

**OFFICE OF THE COUNTY COUNSEL  
COUNTY OF SANTA CLARA**

County Government Center  
70 West Hedding Street  
East Wing, 9<sup>th</sup> Floor  
San Jose, California 95110-1770

(408) 299-5900  
(408) 292-7240 (FAX)



James R. Williams  
COUNTY COUNSEL

Greta S. Hansen  
CHIEF ASSISTANT COUNTY COUNSEL

Winifred Botha  
Danny Y. Chou  
Robert M. Coelho  
Steve Mitra  
ASSISTANT COUNTY COUNSEL

**FOR IMMEDIATE RELEASE**

November 20, 2017

**Contact:**

María Leticia Gómez/Marina Hinestroza  
County of Santa Clara Office of Public Affairs  
(408) 299-5119

**Court Grants County of Santa Clara’s Motion to Permanently  
Block Trump Administration from Stripping “Sanctuary  
Jurisdictions” of Federal Funds**

**SANTA CLARA COUNTY, CALIF.** – In a historic ruling issued today, U.S. District Court Judge William H. Orrick declared unconstitutional the key provision of the Trump Administration’s Executive Order targeting “sanctuary jurisdictions,” and permanently enjoined its enforcement nationwide. Lawyers from the Santa Clara County Counsel’s Office and its outside counsel, Keeker, Van Nest & Peters LLP, argued the case before Judge Orrick on Monday, October 23. The court, in April, issued a preliminary injunction blocking the provision. Today’s ruling makes that order permanent.

The County of Santa Clara was the first jurisdiction in the nation to seek emergency injunctive relief based on the immediate harms and unconstitutional coercion caused by Executive Order 13768, which President Trump issued on January 25, 2017. The Executive Order purported to grant Trump Administration officials the power to declare state and local governments “sanctuary jurisdictions,” and to deny them federal funding or take other enforcement actions against them on that basis.

As a direct result of the executive order, the County of Santa Clara risked losing roughly \$1.7 billion in federal funds—representing nearly 35% of its annual revenue—for critical County services such as medical care, urgent mental health services, public safety, and basic food and nutrition programs.

County Counsel and Keeker, Van Nest & Peters lawyers argued that the order violated basic separation of powers principles, coerced local jurisdictions into acting as federal immigration enforcement officers, and denied due process. Today, the court agreed, and granted summary judgment on all of the County's claims.

"This is a historic victory, protecting residents of the County and jurisdictions across the nation from President Donald Trump's unconstitutional abuse of power," said County Board of Supervisors President Dave Cortese. "Our County will continue to welcome and embrace all people, no matter how much this Administration tries to threaten or divide us."

"This is a clear rebuke of the Trump Administration's illegal effort to take away federal funding for critical County health, safety, and emergency services," said County Counsel James R. Williams. "Today's decision vindicates a core constitutional principle—that the President cannot use federal funding to threaten local governments."

Twenty amicus briefs were submitted in support of the County's motion for a permanent injunction. Combined, the amicus briefs represent a diverse group of individual and entities, including the State of California and other States; cities, counties, sheriffs and police chiefs from around the United States; California community colleges and school districts representing over one million California students; civil rights, immigrant's rights, and LGBTQ rights groups; unions; law scholars, non-profit service providers; faith-based organizations; and technology companies.

###

### **About the Santa Clara County Counsel's Office**

The County Counsel serves as legal counsel to the County, its Board of Supervisors and elected officials, every County department and agency, and the County's boards and commissions. With a staff of 170 employees, including 85 attorneys, the Office of the County Counsel is also responsible for all civil litigation involving the County and its officers. Through its Social Justice and Impact Litigation Section, the Office litigates high-impact cases, drafts innovative local ordinances, and develops policies and programs to advance social and economic justice.

### **About the County of Santa Clara, California**

The County of Santa Clara government serves a diverse, multi-cultural population of 1.9 million residents. With a \$6.5 billion annual budget, dozens of offices/departments, and over 18,000 employees, the County provides essential services to its residents, including public health protection, environmental stewardship, medical services through Santa Clara Valley Medical Center, child and adult protection services, homelessness prevention and treatment, roads, park services, libraries, emergency response to disasters, protection of minority communities and those under threat, access to a fair criminal justice system, and many others, particularly for those in the greatest need. The County is the most populous in Northern California.