://mobile.wnd.com/2016/09/20-illegal-aliens-in-horrific-crimes-in-2016/#R5bY4SY96BBR0wWE.9>

2 of 3. I'm sure you remember, I sure do. •

On December 2, 2015, 14 people were killed and 22 others were seriously injured in a terrorist attack consisting of a mass shooting and an attempted bombing at the Inland Regional Center in San Bernardino, California. The perpetrators, Syed Rizwan Farook and Tashfeen Malik, a married couple living in the city of Redlands,

https://en.m.wikipedia.org/wiki/2015_San_Bernardino_attack

3 of 3. I saw today. THIS AFFECTS EVERYONE IN CA. Illegal activity does not confine itself. We ALL PAY.

Infuriating. The frustration.

So sad, a life lost. Now taxpayers have to pay to house this illegal, judicial fees, our ins. goes up, on ; on. And this is only one of the estimated million illegals here in CA. Mayhem!!! The inmates are running the prison.

[Woman on ICE Hold Convicted of Murder for Drunken Hit-and-Run | Breitbart](#)



Woman on ICE Hold Convicted of Murder for Drunken Hit-and-Run | Breitbart

Suspected illegal alien Esteysi Sanchez was convicted on Friday of second degree murder for the June 2016 brutal hit and run killing of a homeless man in Oceanside, California.

Error! Filename not specified.

10. COSTS OF ILLEGAL IMMIGRATION

"Did you know government expenditures on illegal immigration totals \$135 billion annually, while illegal immigrants only pay \$19 billion in taxes."

"Illegal immigrants receive \$14.4 billion for education, \$4.02 billion for healthcare, \$792 million for public assistance, \$4.44 billion for justice and law enforcement, \$1.6 billion for general government services, [and] \$1 billion for auto insurance."

11. There's more.

<https://www.naturalnews.com/2018-04-06-actors-reading-stats-about-illegal-immigration-are-blown-away-by-the-facts.html>

12. . YOU OPEN THE COUNTY UP TO LITIGATION. Should a citizen be harmed by an illegal, the county could be sued for illegall haboring a fugitive. The county failed to protect the citizen.

Please, inform me when this is put on the agenda. Thank you,

Rickie Hulseay

Native born

Ken Duran

From: Blaine Michaelis
Sent: Thursday, April 19, 2018 1:47 PM
To: Ken Duran
Subject: SB54

From: Chris Neag [<mailto:clagency@verizon.net>]
Sent: Thursday, April 19, 2018 1:05 PM
To: Curt Morris; Denis Bertone; Emmett Badar; jebinera@ci.san-dimas.ca.us; Ryan Vienna; Blaine Michaelis
Subject: SB54

Dear Mayor & City Council members,
I have to say that I believe this Gov. Brown request for SB54 is completing out of line and lawless!

**I am a resident of San Dimas for the past 20 years and also have operated a business here in San Dimas as well.
This is a great place to raise a family and live.
With that said, all of you WHO WE VOTED IN SHOULD NOT ALLOW THIS CITY TO BE A SANCTAURY CITY!!**

If you care about the people & there safety you would 100% vote this down!
Most of the people who show up for meeting and shout & scream to keep it the SB54 are bused in and most of them don't even live in this city...this is shameful!

Please, make the right choice and STOP the city from being a sanctuary city.

Thank you,
Chris Neag
Concerned Resident

Ken Duran

From: John Ebner
Sent: Friday, April 20, 2018 7:16 AM
To: Ken Duran
Subject: Fw: SB54

From: Chris Neag <clagency@verizon.net>
Sent: Thursday, April 19, 2018 2:22 PM
To: John Ebner
Subject: Fwd: SB54

Subject: Fwd: SB54

-----Original Message-----

From: Chris Neag <clagency@verizon.net>
To: cmorris <cmorris@ci.san-dimas.ca.us>; dbertone <dbertone@ci.san-dimas.ca.us>; ebadar <ebadar@ci.san-dimas.ca.us>; jebinera <jebinera@ci.san-dimas.ca.us>; rvienna <rvienna@ci.san-dimas.ca.us>; bmichaelis <bmichaelis@ci.san-dimas.ca.us>
Sent: Thu, Apr 19, 2018 1:05 pm
Subject: SB54

Dear Mayor & City Council members,
I have to say that I believe this Gov. Brown request for SB54 is completing out of line and lawless!

**I am a resident of San Dimas for the past 20 years and also have operated a business here in San Dimas as well.
This is a great place to raise a family and live.
With that said, all of you WHO WE VOTED IN SHOULD NOT ALLOW THIS CITY TO BE A SANCTAURY CITY!!**

If you care about the people & there safety you would 100% vote this down!
Most of the people who show up for meeting and shout & scream to keep it the SB54 are bused in and most of them don't even live in this city...this is shameful!

Please, make the right choice and STOP the city from being a sanctuary city.

Thank you,
Chris Neag
Concerned Resident

Ken Duran

From: Ryan Vienna
Sent: Wednesday, April 18, 2018 9:31 PM
To: Debra Black
Cc: Ken Duran
Subject: Fwd: chelseatodd27@gmail.com

See below.

From: Chelsea Todd <chelseatodd27@gmail.com>
Sent: Wednesday, April 18, 2018 3:34 PM
Subject: chelseatodd27@gmail.com
To: Curt Morris <cmorris@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, John Ebner <jebiner@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>, Ken Duran <kduran@ci.san-dimas.ca.us>

Good afternoon San Dimas City Council Members,

I am writing today to show my support for Ryan Vienna. I voted for him in the election and wish for him to stay in the council. I am also writing to inform you that I do not support the bill passed by the state of CA and think San Dimas should support the federal laws over the state in this case. If our police (sheriffs) are unable to do their job, nobody is safe. In my opinion, San Dimas should follow Los Alamitos and Orange County in becoming exempt from California's sanctuary law. Thank you for your time.

Sincerely,
A concerned citizen
Chelsea Todd
Teague Dr.
San Dimas

Ken Duran

From: Ryan Vienna
Sent: Wednesday, April 18, 2018 9:27 PM
To: Debra Black
Cc: Ken Duran
Subject: Fwd: Vote to disapprove of San Dimas support for Sanctuary State

See below.

From: Felix Veiga <felixveiga1@gmail.com>
Sent: Wednesday, April 18, 2018 7:38 PM
Subject: Vote to disapprove of San Dimas support for Sanctuary State
To: Ryan Vienna <rvienna@ci.san-dimas.ca.us>

Mr Vienna:

This is Felix Veiga , on Edinburgh rd. San Dimas. I supported you for councilman.

We need San Dimas to Opt Out as a Sanctuary State supporter.

Felix Veiga
626-705-8650

Sent from my iPhone

Ken Duran

From: Ryan Vienna
Sent: Tuesday, April 17, 2018 7:43 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Sanctuary State-

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Doug Aschenbrenner <douglasaschenbrenner@gmail.com>
Date: Tuesday, April 17, 2018 at 3:16 PM
To: Curt Morris <cmorris@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>, John Ebiner <jebiner@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>, Doug Aschenbrenner <dougasch@aol.com>
Subject: Sanctuary State-

Your Honor and The distinguished City Council for the City of San Dimas,

Looking at the Oath of Office for any City Council Person, I see it usually has the words, I will support the Constitution of the United States from all enemies, both foreign and domestic. I will faithfully and impartially perform and discharge the duties of said office according to the law to the best of my ability ETC:

While this does not specifically discuss any issue, like Sanctuary or homeless or 100 other issues that modern man has before it, it is implied that issues will arise that must be dealt with, no matter the political position.

I doubt any voter ever entertained the idea that the issue of immigration would be before the City of San Dimas City Council in 2018. I realize that as individuals we have an opinion on this subject and no matter the direction of that opinion, it will offend someone.

It all comes down to having an opinion, pro or con or abstaining. Three choices.

I direct you to the first lines of this email. Defend the Constitution of the United States.

If any State or any City is in conflict with the Constitution of the United States, then it is the responsibility of every citizen to defend the Constitution of the United States. If stones are thrown at those who defend the Constitution, it is clear that they are throwing stones at the United States and every American Citizen.

We have a Supreme Court that decides all issues involving the U.S. Constitution. Public opinion is just that, an opinion.

I urge you to support the Constitution of the United States with regards to any immigration issue.

Thank you

Douglas Aschenbrenner

Ken Duran

From: Blaine Michaelis
Sent: Tuesday, April 17, 2018 2:08 PM
To: Ken Duran
Subject: Sanctuary state law- SB54

From: Patrick Jones [<mailto:sdpsc2010@gmail.com>]
Sent: Tuesday, April 17, 2018 9:11 AM
To: Blaine Michaelis
Subject: Sanctuary state law- SB54

To the City Council of San Dimas,

I am a resident of San Dimas and have been for more than 20 years. I am a registered voter and I do vote!

I am against any laws that are contrary to the constitution, specifically any laws that the state of California have now, or in the future, which undermines the order of law.

Unless you could get me out of paying federal taxes by a state action? Oh well I am done dreaming.

SB 54 is a law that supports the notion that we don't care what the federal government says we are going to do what we want and ignore federal law. This type of action by the state is counterproductive and should not be allowed to continue without contest.

Although I don't believe we need to file any sort of lawsuit against the state, I do believe we should stand up and let the state and our community know that as a city we understand that federal law supersedes any state laws!

Please don't listen to all of the people who are not from San Dimas and trying to threaten you and for that matter all of us who do live here.

I was at the last meeting and I am glad that most of the speakers were not from San Dimas. I was discussed by the threats and name calling used by the organization of folks that want us to not follow federal law.

Also, I am not a racist, and I have nothing but respect for anyone who chooses to immigrate to the United States of America, however I do have a problem with anyone who does it illegally!

The state of California has gone off the rails and needs to hear from us that their actions are not supported.

Thank you for stepping up and discussing this important topic as I know is contentious.

It will be nice to listen to the council discussing SB54 without all of the misdirected hype. The facts and only the facts!

Patrick Jones
A San Dimas Resident!
sdpsc2010@gmail.com
Sent from my iPad.☺

Ken Duran

From: Blaine Michaelis
Sent: Tuesday, April 17, 2018 2:08 PM
To: Ken Duran
Subject: SB54

From: sdsaints@aol.com [<mailto:sdsaints@aol.com>]
Sent: Tuesday, April 17, 2018 1:58 PM
To: Blaine Michaelis
Subject: SB54

To: Blaine Michaelis, City Manager
City Council Members

Fr: Robert Olander
San Dimas Resident

Dear Blaine and Members of our City Council:

I attended the last City council meeting and heard the fear and outside speakers various threats if the Council even discussed SB 54 at a future meeting. Reminds me of what I have seen and read that is occurring on our college campuses today in various States including California.

I personally support the rule of law and enforcement of same to have safe communities throughout the various counties in California.

I believe immigration is a Federal issue of enforcement and California should not interfere in this issue.

Thank you for having a discussion on this issue at the April 24th council meeting including the Sheriff Department representative on hand also.

The bottom line is that we need to keep our community safe from convicted criminals whomever they are.

Sincerely,

Robert Olander

Ken Duran

From: John Ebiner
Sent: Thursday, April 19, 2018 3:51 PM
To: Ken Duran
Subject: Fw: Sanctuary State controversy

From: Ruth Crandall <res09v8g@verizon.net>
Sent: Tuesday, April 17, 2018 9:47 AM
To: John Ebiner
Subject: Sanctuary State controversy

San Dimas City Council should not become involved in the divisive issue that pits liberals and conservatives against each other in a bitterly political way. Outside groups that reportedly go from city to city should not influence our City Council's decisions. Our City Council should address municipal issues. That is why we elected its members.

Ruth Crandall

Ken Duran

From: Ryan Vienna
Sent: Tuesday, April 17, 2018 7:54 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: No on Sanctuary City for San Dimas

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Bob Smith <rsmith9044@verizon.net>
Reply-To: Bob Smith <rsmith9044@verizon.net>
Date: Monday, April 16, 2018 at 6:15 PM
To: Curt Morris <cmorris@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, John Ebner <jebiner@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>
Cc: "Smith, Bob" <rsmith9044@verizon.net>, "Smith, Judi" <jlsmith452@verizon.net>
Subject: No on Sanctuary City for San Dimas

Gentlemen, Our City Council Meeting in San Dimas was invaded by many Illegal Aliens with Mob mentality and they took over and disrupted the meeting and made threatening demands to certain council members. They made demands and again, demanded their rights as they see it that we accept the ridiculous Sanctuary City Policy of our Current Governor. As a citizen of the United States of America and a citizen of the City of San Dimas, we, my wife and I expect you to maintain the law and order policies that San Dimas has now and vote No on any type of Sanctuary policies. We already have rules and are an American city and state and country of laws and do not accept such mob mentality and disruption of our meeting by such an inconsiderate group of illegal aliens. We would be totally surprised and very disappointed if any of you were to consider allowing these thug types of persuading your opinion. This is very important for the future of our city and the power of this group of illegal aliens which I would assume that the majority of them were not even citizens of our fair city. Do your job and protect our American Citizens and City. Thank you.

Robert and Judith Smith
1050 Via Esperanza
San Dimas, CA 91773

Ken Duran

From: Ryan Vienna
Sent: Tuesday, April 17, 2018 8:01 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: California State Law SB54

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Nancy Klinkhart <nklinkhart@aol.com>
Date: Monday, April 16, 2018 at 5:41 PM
To: Curt Morris <cmorris@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>, John Ebner <jebiner@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Subject: California State Law SB54

Dear Mayor Morris and Council Members Badar, Bertone, Ebner and Vienna:

Our names are Roger and Nancy Klinkhart. We have lived in the city of San Dimas for over 40 years and have never felt the need to write to the council. We think the city is a pleasant place to live and has been well run by our elected officials.

We are writing now as we have some strong feelings about the anti- SB54 movement taking place in a few cities. We personally do not feel that our city needs to use any of our financial resources to "rebel" against a state law that has been passed by our elected state officials. This course of action seems like nothing more than a political stunt that is meant to appeal to one group of constituents at the expense of many other constituents. We are speaking up and asking the council NOT to embark on this course of action - it is financially irresponsible, not necessary, and just plain mean spirited.

