

California Resists Trump on Immigration

President Trump's crackdown on America's 11 million undocumented immigrants is raising alarm among that community but faces its stiffest resistance in California where leaders vow defiance, reports Dennis J Bernstein.

By Dennis J Bernstein

California Governor Jerry Brown departed in this year's State of the State speech from the traditional practice of listing key issues and restating the panoply of the administration's priorities for the coming year. Instead, Brown discussed the "broader context of our country and its challenges."

Brown reminded President Trump of the importance of California's economy in the scheme of things. "This is California," said the Governor, "the sixth most powerful economy in the world. One out of every eight Americans lives right here and 27 percent – almost 11 million – were born in a foreign land. When California does well, America does well. And when California hurts, America hurts."

Brown continued, "A few moments ago, I swore into office our new attorney general [Xavier Becerra]. Like so many others, he is the son of immigrants who saw California as a place where, through grit and determination, they could realize their dreams. And they are not alone, millions of Californians have come here from Mexico and a hundred other countries, making our state what it is today: vibrant, even turbulent, and a beacon of hope to the rest of the world."

"So as we reflect on the state of our state," Brown concluded, "let me be clear: we will defend everybody – every man, woman and child – who has come here for a better life and has contributed to the well-being of our state."

There has been a flurry of activity in the California State legislature that echoes Brown's defiant talk about holding the line against Trump on immigration. There are bills pending now that deal with immigration at all levels, from creating a special legal office to protect undocumented workers facing deportation to extending Sanctuary in California to cover the entire state. Most recently introduced is California Senate Bill SB-31, the California Religious Freedom Act.

The California Religious Freedom Act "would prohibit a state or local agency or a public employee, acting under color of law from providing or disclosing to the federal government personally identifiable information regarding a person's religious beliefs or practices, national origin, or ethnicity for law

enforcement or immigration purposes.”

The bill would also “prohibit state and local law enforcement agencies from collecting personally identifiable information on the religious beliefs, practices, or affiliation of any individual, except as part of a targeted investigation, or where necessary to provide religious accommodations.”

I spoke with California State Senator Ricardo Lara, who introduced the bill and is concerned about the creation of a national registry or database “based solely on religious beliefs or affiliation.”

Dennis Bernstein: I want to begin with your ... gut overview of what you see happening, the way these presidential directives are signed, the way this was rolled out. Give us a sense of what’s going on in your mind and how this reverberates in your community.

Ricardo Lara: Well, we’re very concerned that this president continues to vilify and seek to scapegoat various communities throughout our country, which only perpetuates his goal of dividing us as a nation. And so, as a California elected official, it’s important that not only do we demonstrate that we’re going to fight back, and we’re going to fight for the rights of all Americans, and Californians, but that we demonstrate that we’re better than that. That this is really not what America is about.

And so, it’s very troubling. It puts us in a defensive position here in California. But, we’re also going to continue to push on those progressive policies that have made California the fifth [correction: sixth] largest economy in the world.

DB: And California is definitely ... on the front line, is setting the example, is really drawing the line, in terms of what people are willing to do. This is in the context of so many things going on in the public agencies, as sanctuary cities. You want to talk a little bit more about that kind of uprising of resistance?

RL: Absolutely. We have committed, in the state legislature, that we are going to do everything we can to fight these divisive policies, and we’re going to protect our sanctuary cities, and, in a sense, create the sanctuary state. That is the state of California.

So, the executive orders that have come down from the president are still going to need congressional action. So we have some time to kind of decipher what method we’re going to use to fight, either in the courts or in the legislature, through policy making. But right now these are his policy statements, and directives. We’re still going to have to wait for Congress to act on a majority

of these things.

And so, for local elected officials, who are living in sanctuary cities, or have declared their cities sanctuary, we have some time to strategize. And so, again, he's being bold in his policy directives. He's again being bombastic about what he wants to do. And so, we want to, we're taking a step back and looking at what our options are to defend ourselves.

DB: Well, as a way to get into what's going on in terms of SB-31 here in California ... are you getting reports, feedback from community, your supporters, the people who bring you to office, about an upsurge in attacks, if you will, in the age of Trump? Is there more going on? Is there more fear reverberating?

RL: Well, definitely, we've heard people express concern, and fear, in particular with our immigrant communities in my district, and throughout the state. And rightfully so, right? I mean, these are outright attacks on communities, and specific members of our communities, and so, rightfully, they are concerned.

And I think, for us, it's important that not only we demonstrate that we support our immigrant communities, we support our diversity, but that we're also demonstrating that we're going to do everything we can to protect our most vulnerable communities which include our immigrants.

