

**OFFICE OF THE COUNTY COUNSEL
COUNTY OF SANTA CLARA**

County Government Center
70 West Hedding Street
East Wing, 9th Floor
San Jose, California 95110-1770

(408) 299-5900
(408) 292-7240 (FAX)



James R. Williams
COUNTY COUNSEL

Greta S. Hansen
CHIEF ASSISTANT COUNTY COUNSEL

Winifred Botha
Danny Y. Chou
Robert M. Coelho
Steve Mitra

ASSISTANT COUNTY COUNSEL

FOR IMMEDIATE RELEASE

February 3, 2017

Contact: Laurel Anderson
(408) 299-5119
laurel.anderson@ceo.sccgov.org

**Santa Clara County Sues Trump Administration to Block
Unconstitutional Executive Order Punishing “Sanctuary”
Jurisdictions**

SANTA CLARA COUNTY, CALIF. – Today, the County of Santa Clara, California, filed a lawsuit in federal court challenging President Donald Trump’s January 25, 2017 Executive Order that seeks to punish cities and counties that do not assist him in the deportation of millions of immigrants by withholding all federal funds from those cities and counties. The executive order expands the federal government’s deportation priorities to include millions of immigrants who have not been convicted of any crimes, places discretion on who to deport in the hands of federal agents instead of judges, and poses a serious threat to the safety of local communities.

“The President’s order is an unconstitutional attempt to coerce state and local governments into assisting with mass deportation,” said County Counsel James R. Williams. “We will resist any effort to illegally withhold funding for critical County services that support the health, safety, and wellbeing of all our residents.”

The lawsuit was filed by the Office of the County Counsel and Keeker, Van Nest & Peters LLP, which is representing the County on a pro bono basis. The lawsuit challenges the Trump Administration Order on numerous grounds, arguing that coercing cities and counties to cooperate with federal deportation efforts by threatening to withhold unrelated federal funding violates the Constitution. Notably, the Order seeks to require counties to comply with “civil detainer requests” issued by ICE directing counties to hold certain immigrants in county jail beyond the time allowed by law, a practice that federal courts have held is unconstitutional.

Santa Clara County Sues Trump Administration to Block Unconstitutional Executive Order Punishing “Sanctuary” Jurisdictions

Date: February 3, 2017

Page 2

President Trump’s threat to withhold federal funding from Santa Clara County would jeopardize critical county services such as health care, mental health services, public safety and early childhood education programs.

“Santa Clara County, the home of Silicon Valley, is a welcoming community that embraces immigrants and we will resist any effort to divide us,” said Dave Cortese, President of the Board of Supervisors. “Immigrants contribute to the very fabric of our nation and we will not stand by while the Trump Administration seeks to impose un-American and illegal policies that undermine our values.”

“We will not stand idly by while President Trump threatens our public safety and the critical health care and social services we provide to our residents,” said Jeffrey V. Smith, County Executive. “We stand with local governments across the nation that are protecting the rights upon which our country was founded.”

The County’s lawsuit seeks to enjoin the Trump Administration from withholding federal funds from states, cities, and counties that are targeted by the Order.

###