You will likely hear from many people opposed to SB54. Some of them will live in San Dimas, but MANY will not. Please do not let the loud voices drown out the rest of us. Just because we are not the people who will come to council meetings and try to bully the council with loud comments and signs doesn't mean we are not paying attention. We know that we are not alone in hoping that the council will use good judgement and choose to stay out of this fight. Remaining neutral by accepting the state law as it is written is in the best interests of the city and of the people who actually live here.

Sincerely,

Roger and Nancy Klinkhart

Ken Duran

From: Ryan Vienna
Sent: Tuesday, April 17, 2018 8:02 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: SB54 Discussion

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Judi Neal <hoodien47@gmail.com>
Date: Monday, April 16, 2018 at 1:23 PM
To: Curt Morris <cmorris@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, Denis Bertone <DDBertone@aol.com>, John Ebiner <johnebiner@verizon.net>, Blaine Michaelis <bmichaelis@ci.san-dimas.ca.us>, "msteres@awattorneys.com" <msteres@awattorneys.com>, Ken Duran <kduran@ci.san-dimas.ca.us>
Subject: SB54 Discussion

Dear City Council and City Staff,

I wish to write to commend you all on going forward to discuss the pros and cons for opting out of the unlawful and illegal California state law mandating Sanctuary State Bill SB54 on April 24th.

Mayor Morris, as you stated at the end of April's council meeting you are going to abstain from voting. Unfortunately that doesn't make the problem go away, it will continue to grow and continue to fester and in the end will still need to be addressed.

I do not envy the decision you are all faced with, however, I would like to see you all stand up against the tyranny being presented by our current legislatures in Sacramento. Most residents don't get involved, they sit at home and yell and scream but ultimately do nothing. I don't want to see our City Council sit back and do nothing.

SB54 will only attract ICE into our communities, not deter them. I am not aware of our Sheriff's breaking down doors in San Dimas or

going into businesses and arresting people, our Sheriffs treat everyone with respect and I have never heard of them not responding to a call for distress. The Trust Act of 2014 protects all immigrants legal or not.

I have never cared one way or the other about my neighbors, but I don't feel threatening, demanding or bullying our city officials warrants any respect either.

At one point in the meeting a young woman announces she is illegal, unafraid and is going to vote you out of office. Let me repeat, VOTE YOU OUT OF OFFICE. So she is either lying or breaking state and federal law by illegally voting in our elections. Most of the people who attended that meeting were bused in had no affiliation with our city. They were brought in as paid agitators, organized by unions and the ACLU.

In 2016 112% of voters registered in Los Angeles County, voted and at this very moment a law suit has been filed against the State of California and the counties of Imperial, Lassen, Los Angeles, Monterey, San Diego, San Francisco, San Mateo, Santa Cruz, Solano, Stanislaus and Yolo whose voter registration exceeds 100% of the eligible voting population. It's important to include both active and inactive voters in the tally because inactive voters can show up and cast ballots. Also, as you all know my husband, Jack Neal died in October, in Los Angeles County and the death certificate was issued in LAC. I just received an "Important Election Information" notification from the registrars office, which means they have not removed him from the voter roles as of this upcoming election cycle.

Your duty is to the legal residents of San Dimas. Our city streets need to be protected from ICE looking for those illegal immigrants that are hardened criminals, not those trying to make a better life for themselves.

Opting out of SB54 keeps ICE of our neighborhoods and in the jails where they belong.

Respectfully Submitted,

Judi Neal

San Dimas Resident

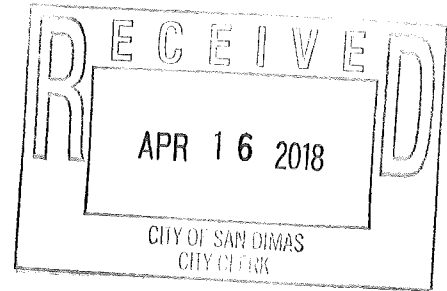
“The Only Thing Necessary for the Triumph of Evil
is that Good Men Do Nothing.” (Edmund Burke)

Debra Black

From: Blaine Michaelis
Sent: Monday, April 16, 2018 8:38 AM
To: Mark Steres; Ken Duran
Cc: Debra Black
Subject: FW: Regarding Resolution to opt out of the SB54 State mandate.

Forwarded to you for reference and filing.
Blaine

Blaine Michaelis
City Manager
City of San Dimas
909-394-6213 phone



From: Jack Mercica [<mailto:jmercica@gmail.com>]
Sent: Saturday, April 14, 2018 8:45 PM
To: Curt Morris
Cc: Denis Bertone; Emmett Badar; John Ebiner; Ryan Vienna; Blaine Michaelis
Subject: Regarding Resolution to opt out of the SB54 State mandate.

Gentlemen,

I attended the council meeting on Tuesday April 10th and was appalled at the level of discourse being brought to bear largely by people being bused in from the Pomona Day Care workers to voice their demands that the City of San Dimas will not opt out of this unreasonable and unconstitutional state mandate known as SB54.

As you know the majority of those in attendance do not live or even work in San Dimas. I have lived in San Dimas since 1981 as a home owner and in fact I work out of my home in San Dimas as well. Unlike the disrespectful demands being made by the undocumented residents in attendance I in turn respectfully request that you will opt out of this unreasonable state mandate which not only puts the San Dimas residents and other nearby residents in harms way from the criminal element of illegal immigrants but also jeopardizes the very undocumented attendees of that evening. We know this because as long as local law enforcement officials do not cooperate with the Federal Government ICE, they will then have no other choice but to raid the cities complying with that unconstitutional state mandate and arrest these otherwise law abiding undocumented immigrants. They are not doing themselves any favors with their thoughtless demands.

Thank you Councilman Vienna for proposing this very reasonable resolution to opt out of this for the benefit of all both legal and undocumented law abiding residents of our fair city.

Debra Black

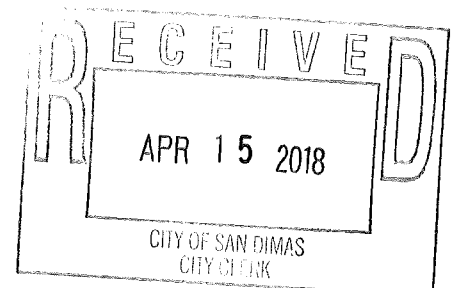
From: Janet Austin <janhappyheart@aol.com>
Sent: Sunday, April 15, 2018 4:07 PM
To: Debra Black
Subject: SB-54

Members of the City Council:

After watching the lengthy council meeting's open forum "filibuster" by students and other members of the community in favor of SB-54 on TV Tuesday, April 10, 2018, I am compelled to go on record as OPPOSED to the Senate Bill and, as a registered voter, I am horrified by the idea that San Dimas would ever become a sanctuary city.

Even if the City of San Dimas doesn't enter into the legal fray of "opting out" of the sanctuary state law, I would urge the council to write a declaration in support of the U.S. federal government's position that is challenging it. I agree with Mr. Vienna's comment that if the San Dimas City Council refuses to have the dialogue, then it implies San Dimas is a sanctuary city (San Gabriel Valley Tribune, Thurs. 4/12/18, p. A4).

Jan Austin
112 W. Via Vaquero
San Dimas, CA 91773



Ken Duran

From: Ryan Vienna
Sent: Tuesday, April 17, 2018 8:05 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Regarding Resolution to opt out of the SB54 State mandate.

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Jack Mercica <jmercica@gmail.com>
Date: Saturday, April 14, 2018 at 8:45 PM
To: Curt Morris <cmorris@ci.san-dimas.ca.us>
Cc: Denis Bertone <dbertone@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, John Ebiner <jebiner@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>, Blaine Michaelis <bmichaelis@ci.san-dimas.ca.us>
Subject: Regarding Resolution to opt out of the SB54 State mandate.

Gentlemen,

I attended the council meeting on Tuesday April 10th and was appalled at the level of discourse being brought to bear largely by people being bused in from the Pomona Day Care workers to voice their demands that the City of San Dimas will not opt out of this unreasonable and unconstitutional state mandate known as SB54.

As you know the majority of those in attendance do not live or even work in San Dimas. I have lived in San Dimas since 1981 as a home owner and in fact I work out of my home in San Dimas as well. Unlike the disrespectful demands being made by the undocumented residents in attendance I in turn respectfully request that you will opt out of this unreasonable state mandate which not only puts the San Dimas residents and other nearby residents in harms way from the criminal element of illegal immigrants but also jeopardizes the very undocumented attendees of that evening. We know this because as long as local law enforcement officials do not cooperate with the Federal Government ICE, they will then have no other choice but to raid the cities complying with that unconstitutional state mandate and arrest these otherwise law abiding undocumented immigrants. They are not doing themselves any favors with their thoughtless demands.

Thank you Councilman Vienna for proposing this very reasonable resolution to opt out of this for the benefit of all both legal and undocumented law abiding residents of our fair city.

Ken Duran

From: Ryan Vienna
Sent: Tuesday, April 17, 2018 8:08 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: SB54

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Meredith Bailey <meredith@mbaileycpa.com>

Date: Friday, April 13, 2018 at 5:33 PM

To: "cmorris@si.san-dimas.ca.us" <cmorris@si.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>, John Ebiner <jebiner@ci.san-dimas.ca.us>

Subject: SB54

One of my clients forwarded over to me a copy of the city council meeting that occurred this past week on SB 54. After watching that video, I thought I should voice my opinion that SB54 should be overturned and even though it is binding on the law enforcement community in California, I would hope that the City Council would join the Orange County cities that are protesting the law.

The law violates the rights of the citizens and community members who may not be legal immigrants to live in a community free of crime. People who commit crimes and are illegal should be deported and law enforcement should co-operate with the federal government to expel them from the United States. I don't want the bad guys living next door to my house or next door to anyone in my neighborhood. I would think that the illegal immigrants who live peacefully in the community, and are hardworking members of society, should also be allowed to also live in a crime free neighborhood. Safety should be the issue.

The secondary issue that is being ignored by the law is the cost of housing, medical cost, education cost of inmates of the prison system. The latest statistic that I have read says it cost between \$31,000 to \$60,000 to house an inmate in prison for a year (www.cbsnews.com/news/te-cost-of-a-nation-of-incarceration/) and costs the country \$63.4 billion a year.

So ship them back to their country, build a wall to keep them out and we will have a safer community.

Meredith Bailey

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:50 PM
To: Ken Duran
Subject: Fw: OPT OUT OF SANCTUARY LAW

From: bruce martenev <pod989@verizon.net>
Sent: Thursday, April 12, 2018 1:04 PM
To: Curt Morris; Denis Bertone; Emmett Badar; John Ebner; Ryan Vienna
Subject: OPT OUT OF SANCTUARY LAW

Gentlemen,

I was wondering if any thought has been given to opting out of the new state sanctuary law? I, myself believe this law is not only wrong but unlawful. Several other cities (Newport beach, huntington beach, fountain valley, Barstow, Hesperia, los Alamitos, orange, yorba linda, mission Viejo, etc.) have already undertaken rejecting this overstep of the state of California. I would like to know what steps can be taken for the city of san dimas to join this rejection of the sanctuary law.

Thank you

Bruce martenev

1640 via palomares

San dimas, California 91773

909-599-7054

Ken Duran

From: Ryan Vienna
Sent: Tuesday, April 17, 2018 8:20 PM
To: Debra Black
Cc: Ken Duran
Subject: FW:

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Celeste Rodriguez <rodriguezgloria165@gmail.com>

Date: Wednesday, April 11, 2018 at 8:49 PM

To: Ryan Vienna <rvienna@ci.san-dimas.ca.us>

Subject: Re:

Dear Ryan Vienna,

Sorry about the previous email I sent it on accident before writing. Anyway, I am writing you today because I recently spoke at the City Council meeting. My name is Gloria Celeste Rodriguez, and when I went up to speak, I was mad, upset and could barely contain my emotions which caused me to shake. I wanted you to hear what I had to say so that you understood the effects actions like the ones you want for my city would affect families. I know what it's like to go home and ask my mom when my dad is coming home for months knowing he would never because of our broken immigration policies. SB-54 would have protected my dad because he is not a criminal. I know what it's like to forget the image of my father because I was only a little girl and I never got to say goodbye or even I love you. I am a lot older now and know that what was done to my father and my family was unjust. I am asking you to keep San Dimas a sanctuary city and if you cannot do that for the people then I ask that you resign from office because you are unfit for a position that needs to work with the residents rather than for personal matters.

