



Legislative Fact Sheet



SB 31: California Religious Freedom Act

Author: Senator Ricardo Lara

Coauthors: Senators Anderson, Hertzberg, Monning, and Wiener

Coauthors: Assembly Members Bonta, Chiu, and Cristina Garcia

Issue

History has demonstrated that registries based on religious affiliation and national origin are not effective law enforcement or anti-terrorism tools¹. In the wake of the 9/11 terrorist attacks, the federal government launched the National Security Entry-Exit Registration System (NSEERS). Under the program, approximately 80,000 individuals underwent registration, including several thousand who were subjected to interrogation, detention, and in some instances, deportation². There is no evidence that NSEERS led to any terrorism-related arrests or convictions³. In 2016, the Obama administration⁴ terminated the NSEERS program. Recently, the Trump administration has suggested that it may attempt to implement federal registries based on religion or national origin, a prospect he repeatedly raised during his campaign. California must refuse to allow state public resources and personnel to assist in any such program.

Bill Summary

SB 31 would:

- Prohibit a state or local agency from participating in a federal program to create a database based on a person's religious beliefs, national origin, or ethnicity for law enforcement or immigration purposes.
- Prevent state and local law enforcement agencies from collecting information on the religious beliefs, practices, or affiliations of an individual except under certain circumstances.
 - To provide religious accommodations.
 - During a targeted investigation of an individual based on reasonable suspicion that he or she has engaged in criminal activity.

What is Being Asked of California Legislators?

- Support Senate Bill 31, the California Religious Freedom Act, which would prohibit California state and local governments from initiating, participating in, or assisting with any program to create a religious list, registry, or database, or using information about people's national origin or ethnicity to achieve the same basic purpose.
- Co-sponsor the bill by contacting Renee Estoista with the office of Senator Ricardo Lara at 916-651-4033 or renee.estoista@sen.ca.gov.

¹ DHS Final Rule Removing Regulations Relating to Special Registration Process for Certain Nonimmigrants, <http://www.aila.org/infonet/dhs-final-rule-removing-regs-relating-to-nseers>, (12/23, 2016).

² Registration of Certain Nonimmigrant Aliens From Designated Countries; Federal Register Volume 67, Number 226, <https://www.gpo.gov/fdsys/pkg/FR-2002-11-22/html/02-29958.htm>, (11/22/2002).

³ The NSEERS Effect: A Decade of Racial Profiling, NSEERS: The Consequences of America's Efforts to Secure Its Borders, https://pennstatelaw.psu.edu/file/clinics/NSEERS_report.pdf, (05/2009).

⁴ The New York Times, "Obama to Dismantle Visitor Registry Before Trump Can Revive It", http://www.nytimes.com/2016/12/22/nyregion/obama-to-dismantle-visitor-registry-before-trump-can-revive-it.html?_r=1, (12/22/ 2016).