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15 **UNITED STATES DISTRICT COURT**  
16 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
17  
18 THE UNITED STATES OF  
AMERICA,  
Plaintiff,  
19 vs.  
20 STATE OF CALIFORNIA; GAVIN  
NEWSOM, Governor of California in  
his Official Capacity; ROBERT  
BONTA, Attorney General of  
California, in his Official Capacity,  
21 Defendants.  
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CASE NO. 2:25-cv-10999

**[PROPOSED] AMICI CURIAE  
BRIEF OF ASIAN AMERICANS  
ADVANCING JUSTICE  
SOUTHERN CALIFORNIA AND  
SIKH AMERICAN LEGAL  
DEFENSE AND EDUCATION  
FUND IN SUPPORT OF  
DEFENDANT STATE OF  
CALIFORNIA'S OPPOSITION TO  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

Filed Concurrently with Unopposed  
Motion for Leave to File Amicus Brief;  
[Proposed] Order Granting Leave to  
File Amicus Brief

Crtrm.: 8D

Assigned to Hon. Christina A. Snyder

# CORPORATE DISCLOSURE STATEMENT

2 Proposed amici curiae Asian Americans Advancing Justice Southern  
3 California (AJSOCAL) and Sikh American Legal Defense and Education  
4 Fund (SALDEF) state that they do not have any parent corporations. No publicly  
5 held corporation owns 10% or more of any stake or stock in proposed amici curiae.

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## STATEMENT OF INTEREST

2 One of the Proposed Amicus Curiae, Asian Americans Advancing Justice  
3 Southern California (AJSOCAL), is the nation's largest civil rights and legal  
4 services organization for Asian American, Native Hawaiian, and Pacific Islander  
5 (AANHPI) communities. AJSOCAL serves more than 15,000 people and partner  
6 organizations each year; provides free legal services for immigrants, workers,  
7 tenants, and survivors; pursues impact litigation; and advocates for policy change.  
8 AJSOCAL's services are open to all. AJSOCAL strives to champion the most  
9 vulnerable members of the AANHPI communities. Since 1982, AJSOCAL has  
10 represented clients in a number of areas, including language rights, voting rights,  
11 family law, housing, immigration and hate crimes. AJSOCAL was lead counsel in  
12 the federal lawsuit on behalf of more than 70 Thai garment workers who were  
13 forced to sew garments behind barbed wire and under armed guard in El Monte,  
14 California. AJSOCAL continues to represent clients throughout the United States  
15 who have been mistreated due to limited English proficiency or naturalization status.

16 The other Proposed Amicus Curiae, Sikh American Legal Defense and  
17 Education Fund (SALDEF), is a national civil rights organization dedicated to  
18 protecting the rights of Sikh Americans and other immigrant and minority  
19 communities in the United States. Through policy advocacy, community education,  
20 and coalition work, SALDEF promotes fair and humane immigration laws, defends  
21 due process, and combats discrimination based on religion, race, and national origin.

22 Counsel for AJSOCAL and SALDEF certify that Plaintiff's and Defendants'  
23 counsel did not author this brief in whole or in part, and no person other than amici,  
24 their members, or their counsel made a monetary contribution to its preparation or  
25 submission.

1 **I. INTRODUCTION**

2       In early 2025, President Donald Trump issued two Executive Orders that  
3 preceded the masked immigration raids of Spring 2025 in Southern California.<sup>1</sup> The  
4 President declared the existence of a National Emergency with respect to  
5 immigration through the United States' southern border, directing the Secretary of  
6 Defense, the Secretary of Homeland Security, and the Attorney General "to ensure  
7 that use of force policies prioritize the safety and security of Department of  
8 Homeland Security personnel and of members of the Armed Forces."<sup>2</sup> By May and  
9 June 2025, masked, unidentified, heavily armed and violent LEOs from a variety of  
10 agencies<sup>3</sup> began pulling California residents from the streets, homes, and businesses  
11 of Little Tokyo, Little Ethiopia, Historic Filipinotown, Little Saigon, and many  
12 other ethnically-defined neighborhoods which are the backbone of Southern  
13 California's vibrant culture.<sup>4</sup> Many of those neighbors were taken by U.S.