On Wed, Apr 11, 2018 at 8:27 PM, Celeste Rodriguez <rodriguezgloria165@gmail.com> wrote:

Dear Ryan Vienna,

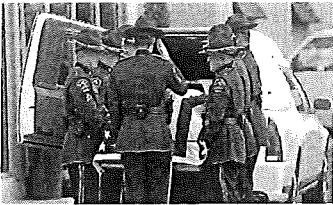
Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:49 PM
To: Ken Duran
Subject: Fw: SB54

From: Eddy.N@verizon.net <Eddy.N@verizon.net>
Sent: Wednesday, April 11, 2018 7:18 AM
To: John Ebner
Subject: SB54

Dear San Dimas City Council:

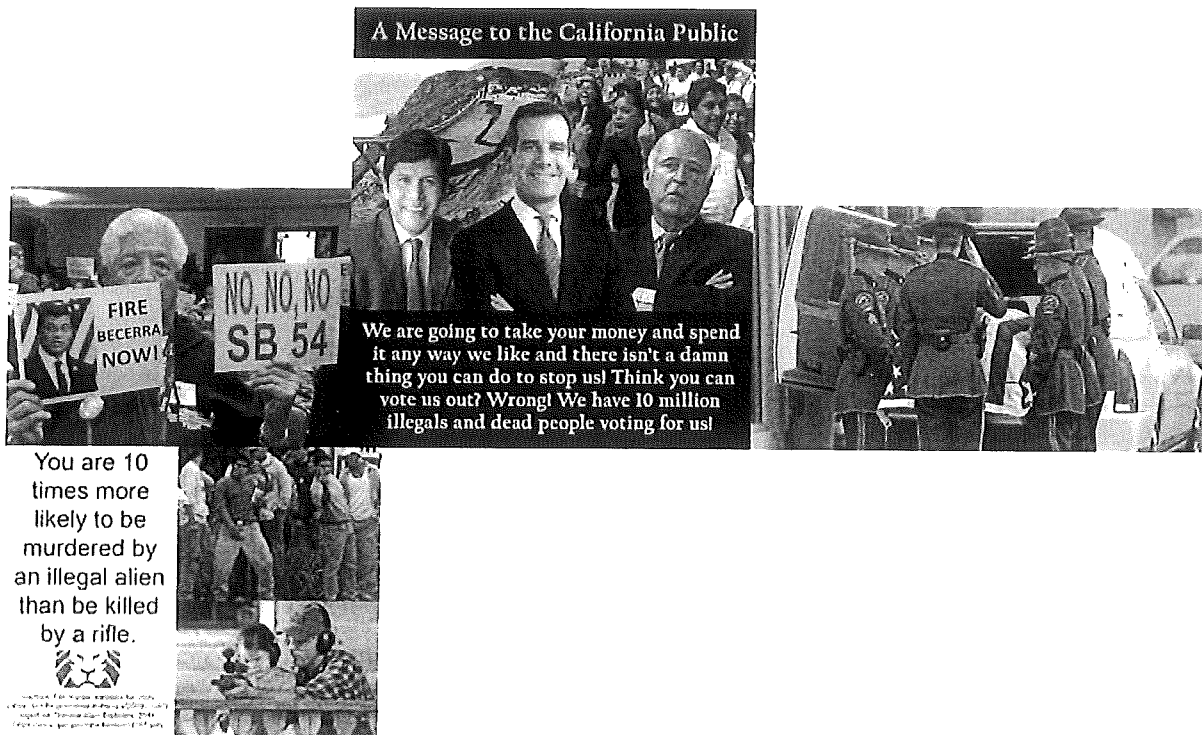
The people of SD demand the Council to follow Newport Beach, Orange, Westminster, Escondido, San Diego County, Aliso Viejo, Fountain Valley, Mission Viejo, San Juan Capistrano, Huntington Beach, Yorba Linda to defy California's totally unconstitutional "sanctuary state" laws, after Los Alamitos and Orange County. We don't feel safe with criminal illegal aliens in our city because they may rape our women and children, transmit diseases, kill us as drunk drivers, rob, steal, caused accidents with no insurance, commit other crimes or kill cops <https://www.inquisitr.com/1566388/illegal-immigrant-accused-of-killing-two-california-deputies/>. Los Alamitos passed an ordinance to defy SB 54, the state's main sanctuary law that bars local authorities from honoring Immigration and Customs Enforcement (ICE) detainers. Newport Beach voted 7-0, Orange County's Board of Supervisors voted to join the Trump administration's lawsuit challenging California's three sanctuary state laws and condemn the state's "sanctuary city" law.



Illegal Immigrant Accused Of Killing Two California Deputies

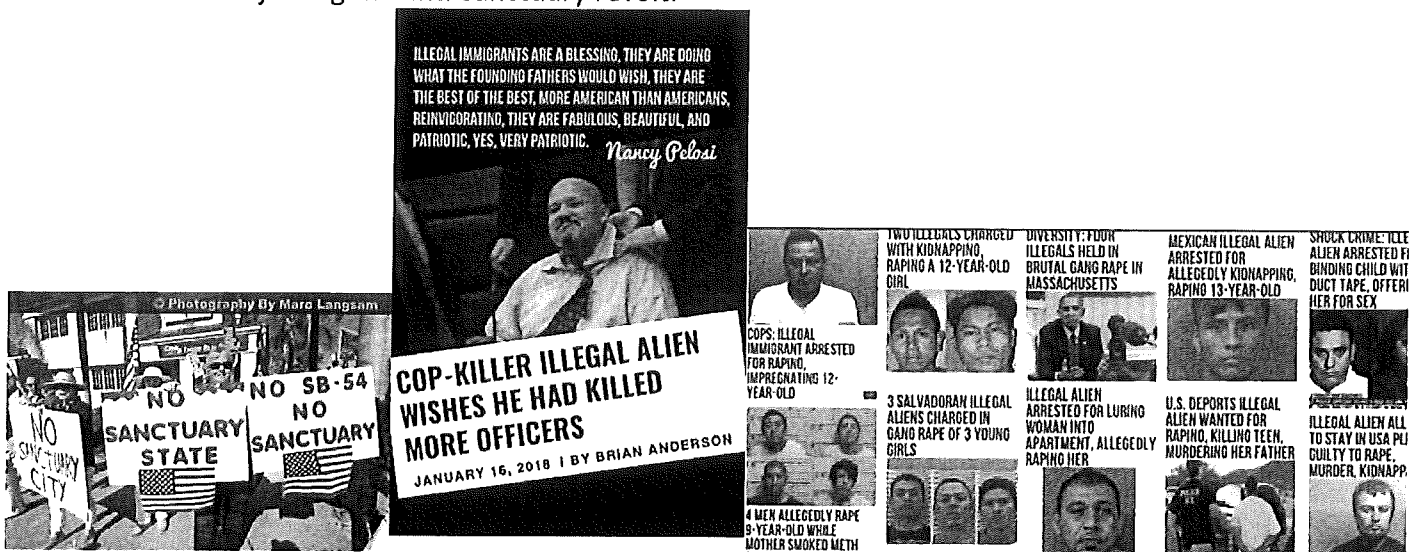
www.inquisitr.com

Illegal immigrant Luis Enrique Monroy Bracamonte killed two California sheriff's deputies, according to local law enforcement authorities who booked the 34-year-old on multiple felony charges. ...



Consider this:

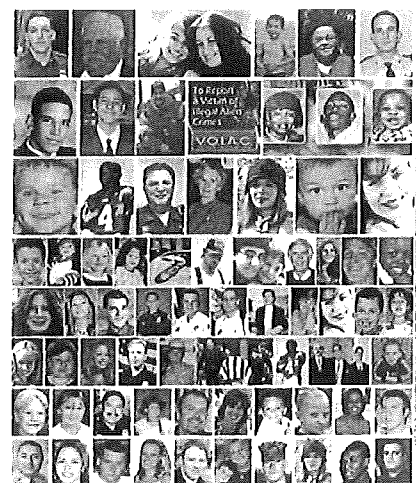
Escondido voted 4-1 authorized the city's filing of a legal brief in support of the Trump administration's lawsuit challenging California's three sanctuary city laws for violating the Supremacy Clause of the Constitution. Escondido is the first city in San Diego County to defy the state's "sanctuary" laws, and San Diego County and other counties are joining the anti-sanctuary revolt.



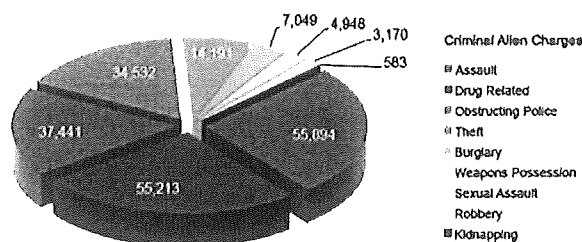
Cities and counties must join the Immigration Reform Law Institute (IRLI) who is fighting California's dangerous and unconstitutional sanctuary laws by filing amicus or friend-of-the-court briefs in support of the federal government's lawsuit. The lawsuit, *U.S. v. California*, claims that three California state laws, "The California Values Act" (SB54), "The Immigrant Worker Protection Act" (AB450), and Assembly Bill 103 (AB103) unconstitutionally obstruct the federal government's ability to enforce immigration laws. IRLI takes aim at SB54 and AB450 in the [brief](#) it filed. This brief shows that SB54 and AB450 directly interfere with federal enforcement of immigration law, even in ways that invite armed confrontations between state and federal officers. The brief also shows that authority to pass these laws is not reserved to the states in the Tenth

Amendment, and that SB54, in which California decides for itself which categories of aliens get to stay in the United States, usurps the federal government's exclusive authority over foreign relations.

Victims Of Illegal Alien Crime



VOIAC.ORG



Crime Victims of Illegal Aliens

Shown below are just a handful of the many thousands of innocent Americans who have been murdered, raped, kidnapped, robbed or otherwise criminally harmed by foreigners with no right to be in this country. The high incarceration rate of illegal aliens shows that many do not come to work but to commit crimes. A rubber-stamp AMHSIS, like the McCain Kennedy bill, will permit more dangerous foreigners to endanger our families, friends and neighbors.



Travis Smith

The 16-year-old college student from Mesa, Arizona, was struck and killed in his car by an illegal alien driver. The driver received a sentence of only 1 1/2 years in prison.



Virginia Garcia

Young was brutally raped and murdered in her parents' home. The accused 16-year-old, mother named as a child molester, had been protected by the city's illegal alien sanctuary policy.



Dan Young

The Denver police officer, married and the father of two, was shot and killed by an illegal alien who worked as a restaurant worker. The city Mayor Denver has a policy sanctuary policy which makes prosecution more like this one.



Mary Hagle

The accomplished volunteer minister of Rockland County New York was raped and murdered in her home by an illegal alien forced to do house painting.



Joyce Dargatz

A 16-year-old girl from South Carolina, Joyce Dargatz was killed in the bedroom of her home by a drug-using illegal alien who attended the local high school.

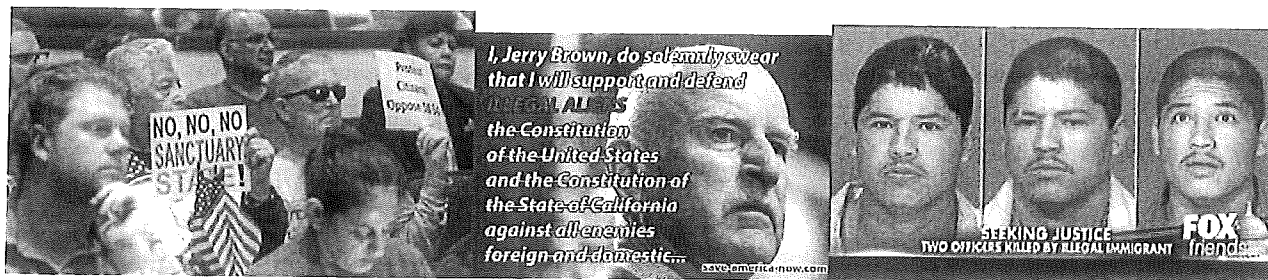


Scott Gardner

The North Carolina teacher, father of two and church deacon was killed by a drunk illegal alien with several prior arrests.

More information at www.immigrationinfracture.org

IRLI addresses all 3 state laws in a separate brief on behalf of a coalition of California municipalities and elected officials, including the cities of Escondido, Mission Viejo and Yorba Linda, and U.S. Rep. Dana Rohrabacher(CA-48). These municipalities and officials have grave concerns that the challenged state laws not only violate federal supremacy, but will make cities and local officials criminally liable. The brief shows that by restricting the ability of local governments and private businesses to cooperate with federal immigration officers, AB450 and SB54 compel them to commit the federal crime of concealing, harboring, or shielding illegal aliens. The brief also demonstrates that contacting and working with governmental enforcement authorities is protected First Amendment free speech activity that California cannot constitutionally prohibit. The federal government and the Constitution speak for Californians on immigration. This is a textbook application of the Supremacy Clause, and laws like SB54 and AB450 are not only flagrantly unconstitutional but extremely dangerous – to both the safety of ALL Californians and the integrity of our federal republic.



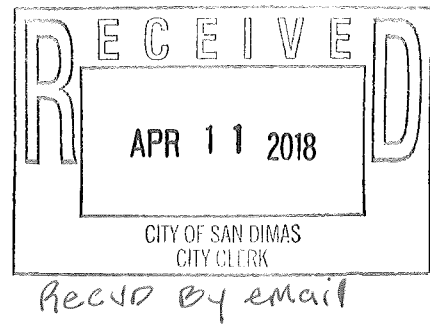
In Orange County, Mission Viejo supports Los Alamitos' ordinance while Buena Park, Aliso Viejo, Fountain Valley, San Juan Capistrano, Yorba Linda, Barstow, Hesperia filed or joined amicus briefs. Aliso Viejo voted 4-1 to join Trump DOJ lawsuit against California, along with officials from West Covina, San Marcos, San Dimas. Huntington Beach voted 6-1 to sue California to seek relief from the SB54 mandates because California's "sanctuary" laws represent a threat to public safety and city lawmakers have been exploring options to ensure the safety of its citizens and "maintain local control, while at the same time, fulfill our oath of upholding the Constitution." SD must stay ahead of the curve to protect its residents, rally other cities, join Trump lawsuit with amicus brief, pass ordinance to exempt itself and allow ICE cooperation because the wall is being build right now by the Army Corps of Engineers, National Guard troops are being sent to the border, and it is not a wise move for California to defy the US government headed by Trump, because he is doing the right thing to secure our borders to keep us safe from the alien invasion.

This message and any attached document is sent privately in the public interest and may contain candid, open, and truthful advice, recommendations, opinions, proposals, and information that is privileged, proprietary, non-public and exempt from disclosure, confidential or otherwise protected by law, and may be subject to executive, diplomatic, judicial, clerical, deliberative process or other privilege and is intended solely for the recipient and not for disclosure or distribution. If you are not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that you are prohibited from reviewing, retransmitting, printing, copying, scanning, disseminating, uploading or otherwise using in any manner this email or any attachments to it. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. Email transmission cannot be guaranteed to be secure or error-free as information could be intercepted, modified, corrupted, lost, destroyed, manipulated, incomplete, arrive late or contain viruses. The sender therefore does not accept liability for any errors, revisions or omissions in the contents of this message which arise as a result of email transmission or unauthorized disclosure or distribution.

COPY OF LETTER SENT

Dear City Council, of Los Alamitos,

Subj: Sanctuary City



I support your decision to challenge California's Sanctuary City Law. I support your decision as being heroic and protective of our Constitution. I support Legal, controlled, Immigration.

I look upon the Sanctuary law (SB-54) to be comparable to when the Southern States seceded from the nation United States, the move resulted in the Civil War. Any law, even a partial one like (SB-54), that illegally separates and removes itself from the United States Government, is Unconstitutional.

The Sanctuary Law (SB-54) is illegal, unconstitutional, and detrimental to the Citizens of the United States. In fact, it undermines the citizens of the United States.

I, nor any veteran, did not serve in the United States Armed Forces, to come home, and to preserve, illegal immigration. We served to protect and preserve the Constitution of the United States of America.

