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United States of America v. State of California et al

#### MOTION FOR LEAVE TO FILE BRIEF AMICI CURIAE

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT the Tahirih Justice Center ("Tahirih"), and additional amici ASISTA, Asian Pacific Institute on Gender-Based Violence, Casa de Esperanza, and Immigration Center for Women and Children hereby request permission to file the attached amicus brief in support of Defendants' Opposition to Plaintiff's Motion for Preliminary Injunction and Defendants' Motion to Dismiss in the action filed by Plaintiff the United States of America (Case No. 2:18-cv-00490-JAM-KJN). The proposed amicus brief is attached to this motion as Exhibit 1. Both Plaintiff and Defendants consent to the filing of this brief. A list of all amici appears in Appendix 1 to the brief. A proposed order is attached to this motion as Exhibit 2.

## I. STANDARD FOR MOTION FOR LEAVE TO FILE BRIEF AMICI CURIAE

The District Court, in its discretion, may accept amicus curiae briefs "concerning legal issues that have potential ramifications beyond the parties directly involved or if the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide." *Safari Club Intern v. Harris*, 2015 WL 1255491 at \*1 (E.D. Cal. Jan. 14, 2015) (citation and internal quotation marks omitted).

#### II. STATEMENT AND IDENTITY OF INTEREST OF AMICI CURIAE

Tahirih is the largest multi-city direct services and policy advocacy organization specializing in assisting immigrant women and girls who survive gender-based violence, including human trafficking, forced labor, domestic violence, rape and sexual assault, and female genital cutting/mutilation. Tahirih serves clients at five local offices, including in San Francisco, and to date, has provided free legal assistance to more than 25,000 individuals. The additional amici, ASISTA, Asian Pacific Institute on Gender-Based Violence, Casa de Esperanza, and

immigrant women survivors of gender-based crimes in California, as well as national policy organizations that advocate for legal and other protections for survivors of gender-based crimes in the United States.

## III. AMICI'S PERSPECTIVE WILL BENEFIT THE COURT

Based on their extensive work with survivors of gender-based violence, amici have special insight into the ways in which the challenged California laws, S.B. 54, A.B. 103, and A.B. 450, promote the safety of immigrant survivors and improve community safety, by encouraging survivors to report gender-based violence and other criminal activity that may threaten society at large. Amici also have a unique understanding of the harms that an injunction of these laws would cause immigrant women and girls who are survivors of gender-based violence. The public safety concerns which prompted the California legislature to adopt S.B. 54, A.B. 103, and A.B. 450 apply with unique force to immigrant women who are survivors of gender-based violence, as amici's brief explains.

## IV. CONCLUSION

Accordingly, the Tahirih Justice Center, et al., request leave to file the attached brief amici curiae in this action.

1	DATED: May 18, 2018	Respectfully submitted,
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# **CERTIFICATE OF SERVICE**

I hereby certify that on May 18, 2018, I electronically filed the above document with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

By: /s/ JAMIE S. GORELICK JAMIE S. GORELICK