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15 <sup>1</sup> Exec. Order No. 14159, Protecting the American People Against Invasion, 90 Fed.  
16 Reg. 8443 (Jan. 29, 2025) (signed Jan. 20, 2025) (directing DHS to pursue broad  
17 interior immigration enforcement and rescinding prior civil-enforcement-priority  
18 constraints); Exec. Order No. 14287, Protecting American Communities From  
19 Criminal Aliens, 90 Fed. Reg. 18,761 (May 2, 2025) (emphasizing aggressive  
enforcement against noncitizens with alleged criminal histories and supporting  
expanded federal immigration operations).

20 <sup>2</sup> Declaring a National Emergency at the Southern Border of the United States,  
21 White House (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-emergency-at-the-southern-border-of-the-united-states/>

23 <sup>3</sup> Naureen Shah, "Trump Is Using Federal Forces to Build a Dangerous National  
24 Policing Force," *Am. Civ. Liberties Union* (Oct. 3, 2025),  
25 <https://www.aclu.org/news/immigrants-rights/trump-is-abusing-his-power-to-build-a-dangerous-national-policing-force>.

26 <sup>4</sup> Emily Witt, "The People Being Disappeared by ICE in Los Angeles," *New Yorker*  
27 (June 22, 2025), <https://www.newyorker.com/news/letter-from-los-angeles/the-people-being-disappeared-by-ice-in-los-angeles>.

1 Immigration and Customs Enforcement (“ICE”) while purportedly awaiting removal  
2 proceedings, while others simply disappeared.<sup>5</sup> Their children stopped attending  
3 school, and they stopped attending scheduled medical appointments or appearing at  
4 work and weekly mass.<sup>6</sup>

5 Since then, the AANHPI communities served by the *amici* have lived under  
6 the constant shadow of fear of encounters with masked, unidentified law  
7 enforcement officers (“LEOs”). For community members and neighbors with  
8 limited English proficiency or hearing disabilities, a simple misunderstanding with  
9 masked LEOs could escalate into violence or unjust confinement. For community  
10 members who are survivors of trafficking or state violence, the sight of armed,  
11 anonymous LEOs can revive old traumas and promote re-victimization. In this  
12 brief, AJSOCAL and SALDEF will share some of these real-world experiences that  
13 reflect the issues now before the Court.

14 Those stories, and the reluctance of the represented communities to share  
15 them, underscore how California’s Senate Bill 627 (the No Secret Police Act) and  
16 Senate Bill 805 (the No Vigilantes Act) (collectively, the “Acts”)<sup>7</sup> directly address  
17 those fears and work to vindicate rights that have been threatened and/or denied.  
18 The Acts align squarely with our country’s constitutional history, reflecting the  
19

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20 <sup>5</sup> Aileen Louie, “We Will Not Be Silent: The Invisible War on AAPI Immigrants,”  
21 *Asian Americans Advancing Justice Southern California* (Sept. 9, 2025),  
22 <https://ajsocal.org/we-will-not-be-silent-the-invisible-war-on-aapi-immigrants/>

23 <sup>6</sup> The Associated Press, “Immigrant Student Enrollment Is Dwindling at Schools  
24 Amid Stepped-Up Enforcement,” *AP News* (Nov. 17, 2025),  
25 <https://apnews.com/article/immigrant-student-enrollment-trump-82faaaec6d9246e24a09cbc837bedb67> (reporting on declines in immigrant student  
enrollment as federal immigration enforcement increases).

26 <sup>7</sup> See S.B. 627, 2025–2026 Reg. Sess. (Cal. 2025) (enacted Sept. 20, 2025) (the No  
27 Secret Police Act); S.B. 805, 2025–2026 Reg. Sess. (Cal. 2025) (enacted Sept. 20,  
28 2025) (the No Vigilantes Act).