Why would anyone serve in the military to support rampant illegal immigration?

I support the United States Constitution, and legal immigration. We are a country of Legal Immigrants.

Thank you for a job well done.

Larry Bales, Viet Nam Veteran

714 227 7966

Ps: For those who are concerned about the finance, remember some of our veterans have paid the ultimate price to preserve our way of life.

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:07 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Sanctuary City discussion

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Richard Marr <richard@jrmarr.net>
Date: Tuesday, April 10, 2018 at 9:53 AM
To: Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Subject: Sanctuary City discussion

Hello Councilman Vienna,

I understand that a question has been raised in the San Dimas City Council re: our stance on the sanctuary city debate. Here is my take:

It's been said in many forms:

"What you allow will continue;"

"What you allow you encourage;"

"What you permit you promote."

By opting out of immigration law enforcement, we are in effect promoting illegal immigration. I don't understand why and how our state and municipalities can thwart federal law on this matter, and it is a federal issue. I see only two solutions to the problem: either abandon sanctuary state/municipality ideas or lobby to change federal immigration law. Unless/until federal law changes, we have no choice but to enforce the law as written. Let us in the City of San Dimas join Orange County, Escondido, and other municipalities in the fight against this sanctuary city nonsense. I understand that we are not a charter city but not all munis who have come out against sanctuary ideas are charters. We can do it. Let's do it.

Beyond this, a couple more thoughts: when and if we get a station on the Metro Gold line, get ready for a whole host of new "visitors" of varying motivation and citizenship status. Get ready to build homeless encampments. Get ready for more crime. And speaking of crime, is it just me or has property crime increased since the passage of prop 47? All I know is what I see, and what I see is that people in my neighborhood are buying lock boxes for their mailboxes, we don't use our mailboxes for outgoing mail at all, packages are being stolen off front porches, and car doors are being checked on a regular basis (I've seen the doorbell video). Prop 47: "What you allow you encourage."

Thanks
James Marr
Hastings Ct.

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:49 PM
To: Ken Duran
Subject: Fw: Abandoned shopping carts/homeless/sanctuary state

From: Theresa Bruns
Sent: Monday, April 9, 2018 8:46 AM
To: John Lamm
Cc: Curt Morris; Emmett Badar; Denis Bertone; John Ebner; Ryan Vienna; Blaine Michaelis
Subject: RE: Abandoned shopping carts/homeless/sanctuary state

Mr. Lamm –

Thank you for reporting the shopping carts. We have dispatched staff to record the locations, vendors and number of carts so that we can contact the cart pick up companies or vendors themselves.

I can tell three of the locations from the photos, but am not certain of the location where the garages are pictured. Perhaps you might help me with where that site is.

Thank you again for the report.

- Theresa

Theresa Bruns
Director of Parks and Recreation
909-394-6230

Click on the Newsletter link to learn about our programs!



From: John Lamm [<mailto:lammi05@verizon.net>]
Sent: Saturday, April 07, 2018 1:34 PM
To: Theresa Bruns
Cc: Curt Morris; Emmett Badar; Denis Bertone; John Ebner; Ryan Vienna
Subject: Abandoned shopping carts/homeless/sanctuary state

Traveling through San Dimas on Arrow Highway and/or Bonita Avenue, drivers can be excused for mistaking their whereabouts for Pomona, or Azusa or even Irwindale. The view and the clutter of abandoned shopping carts and homeless is just about the same here in San Dimas.

There are many homeless who now call San Dimas 'home' – thank you for your benevolence; how long before Bonita Avenue looks like LA or the river walk along Anaheim Stadium?

The city has scheduled (?) a conversation about California's 'sanctuary' status... thank you for jumping in to *that* discussion with both feet. ;) San Dimas does not need to join a lawsuit or file one of its own... but the representatives of this town should have the fortitude to at least issue a statement declaring the California 'Sanctuary State' designation a foolish, illegal and unconstitutional effort to undermine the will of the majority of the people of this state and country.

Seriously, we have enough Neville Chamberlain's in this country.

In the meantime, please do something about the grocery carts here in town. These photos were taken Friday afternoon, April 6, 2018.

Thank you,

John Lamm
503 W. 4th Street
San Dimas, CA 91773
Lammj05@verizon.net



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Ken Duran

From: John Ebiner
Sent: Thursday, April 19, 2018 3:49 PM
To: Ken Duran
Subject: Fw: Discussion to set study session on the issue of illegal immigration

From: gilman guy <gilmanguy@gmail.com>
Sent: Tuesday, April 10, 2018 2:55 PM
To: Curt Morris
Cc: Denis Bertone; Emmett Badar; John Ebiner; Ryan Vienna
Subject: Discussion to set study session on the issue of illegal immigration

Dear Mayor and Council Members,

Just a note of support for your decision to set a future meeting date to discuss the impacts of the State's recent passage of Bill 54. I applaud your decision and look forward to attending that session.

In the meantime, there is little doubt that there will be attempts to disrupt your meeting tonight by the outside activists being sent. Don't be dissuaded by them - the residents of the City have the right to explore how we will be affected by this legislation.

Keep up the good work!

Sincerely,

Gil Aguirre
PO Box 4190
San Dimas, CA 91773
626-991-5792
gilmanguy@gmail.com

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:49 PM
To: Ken Duran
Subject: Fw: AB 54

From: Pamela Stevens <nuronrs921@hotmail.com>
Sent: Tuesday, April 10, 2018 9:21 PM
To: John Ebner
Subject: AB 54

Mr. Councilman:

After watching on TV the council meeting of April 10th, I would be personally afraid for my safety with the hostility and rudeness of the protestors of AB 54. I would like to express my opinion to the city council, so I will put it in writing.

If I went to France and set up a residence with no intention of leaving, and I had not asked permission to stay; how long do you think France would ignore this before I got kicked out.

When you come to this county, you need to come here through the legal channels. If you break the law.....out you go. You lost the privilege of staying. It is a privialege to live here, it is not your God given right to live here just because you want to.

This bill really only deals with people who have broken the law. So BEHAVE like my husband and I have for the 40 years we have lived in San Dimas.

Sincerely,

Garry & Pamela Stevens
1451 Windsor Drive
San Dimas, CA. 91773

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:49 PM
To: Ken Duran
Subject: Fw: SB 54 Study Session

From: ROBERT TORRES <roberthtorres@yahoo.com>
Sent: Tuesday, April 10, 2018 9:39 PM
To: Curt Morris; Denis Bertone; Emmett Badar; John Ebner; Ryan Vienna
Subject: SB 54 Study Session

Honorable Mayor and Councilmembers,

As a resident of one of your neighboring cities, West Covina, I respectfully request that you do not take, or join, any legal or policy action in opposition to SB 54. Although I appreciate the concerns and arguments on both sides regarding this matter, I believe taking such an action will be extremely divisive and alienate a significant portion of your residents, consumers, and thousands of residents within the San Gabriel Valley. Such action, depending on the extent, could also expose San Dimas to significant legal costs. Assuming that San Dimas took a formal position opposing SB54 at the time of it's drafting, I believe that action should be the furthest the City goes regarding this matter. SB 54's legality will ultimately be determined at the State/Federal level pending the results of the current lawsuit filed by the Trump administration against the State of California. Placing Sam Dimas within this divisive matter will likely have a negligible impact on the pending litigation and primarily be symbolic. Such a stance is simply not worth putting the City at financial risk and polarizing a significant portion of residents throughout the San Gabriel Valley.

Thank you

Robert Torres
West Covina, CA

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:07 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: CA "Sanctuary" Law SB 54 & The City of San Dimas

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: BettyJean Lamb <bettyjeanlamb@yahoo.com>
Reply-To: BettyJean Lamb <bettyjeanlamb@yahoo.com>
Date: Friday, April 6, 2018 at 3:03 AM
To: Curt Morris <cmorris@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>, John Ebner <jebiner@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Cc: BettyJean Lamb <bettyjeanlamb@yahoo.com>
Subject: CA "Sanctuary" Law SB 54 & The City of San Dimas

Dear Mayor Morris, Councilmen Bader, Bertone, Ebner, & Vienna:

As a resident of The City of San Dimas and a citizen of the USA I read with interest the article in The Daily Bulletin that Councilman Vienna is personally opposed to CA SB 54 & wants the City of San Dimas to come out in opposition to SB 54 as well and join the DOJ's lawsuit against the State of California as a friend of the court, etc.

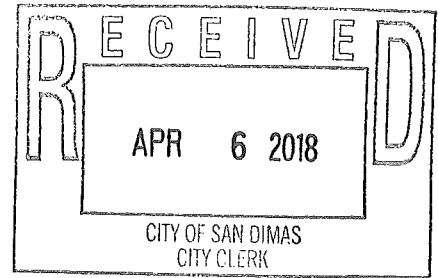
I want to urge you as representatives of The City of San Dimas to take a NEUTRAL position on SB 54 because its impacts directly on services provided by The City are to the best of my knowledge minimal or non-existent.

Law enforcement in San Dimas is provided by the LA County Sheriffs Dept which is implementing/has implemented the provisions of SB 54 & the LA County "Sanctuary" laws in which their cooperation with ICE is limited to 31 violent crimes & task force efforts which I think are a reasonable allocation of limited law enforcement activities to be able to continue to best protect & serve our communities from criminal elements in our society be they legal citizen residents, or legal, & illegal immigrant residents.

Additionally, as far as so-called safe spaces in our schools, hospitals, libraries, & churches. I urge The City of San Dimas to defer response to SB 54 directly to the agencies responsible for those buildings. For example, Bonita Unified for public schools, LA County for our public library, individual churches to their own management boards or denominations, hospitals like San Dimas Community or Care Meridian to their own management, Life Pacific College to their own board instead of having a general rule issued by The City of San Dimas to direct the activities of all those agencies that operate inside city limits.

Sincerely;

BJ Lamb



March 29, 2018

Mayor Curtis W. Morris
245 East Bonita Avenue
San Dimas, CA 91773-3002

**SUBJECT: EXEMPTION FROM CALIFORNIA
SANCTUARY STATE LAW**

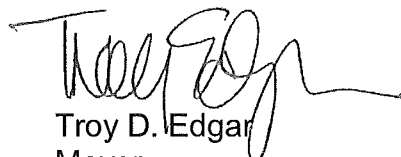
Dear Mayor Morris,

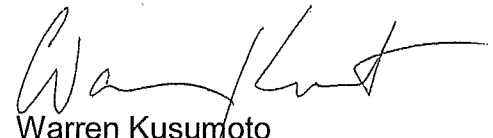
As you may have heard, the City Council of Los Alamitos voted to exempt itself from SB 54 and abide by the US Constitution at its March 19, 2018 meeting. Mayor Pro Tem Kusumoto and I are writing to ask for your support and consideration to bring a similar item forward to your City Council.

I have included a copy of our staff report and ordinance for your review. If you have any questions or concerns, please feel free to contact me at (562) 431-3538, ext. 220. I look forward to receiving your support.

Sincerely,

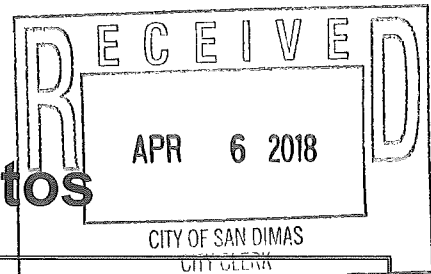
CITY OF LOS ALAMITOS


Troy D. Edgar
Mayor


Warren Kusumoto
Mayor Pro Tem

cc: San Dimas Council Members

City of Los Alamitos



Agenda Report Ordinance

March 18, 2018
Item No.: 12A

To: Mayor Troy D. Edgar & Members of the City Council

Via: Bret M. Plumlee, City Manager

From: Warren Kusumoto, Mayor Pro Tem

Subject: Introduce Ordinance No. 2018-03 – Adding Chapter 9.30 Constitution of the United States Compliance

Summary: This is an opportunity to discuss the Council's desire to show its resolve and support for the Constitution of the United States by adopting a Resolution or Ordinance.

Recommendations:

1. Introduce for first reading, read by title only, and waive further reading of Ordinance No. 2018-03; and,
2. City Attorney Daudt read the title of Ordinance No. 2018-03 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADDING CHAPTER 9.30 CONSTITUTION OF THE UNITED STATES COMPLIANCE."

Background and Discussion

The California Values Act (SB54) is contrary to the United States Constitution and infringes on the rights of the citizens of the City of Los Alamitos. Furthermore, it affects the City Council's oath to support and defend the Constitution of the United States.

In view of this contradiction, it is impossible to comply with both the Constitution of the United States and the Constitution of the State of California. When two governing documents contradict each other, the order of precedence needs to be invoked and followed.

In this situation, my belief is that the Constitution of the United States has precedence over the Constitution of the State of California, so therefore I am proposing that the City Council discuss and adopt Ordinance No. 2018-03 to exempt the City of Los Alamitos from the California Values Act.

ORDINANCE NO. 2018-03

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF LOS ALAMITOS, CALIFORNIA, ADDING CHAPTER
9.30 CONSTITUTION OF THE UNITED STATES
COMPLIANCE**

WHEREAS, the members of the City of Los Alamitos City Council have taken an oath to support and defend the Constitution of the United States and the Constitution of the State of California, and

WHEREAS, the State of California enacted SB54, called the California Values Act, and

WHEREAS, the California Values Act is codified into Government Code Title 1, Division 7, Chapter 17.25 entitled "Cooperation with Immigration Authorities", and

WHEREAS, the Council of the City of Los Alamitos, a Charter City, finds that it is impossible to honor our oath to support and defend the Constitution of the United States and to be in compliance with California Government Code Title 1, Division 7, Chapter 17.25, and

WHEREAS, employees of the City of Los Alamitos, residents, business owners, guests, visitors, employees and employees of the United States Department of Defense who proudly serve our Nation while stationed on the Joint Forces Training Base, are entitled to the protections afforded by the Constitution of the United States, the Bill of Rights, and the Amendments to the Constitution, and

WHEREAS, employers, including the City of Los Alamitos, operating within the jurisdiction of the City of Los Alamitos who accept Federal Contracts and must comply with Federal Law, including lawful requests for access to premises, and

WHEREAS, the entire Joint Forces Training Base may be required to comply with Federal Laws and is wholly located within the boundaries of the City of Los Alamitos, and

WHEREAS, the California Values Act may be in direct conflict with Federal Laws and the Constitution of the United States;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Los Alamitos, California finds that the above recitals are true and correct and incorporates them by reference herein.

