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

15 **THE UNITED STATES OF AMERICA,**
16
17 **Plaintiff,**
18
19 **v.**
20 **THE STATE OF CALIFORNIA; EDMUND**
GERALD BROWN JR., Governor of
California, in his official capacity; and
XAVIER BECERRA, Attorney General of
California, in his official capacity,
21
22 **Defendants.**
23

Case No. 2:18-cv-00490-JAM-KJN

**DECLARATION OF CHRISTOPHER
CALIGIURI IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Judge: Honorable John A. Mendez
Action Filed: March 6, 2018

1 I, Christopher Caligiuri, declare as follows:

2 1. I am a resident of the State of California. I have personal knowledge of the facts
3 set forth in this declaration. If called as a witness, I could and would testify competently to the
4 matters set forth below.

5 2. I have been employed by the California Department of Justice ("CADOJ") for 19
6 years. Since 2016, I have served as the Assistant Director of the Bureau of Investigation ("BI")
7 within the Division of Law Enforcement ("DLE"). Before assuming my current role, I was the
8 Special Agent in Charge of the Bureau of Firearms and BI for 3 years. For 14 years prior, I
9 served as a Special Agent or Special Agent Supervisor in the Bureau of Narcotic Enforcement,
10 with 2 of those years occurring in BI. Prior to working at CalDOJ, I served as a Community
11 Service Officer, Police Officer, and Detective in the Sacramento Police Department. In total, I
12 have over 27 years' experience in law enforcement, with most of those years spent on the
13 investigation of narcotics.

14 3. I am familiar with Senate Bill 54 ("SB 54"), California Government Code section
15 7282 *et seq.*, which I understand is being challenged in this case.

16 4. As part of BI's public-safety mission, BI provides statewide expert investigative
17 services to combat multi-jurisdictional criminal organizations. BI is comprised of Special Agents
18 who are specialists in conducting complex criminal investigations in the areas of organized crime,
19 drug trafficking, and gang activity. BI agents are assigned to regional offices and task forces
20 throughout the State.

21 5. As part of those efforts, BI leads task forces that include participating members
22 from federal agencies such as the Drug Enforcement Administration ("DEA"), the Bureau of
23 Alcohol, Tobacco, Firearms & Explosives ("ATF"), the Federal Bureau of Investigations ("FBI"),
24 and the Internal Revenue Service ("IRS"). A participating agency is a law enforcement agency
25 that has made a commitment of resources and personnel to a task force for an agreed upon time
26 period.

27 6. BI is involved in four task forces where Homeland Security Investigations within
28 Immigration and Customs Enforcement ("HSI/ICE") is a participating agency:

- 1 • Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (“LA
- 2 IMPACT”)
- 3 • High Impact Investigation Team (“HIIT”)
- 4 • Tax Recovery and Criminal Enforcement Task Force (“TRaCE”)
- 5 • Inland Crackdown Allied Task Force (“INCA”).

6 7. Like the work BI does with all of its federal partners, BI’s collaboration with
7 HSI/ICE supports the public safety and criminal investigatory purposes of these task forces. At
8 no point, however, has the purpose of these task forces been immigration enforcement.

9 8. Started in 1991, LA IMPACT is a compilation of numerous federal, state, and
10 local law enforcement agencies in Los Angeles County, with a primary focus on investigating
11 major crimes. LA IMPACT has a particular aim on dismantling mid to major level drug
12 trafficking. LA IMPACT includes HSI/ICE, DEA and ATF as federal participating members. In
13 2017, LA IMPACT made 423 arrests, seized nearly \$11 million in U.S. currency and seized 3,540
14 pounds of methamphetamine, 2,061 pounds of cocaine, and 228 pounds of heroin. In 2017, LA
15 IMPACT also helped coordinate the removal and placement of 95 “drug endangered children”
16 who were living in unsafe conditions. Thus far, in 2018, LA IMPACT has made 164 arrests, and
17 seized 1,445 pounds of methamphetamine, 865 pounds of cocaine, and 81 pounds of heroin.

18 9. HIIT is an initiative established to conduct criminal investigations leading to the
19 identification, arrest, and prosecution of drug trafficking organizations in the Central Valley of
20 California. HIIT focuses on chemical distributors and money laundering operations connected to
21 the distribution and sale of methamphetamine. HIIT is comprised of personnel from multiple
22 federal, state, and local law enforcement agencies, including HSI/ICE. In 2017, HIIT made 52
23 arrests and seized approximately 300 pounds of methamphetamine, heroin, and cocaine. Thus
24 far, in 2018, HIIT has made 25 arrests, and seized over 11 pounds of methamphetamine, heroin,
25 and cocaine.

26 10. TRaCE joins existing state and federal resources to collaboratively investigate,
27 prosecute, and recover tax revenue lost to the underground economy. TRaCE includes personnel
28 from multiple federal, state, and local agencies. The federal participating agencies on the task

1 force are HSI/ICE, the FBI, and the IRS. In 2017, TRaCE opened 23 new criminal cases,
2 continued 31 additional cases, and completed the successful prosecution of 6 cases.

3 11. INCA is a task force formed in 1991 to combat narcotic trafficking and the
4 violence associated with its distribution impacting the communities of the Inland Empire. INCA
5 is comprised of members from BI, HSI/ICE, and several other California law enforcement
6 agencies. In 2017, INCA made 102 arrests and seized 709 pounds of cocaine, 447 pounds of
7 methamphetamine, and 84 pounds of heroin. Thus far, in 2018, INCA has made 14 arrests, and
8 seized 217 pounds of cocaine, 157 pounds of methamphetamine, and 9 pounds of heroin tar.

9 12. A recent incident underscores the valuable cooperation that occurs between BI and
10 HSI/ICE on these task forces. [REDACTED]

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

19 13. As the above illustrates, SB 54 has not changed BI's ability to collaborate with our
20 federal partners, like HSI/ICE, including by sharing confidential information for the purposes of
21 criminal investigations. We have continued our work on all task forces where HSI/ICE is a
22 participating member. None of our other law enforcement partners have asked for HSI/ICE to be
23 removed. HSI/ICE has not asked to be removed. Also, since before SB 54, none of BI's work on
24 these task forces involved immigration enforcement, and SB 54 has no impact on BI's continued
25 work on these task forces.

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on MAY 4, 2018 in SACRAMENTO, California.


CHRISTOPHER CALIGIURI