



Written by [Raven Clabough](#) on August 15, 2017

California Sues DOJ Over Sanctuary City Policy

California officials have announced that they will sue the Department of Justice to block the government from withholding certain law-enforcement grants from sanctuary cities. The legal action is the latest evidence that officials in California have prioritized illegal immigrants over their own citizens.



One of Donald Trump's first actions as president was to issue an executive order that targeted sanctuary cities by directing local and state agencies to enforce existing immigration laws or face losing federal funds. Executive Order 13768, entitled "Enhancing Public Safety in the Interior of the United States," which Trump signed on January 25, 2017, states that "sanctuary jurisdictions" that refuse to comply with immigration enforcement measures will not be "eligible to receive Federal grants, except as deemed necessary for law enforcement purposes" by the U.S. attorney general or secretary of Homeland Security.

The Trump administration's crackdown on sanctuary cities was applauded by conservatives and constitutionalists alike. In an editorial in *The New American*, John McManus, president emeritus of The John Birch Society, [observed](#):

[Sanctuary cities] constitute a thumbing of the nose at legitimate laws designed to thwart unlawful immigration. If the entire nation adopted sanctuary policy, there would soon be no nation, because, as history has shown, a nation without control of its borders soon ceases to be independent.

According to *The New American's* Bob Adelman, Trump's order immediately produced results as it prompted a number of self-proclaimed "sanctuary cities" to reverse their policies, including Miami-Dade, Florida; Dayton, Ohio; Saratoga, New York; Finney County, Kansas; and Bedford, Pennsylvania. Republican majorities in several states also made strides toward ending sanctuary status, Adelman [observed](#), including Idaho, Texas, Iowa, Michigan, Ohio, Tennessee, Florida, North Carolina, and Pennsylvania.

California, however, took a different approach. San Francisco [sued](#) the Trump administration, claiming that the order violated states' rights provisions. And in flagrant disregard of Trump's order, California attempted to become the first-ever [sanctuary state](#). At the expense of California taxpayers, Democrats in the state Senate advanced bills to create statewide sanctuary for illegal immigrants, provide money to pay for immigration lawyers on behalf of immigrants facing deportation, and stop efforts to create a Muslim registry that senators believe will be on President Trump's itinerary.



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“We in California have a responsibility to say no and to be a counter balance of the nightmare coming out of Washington,” San Francisco Democrat Scott Wiener insisted.

Meanwhile, U.S. District Judge William Orrick III of the U.S. District Court for the Northern District of California blocked Trump’s executive order, forcing the Trump administration to revise its policy so that its scope is limited to law-enforcement purposes.

Last month, U.S. Attorney General Jeff Sessions further limited the scope, announcing that the Justice Department would merely stop providing Byrne grants to cities that do not comply with federal immigration laws. The *Daily Caller* elaborates, “Under new conditions attached to the grant program, local jurisdictions must give federal immigration authorities unfettered access to jails and notify Immigration and Customs Enforcement (ICE) agents at least 48 hours in advance of the impending release of inmates wanted on an immigration detainers.”

But once again, California is staging opposition against the Trump administration’s efforts to enforce immigration laws. California State Attorney General Xavier Becerra and San Francisco City Attorney Dennis Herrera stated that they will be filing separate federal lawsuits against the Trump administration, asserting that the Trump administration’s efforts are “unauthorized and unlawful.”

California could lose \$28 million in federal funds if the Byrne requirements take effect. Becerra contends that the requirements are a “low blow” as they force police officers to choose between enforcing immigration law and keeping the trust of immigrant communities.

California’s lawsuits are similar to one filed in Chicago last week that claims the DOJ’s rules are an effort to “federalize” local law enforcement and violate the constitutional rights of alien jail inmates.

The Justice Department responded to Chicago’s lawsuit with sharp criticisms, accusing Chicago leaders of prioritizing illegal immigrants above the safety of police and citizens. “In 2016, more Chicagoans were murdered than in New York City and Los Angeles combined,” Justice Department spokesman Devin O’Malley said in an e-mail. “So it’s especially tragic that the mayor is less concerned with that staggering figure than he is spending time and taxpayer money protecting criminal aliens and putting Chicago’s law enforcement at greater risk.”



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