SECTION 2. Chapter 9.30 Constitution of the United States Compliance is hereby added to the Los Alamitos Municipal Code as follows:

9.30 Constitution of the United States Compliance

The City of Los Alamitos, a Charter City, does hereby exempt the City of Los Alamitos from the California Values Act, Government Code Title 1, Division 7, Chapter 17.25 and instead will comply with the appropriate Federal Laws and the Constitution of the United States.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 16th day of April, 2018.

Troy D. Edgar, Mayor

ATTEST:

Windmera Quintanar, CMC, City Clerk

APPROVED AS TO FORM:

Michael S. Daudt, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LOS ALAMITOS)

I, Windmera Quintanar, CMC, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 2018-03 was duly introduced and placed upon its first reading at a regular meeting of the City Council on 19th day of March, 2018, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 19th day of April, 2018, by the following roll-call vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Windmera Quintanar, CMC, City Clerk

Ken Duran

From: John Eblner
Sent: Thursday, April 19, 2018 3:48 PM
To: Ken Duran
Subject: Fw: Suggestions and Cautions re a Sanctuary State Opt-Out Ordinance
Attachments: DOJ sanctuary state lawsuit vs California 3-6-2018.politico.pdf

From: Steve Serra <sserralaw@aol.com>
Sent: Thursday, April 5, 2018 6:50 PM
To: Curt Morris; Denis Bertone; Emmett Badar; John Eblner; Ryan Vienna
Subject: Suggestions and Cautions re a Sanctuary State Opt-Out Ordinance

Dear Members of the San Dimas City Council:

According to a March 28 *Inland Valley Daily Bulletin* report, San Dimas city leaders have agreed to hold a special study session to discuss the so-called “sanctuary state” legislation. If you expect to be discussing the merits of passing an “opt-out” or “exemption” ordinance, and particularly an ordinance modeled on the one being voted upon in Los Alamitos, I urge you to consider the cautionary information below.

I am awed by the patriotism, courage, and dedication to public safety that the Los Alamitos City Council members have demonstrated in standing up against California’s sanctuary state legislation. But I am worried about the specific way in which they are going about it. While I hope that Los Alamitos’ action will spur widespread local-level legislative protection from sanctuary state policies, I have grave doubts about the legal and moral propriety of a city’s exempting itself from the *entirety* of the Chapter 17.25 portion of the SB 54 legislation.

Per the Los Alamitos March 19 agenda materials, the proposed ordinance states that:

The City of Los Alamitos, a Charter City, does hereby exempt the City of Los Alamitos from the California Values Act, Government Code Title 1, Division 7, Chapter 17.25 and instead comply with the appropriate Federal Laws and the Constitution of the United States.

Chapter 17.25 is the not the entirety of the SB 54 legislation. It is section 3 of five sections in SB 54. Chapter 17.25 (Government Code §§7284-7284.12) is titled “Cooperation with Immigration Authorities.” Per §7284 it is to be known as “the California Values Act.” It is designed, quite obviously from a reading of its provisions, to severely inhibit cooperation with federal immigration authorities.

Where Chapter 17.25 conflicts with federal immigration law, it is, indeed, invalid under the Supremacy Clause of the United States Constitution, and Los Alamitos is quite right, legally and morally, in adhering to federal law and rejecting the contrary state law. *But what if there are some portions of Chapter 17.25 that do not conflict with federal law?*

If some portions of Chapter 17.25 do not conflict with federal law, and those portions are thus constitutionally valid, then a city’s exempting itself from those portions *is not legal* (assuming the exemption is substantive rather than merely symbolic). And it is not prudent and not patriotic, since it violates American rule of law principles. And it is not moral in that it constitutes a violation of each council member’s oath to uphold the California Constitution.

Respecting the legality of a local jurisdiction exempting itself from *valid* state law, I will borrow here from the Mission Viejo City Council's agenda materials for the meeting at which that council adopted the Mission Viejo Rule of Law Resolution in 2012:

In our federal system, the national government and the states share sovereignty, but cities and counties do not. In California, as elsewhere, cities and counties are mere creatures of the state and exist only at the state's sufferance. The state is sovereign and, in a broad sense, all local governments and districts are subdivisions of the state. (*California Redevelopment Association v. Matosantos*, 53 Cal.4th 231, 255 (2011).)

"Passage of local legislation must avoid conflicts with state law, and the state preempts power in issues of statewide concern. Local ordinances may not authorize acts prohibited by state statute, nor prohibit acts specifically authorized by the legislature." ("About Municipal Government," California State Government Guide to Government from the League of Women Voters of California, www.guidetogov.org, 5/20/12.)

(*Research Paper for Proposed Resolution in Support of the Rule of Law and in Support of Electronic Employment Eligibility Verification*, p. 52, Mission Viejo City Council, October 1, 2012 Agenda.)

Los Alamitos' status as a "charter city" was invoked by the sponsor of the exemption ordinance, Mr. Kusumoto. But I do not think Los Alamitos' charter city status helps its position here. Per the California Constitution's Article XI, §5(a) "home-rule" provision, a charter city may legislate and enforce respecting "municipal affairs." But charter cities are subject to the same state laws that govern general law cities on matters of "statewide concern." I will not pursue this particular point further. Any city attorney or county counsel can easily address for you the question of whether Los Alamitos has, pursuant to its charter city status, any leeway respecting legally valid portions of the Legislature's sanctuary state laws.

Opposition to illegal immigration and to lax enforcement of immigration law and to government criminal-sanctuary measures is crucial for public safety purposes. It is also crucial for the sake of upholding the rule of law.

Many of us, by reason of our deepest religious and philosophical convictions, are political conservatives. And as conservatives, our primary task is to conserve the authority of our nation's founding principles. As we Americans debate politics and vote, and as we formulate legislative, executive, and judicial policy, we must continue to consider ourselves to be governed by the principles of the Founders.

For a concise summary of those principles, I will again borrow from the Mission Viejo City Council's agenda materials related to the Mission Viejo Rule of Law Resolution:

American political theory may be justly understood to have four great themes, or to be structured with four essential pillars: GOD/divine sovereignty, FREEDOM/human rights, DEMOCRACY/consent of the governed, and LAW/the rule of law. Our beliefs on these subjects answer very basic questions: beliefs respecting God explain life's destiny and purpose, the grounds for morality, and the meaning of freedom; freedom concerns the purpose of government; democracy concerns the kind of government; law concerns the method of government. Government by law ranks among what Ronald Reagan called "our great civilized ideas: individual liberty, representative government, the rule of law under God." (January 26, 1982.)

(*Research Paper for Proposed Resolution in Support of the Rule of Law and in Support of Electronic Employment Eligibility Verification*, p. 18, Mission Viejo City Council, October 1, 2012 Agenda.)

Illegal immigration and neglectful immigration enforcement and government sanctuary for immigration law violators pose a threat to the American system of government broadly, as they work to undermine the fidelity to the entirety of the Founders' principles that has been essential to our nation's success and greatness—for those principles are interdependent: the rule of law is essential to democracy, and democracy is essential to freedom, and freedom is essential to respecting the sovereignty of God, who endowed each of us with the inalienable rights to life, liberty, and the pursuit of happiness, which governments are instituted to secure.

The rule of law is not the law itself. It is, rather, a set of principles concerning how law works. It is a set of principles that should govern how law is made, interpreted, obeyed, enforced, and supported. Conscientious adherence to this set of principles by the public and the government creates and sustains a society of ordered liberty.

The rule of law means that everyone in the nation is subject to the law, and the law is subject to the nation's citizens. The rule of law works through two main mechanisms, or motivators. The first and foremost of them is the people's adherence to the serious moral obligation that every person has to *obey* the law. The second is the government's adherence to the serious moral obligation it has to *enforce* the law against people who do not meet their moral obligation to obey it. If most people basically respect the law, the resources at the government's disposal will be sufficient for the government to enforce the law against the minority who do not respect the law, and we will have a substantially free, just, and peaceful society.

If, however, the *government itself* refuses to *obey* the law, it teaches that the people do not have a serious moral obligation to obey the law. If the government refuses to *enforce* the law as best it can, it teaches that the government does not have a serious moral obligation to enforce the law. Both of these are pernicious messages. Either of them results in a diminution in respect for law, creating more lawbreakers, and more victims of crime. And either of them weakens fidelity to all of our nation's founding principles, corrupting our society.

Fidelity to the rule of law requires consistency in upholding it. It would be counterproductive to oppose state government infidelity to the law and to rule of law principles by methods that are themselves unfaithful to the law and rule of law principles.

I suggest that in looking at the question of “opting out” or “exempting” your city from sanctuary state legislation, you consider a more targeted approach—one that attacks *only those portions* of state legislation that are reasonably considered to be lawless and invalid.

I think a good guide as to what is lawless and invalid would be the lawsuit filed recently by the United States Department of Justice under the leadership of Attorney General Jeff Sessions: *The United States of America v. The State of California, et al.*, United States District Court, Eastern District of California, No. 18-264. I have attached a copy of the complaint filed by the DOJ, which I obtained from a link in an article on the internet; the copy of the complaint at that link did not include the complaint's exhibits, or additional documents such as a motion for preliminary injunction.

I support Los Alamitos' activist approach. I believe that in session on March 19th the council amended the draft exemption ordinance to include support for the DOJ lawsuit—adding an endorsement and/or intent to file an amicus brief. But if the DOJ does not obtain a comprehensive preliminary injunction, mere support or an amicus brief (which may add little to what the DOJ will say unless there are local sanctuary-legislation victims) is not sufficient to meet the danger posed by keeping removable foreign criminals on our streets. Meeting the Legislature's illegality with substantive, legal resistance designed to protect people is fully warranted.

With the approach I recommend, the Department of Justice has already done your research for you. You will not have the DOJ’s actual legal research, of course, except for those portions that are presented in the complaint and those portions that will be presented in briefs that are filed with the court from time to time. But I think it is safe to assume that the DOJ attorneys have carefully researched the matter to determine what portions of SB 54 are in conflict with federal immigration law and are thus, under the U.S. Constitution’s Supremacy Clause, invalid. A reading of a March 19, 2018 joint letter brief filed by the United States and the State of California on preliminary injunction discovery issues indicates to me that the DOJ has multiple attorneys putting a great deal of time and effort into this case.

I think it is very likely that the DOJ put into its lawsuit everything in SB 54 that truly conflicts with or discriminates against federal law, or at least everything that the DOJ considers to be worth fighting about.

The DOJ lawsuit challenges California on three laws enacted in 2017: AB 450, concerning restrictions on cooperation with workplace immigration enforcement; AB 103, concerning inspection and review of immigration detention facilities; and SB 54, concerning restrictions on state and local cooperation with federal officials.

As mentioned, Chapter 17.25, the California Values Act, is section 3 of five sections in SB 54. Los Alamitos is attacking Chapter 17.25 in its *entirety*.

Does the DOJ lawsuit challenge Chapter 17.25 in its *entirety*, or does it challenge only a *portion* of Chapter 17.25?

The answer to this question would require careful study, but I think the conclusion would be that the lawsuit challenges only a *portion* of the chapter.

One would suspect that this is the case upon comparing the code section and subsection numbers comprising Chapter 17.25 with the specific provisions (subsections) that the DOJ is seeking to have declared invalid. The following chart does that comparison in the first and third columns.

SB 54: STATE AND LOCAL COOPERATION

SB 54, Section 3 code sections (i.e., Chapter 17.25 only: Govt. Code §§7284-7284.12)	SB 54 code sections mentioned in the DOJ lawsuit allegations	SB 54 sections alleged to be invalid in the DOJ lawsuit’s Claim for Relief
Government Code 7284	Government Code 7282.5(a)	Government Code 7284.6(a)(1)(C) & (D)
7284.2(a)-(g)	7284.6	7284.6(a)(4)
7284.4(a)-(k)	7284.6(a)(1)(C)	
7284.6(a)-(f)	7284.6(a)(1)(D)	
7284.8(a)-(c)	7284.6(a)(4)	
7284.10(a)-(b)	7284.6(e)	
7284.12		

But it could be that the various sections and subsections not targeted by the DOJ are not substantive, and the DOJ suit, if successful, would actually gut Chapter 17.25 in its entirety. And thus, Los Alamitos’ broad-brush approach would likely stand on firm ground.

A careful study of the sections and subsections not targeted by the DOJ is necessary. I have not studied the entirety of Chapter 17.25 with this question in mind. But as I sample Chapter 17.25's sections and subsections other than the DOJ-targeted sections (§§7284.6(a)(1)(C) & (D) and 7284.6(a)(4)), I get the sense that some contain substantive non-cooperation rules that are not being targeted by the federal government. Section 7284.6(a)(1)(A) and (B) forbid use of California law enforcement agencies and monies to investigate, interrogate, etc., concerning inquiry into an individual's immigration status and for detaining someone on the basis of a hold request. Section 7284.6(a)(1)(G) prohibits California law enforcement agency performance of the functions of an immigration officer.

Section 7284.6(a)(5) prohibits California law enforcement agencies from providing office space exclusively dedicated for immigration authorities for use within a city or county law enforcement facility. Section 7284.6(a)(6) prohibits contracting with the federal government for use of California law enforcement agency facilities to house federal detainees, except in certain circumstances.

These appear to be substantive requirements. It may be that they are not being attacked by the DOJ because the DOJ concluded that they are just *not in conflict* with federal law. (And, again, provisions that are not in conflict with federal law are valid, constitutionally, and Los Alamitos is legally and morally obligated to abide by them.) As you would expect, Chapter 17.25 provides that its provisions are severable (§7284.12); a holding of invalidity as to any provisions would not affect other provisions that could still be given effect.

I can pose some more-easily answered questions: Is any *lawyer* telling us that there are no non-DOJ targeted substantive provisions in Chapter 17.25? Is any *lawyer* telling us that there are non-DOJ targeted substantive provisions in Chapter 17.25 but they are invalid? Is *anyone at all* telling us there are no non-DOJ targeted substantive provisions in Chapter 17.25? Is *anyone at all* telling us there are non-DOJ targeted substantive provisions in Chapter 17.25 but they are invalid?