1 Framers' deliberate design to vest States with authority to safeguard the health,  
2 safety, and welfare of their residents. Proposed *amici* provide this brief to assist the  
3 Court in evaluating the devastating and disproportionate impact a preliminary  
4 injunction would have on *amici*'s members and other non-parties to the litigation—a  
5 disproportionate impact that is neither in the public interest nor supported by the  
6 equities.

7 **II. DISCUSSION**

8 Proposed *amici* represent thousands of community members in Southern  
9 California and throughout the United States, most of whom are immigrants or the  
10 children thereof. Proposed *amici* and their clients and colleagues are uniquely  
11 aware of and impacted by the particular harms that arise from law enforcement  
12 officers covering their identities and refusing to identify themselves.

13 In this brief, proposed *amici* share testimonials from neighbors within the  
14 communities they serve. These narratives demonstrate that community members are  
15 uniquely impacted in their everyday lives—whether in going to Church, grocery  
16 shopping, or to school—when LEOs are not required to identify themselves. These  
17 stories are presented to aid the Court's consideration of California's long-standing  
18 duty to protect its residents' welfare. While California's authority to enact these  
19 Acts—and the corresponding constitutionality of the Acts—weighs strongly against  
20 the issuing of a preliminary injunction because Plaintiff is not likely to succeed on  
21 the merits of its case, *amici* present these stories to the Court to also emphasize that  
22 issuing a preliminary injunction is not in the public interest, nor do the equities  
23 weigh in Plaintiff's favor.<sup>8</sup>

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26 <sup>8</sup> See generally M. Devon Moore, "The Preliminary Injunction Standard:  
27 Understanding the Public Interest Factor," 117 MICH. L. REV. 939 (2019)  
28 (discussing that the public interest factor of the preliminary injunction analysis  
considers the impact of the proposed injunction on nonparties).

1                   **A.    LEO's Use of Masks and Refusal to Identify Themselves Have**  
2                   **Devastating Impacts on the Represented Communities**

3                   Immigrant communities, people with disabilities, and individuals with prior  
4                   exposure to violence or trafficking are uniquely harmed by masked and unidentified  
5                   LEOs. These communities experience heightened fear, confusion, and risk of  
6                   escalation when officers refuse to identify themselves or operate anonymously.  
7                   Similarly, community members with language barriers, historical and present  
8                   trauma, and/or cognitive impairments may experience complicated interactions with  
9                   state and federal authority due to this trauma.<sup>9</sup>

10                  **1.    Concealed Law Enforcement Acutely Impacts LEP and**  
11                  **Hearing-Impaired Communities.**

12                  People with limited English proficiency experience heightened fear,  
13                  confusion, and vulnerability during encounters with law enforcement, even under  
14                  ordinary circumstances. For people with limited English proficiency and hearing  
15                  impairments, interactions with law enforcement often depend on contextual and  
16                  visual cues such as facial expressions, lip-reading, uniforms, badges, and other  
17                  indicia of authority.<sup>10</sup> When officers wear masks that cover the mouth, these visual

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18                  <sup>9</sup> *See, e.g.*, American Psychological Association, “Mental Health Effects of  
19                  Immigration Enforcement,” *Monitor on Psychology* (Sept. 2025),  
20                  <https://www.apa.org/monitor/2025/09/mental-health-immigration-enforcement>  
21                  (describing how increased immigration enforcement—including detentions,  
22                  deportations, and raids—has heightened trauma, chronic stress, and mental-health  
challenges among immigrants and their families).

