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**SENATE COMMITTEE ON PUBLIC SAFETY**  
**Senator Nancy Skinner, Chair**  
**2017 - 2018 Regular**

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**Bill No:** SJR 4                      **Hearing Date:** April 25, 2017  
**Author:** Morrell  
**Version:** January 25, 2017  
**Urgency:**                                      **Fiscal:** No  
**Consultant:** NG

**Subject: *Immigration: Kate's Law***

**HISTORY**

Source: Author

Prior Legislation: SJR-17 (Morrell & Nielsen) 2015, removed by authors

Support: Unknown

Opposition: California Immigrant Policy Center; California Public Defenders Association

**PURPOSE**

*The purpose of this Senate Joint Resolution is to urge the United States Congress to pass legislation, named “Kate’s Law,” which would create a mandatory minimum federal sentence of 5 years for an individual who has returned to the United States illegally after having been deported and previously convicted of a felony in the United States.*

*This joint resolution states that one of the primary responsibilities of every elected official in the nation is the public safety and protection of citizens they represent.*

*This joint resolution states that America has always had a passion for fairness, had long recognized the vital part immigrants have played in who we are as a nation, has a long tradition of welcoming immigrants, and that this tradition continues as we invite all who yearn to be free, and with respect for the rule of law.*

*This joint resolution states that immigrants from around the world have made countless contributes in shaping country into what it is today. Also President Lyndon B. Johnson put it, “We flourish because we’re fed from many streams.”*

*This joint resolution states that ours is a nation founded not on a particular race or language, but on a set of economic, political, and moral principles. These principles are, as President Abraham Lincoln said, the “electric cord” that binds us together as one people and one nation.*

*This joint resolution states that the safety of our citizens is enshrined in the United States Constitution, as one of our founding fathers Alexander Hamilton wrote America’s safety depends on the energy of a common sentiment, uniformity of principles and habits, and a love of country. These are essential to protecting our civil liberty.*

*This joint resolution* states that almost every elected official in the nation, upon their oath of office, pledges to uphold the United States Constitution and the laws of the jurisdiction to which they are elected.

*This joint resolution* states that we must all work together to ensure that our government respects the limits of its power, and that we ourselves maintain a proper respect for our systems of laws, and as a part of that system of laws, border security must be a key component in our conversation about immigration.

*This joint resolution* states that throughout the nation, cities such as the City of San Francisco have created policies and ordinances establishing themselves as “sanctuary cities” in an attempt to shelter undocumented immigrants and usurp the rule of law, in direct conflict with elected officials’ oaths of office.

*This joint resolution* states that these sanctuary cities have refused to enforce the laws of the United States government when, through direct or indirect action, they harbor individuals who have been deported numerous times after committing many crimes, including serious felonies;

*This joint resolution* states that harboring violent criminals protected by the policies of sanctuary cities has contributed to the problem of many citizens of the United States suffering great bodily harm, including death.

*This joint resolution* states that the most recent tragedy, the senseless killing of Kathryn (Kate) Steinle on July 1, 2015, by an undocumented immigrant who had been deported five times, convicted of seven felonies, and who had been given safe harbor by the city law enforcement of the City of San Francisco, has brought this issue to the forefront of the national debate.

*This joint resolution* states that those city officials directly ignored a detainer request by the federal government to detain and return the prisoner for timely deportation, and by doing so they ignored their constitutional duties, their sworn responsibilities to protect the citizens of the State of California and the nation, and those elected officials have subjected their citizens to preventable violent crimes.

*This joint resolution* states that some of the strongest national advocates of immigrant rights, such as United States Senator Dianne Feinstein, have criticized the sanctuary cities and specifically the City of San Francisco for not properly working with the federal government to ensure that convicted felons who are in the country illegally are deported in a timely fashion.

*This joint resolution* states that it is clear that only the federal government has the power and tools to secure the border and protect our citizens from the actions of elected officials who refuse to uphold the United States Constitution and federal law and who refuse to cooperate with federal officials when it comes to the deportation of undocumented immigrants with felony criminal records.

*This joint resolution* urges the United States Congress, as a national response to the tragic death of Kathryn (Kate) Steinle, to immediately pass legislation, entitled “Kate’s Law,” which would create a mandatory minimum federal sentence of five years in a federal penitentiary for an individual who has returned to the United States illegally after having been deported and previously convicted of a felony in the United States.