



**Via Email Transmittal**

Date: February 27, 2025  
To: California Community Colleges Chief Executive Officers  
From: Kathy Lynch, General Counsel  
Subject: Legal Advisory 2025-02-27: California Sanctuary Jurisdiction – Reminders and Resources

The Office of the General Counsel previously issued a [legal advisory](#) relating to California’s sanctuary jurisdiction created by Senate Bill (“SB”) 54, known as the California Values Act, and Assembly Bill (“AB”) 21. In response to recent federal activity in immigration enforcement, this guidance is intended to remind districts of their responsibilities under SB 54 and AB 21 and to provide multiple resources from Attorney General Bonta and others that may assist our community.<sup>1</sup>

**A. Background**

On the first day of President Trump’s second administration, he issued several executive orders on immigration enforcement. One executive order declares a [National Emergency at the Southern Border of the United States](#). Another order, [Protecting the American People Against Invasion](#), addresses civil and criminal penalties related to immigration enforcement, including the loss of federal funding for sanctuary jurisdictions. A third executive order, [Securing Our Borders](#), outlines federal policy on immigration enforcement and discusses detaining undocumented individuals to the maximum extent authorized by law, removing undocumented individuals who enter or remain in the United States in violation of federal law, and cooperating fully with state and local law enforcement officials in enacting federal-state partnerships to enforce federal immigration priorities.

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<sup>1</sup> This guidance is issued pursuant to Education Code section 70901, subdivision (b)(14), which authorizes the Board of Governors to “advise and assist governing boards of community college districts on the implementation and interpretation of state and federal laws affecting community colleges.” This guidance is not provided as part of an attorney-client relationship between the General Counsel’s Office and any community college district. Districts are encouraged to consult with their own legal counsel.

The acting United States Department of Homeland Security Secretary issued a directive rescinding longstanding policy on refraining from immigration enforcement actions at “sensitive locations” or “protected areas,” including educational institutions.

The United States Attorney General issued a [memo](#) directing the Department of Justice to restrict funding to jurisdictions and organizations that support or provide services to undocumented immigrants, among other mandates.

More recently, President Trump removed the acting director of the United States Immigration and Customs Enforcement because the director did not move fast enough with immigration enforcement.

## **B. Law Enforcement’s Responsibilities Under SB 54**

In response to this federal activity, the California Attorney General has firmly stated that the [President Cannot Bully California into Carrying Out His Mass Deportation Agenda for Him](#). Attorney General Bonta is unwavering in his enforcement of SB 54: “California law is clear — SB 54 prohibits state and local law enforcement from using taxpayer funds to enforce federal immigration law, subject to several narrow exceptions. SB 54 does not prevent state and local law enforcement from investigating and prosecuting crimes. Nor does it prevent federal agencies from conducting immigration enforcement themselves; *what it says is that they cannot make us do their jobs for them.*” [Emphasis added.]

SB 54 has been upheld by Ninth Circuit as not conflicting with federal law or violating the Supremacy Clause of the U.S. Constitution.

Attorney General Bonta has issued updated bulletins and a [press release](#) describing local and state law enforcement agencies’ obligations under SB 54. Specifically, SB 54 provides that California law enforcement agencies:

- Are prohibited from investigating, interrogating, detaining, or arresting persons for immigration enforcement purposes.
- Cannot honor transfer and notification requests or provide information regarding a person’s release date except in certain circumstances outlined in the bulletin.
- May not allow officers to be supervised by federal agencies or deputized for immigration enforcement purposes.
- May not enter into new contracts with the federal government to house or detain noncitizens in a locked detention facility for purposes of immigration custody.
- Are prohibited from participating in joint law enforcement task forces where the primary purpose of the task force is immigration enforcement.

### C. Community Colleges Policies Limiting Immigration Enforcement Under AB 21

As outlined in the Office of the General Counsel's prior legal advisory, AB 21 places a number of affirmative obligations on community college districts to prevent student, staff, and faculty from participating in federal immigration enforcement efforts unless required by state or federal law. Districts should have processes and practices in place to address the AB 21 obligations.

The Attorney General's Office has issued [Model Policies on Promoting a Safe and Secure Campus for All](#). Community college districts should have already adopted and implemented these model policies or an equivalent to limit assistance with immigration enforcement to the fullest extent possible consistent with federal and state law.

The Attorney General's Office has also issued [Resources for California's Immigrant Communities](#) to inform the community of their immigration rights and protections under the law.

#### Other Resources

In addition to the guidance from the Attorney General, here are some other resources to assist our community.

- [President's Alliance for Higher Education and Immigration](#). Our statewide membership allows every California community college *free* access to the President's Alliance membership.
- [Supporting Undocumented Students Learning Module](#). This learning module in the Vision Resource Center provides an overview of the needs of undocumented students and practices for support.
- [Undocumented Students Support E-Handbook](#). This handbook provides tools and resources to support undocumented students and is published by the Chancellor's Office in partnership with the Foundation for California Community Colleges.
- [Path2Papers \(P2P\)](#). Housed at Cornell Law School, P2P helps DACA recipients pursue work visas and other pathways to legal permanent residency.

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