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The Honorable Edmund G. Brown, Jr.  
Governor of California  
c/o State Capital, Suite 1173  
Sacramento, CA 95814

Dear Governor Brown:

I urge you to sign AB 1081. The legislation maintains the appropriate balance between federal and local authorities, reinforces relationships between police and community, and preserves the rule of law in California.

AB 1081 strikes an appropriate balance between federal and state power. It would not impinge on the federal government's authority to regulate immigration, as the obligation of local agencies to detain immigrants for non-criminal violations of the law remains voluntary. Indeed, it would align local participation in immigration enforcement with the stated focus of the federal government on individuals who have been charged or convicted of serious or violent felonies.

Further, the bill would strengthen relationships between California residents and local law enforcement agencies. It would ensure that local authorities act to remove serious and violent felons while keeping those who pose no threat to public safety with their families and in their communities. Earlier this year, the UC Irvine School of Law Immigrant Rights Clinic issued a report that documented the imprecise and overbroad imposition of federal immigration enforcement in Los Angeles County. Individuals taken into police custody due to mistaken identity or as a consequence of low-level, non-violent offenses had been detained by U.S. Immigration and Customs Enforcement for months on end, separated from their families and without access to counsel. This bill would end the mechanical implementation of a federal enforcement initiative by local agencies and restore a measure of discretion to local law enforcement agencies.

Finally, AB 1081 will prevent unscrupulous actors from using immigration enforcement to undermine other important law enforcement imperatives. In a case in our clinic, an employer filed a false police report against a day laborer who had the temerity to ask to be paid for a day's work laying asphalt. Although the criminal charges were dismissed almost immediately, the day laborer was held by local police pursuant to a federal immigration detainer and put into deportation proceedings. He now risks being separated permanently from his partner and ten-month old son, all because he asked to be paid for his work. This pattern—local law enforcement agency used by individuals to avoid the legal consequences of bad acts—repeats itself in a myriad of contexts from workplace exploitation to domestic violence. AB 1081 would end this dynamic in California.

Please let me know if I can answer any questions or address concerns that you may have about the legislation.

Sincerely,

A handwritten signature in black ink that reads "Erwin Chemerinsky".

Erwin Chemerinsky