If not, what justifies recalcitrance? On what basis is anyone asserting that we have a legal or moral right not to comply?

If upon further study it appears that the DOJ lawsuit does indeed attack only portions of the substantive requirements of Chapter 17.25, distinguishing it from the Los Alamitos challenge to the entire chapter, then you would have a choice between these two different approaches: the narrower DOJ position and the broader Los Alamitos position.

With the DOJ position there would be an additional choice. One option would be to address the SB 54 legislation only, opposing the portions of Chapter 17.25 that the DOJ lawsuit opposes. Another option would be to oppose the portions of all three of the California laws that the DOJ lawsuit opposes. In the latter case, you would not be opposing (portions of) just the particular law that has been informally dubbed "the sanctuary state law" (SB 54), but would be opposing "sanctuary state legislation" more generally.

(It may be that the TRUST Act, effective since 2014, is the most egregious California sanctuary state legislation, as under it the Orange County Sheriff's Department in 2016, while making about 57,000 arrests, a considerable percentage of which I would think involved illegal aliens, was able to turn over only 391 people to ICE. But the Trust Act is not challenged in the DOJ lawsuit, so it is not relevant to my suggestion here that you rely on the lawsuit.)

The *Register's* March 21 article quotes an email from Senator Kevin de León, SB 54's author, saying, "Local governments that attempt to break state law will saddle their residents with unnecessary and expensive litigation costs." The ACLU and other organizations have warned Los Alamitos that it is opening itself up to

lawsuits. And if Attorney General Xavier Becerra's litigators have any time to spare from their multitudinous lawsuits against that pesky federal government, the city will likely be hearing from them too.

A March 23 front page *Register* article ("2 supervisors plan anti-sanctuary steps") has Los Alamitos Mayor Troy Edgar speaking about creating a GoFundMe page for his city—"which faces a likely lawsuit from immigrant rights advocates." I suspect that the partisans of illegal immigration are now thinking they can stifle the local jurisdiction anti-sanctuary state movement if they quickly institute expensive litigation against this small and vulnerable target.

A legislator's concern is to do both the right thing and the wise thing. It is right to protect law-abiding people from sanctuary state legislation that protects lawbreakers at the expense of law-abiding people. It is often wise to do the right thing in a way that avoids the uncertainty and cost of litigation. Let me illustrate with a matter close to home: Mission Viejo's 2007 E-Verify ordinance.

In 2006 and 2007, Hazleton, Pennsylvania and Mission Viejo, California, among others, were seeking to do something about the lax enforcement of federal immigration laws. Hazleton legislated a requirement for use of E-Verify (then called "Basic Pilot") and, in addition, requirements for such things as employer penalties and landlord screening of illegal aliens. Hazleton overreached, legally. It was sued, and it lost, and it incurred astronomical litigation costs (it was ordered to pay \$1.4 million for the ACLU and other plaintiff lawyers' attorney fees).

Mission Viejo's council, on the other hand, working with its city attorney, was less ambitious, more realistic, and quite careful. In 2007 it passed a Basic Pilot/E-Verify-only law that was fully consistent with existing federal and state law. Mission Viejo's response to derelict federal enforcement created just a local stir, and not, like Hazleton's, a national one. The ACLU made very little noise about Mission Viejo's law, saying at the time that, in effect, it would not sue, but it would watch Mission Viejo's enforcement of the ordinance. No litigation was ever instituted respecting Mission Viejo's E-Verify ordinance.

(Mission Viejo was the first California city with an E-Verify ordinance. The enactment of its "Lawful Hiring Compliance Ordinance" influenced the adoption of similar laws in California, and some in other states. By 2011, there were about 19 California cities and counties with E-Verify requirements. The state Legislature, in AB 1236, then outlawed all local E-Verify requirements that reached beyond government employees, wiping them all off the books. For an introduction to E-Verify, or an explanation of the rule of law, or a sample rule of law resolution, please see Mission Viejo's 2012 rule of law resolution and research at <http://www.rossputin.com/MissionViejoRuleOfLaw.pdf> or [http://www.gorena.org/pdf/e-verify-MissionViejo-Ordinance-12-63-\(201210\).pdf](http://www.gorena.org/pdf/e-verify-MissionViejo-Ordinance-12-63-(201210).pdf).)

RESOLUTION 12-63 A RESOLUTION OF THE CITY COUNCIL OF ...

www.rossputin.com

resolution 12-63 a resolution of the city council of mission viejo in support of the rule of law and in support of electronic employment eligibility verification

If your city limits its exemption from sanctuary state legislation to the specific provisions of state law that the DOJ is challenging, it might reduce the chances of there being litigation against the city in two ways. First, the city will be rejecting only the provisions that the federal government was willing to take to court, and potential challengers might reason that litigation against the city would be chancy since the federal government may well

be right. Second, the federal suit, with its statewide implications, is already in progress. A potential challenger might be hesitant to sue a local jurisdiction since the federal suit will, sooner or later, generate the final word on the subject. The legislation would be duplicative, and the federal court result will control.

Still, there might be some reasons to sue: to seek a preliminary injunction against the local jurisdiction's alleged violation of state law (if the DOJ does not obtain a preliminary injunction against enforcement of the state law), or to intimidate other jurisdictions.

You may be asking a question that I have been asking: What did the Los Alamitos City Attorney have to say about the proposed ordinance? On March 23, with that question in mind, I skimmed through the video of the two-and-one-half hour portion of the March 19 Los Alamitos City Council meeting in which the exemption ordinance was considered. I watched just portions of the 51 public speaker comments, but I think I heard everything that the staff and council members had to say.

Unless I missed something that would have been very brief, the city attorney was never asked for anything except to read the title of the ordinance. Mayor Edgar said the matter had been pulled from consideration early this year because it needed attention from staff. But one council member, Mr. Murphy, expressed his wish about looking at alternatives, and said, "I think we'd be better off with a staff report."

From what I saw of the council meeting, there was no input sought from or offered by the city attorney. The agenda materials on the exemption ordinance do not appear to contain the names of the city attorney or city staff members.

I concluded that the council did not submit this ordinance for any legal vetting at all. Then, on March 24, I came across a March 21 *Los Angeles Times* article titled "Can tiny Los Alamitos take on California's 'sanctuary state' movement?" It says, "Kusumoto said in an interview that he didn't consult with the city attorney, city manager, police chief or any other member of his staff before introducing the ordinance. He said he wanted to insulate city staff from any kind of backlash." <http://www.latimes.com/local/lanow/la-me-sanctuary-state-los-alamitos-20180321-story.html>. So instead of the city attorney being enabled to protect the city, we have the city protecting the city attorney.

If you would rely on the DOJ suit in your legislation, one thing that should be considered is the fact that the DOJ is seeking a preliminary injunction, to halt state interference with federal enforcement while the lawsuit is pending. The possibilities that a preliminary injunction may be granted and that it may be denied may figure in to your thinking about what your city should do.

For example, if the DOJ is granted a full preliminary injunction, the enforcement of the targeted sanctuary state provisions will be stayed everywhere in California. If the DOJ is denied a preliminary injunction, one reason might be that the DOJ failed to show that it is likely to win the lawsuit on the merits. The ruling may suggest, in other words, that the court thinks the DOJ's legal case is weak.

Discovery prior to the hearing on the DOJ's motion for preliminary injunction will continue until at least April 13. Some experts expect the litigation to last beyond President Trump's current term in office. <https://www.courthousenews.com/california-okd-to-depose-federal-officials-in-sanctuary-law-fight/>

If you are contemplating a substantive exemption ordinance, as opposed to a merely symbolic one, I would suggest that there be thorough consideration of how the city would be acting differently under your new law. Such inquiry might alert us to issues that none of us have yet considered.

There may be situations where a city cannot as a practical matter engage in substantive resistance. Say, for example, the city contracts for law enforcement services from the county. The city thus might not have

authority to effect policy changes that the county sheriff's department must follow. But a symbolic resistance ordinance might still be useful. It might be educative to the public. The public should be made more aware of the unrelenting stream of legislation coming out of Sacramento that diminishes or erases the differences between legality and illegality, between American citizenship and foreign citizenship, between our sides of the borders and those of others, and between the United States and foreign countries. (If an ordinance is symbolic, it might be wise to make it obviously so in order to ward off litigation.)

I mentioned above my sense that Los Alamitos does not by virtue of its charter city status have the ability to challenge valid state law. I would add that I doubt that general law status prohibits general law cities from challenging invalid state law by means of an ordinance. In Mission Viejo, the attitude of the city council at its March 27 meeting seemed to be that it could pass a resolution in support of an opt-out ordinance adopted by a charter city, but that as a general law city it could not itself adopt an opt-out ordinance. I have not researched the matter, but it seems to me that if state law and federal law are in conflict such that a city must choose which to follow (and the Supremacy Clause mandates, of course, that federal law be followed), a city should be able to declare its choice to abide by federal law by means of an ordinance regardless of whether it is a charter city or a general law city. Again, any city attorney or county counsel can address this subject.

The March 21 *Register* article indicated that city council members in Aliso Viejo and in Buena Park were interested in taking action similar to that of Los Alamitos. The main points of the argument above were presented to the mentioned council members last week, and in both cases they decided not to copy Los Alamitos. Aliso Viejo's April 4 agenda item respecting an amicus brief and a rule of law resolution says, "It should be noted, there are many sections in the State's sanctuary policies that are well within the purview of the State of California and nothing in this agenda item portends to challenge the State where there is no conflict."

The members of the Los Alamitos council have now been contacted with the suggestion that rather than pass their draft ordinance at its second reading on April 16, they modify it so as to exempt the city from only the DOJ-targeted provisions.

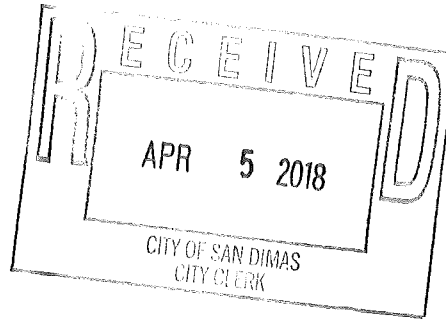
Thank you for your attention to my concerns.

Steve Serra
Mission Viejo
sserralaw@aol.com
4/5/18

*Copied Council
and City Manager*

April 3, 2018

Curtis W. Morris, Mayor
City of San Dimas
245 East Bonita
San Dimas, CA 91773



Dear Mayor Morris:

My husband and I purchased our home in Via Verde in September, 1968. We were original owners and have seen our beautiful city grow over the many years. I love the area and the manner in which our community has developed. My husband passed away in 2009, so I have been alone since this time.

I am writing this letter to you regarding our city being a Sanctuary City in this horrible state of California. I do not want to live in a Sanctuary City!

Following are my reasons for not wanting

San Dimas to be part of this State's dictator type style of government:

Do not want to shelter illegals!

First priority of government is to protect it's citizens; and provide safety for us citizens.

Don't want to harbor criminals.

It defies Federal laws.

State laws should not over rule Federal laws.

Our local officers cannot do their jobs.

Cities should NOT receive Federal funding.

I am hoping that you and the City Council will consider joining some of the others in the state of California that realize we need to follow Federal Laws! I am sick and tired of all this sanctuary city/state mess!!!

Respectfully submitted,


Sue Hamilton

1213 Via Esperanza
San Dimas, CA 91773

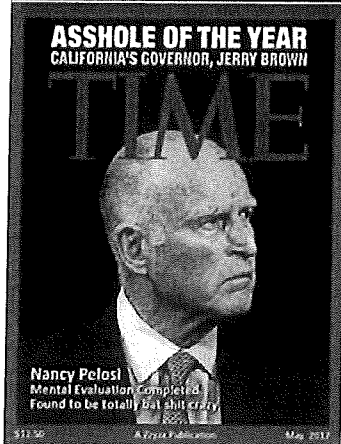
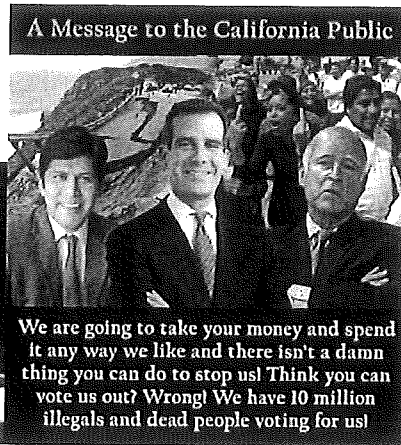
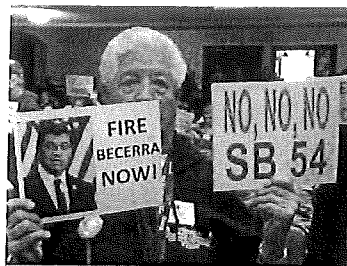
Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:48 PM
To: Ken Duran
Subject: Fw: SB54

From: Eddy.N@verizon.net <Eddy.N@verizon.net>
Sent: Thursday, April 5, 2018 1:45 PM
To: John Ebner
Subject: SB54

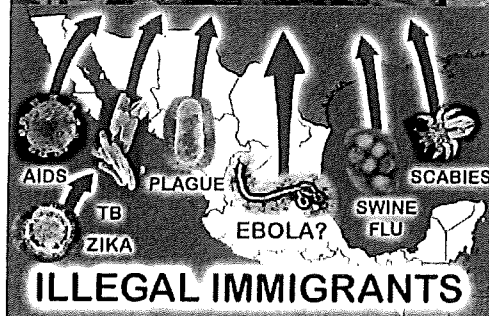
Dear San Dimas City Council:

The people of San Dimas demand the Council to follow San Diego County, Aliso Viejo, Fountain Valley, Mission Viejo, San Juan Capistrano, Huntington Beach, Buena Park, Yorba Linda, Escondido to defy California's totally unconstitutional "sanctuary state" laws, following Los Alamitos and Orange County. We don't feel safe with criminal illegal aliens in our city because they may rape our women and children, transmit diseases, kill us as drunk drivers, rob, steal, or commit other crimes. Los Alamitos's city council passed an ordinance to defy SB 54, the state's main sanctuary law that bars local authorities from honoring Immigration and Customs Enforcement (ICE) detainees. Orange County's Board of Supervisors voted to join the Trump administration's lawsuit challenging California's three sanctuary state laws and condemn the state's "sanctuary city" law.