DB: Now, it is true that California has always been on the cutting edge of issues like this. And the human rights issues that have to do with, I guess, the people who do the hardest work, and get abused for it, still, in this country. And now, under Trump, in a more focused way. Now, you have been working on Senate Bill 31 which is one way of combating what we've been talking about. Could you lay out what exactly that is, and what you're trying to legislate here?

RL: Absolutely. Currently we've heard the president talk about this creation of a Muslim database, right? And so, what we're doing here in California, we're preempting any state agency from collecting this data based on religious affiliation, and also insuring that a registry of this nature cannot be compiled using our state resources. So, it's a way for us to not only prevent local and state agencies from disclosing this personal information, but clearly this is something that we have to lead.

There should be no lists of registries of individuals based on religion, ethnicity, or nation of origin. We know what happens when we start putting people on lists, separating them, and history tends to repeat itself. And it clearly... this president has no idea of just the connotation, of what he's trying

to do here, and what this is leading us towards.

And so, I think it's important for California, again, to do that. And California is a place where we honor our diversity, and we honor, most importantly, our religious freedom. And so, this bill is important for us to not allow a California Muslim registry to happen, not now or ever.

DB: Now, we know that Kris Kobach, I believe he's the Secretary of State of Kansas, is a key advisor to the Trump administration, and behind the scenes is trying to interweave a national registry, in terms of what you're talking about. So, I imagine here is a chance for your bill, and for California, to be on the cutting edge, to set an example of what has to happen.

RL: Exactly. And given the fact that California has... we are the most diverse state with the most immigrant population. Securing our data, and ensuring that we protect people's' identity, here, would be a big... a large portion of that immigrant population that they're trying to identify.

DB: And there ... has been a formal registration or legislation created to enforce this kind of government policy. I guess it's the National Security Entry/Exit Registration System. Is that ... at the heart of the matter here?

RL: Yeah. It's called NSEERS, and it was created after September 11th, and it clearly demonstrated, now which is currently defunct, it was used to target mostly Arab and Muslim men, across the nation. And the program... of course, is disproportionately focused on Arabs and Muslims.

And it caused really widespread fear within those communities. And it undermined the trust of law enforcement, and needlessly punished immigrants, regardless of whether or not they were suspected of any criminal activities. ... My understanding is that list is no longer in place, and it really didn't do anything to prevent any terrorists attacks... in the United States.

DB: But it caused a lot of suffering, I mean from the information, I guess, coming out of your office, they managed to register some 80,000 people, 13,000 people were placed in deportation proceedings based on technical visa violations. That sounds pretty cruel.

RL: Right. Absolutely. Not only is it cruel, it's unjust and it's anti-American.

DB: I guess there's a great deal of fear at every level, particularly if you are undocumented, but even if you're not, even if you're just a brown person, there's been an upsurge, there's been a struggle going on. I'm wondering ... what the chances are of this getting passed. And have you heard from the governor? Is there any feedback, any indication that this kind of important protection,

legislation at the state level will get through, and will get support?

RL: Well, we're early in the legislative process. And so it just cleared its first committee yesterday. We've received bipartisan support, some Republicans have indicated that they're going to support the measure, and actually voted for it. So, again, we are looking to build a strong coalition that is going to help us move this policy forward, and hopefully getting it signed by the governor.

DB: And, finally, have you been meeting... are there discussions taking place now within the legislature in terms of how California is going to deal with... this is a more general question... how California is going to deal with these threats, and if Trump moves forward to cut off California, based on its strong support, its sanctuary cities, its decisions to support the immigrant population, to support all people of California. Are there plans? Is this a part of what's going on now?

RL: Absolutely. There's a couple strategies that we're kinda talking about. One is to really secure the data that we have, of the programs where we currently are supporting our undocumented community. That's first and foremost important.

Second is to ensure that we push back, through various levels, any efforts that are going to harm the economy of California because, quite frankly, why California matters to the rest of the state [nation] is that we're a significant contributor to the federal government. And we're also a significant part of the United States' economy. So, by hurting California, and by creating economic instability here, you are actually harming a lot of these families in red states.

The fact is that, if you harm us economically and endanger our agricultural community... we feed 50% of the country. How is that going to impact some of the constituents across the country? And so, congressional members might feel that "Yes, we, California, we do things on our own"... but we're inextricably linked with the economy of the United States. So, this form of potential domestic terrorism against us as Californians from the federal government is only going to hurt the country as a whole.

Dennis J Bernstein is a host of "Flashpoints" on the Pacifica radio network and the author of Special Ed: Voices from a Hidden Classroom. You can access the audio archives at www.flashpoints.net.
