

WilliamCunningham.US
April 6, 2018

Bienvenidos To the Hotel California

By William Cunningham



Presidential Tweet

“California’s sanctuary policies are illegal and unconstitutional and put the safety and security of our entire nation at risk. Thousands of dangerous & violent criminal aliens are released as a result of sanctuary policies, set free to prey on innocent Americans. THIS MUST STOP!” - President Donald Trump, March 13, 2018

A Boarder State

I don't live in a Border State and I'm not afraid of Massachusetts becoming a Boarder State like California; but I am concerned when the politicians of a state are actively thwarting federal law by aiding and abetting people to hide from the law – because I don't know where this slippery slope leads to or where or when it ends. I just keep hearing the Mayor of Oakland and the Governor of California calling everybody racists.

This country has struggled with real racism that has affected real Americans that have been here for over 200 years. We have fought and died over it; we have enacted and enforced laws to prevent it. And these ICE agents aren't simply picking up grandmothers and five-year olds and handing them back into the arms of a Mexican Cartel.

Welcome to the Hotel California

Both the Mayor of Oakland and the Governor of California have declared the city and entire state, a Sanctuary State – something that doesn't exist in our Constitution or Congressional laws of the land. What this means is that it is now illegal for California to deport illegal immigrants.

“We are put in an untenable position ... because the person is here illegally, is charged with a crime, and our people can't even talk to the federal government.” Shawn Nelson, Orange County Board of Supervisors

These are not 'migrants' or 'refugees' seeking asylum that are being protected. These are criminals apprehended by law enforcement that are shielded from deportation and let loose back into Californian society. Or convicts being let out of jail after serving a prison sentence. Just the kind of people everyone would be happy to have wandering the local streets and neighborhoods.

'This could be heaven or this could be Hell'

And no – I'm not one of those people that think just because you are an “illegal immigrant” you've already committed a crime. Well, you have entered the country illegally, but I believe that there are immigrants who want to come here to find a better life. To work, to escape poverty, to escape violence and rampant political corruption in their country of origin. I am not in favor of deporting every single one.

However, the California Sanctuary law does not apply to people like that, nor is it designed to. The 'law' (**Senate Bill #54**) is solely designed to protect illegal aliens who have committed a

crime. (*Yes, it is.*) The problems and repercussions of this Sanctuary declaration are myriad, and redundant nonsense.

SB 54: ‘Livin’ it up at the Hotel California’

The Sanctuary Law, in short, prohibits local and state law enforcement officers from cooperating with Federal law enforcement, namely Immigration and Customs Enforcement agents. ICE has a primary mandate to find and deport illegal immigrants; ICE agents rely on local law enforcement for help in finding illegals, whether it be a current address, a known hangout or frequented residence, backup in raids when necessary, and, most popularly, picking up illegals from police stations.

But those tactics and cooperation are no more in California as **Governor Jerry Brown** has declared the entire state out of bounds and the reach of ICE agents and cooperation has ended. Per usual in this country there are two sides to every fact. Governor Jerry Brown thinks SB 54 is doing his state and denizens of immigration a big favor in taking the side of illegal aliens over the Federal government. He is deeming our country’s immigration laws *null and void* within his state. While he cannot keep ICE agents out of his territory outright he can do the next best thing by shutting them off from local law enforcement assistance. And he puts his officers in a strange position by prohibiting them from cooperating with the Federales. No phone calls, tips, backup, or heads-up when they happen across an illegal alien.

On the other side, the stance California has taken in making their own immigration laws simply contradict US law and in effect supersede US law – which we were all taught in school is illegal, unconstitutional, and wrong. A state picking a fight with the US government is frowned upon, and usually isn’t a strong case to take to the US Supreme Court. (While the US Supreme Court is not involved yet, several cities and counties in California are fighting against the Sanctuary Laws foisted upon them.) US Attorney General visited California to make his voice heard, and announced the Department of Justice will be suing the state.

“We are a sanctuary state for one class of individuals: felons, who have victimized us, and will continue to [do so],” California State Senator Jim Nielsen.

‘Mirrors on the ceiling, Pink champagne on ice’

What is stunning to me in this case is the types of illegals California has decided to protect. The law as written applies only to local law enforcement, who are barred from talking to ICE agents. I ask you: How does one usually come across a member of the local constabulary? How do you usually interact with a police officer? Aside from watching the annual policemen’s charity softball game, you are usually breaking a law of some sort.

And therein lies my problem with this Sanctuary law. These illegal aliens are in police custody already, i.e. they have committed some kind of crime or felony. They have the right to bail and a fair trial, but in the past police would just call up ICE and have them deported. Nothing wrong with that, I say; saves us time and money on lawyers and a trial.