AGREE

Escondido voted 4-1 authorized the city's filing of a legal brief in support of the Trump administration's lawsuit challenging California's three sanctuary city laws for violating the Supremacy Clause of the Constitution. Escondido is the first city in San Diego County to consider defying the state's "sanctuary" laws, and San Diego County's Board of Supervisors is joining the anti-sanctuary revolt on April 17 during a closed session.



Last year, Escondido's city council passed a resolution against SB 54, reportedly declaring at the time that the law did not "provide protection for local communities because it expressly prohibits local law enforcement, who are most likely to come into contact with violent offenders unlawfully in the United States, from

communicating effectively with federal authorities who are the only agencies who have the authority to remove these individuals from the country.”



In Orange County, Mission Viejo to support Los Alamitos’s ordinance while Buena Park, Huntington Beach, Aliso Viejo, Fountain Valley, San Juan Capistrano, and Yorba Linda did the same. Aliso Viejo just voted 4-1 to join Trump DOJ lawsuit against California. Huntington Beach voted 6-1 to sue California to seek relief from the SB54 mandates because California’s “sanctuary” laws represent a threat to public safety and city lawmakers have been exploring options to ensure the safety of its citizens and “maintain local control, while at the same time, fulfill our oath of upholding the Constitution.” San Dimas must stay ahead of the curve to protect its residents, rally other cities, join Trump lawsuit with amicus brief, pass ordinance to exempt itself and allow ICE cooperation because the wall is being build right now by the Army Corps of Engineers, troops are being sent to the border, and it is not a wise move for California to defy the US government headed by Trump, because he is doing the right thing to secure our borders to keep us safe from the alien invasion.

This message and any attached document is sent privately in the public interest and may contain candid, open, and truthful advice, recommendations, opinions, proposals, and information that is privileged, proprietary, non-public and exempt from disclosure, confidential or otherwise protected by law, and may be subject to executive, diplomatic, judicial, clerical, deliberative process or other privilege and is intended solely for the recipient and not for disclosure or distribution. If you are not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that you are prohibited from reviewing, retransmitting, printing, copying, scanning, disseminating, uploading or otherwise using in any manner this email or any attachments to it. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. Email transmission cannot be guaranteed to be secure or error-free as information could be intercepted, modified, corrupted, lost, destroyed, manipulated, incomplete, arrive late or contain viruses. The sender therefore does not accept liability for any errors, revisions or omissions in the contents of this message which arise as a result of email transmission or unauthorized disclosure or distribution.

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:09 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Sanctuary city

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

On 4/3/18, 8:45 AM, "dalmatians@roadrunner.com" <dalmatians@roadrunner.com> wrote:

Ryan A. Vienna,

We appreciate your efforts and signing the opposition to the Senate Bill 54. We wish our law enforcement to keep "illegal immigrant criminals" expecting protection and safety in San Dimas to be dealt with as as directed by the Federal Law.
Federal law should be obeyed and respected.

Thank you, Tony and Nedra Miller
Cienega Valley Estates #19

May your life be enriched with many happy moments!!!!!!

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:09 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: SB 54

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: "foxyjodi@verizon.net" <foxyjodi@verizon.net>
Date: Monday, April 2, 2018 at 1:56 PM
To: Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Subject: SB 54

Dear Councilman Vienna,

Thank you for your position on SB 54. I have written your fellow Councilmen encouraging them to support you.

Jody Mentzer
909 599-6023

Ken Duran

From: John Ebiner
Sent: Thursday, April 19, 2018 3:47 PM
To: Ken Duran
Subject: Fw: Opt out of SB 54

From: Gerry <gerry@marvelairconditioning.com>
Sent: Monday, April 2, 2018 10:13 PM
To: Curt Morris; Denis Bertone; Emmett Badar; John Ebiner; rvienna@ci.san-dimas.ca
Subject: Opt out of SB 54

I am a son of hispannic immigrants, Legal Hispanic immigrants, that came to this country in 1965.
I am first generation born American in 1970.

Seems like today people feel they don't have to:
Wait in line...
Just skip over everyone that have been waiting patiently.

Earn a paycheck....
Just pay me because I am entitled to it.

We are all some derivative of immigrants or are immigrants ourselves, but legal immigrants.

I am COMPLETELY AGAINST SANCTUARY ANYTHING!
All we are doing is teaching our kids "You don't have to work for anything. Just cry enough and you'll get it."

My wife and I have lived in this city since 2002. I have 2 children. One @ Shull and the other @ San Dimas high.
I have never been to a city council meeting, contacted any of you or felt like I had to, until now.

Please do the right thing for all of us.

Don't be anti imigrants... be anti ILLEGAL (NOT LEGAL) imigrants.

Thank You.

Gerardo Vecino
1110 Avenida Lomita
San Dimas CA 91773

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:47 PM
To: Ken Duran
Subject: Fw: Concerned Citizen

From: edith lopez <edanlopez190@gmail.com>
Sent: Sunday, April 1, 2018 3:31 PM
To: John Ebner
Subject: Concerned Citizen

Good day Councilman Ebner,

I am writing to tell you that I support Councilman Vienna's courage in signing a brief to oppose Senate Bill 54, which is nothing more than a bill supporting lawlessness in California. The State of California has become a haven for criminals, legal and illegal, and at peril are the law abiding citizens of this State who are looking to their local officials like yourself to demonstrate courage and guard their safety.

I have lived in San Dimas for over 30 years and have seen the recent changes taking place in the city and not all of them are good or in the best interest of its citizenry. The rise in home burglaries, street robberies, intimidating panhandlers and now the Metro Line, which is the "criminal express" (just look what's happened in South Pasadena - once a city much like San Dimas) occurring in San Dimas. These are all the result of Jerry Brown and the State Legislature's large-scale systematic plan to empty out all the prisons, reduce the California Penal Code to a pamphlet, and ignore the rules of law, any laws, at the expense of the law abiding citizen.

I ask you to have the courage and support Federal law, the law of the land and not support another Jerry Brown/Sacramento concocted "fantasy" disguised as law. One small city like Los Alamitos took a brave stand and started a movement - let San Dimas be that city in Los Angeles County.

SB54- is wrong - there is no such thing as a sanctuary city just like there is no Emerald City and the Wizard Oz. There is the supreme law of the land and that is real.

Thank you,

Edith Lopez, Voter

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:09 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Sanctuary State Law

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

On 3/31/18, 4:58 PM, "Yvonne Wagner" <ywags@earthlink.net> wrote:

We are against the Sanctuary State Law. San Dimas should stand up against it.

Yvonne & Ron Wagner

6th St.

San Dimas

Sent from my iPad

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:45 PM
To: Ken Duran
Subject: Fw: SB54

From: guycloutman@gmail.com <guycloutman@gmail.com>

Sent: Saturday, March 31, 2018 3:06 PM

To: John Ebner

Subject: SB54

I urge our council to pass a memorandum against being a Sanctuary City. When you as a councilman were sworn into office, you pledged allegiance to our constitution to protect us against all enemies, foreign and domestic. Illegal is illegal period. The "dreamers". Have had almost 30 years to attain citizenship and acclimate to our cultural norms but many haven't

Sent from my iPhone

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:10 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Sanctuary city

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

On 3/30/18, 6:37 PM, "Jannise Wilkins" <jannise@me.com> wrote:

Thank you for alerting us! Personally I do not want our state or city to be sanctuary for illegal activity of any kind, whether it involves immigration or not. I am not against LEGAL immigration, but I am against illegal immigration and/or protecting those who break our laws.

Jannise

Sent from my iPhone

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:10 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Sanctuary City

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

On 3/30/18, 2:33 PM, "John Collins" <jcollins8888@icloud.com> wrote:

Dear Mr. Vienna,

I think you were very courageous to suggest that the City look at the question of sanctuary cities and the state.

I have lived here for 30 years and can't believe what outlandish, traitorous and illegal behavior is being shown by a majority in the Legislature . I hope you know that people and so called community groups will no doubt come after you politically and I wanted to thank you before the screaming starts.

John Collins

Sent from my iPhone

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:11 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Sanctuary City

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: decsman <decsman@gmail.com>
Date: Friday, March 30, 2018 at 2:10 PM
To: Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Subject: Sanctuary City

I support your efforts to have the City of San Dimas bow out of SB54.

I feel communities are safer if we use all tools available to not only keep violent criminals off the streets, but having any type of sanctuary laws encourage criminals to relocate to that community (or state).

I saw the Orange County Sheriff on a TV program where he described his methodology which is completely permissible under current state law and SB54.

As I understand it -

The OC Sheriff will post a list of all current detainees and their arrest/release dates to the general public.

The OC Sheriff Department is not in direct contact with ICE, but if ICE happens to see the list as posted, and anyone they are looking for is on the list, ICE can be there to take custody as they are released.

No one is detained any longer than their original sentence so violation of their rights, etc.

Just my 2¢ worth.

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:11 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: Sanctuary

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: Blaine Michaelis <bmichaelis@ci.san-dimas.ca.us>
Date: Friday, March 30, 2018 at 10:46 AM
To: "Lmllawcwm@aol.com" <Lmllawcwm@aol.com>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, John Ebner <jebiner@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Cc: "Ebner, John (john.ebner@hoag.org)" <john.ebner@hoag.org>, Mark Steres <msteres@awattorneys.com>
Subject: FW: Sanctuary

This came in through the city's web-site.

From: Howard Tousey [<mailto:iamhlt@gmail.com>]
Sent: Friday, March 30, 2018 10:34 AM
To: Ken Duran
Subject: Sanctuary

I was pleased to read in today's paper that the City Council will review the City's position on California's illegal Sanctuary State law..

This law has no legal standing and has been passed strictly on a political basis to declare that California is anti Trump. To take a political statement and attempt to make it the law of land (CA) thereby forcing the law abiding citizens of the United States of America to defy Constitutional Law is absurd. Further, the lives and well being of San Dimas citizens is put at risk by insisting that illegal alien criminals are allowed to walk free without hindrance in the interest of "not CA's business to enforce United States law".

Sincerely,
Howard Tousey
1102 Calle Ortega
San Dimas, Ca 91773
909.599.3887

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:44 PM
To: Ken Duran
Subject: Fw: Citizen Feedback: Timothy J. Wainscott

From: Blaine Michaelis
Sent: Friday, March 30, 2018 9:48 AM
To: 'Lmlawcwm@aol.com'; Emmett Badar; John Ebner; Denis Bertone; Ryan Vienna
Cc: 'Ebner, John (john.ebner@hoag.org)'; Mark Steres
Subject: FW: Citizen Feedback: Timothy J. Wainscott

Mayor and City Council,
This came in to the city's email system.
Blaine

Blaine Michaelis
City Manager
City of San Dimas
909-394-6213 phone

-----Original Message-----

From: Question or Comment from Citizen [<mailto:admin@cityofsandimas.com>]
Sent: Friday, March 30, 2018 9:31 AM
To: City of San Dimas Staff
Subject: Citizen Feedback: Timothy J. Wainscott

Do not reply to this message. To contact the sender of this message, use the following e-mail address:
tjwainscott@yahoo.com

Topic: Feedback to the City Council

Question or Comment:

Thank You Councilmen Vienna for opposing SB54 and Councilmen Badar for discussion on the matter. I am a San Dimas resident and DO NOT support SB 54 !

Thank you for acknowledging The US Constitution.

Submitted by:
Timothy J. Wainscott
San Dimas, CA 91773
E-mail Address: tjwainscott@yahoo.com
Daytime Phone: 562 522 5976

IP Address: 47.157.231.63

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:45 PM
To: Ken Duran
Subject: Fw: Sanctuary state law discussion

From: Paul B. Henson <henson@acm.org>
Sent: Friday, March 30, 2018 7:12 PM
To: Curt Morris; Denis Bertone; Emmett Badar; John Ebner; Ryan Vienna
Subject: Sanctuary state law discussion

As a citizen of San Dimas, I stand with Councilman Ryan Vienna in opposition of the "California Values Act", a law that as usual is horribly inappropriately named, and encourage our city to join our neighbors in Orange County in refusing to kow-tow to the out of control state level government who seems to care more about the citizens of other countries than our own.

How can any rational person consider the case of Jose Ines Garcia Zarate, an illegal immigrant who had been deported multiple times. Who was not only released rather than being given to federal authorities, but was in the custody of our state in the first place because we *asked* the federal government for him. Who then went on to shoot and kill an innocent young girl. Who then was not found guilty of ever the lesser charge of manslaughter. How can anyone look at that and think it's the right thing to do? Utter hypocrisy -- if *I* had committed that crime, I'd likely be rotting in jail now for most of the rest of my life.

How can any rational person stand with Oakland Mayor Libby Schaaf in her choice to intentionally warn criminals to run and hide as not to be caught by federal officials who were seeking those who had multiple criminal convictions?

Criminals belong in jail. Illegal immigrants shouldn't be treated more favorable than legal immigrants. We should stand on the side of actual law and justice, not bleeding heart pretend justice.

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:43 PM
To: Ken Duran
Subject: Fw: Sanctuary City

From: Ryan Vienna
Sent: Friday, March 30, 2018 7:28 AM
To: Curt Morris; Denis Bertone; John Ebner; Emmett Badar
Cc: Blaine Michaelis; Mark Steres
Subject: FW: Sanctuary City

FYI.

From: Pamela Stevens <nuronrs921@hotmail.com>
Date: Thursday, March 29, 2018 at 8:38 PM
To: Ryan Vienna <rvienna@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Subject: Sanctuary City

Councilmen Vienna:

I would like to express my opinion regarding this issue and have you convey my feelings and my husbands opinions to the city council.

It makes no sense for illegal aliens who have committed crimes and are in jail to be allowed to remain in the community. They had the chance to become a citizen. They had a chance to not be a criminal. They cause havoc and fear in our communities.

Thank you for forcing the issue for the city council to talk about this matter. They need to confront the issue and we need to know where they stand.

Garry & Pamela Stevens
nuronrs921@hotmail.com

Sent from Windows Mail

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:43 PM
To: Ken Duran
Subject: Fw: SB54

From: Ryan Vienna
Sent: Friday, March 30, 2018 7:29 AM
To: Curt Morris; Denis Bertone; John Ebner; Emmett Badar
Cc: Blaine Michaelis; Mark Steres
Subject: FW: SB54

FYI.

