

**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 23, 2017

Contact: Laurel Anderson
(408) 332-7174
laurel.anderson@ceo.sccgov.org

**County of Santa Clara Seeks Preliminary Injunction to Block
President Trump’s Unconstitutional Executive Order**

***County Requests Swift Federal Court Action to Protect Nearly \$1.7 Billion in
Funds Used for Critical Health, Safety, and Social Services***

SANTA CLARA COUNTY, CALIF. – Today, the County of Santa Clara asked a federal court to prevent the Trump Administration from implementing an unconstitutional executive order stripping all federal funding from state and local “sanctuary jurisdictions.” The Executive Order could deprive the County of nearly \$1.7 billion in annual federal and federally contingent funds promised for critical health, welfare, and safety services. The County filed a preliminary injunction motion as part of the County’s lawsuit challenging the President’s January 25, 2017 Executive Order.

Many critical County services depend on federal funding, including the Santa Clara Valley Medical Center, the only safety-net hospital in Santa Clara County; basic food and nutrition benefits for infants, children, families, and seniors; housing and community development; highway planning and construction; and security, emergency-response, and counter-terrorism efforts.

“We are defending Santa Clara County’s core values and the values of so many cities and counties across the nation,” said Dave Cortese, President of the Board of Supervisors. “There is no justification for withholding nearly \$1.7 billion in funds used to deliver essential County

services such as medical care for infants and children simply because our County adopted policies that reflect the welcoming, inclusive values of our community.”

The County’s motion, filed by the Office of the County Counsel jointly with pro bono counsel Kecker, Van Nest & Peters LLP, challenges the Executive Order as a patently unconstitutional effort to coerce the County, and other state and local governments, to participate in the Trump Administration’s expanded federal immigration enforcement and deportation efforts.

Citing evidence regarding the immediate harm the County would face if federal funds were withheld, the County’s motion seeks speedy federal court intervention to block the Trump Administration from withholding federal funding from the County and its 1.9 million residents.

“Implementation of the President’s unconstitutional order would cause significant and irreparable harm to the County and its residents,” said County Counsel James R. Williams. “We are seeking a preliminary injunction now to protect the County from the President’s willful disregard of the limits on his power imposed by the United States Constitution. Our founders wisely crafted a Constitution that protects state and local governments from any President’s efforts to use federal funding as a weapon to dictate how local resources are used. This lawsuit seeks to affirm that basic American principle—regardless of one’s views on any specific local policy.”

“Santa Clara County residents rely on federal funds to deliver essential public health and safety services,” said County Executive Jeffrey V. Smith, M.D., J.D. “We will fight any attempt to prevent us from continuing to deliver these services, and will stand strong on behalf of the diverse community we serve.”

“President Trump’s Executive Order violates the Constitution and harms states and local governments across the country,” said Cody Harris, a partner at Kecker, Van Nest & Peters. “The County of Santa Clara requires prompt injunctive relief so it can continue to provide essential services to its residents without the unconstitutional threat of defunding hanging over it.”

The County’s motion seeks an immediate nationwide injunction that would prohibit the Trump Administration from withholding federal funds from any of the states, cities, and counties that are targeted by the Executive Order.

###