



Written by [Warren Mass](#) on March 8, 2018

## Trump DOJ Sues California Over Its Immigration and Sanctuary Policies

An item posted on the White House website on March 8 stated that two evenings earlier, the Department of Justice filed a lawsuit against the State of California “to save lives and keep dangerous criminal aliens off our streets.” The message continued by saying: “For far too long, California has obstructed Federal law and put the interests of criminal aliens ahead of the well-being of American citizens.”



The White House message noted that when a foreign national who is in the United States illegally is arrested on criminal charges, U.S. Immigration and Customs Enforcement (ICE) can issue a “detainer” — a request that local law enforcement notify ICE before the illegal alien is released from custody.

However, as a sanctuary state, California refuses to honor these detainers and instead releases criminal aliens back onto the streets.

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The White House report provided a few examples of dangerous criminal aliens who California has set free, despite the lawful detainer requests of ICE agents.

In one cited case, on August 2, 2017, the Santa Rosa Police Department arrested a citizen of Guatemala, on charges of inflicting corporal injury to a spouse/cohabitant, and booked him into the Sonoma County Jail in Santa Rosa, California. ICE lodged a detainer the same day. The next day at approximately 8:12 p.m., a Sonoma County Jail sergeant called ICE and advised that the suspect would be released shortly. However, “shortly” turned out to be almost immediately. At 8:36 p.m., the Sonoma County Jail emailed ICE indicating that the suspect had been released. As the report noted:

The jail provided ICE with only 24 minutes notice before it released the alien, despite the fact that the jail is located about 65 miles from the nearest ICE field office. ICE did not arrest the alien due to insufficient time given to respond. On Aug. 18, 2017, the Santa Rosa Police Department in California arrested the same individual as a suspect in the murder of his alleged girlfriend. He remains in Sonoma County Sheriff’s custody with an ICE-lodged immigration detainer.

In a more egregious case, a citizen of Guatemala who was an alleged gang member was arrested by the San Francisco Police Department more than 10 times between 2013 and 2017 for charges including rape, domestic battery, second-degree robbery, assault, and vehicle theft. On each occasion, ICE requested notification of his release or transfer of the individual to ICE custody. Each time, SFPD declined to honor ICE’s request.

In another case in San Francisco, on February 26, 2018, a citizen of Mexico, was arrested at his residence by ICE. On August 22, 2017, he was convicted of battery and was sentenced to three years of probation and three years of confinement. On February 8, 2018, he was booked into the San Francisco County Jail and charged with a DUI. ICE filed a detainer, which was not honored.



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Attorney General Jeff Sessions delivered a speech at a gathering of the California Peace Officers Association in Sacramento on March 7, during which he denounced officials who support so-called sanctuary city policies, describing them as “extremists” promoting “open borders.”

Sessions had harsh words in particular for Oakland Mayor Libby Schaaf, who issued a public warning on Twitter on the night of February 24 that immigration raids in her city were upcoming. “[Schaaf’s] actions support those who flout our laws and boldly validates illegality,” Sessions said. “There’s no other way to interpret those remarks.”

“So here’s my message to Mayor Schaaf: How dare you?” Sessions continued. “How dare you needlessly endanger the lives of law enforcement to promote an open borders agenda.”

We reported recently that U.S. Immigration and Customs Enforcement (ICE) acting director Thomas Homan, speaking on *Fox & Friends* on February 28, said that Schaaf’s public warning that immigration raids were imminent was “beyond the pale.” He continued: “What [Schaaf] did is no better than a gang lookout yelling ‘police’ when a police cruiser comes in the neighborhood, except she did it to a whole community.”

Homan said in a prior statement on February 27: “The Oakland mayor’s decision to publicize her suspicions about ICE operations further increased that risk for my officers and alerted criminal aliens — making clear that this reckless decision was based on her political agenda with the very federal laws that ICE is sworn to uphold.”

Later in the day, Sessions participated in an interview with Fox News, during which he said: “Federal law determines immigration policy. The state of California is not entitled to block that activity. Somebody needs to stand up and say, ‘No, you’ve gone too far. You cannot do this.’ This is not reasonable. It is radical, really.”

Sessions said that California’s sanctuary state policy could be interpreted “that we should not have immigration laws, that we should have open borders because whenever anyone is apprehended, it seems that we have persons who want to block their removal from the country no matter what the circumstances.”

“We can’t allow this to happen,” the attorney general said. “California has placed us in the position and the Governor, by signing the [sanctuary state] bill, has placed us in the position where we cannot accept this and we have got to challenge it.”

The *Sacramento Bee* reported that shortly after Sessions’ appearance, the Trump campaign sent out an e-mail promoting the administration’s lawsuit against California. The White House also confirmed that Trump would visit the Golden State next week. It will his first trip to the state since being elected.

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