From: edith lopez <edanlopez190@gmail.com>
Date: Thursday, March 29, 2018 at 4:38 PM
To: Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Subject: SB54

Mr. Vienna,

My name is Edith Lopez and I am a voting San Dimas resident. I am writing to you to commend you for having the social courage to table a discussion on SB54. I am not a supporter of lawlessness, and definitely not a supporter of sanctuary status nonsense. The State of California has lost its way and it will take people of conviction to right it and you, sir, are one of those individuals I am glad I voted for. Kudos to you, Mr Vienna.

Edith Lopez

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:44 PM
To: Ken Duran
Subject: Fw: Sanctuary city

From: Ryan Vienna
Sent: Friday, March 30, 2018 7:30 AM
To: Curt Morris; Denis Bertone; John Ebner; Emmett Badar
Cc: Blaine Michaelis; Mark Steres
Subject: FW: Sanctuary city

FYI.

From: "randie.kreutzer" <randie.kreutzer@verizon.net>
Date: Thursday, March 29, 2018 at 3:09 PM
To: Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Subject: Sanctuary city

Thank you! As long time residents, we are opposed to the California sanctuary city law. Please help us in the fight against this anti-federal government law.

Regards,
Dennis and Randie Kreutzer
1412 Butterfield
San Dimas

Sent via the Samsung Galaxy Note5, an AT&T 4G LTE smartphone

Ken Duran

From: Ryan Vienna
Sent: Friday, April 20, 2018 1:12 PM
To: Debra Black
Cc: Ken Duran
Subject: FW: CA Values Act SB54 discussion

See below regarding your request to be forwarded emails pertaining to the Sanctuary State laws matter.

From: M Luna <mgluna@gmail.com>
Date: Thursday, March 29, 2018 at 1:09 PM
To: Curt Morris <cmorris@ci.san-dimas.ca.us>, Denis Bertone <dbertone@ci.san-dimas.ca.us>, Emmett Badar <ebadar@ci.san-dimas.ca.us>, John Ebiner <jebiner@ci.san-dimas.ca.us>, Ryan Vienna <rvienna@ci.san-dimas.ca.us>
Subject: CA Values Act SB54 discussion

Hello Councilmen,

I hope this message finds you well.

I recently read in the Daily Bulletin (<https://www.dailybulletin.com/2018/03/28/san-dimas-to-discuss-impacts-of-sanctuary-state-law-and-whether-to-stand-against-it/amp/>) that the newest member of our city council, Mr Vienna, is trying to embroil us in a larger controversy around the CA Values Act. Since you will discuss this in study session soon, I thought it was important to hear from constituents who are concerned about dragging San Dimas' good name as a friendly place to an increasingly diverse and inclusive community.

I for one, do not want our Sheriff Dept to use their limited resources for immigration-enforcement purposes including investigating, interrogating, detaining or arresting people. I also do not want you to use the city's legal resources or otherwise to join as a plaintiff or submit an amicus brief in support of the current administration that is not only deporting criminals, but also law-abiding residents who contribute to this economy, even if it means tearing families apart.

There is a lot of trust that the Sherriff's have with local residents in San Dimas and I'm afraid that this trust will erode with Mr Vienna's suggestion that San Dimas should get involved. The federal government has plenty of resources and other larger jurisdictions have joined as well to settle the issue in court. There is no cost to taking a wait and see approach and your constituents would appreciate your focus staying here in San Dimas.

Thank you for your time and attention.

Best,
Margarita Luna

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:42 PM
To: Ken Duran
Subject: Fw: sanctuary law

From: Blaine Michaelis
Sent: Thursday, March 22, 2018 8:17 AM
To: 'Lmllawcwm@aol.com'; Emmett Badar; John Ebner; Denis Bertone; Ryan Vienna
Cc: 'Ebner, John (john.ebner@hoag.org)'
Subject: FW: sanctuary law

Mayor and City Council,
The following email was received through the city's email system this morning.
Blaine

Blaine Michaelis
City Manager
City of San Dimas
909-394-6213 phone

-----Original Message-----

From: daryl [<mailto:Dr.baisley@verizon.net>]
Sent: Thursday, March 22, 2018 7:14 AM
Subject: sanctuary law

I would now hope that you as mayor and the council will take the lead in Los Angeles County & opt out of California Sanctuary laws. You and I both know that these laws do not protect the citizens of San Dimas. We both know these laws even go against your sworn oath to protect the constitution and the oath you took to protect the citizens of San Dimas.

These laws, signed by Gov. Jerry Brown last year which took effect since Jan. 1, includes prohibiting state and local police agencies from informing federal authorities in cases when illegal immigrants facing deportation are released from detention back out on our streets. You know its your sworn duty to protect the businesses and the people of you city and state. I would hope you make a statement during your council meetings and placed in your minutes that you and your council do not support Jerry Brown and will support your sworn oath of protecting your citizens.

Mr & Ms Daryl Baisley

1012 Wellington Road

Ken Duran

From: John Ebner
Sent: Thursday, April 19, 2018 3:42 PM
To: Ken Duran
Subject: Fw: San Dimas: Pass a Constitution Compliance Ordinance/Resolution--Disregard/Opt out of SB 54
Attachments: Template for Proposed Constitutional Compliance Ordinance Overriding SB 54.docx

From: Arthur Christopher Schaper <ArthurSchaper@hotmail.com>
Sent: Wednesday, March 28, 2018 11:25 PM
To: Arthur Christopher Schaper
Subject: San Dimas: Pass a Constitution Compliance Ordinance/Resolution--Disregard/Opt out of SB 54

Dear San Dimas City Council and Staff:

My name is Arthur Schaper, a life-long California resident deeply concerned about SB 54, the sanctuary state law which is endangering our public safety officers, our businesses, and our fellow citizens.

I am writing this extended letter to all of you urging the city to pass an ordinance/resolution rejecting compliance with the unconstitutional California Values Act, i.e. SB 54. The legislation creates a direct conflict for municipal governments between compliance with state and federal law.

This crisis must be resolved, especially for private firms who must comply with federal law, yet face fines and prosecution from the state attorney general for doing so. The same holds true for police and other public safety and civil servants in the state of California. This schism between federal and state law is untenable.

We are a nation of laws, and cities can draft ordinances/resolutions that reflect not just the oaths of office taken by every elected official, but also the Supremacy Clause of the United States Constitution (Art. VI, Sec. 2)

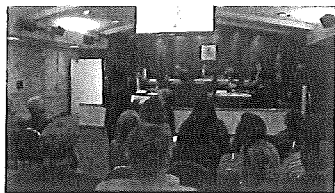
The City of Los Alamitos has submitted and approved an ordinance called "Constitution of the United States Compliance," which resolves the above conflict for their city, civil staff, residents, and businesses. They have opted to disregard SB 54 and comply with federal law.

Entire counties in Northern California have already opted out of SB 54, refusing to disobey federal law. The Orange County Board of Supervisors just passed a resolution condemning SB 54 and filing an amicus brief with the Department of Justice against the State of California. The city of Mission Viejo has done the same thing, along with the city of Yorba Linda. The week of April 2, 2018, the cities of Huntington Beach and Aliso Viejo will be considering similar ordinances, too. Glendora, Murrieta, and other Southern California cities are exploring their options, too,

Sheriffs throughout the state are rejecting this lawlessness. El Dorado County Sheriff John D'Agostini officially asserted that he would comply with federal law, not the contradictory state law. Orange County Sheriff Sarah Hutchens has released the information on all inmates and their release times, including illegal aliens, in full cooperation with federal agencies and in defiance of the unlawful, unconstitutional California, Sanctuary State legislation. Even in Los Angeles County, Sheriff Jim McDonnell has taken every step possible to ensure public safety and cooperate with ICE in spite of repeated pressure from Sacramento politicians, the left-wing Board of Supervisors, and open-border advocates.

Here are the news articles announcing Los Alamitos' decision to opt out of SB 54:

<http://www.foxla.com/news/local-news/los-alamitos-rejects-ca-state-sanctuary-law>



Los Alamitos rejects CA state sanctuary law - Story | KTTV

www.foxla.com

Los Alamitos Council members voted 4-1 to ignore CA sanctuary laws Monday night.

<https://www.nbclosangeles.com/news/local/Los-Alamitos-Weighs-Opts-Out-of-So-Called-Sanctuary-Law-477349573.html>



Los Alamitos Opts Out of So Called Sanctuary Law

www.nbclosangeles.com

A Southern California city has opted exempt itself from a state law that limits cooperation between local police and federal immigration agents.

San Dimas can and must do the same. The city has the authority and the responsibility to do so.

I have provided a template attached with the exact same language as the ordinance passed in Los Alamitos.

Of course, the San Dimas city council should direct legal and civil staff to look over the language of the ordinance to affirm that everything is in proper order.

For the PDF file of the Los Alamitos Ordinance, see below, pg. 171-173:

http://cityoflosalamitos.org/?wpfb_dl=3092

AGENDA CITY COUNCIL REGULAR MEETING

cityoflosalamitos.org

CITY OF LOS ALAMITOS 3191 Katella Avenue Los Alamitos, CA 90720 AGENDA CITY COUNCIL REGULAR MEETING Monday, March 19, 2018 – 6:00 p.m. NOTICE TO THE PUBLIC – This ...

San Dimas should take on the state legislature's affront to the rule of law imposed on California's municipalities because of SB 54. The city has taken the lead on many issues. This is one core matter which the city can and should take a stand on.

Thank you for your time.

Sincerely,

Arthur Christopher Schaper
Email: ArthurSchaper@hotmail.com

PS: I understand that Councilwoman Ryan Vienna wants to host a study session on the perverse impacts of SB 54.

<https://www.dailybulletin.com/2018/03/28/san-dimas-to-discuss-impacts-of-sanctuary-state-law-and-whether-to-stand-against-it/>

While I respect that suggestion, I think that such a measure is unnecessary.

Every city councilmember takes an oath to uphold the US as well as California Constitutions, but when there is a conflict, the US Constitution takes precedence. It's time for the city councilmembers of San Dimas to join with their brother and sister cities and counties and stop this sanctuary state lawlessness.

Arthur Christopher Schaper is a blogger, writer, and commentator on topics both timeless and timely; political, cultural, and eternal. A life-long Southern California resident, Arthur currently lives in Torrance. Follow his blogs at [The State of the Union](#) and [As He Is, So Are We Ministries](#).

[Townhall.com Contributor](#)

[Barbwire.com Contributor](#)

[Canada Free Press Contributor](#)

Twitter: [@ArthurCSchaper](#)

Email: ArthurSchaper@hotmail.com

City of [CITY]

Agenda Report Date:

Ordinance Item No.:

To: Mayor & Members of the City Council

Via: City Manager

From:

Subject: Introduce Ordinance Adding Chapter X Constitution
of the United States Compliance

Summary: This is an opportunity to discuss the Council's desire to show its resolve and support for the Constitution of the United States by adopting a Resolution or Ordinance.

Recommendations:

1. Introduce for first reading, read by title only, and waive further reading of Ordinance No. X; and,
2. Title of Ordinance: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF [CITY], CALIFORNIA: CONSTITUTION OF THE UNITED STATES COMPLIANCE."

Background and Discussion

The California Values Act (SB54) is contrary to the United States Constitution and infringes on the rights of the citizens of the City of [CITY]. Furthermore, it affects the City Council's oath to support and defend the Constitution of the United States. In view of this contradiction, it is impossible to comply with both the Constitution of the United States and the Constitution of the State of California. When two governing documents contradict each other, the order of precedence needs to be invoked and followed.

In this situation, my belief is that the Constitution of the United States has precedence over the Constitution of the State of California, so therefore I am proposing that the City Council discuss and adopt Ordinance No. 2018-03 to exempt the City of [CITY] from the California Values Act.

ORDINANCE NO. X

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF [CITY] CALIFORNIA, ADDING CHAPTER X CONSTITUTION OF THE UNITED STATES COMPLIANCE

WHEREAS, the members of the City of [CITY] City Council have taken an oath to support and defend the Constitution of the United States and the Constitution of the State of California, and

WHEREAS, the State of California enacted SB54, called the California Values Act, and

WHEREAS, the California Values Act is codified into Government Code Title 1, Division 7, Chapter 17.25 entitled "Cooperation with Immigration Authorities", and

WHEREAS, the Council of the City of [CITY], a Charter City, finds that it is impossible to honor our oath to support and defend the Constitution of the United States and to be in compliance with California Government Code Title 1, Division 7, Chapter 17.25, and

WHEREAS, employees of the City of [CITY], residents, business owners, guests, visitors, employees and employees of the United States Department of Defense who proudly serve our Nation while stationed on the Joint Forces Training Base, are entitled to the protections afforded by the Constitution of the United States, the Bill of Rights, and the Amendments to the Constitution, and

WHEREAS, employers, including the City of [CITY], operating within the jurisdiction of the City of [CITY] who accept Federal Contracts and must comply with Federal Law, including lawful requests for access to premises, and

WHEREAS, the entire Joint Forces Training Base may be required to comply with Federal Laws and is wholly located within the boundaries of the City of [CITY], and

WHEREAS, the California Values Act may be in direct conflict with Federal Laws and the Constitution of the United States;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF [CITY]
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of [CITY], California finds that the above recitals are true and correct and incorporates them by reference herein.
CC ORD 2018-03

SECTION 2. Chapter 9.30 Constitution of the United States Compliance is hereby added to the [CITY]Municipal Code as follows:
X Constitution of the United States Compliance

The City of [CITY], a Charter City, does hereby exempt the City of [CITY] from the California Values Act, Government Code Title 1, Division 7, Chapter 17.25 and instead will comply with the appropriate Federal Laws and the Constitution of the United States.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the

same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 16th day of April, 2018.

, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

X, City Attorney

STATE OF CALIFORNIA)

COUNTY OF [COUNTY]) ss.

CITY OF LOS [CITY])

I, CMC, City Clerk of the City of [CITY], do hereby
certify that the foregoing Ordinance No. 2018-03 was duly introduced and placed upon
its first reading at a regular meeting of the City Council on X day of X, 2018, and
that thereafter, said Ordinance was duly adopted and passed at a regular meeting of
the City Council on the X day of X, 2018, by the following roll-call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS: