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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CITY AND COUNTY OF SAN FRANCISCO,
 Plaintiffs

v.

DONALD J. TRUMP, et al.,
 Defendants.

COUNTY OF SANTA CLARA,
 Plaintiffs

v.

DONALD J. TRUMP, et al.,
 Defendants.

CITY OF RICHMOND,
 Plaintiffs

v.

DONALD J. TRUMP, et al.,
 Defendants.

Case No. 17-cv-00485-WHO
 Case No. 17-cv-00574-WHO
 Case No. 17-cv-01535-WHO

The Honorable William H. Orrick

STATEMENT OF *AMICUS CURIAE*
ANTI-DEFAMATION LEAGUE IN
SUPPORT OF PLAINTIFFS’
OPPOSITION TO DEFENDANTS’
MOTION TO DISMISS

Date: July 12, 2017
 Time: 2:00 p.m.
 Dept.: Courtroom 2

Date Filed: March 21, 2017
 Trial Date: April 23, 2018

1 **I. INTRODUCTION**

2 In support of the City and County of San Francisco's, the County of Santa Clara's and the
 3 City of Richmond's (together, "Plaintiffs") respective motions for preliminary injunction, the
 4 Anti-Defamation League ("ADL") submitted an *amicus curiae* brief to emphasize the
 5 detrimental affect Donald J. Trump's executive order on "sanctuary jurisdictions" (Exec. Order
 6 13,768, 82 Fed. Reg. 8799 (Jan. 25, 2017) (the "Order")) has on the critical trust and cooperation
 7 between law enforcement officials and immigrant and minority communities.

8 This trust continues to be crucial to overall public safety, and central to the success of
 9 community policing efforts. ADL submits this statement in support of its original *amicus curiae*
 10 briefs and in support of Plaintiffs' respective Oppositions to Defendants' Motions to Dismiss
 11 (Case No. 17-00485, ECF No. 115; Case No. 17-00574, ECF No. 119; Case No. 17-01535, ECF
 12 No. 29) to further highlight the detrimental effect that the Order is having on effective policing
 13 and will continue to have until it is ultimately struck down.

14 **II. ARGUMENT**

15 **A. As ADL Previously Argued, the Order Undermines Cooperation Between**
 16 **Law Enforcement and Immigrant Communities and Therefore Endangers**
 17 **Public Safety.**

18 As ADL argued in its *amicus curiae* briefs (Case No. 17-00485, ECF No. 67; Case No.
 19 17-00574, ECF No. 72; Case No. 17-01535, ECF No. 21), the so-called "sanctuary" policies
 20 adopted by the Plaintiffs were enacted to foster cooperation and communication between law
 21 enforcement and the public. This cooperation is a cornerstone of "community policing," which
 22 has been endorsed by the Department of Justice itself.¹

23 On the other hand, the Order breaks down this cooperation and communication by
 24 coercing state and local governments to carry out ICE civil detainer requests and prohibiting
 25 state and local governments from restricting the release of information regarding an individual's
 26 immigration status. Order § 9(a), 9(b). This wedge between law enforcement and the

27 ¹ Matthew Scheider, *Community Policing Nugget*, COMMUNITY ORIENTED POLICING
 28 SERVS., U.S. DEP'T OF JUSTICE, https://cops.usdoj.gov/html/dispatch/february_2008/nugget.html
 (last visited Mar. 16, 2017),
 [http://web.archive.org/web/20170311171441/https://cops.usdoj.gov/html/dispatch/february_2008/nugget.html].

1 communities they serve makes immigrants, and individuals in the ethnic groups to which they
 2 belong, unwilling to report crimes and to assist in police investigations out of a fear that contact
 3 with local police will lead to their deportation. *See, e.g.*, Case No. 17-00485, ECF No. 67-1
 4 (“ADL PI Brief”) at 4-8. For this reason, law enforcement agencies around the country have
 5 confirmed that the Order directly impedes their ability to investigate and prosecute crime and
 6 leads to decreased overall public safety. *Id.*, at 6-8.

7 Additionally, the Order leaves immigrant communities, who are already more susceptible
 8 to crime than the general public, especially vulnerable to hate crimes and employer abuses. ADL
 9 PI Brief at 9-12.

10 **B. New Information From Law Enforcement Agencies Released Since ADL’s**
 11 ***Amicus Curiae* Brief Further Strengthens Its Argument.**

12 Since ADL submitted its *amicus curiae* briefs, additional community leaders have spoken
 13 out against immigration measures which require local law enforcement to enforce immigration
 14 laws. For example, Los Angeles Police Chief Charlie Beck has said, “We depend on our
 15 communities, particularly the immigrant communities, not only to keep them safe but to keep all
 16 of you safe. Without . . . cooperation [from immigrant communities,] we all suffer.”² Chief
 17 Beck made this statement in support of California’s proposed Senate Bill 54, which would
 18 prohibit state and local law enforcement agencies from carrying out federal immigration laws.
 19 Citing the Order and acknowledging the Court’s preliminary injunction, the bill’s author, Senate
 20 President Pro Tem Kevin de León said, “Still, our local law enforcement officers are under threat
 21 of being commandeered into the President’s deportation forces.”³

22 Similarly, cities around the country are already beginning to see the harmful impacts of
 23 the Order’s “anti-sanctuary city” policies on Latino communities. In Los Angeles, reports of
 24 sexual assaults by the city’s Latino population have dropped 25 percent this year, and reports of
 25 domestic violence from the Latino community have dropped 10 percent. Police Chief Beck

26 ² Jazmine Ulloa, *L.A. Police Chief Charlie Beck endorses ‘sanctuary state’ bill that Eric*
 27 *Holder hails as ‘constitutional,’* LOS ANGELES TIMES, June 19, 2017,
 28 <http://www.latimes.com/politics/la-pol-ca-eric-holder-charlie-beck-kevin-deleon-sanctuary-state-bill-20170619-story.html>.

³ *Id.*

1 commented, “Imagine a young woman, imagine your daughter, your sister, your mother...not
2 reporting a sexual assault, because they are afraid that their family will be torn apart.”⁴ In
3 Houston, Texas, the number of Hispanics who reported rapes from January to March of 2017
4 was down 42.8 percent from last year, and the number of Hispanics reporting violent crimes has
5 dropped 13 percent.⁵ Similarly, Boston Police recently reported that Boston Police is tracking a
6 7 percent decline in reported neighborhood crimes in East Boston this year compared with the
7 same time frame last year caused by fear of deportation.⁶

8 These additional reports further evidence the need to maintain the Preliminary Injunction,
9 and underscore that dangers to public safety will continue until the Order is ultimately struck
10 down by the Court.

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⁴ James Queally, *Latinos are reporting fewer sexual assaults amid a climate of fear in immigrant communities, LAPD says*, LOS ANGELES TIMES, Mar. 21, 2017, <http://www.latimes.com/local/lanow/la-me-ln-immigrant-crime-reporting-drops-20170321-story.html>.

⁵ Brooke A. Lewis, *HPD chief announces decrease in Hispanics reporting rape and violent crimes compared to last year*, HOUSTON CHRONICLE, Apr. 6, 2017, <http://www.chron.com/news/houston-texas/houston/article/HPD-chief-announces-decrease-in-Hispanics-11053829.php>.

⁶ Antonio Planas, Chris Villani, *Evans: Deportation fears lead to crimes being underreported in Eastie*, BOSTON HERALD, May 25, 2017, http://www.bostonherald.com/news/local_coverage/2017/05/evans_deportation_fears_lead_to_crimes_being_underreported_in_eastie.

1 **III. CONCLUSION**

2 For the foregoing reasons, ADL respectfully requests that the Court deny the Plaintiffs'
3 Motions to Dismiss.

4 DATED: June 28, 2017

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