But imagine this: a non-US citizen is pulled over and found to have drugs and an unregistered weapon in his possession. He is taken back to the police station, held overnight, appears before a judge, and a trial date is set for sometime in the future. Said convict then puts up 10% of his bail and is released – with the promise to appear in court at a later date. Now he is free to go about his business – whatever that may be; managing a retail store, a line cook, dealing drugs, or robbing bodegas on behalf of a Latino gang.

This same person has no papers, no social security number, no known address, no bank account, an unregistered car – there are all sorts of things non-US citizens don’t have that we, as American citizens, must have in order to live here. Doesn’t apply to illegal aliens, though.

‘We are all just prisoners here, of our own device’

Now in the scenario above, normally ICE can be contacted and on the scene to take this person out of the country. But not anymore. The rules have been changed by Jerry Brown, who has created a real life utopia for criminal aliens (all that is missing is the pink champagne on ice). Not for you and me, not for residents of California, and not for illegal immigrants who live and work here who don’t run afoul of the law. This action only benefits non-US citizens who have committed a crime and are in police custody.

Make sense?

Well if you exude abject hatred for President Donald Trump it makes plenty of sense. Maybe if

you thought that ICE was going around throwing mothers and old ladies into the back of a van to arbitrarily rendition them back to any country in Central America, then maybe you think this is a good stick in the eye of the powers that be. But now that you know how it works and what is really happening out there, don't you think this nonsense is just dangerous and unfair?

‘Plenty of room at the Hotel California’

It wasn't always this way. If local police didn't call ICE to say they have an illegal alien in their clutch, Los Federales would show up at courthouses and arrest people themselves on immigration charges. Clever, yes; unfair, no. What's so unfair about being arrested (again) outside of a courthouse? People who have a court hearing usually have done something, like, commit a criminal act. Really our ICE agents were doing everybody a favor by keeping our bursting at the seams prison population down.

But after the election of President Donald Trump these sanctuary cities popped up all over California, blatantly declaring, “Keep your hands off our criminal aliens!” And now a year later in January 2018 the entire state of California declared itself a sanctuary for criminal aliens. Again, these laws only affect criminal aliens in police custody by prohibiting the police from calling ICE to have them deported. Not only that, but, police are not allowed to even ask about a person's immigration status.

‘Her mind is Tiffany-twisted, she got the Mercedes-Benz’

Oakland Mayor Libby Schaaf went so far as to actually announce publicly to her township when an ICE raid was scheduled to take place. Actually warning people to hide from ICE! This act of derring-do made headlines across the country as good theater, but when the curtain came down I wonder how many people reflected on this seditious act. ICE was planning a raid to capture known criminals with police records (again not mothers and grandmothers), and the Mayor gave her criminal alien population plenty of time to leave their last known address. But what if people decided not to leave?

This could have turned out into a bloodbath with gangs ambushing federal agents, and it was that aspect that prompted the Director of ICE Thomas Homan to say that the Mayor's warning put people's lives in danger. (Homan has further stated that politicians in sanctuary cities should be held accountable for crimes, such as aiding and abetting fugitives from justice.)

What they have done is forced my officers to arrest dangerous criminals on their turf, in their homes and places of business, rather than arresting them in the safety and security of a county jail,” Homan complained.

If local police are prohibited from cooperating with ICE, and are not allowed to ask about a person’s immigration status, then who is this law actually helping and hurting? The law is hurting police officers for sure; if an illegal is picked up by ICE then local politicians can start an investigation to find out how ICE go ahold of the person – How did you know he was an illegal alien when we’ve explicitly told police officers not to obtain that information in the first place. And, cui bono? Well, criminal illegal aliens, of course. Because they are afforded the protection from los Federales; if you are an illegal alien that is caught not during the commission of a crime, well then, you can be deported. That sounds... fair. I guess the lyrics do hold true: The Legislature can check out anytime they like, and the criminal immigrants can never leave.

‘You Can Check Out Anytime You’d like, But You Can Never Leave’

After less than three months of this foolishness some Counties in California are fighting back. Town Councils in Orange County, Los Alamitos, Huntington Beach, Buena Park, Upland County, Fullerton, Costa Mesa, Butler County, San Diego, and San Juan Capistrano all have voted to ignore the Sanctuary Laws or bring lawsuits against the state in order to try and opt-out. As with everything else going on around the country and the world, we will have to wait and see how these lawsuits are adjudicated. Who will win, the United States or the state of California? Who will hold more rights in California, the citizens or non-citizens? What’s unfortunate here is that the situation draws more attention to illegals in general, even the hard-working law abiding immigrants who came here to start a better life for themselves.

My Administration stands in solidarity with the brave citizens in Orange County defending their rights against California's illegal and unconstitutional Sanctuary policies. California's Sanctuary laws.... release known dangerous criminals into communities across the state. All citizens have the right to be protected by Federal law and strong borders. - Mar 28, 2018 President Donald J Trump