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10
 11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE EASTERN DISTRICT OF CALIFORNIA
 13
 14

15 **THE UNITED STATES OF AMERICA,**

16 Plaintiff,

17 v.

18 **THE STATE OF CALIFORNIA; EDMUND**
 19 **GERALD BROWN JR., Governor of**
 20 **California, in his Official Capacity; and**
 21 **XAVIER BECERRA, Attorney General of**
 22 **California, in his Official Capacity,**

23 Defendants.

2:18-cv-490-JAM-KJN

**CONSENT MOTION OF THE DISTRICT
 OF COLUMBIA AND THE STATES OF
 CONNECTICUT, DELAWARE,
 HAWAII, ILLINOIS, NEW JERSEY,
 NEW MEXICO, OREGON AND
 WASHINGTON FOR LEAVE TO FILE
 BRIEF AS *AMICI CURIAE* IN SUPPORT
 OF DEFENDANTS' OPPOSITION TO
 PLAINTIFF'S MOTION FOR A
 PRELIMINARY INJUNCTION**

Date: June 20, 2018
 Time: 10:00 a.m.
 Courtroom: 6
 Judge: The Honorable John A. Mendez
 Action Filed: March 6, 2018

1 Pursuant to this Court’s March 29, 2018 Order Regarding Schedule for Filing *Amici Curiae*
2 Briefs in Support of Defendants’ Opposition to Motion for Preliminary Injunction, *inter alia*, and
3 the Court’s Minute Order on March 27, 2018, the District of Columbia and the States of
4 Connecticut, Delaware, Hawaii, Illinois, New Jersey, New Mexico, Oregon, and Washington
5 respectfully move for leave to file a brief as *amici curiae* in support of Defendants’ opposition to
6 Plaintiff’s motion for a preliminary injunction. The parties consent to this motion.

7 **IDENTITY AND INTEREST OF *AMICI CURIAE***

8 *Amici* are the District of Columbia and the States of Connecticut, Delaware, Hawaii, Illinois,
9 New Jersey, New Mexico, Oregon, and Washington (collectively, “the *Amici* States”). The *Amici*
10 States have a substantial interest in maintaining their sovereign authority to determine how best to
11 ensure the safety and well-being of their residents, prevent crime, and allocate limited state
12 resources. The *Amici* States are concerned by the federal government’s lawsuit against the State of
13 California, which is based on an interpretation of federal immigration law that would impermissibly
14 intrude on the sovereign authority of states to regulate law enforcement, enhance public safety, and
15 allocate their limited resources. This suit is only the latest in a series of threats by the federal
16 government against states and political subdivisions that do not wish to devote state and local
17 resources to federal civil immigration enforcement. Like the State of California, the *Amici* States
18 and their political subdivisions face the threat of loss of federal funding and “enforcement action”
19 if they do not accede to the federal government’s demands that they allow their personnel and
20 resources to be used to assist federal civil immigration enforcement on the federal government’s
21 terms, and in the manner dictated by the federal government. Accordingly, the *Amici* States have a
22 strong interest in the outcome of this litigation.

23 **PROPOSED *AMICI* BRIEF’S RELEVANCE AND AID TO THE COURT**

24 The signatory Attorneys General are the chief law officers of their respective States and bring
25 a wealth of experience about how to promote public safety in their communities. The *Amici* States’
26 proposed brief draws upon that experience by discussing how and why some jurisdictions, in their
27 expert judgment, have concluded that focusing local law enforcement agencies on crime prevention
28 rather than the enforcement of federal civil immigration law makes their communities safer for all.

1 The proposed brief will explain why laws that limit the participation of state law enforcement
2 agencies in federal civil immigration enforcement, like the California Values Act, are important
3 and sound policies within the police power of the states. The proposed brief will also further
4 highlight the constitutional concerns raised by the federal government's effort to supersede state
5 laws and compel the states to participate in federal civil immigration enforcement. It will thus
6 further demonstrate why the federal government is unlikely to succeed on the merits of its claim.

7 The *Amici* States respectfully submit that this brief will aid the Court in resolution of the issues
8 presented in Defendants' Opposition to Plaintiff's Motion for a Preliminary Injunction.

9 **CONCLUSION**

10 For the foregoing reasons, the *Amici* States respectfully request that their motion be granted
11 and their brief, a copy of which is attached to this Motion as Exhibit 1, be filed.

12 Dated: May 18, 2018

13 Respectfully Submitted,

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16 District of Columbia
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CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2018, I electronically filed the following document with the Clerk of Court using CM/ECF:

Motion of The District of Columbia, and the States of Connecticut, Delaware, Hawaii, Illinois, New Jersey, New Mexico, Oregon, and Washington for Leave to File Brief as Amici Curiae in Support of Defendants’ Opposition to Plaintiff’s Motion for Preliminary Injunction

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Taylor Morosco
TAYLOR MOROSCO