23                  <sup>10</sup> *See, e.g.*, VERA Institute of Justice, Overcoming Language Barriers: Solutions for  
24                  Law Enforcement (2007), <https://niwaplibrary.wcl.american.edu/wp-content/uploads/Overcoming-Language-Barriers-for-Law-Enforcement.pdf>  
25                  (providing strategies for law enforcement agencies to improve communication with  
26                  individuals who have limited English proficiency); *see also* National Association of  
27                  the Deaf, “Communication Access with Police and Law Enforcement,” NAD,  
28                  <https://www.nad.org/resources/justice/police-and-law-enforcement/communication-access-with-police-and-law-enforcement/> (describing various requirements imposed

1 cues are eliminated, rendering verbal commands difficult or impossible to  
2 understand. Where those cues are absent or obscured, these individuals face  
3 heightened confusion and vulnerability, including difficulty comprehending or  
4 determining who is confronting them, whether lawful authority is being exercised,  
5 and what rights they possess.

6 S., from Rancho Cucamonga, is an asylee and was  
7 improperly arrested in front of his home in June 2025.  
8 The LEOs who arrested him did not identify themselves or  
9 wear identification, and he did not understand the purpose  
10 of the stop or realize that he could ask for identification  
11 until after he was handcuffed, because he speaks limited  
12 English and feared retaliation for asking too many  
13 questions. S. stated: *“It affects me a lot. I was very afraid,  
and I avoid to go to the public as long as possible, also  
after I get arrested my family worries a lot. My wife was  
so afraid that she did not go to work for weeks.”*<sup>11</sup>

14 **2. Concealed Policing Retraumatizes Survivors of Political  
15 Oppression and Violence**

16 Many of *amici*’s members and clients include those previously traumatized at  
17 the hands of an oppressive government or masked law enforcement. Concealed  
18 LEO activities can trigger traumas (even if dormant) in former migrants and asylees  
19 who have fled extrajudicial violence, disappearances, and political oppression at the  
20 hands of concealed security forces.<sup>12</sup> Masked or excessively anonymized policing

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21 on law enforcement agencies to ensure effective communication with deaf and hard-  
22 of-hearing individuals).

23 <sup>11</sup> Supporting documentation of these accounts is retained by AJSOCAL’s Impact  
24 Litigation Unit in accordance with governing legal standards and confidentiality  
25 obligations. This documentation is maintained in the ordinary course of business;  
26 individual names have been withheld to safeguard personal privacy and to mitigate  
any risk of retaliation or reprisal.

27 <sup>12</sup> See U.N. High Comm’r for Hum. Rts., Report of the Working Group on Enforced  
28 or Involuntary Disappearances ¶¶ 49-71, U.N. Doc. E/CN.4/1435 (Jan. 26, 1981)

1 increases the risk that individuals will be unlawfully misled, coerced, exploited or  
2 abused.

3 Clinical and social-science literature has long documented elevated rates of  
4 trauma, hypervigilance, and fear responses among migrant populations who have  
5 fled authoritarian or violent regimes.<sup>13</sup> For individuals with these sorts of trauma  
6 histories, masked and unidentified enforcement can transform what might otherwise  
7 appear to be a consensual or minimally intrusive interaction into a terrifying and  
8 threatening encounter.

9 **S.**, in Rancho Cucamonga, was improperly arrested a  
10 second time in September 2025, this time by masked  
11 LEOs. **S.** stated: *"I saw that they are like bandits because  
12 if they are acting normally, according to the law, if they  
have no guilt they will just show themselves but they are  
hiding just like bandits."*

13 **D.**, in San Jose, is currently subject to final removal, but  
14 has thus far avoided interactions with LEOs since prior to  
15 2025. **D.** stated: *"I've been here for 40 years...they need  
16 to identify themselves as federal agents without anything  
to hide, why would they have to hide or disguise  
17 themselves, if they're doing something that is justly they  
should be proud of that, why are they so shameful, they  
18 know they're doing something wrong and they don't want  
19 retaliate or stuff like that..."*

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21  
22 (describing the role of anonymity and concealment by state actors in enforced  
23 disappearances and the resulting fear and trauma among affected populations),  
<https://digitallibrary.un.org/record/20572?v=pdf>

24  
25 <sup>13</sup> See, e.g., Turrini et al., Efficacy and Acceptability of Psychosocial Interventions  
26 in Asylum Seekers and Refugees: Systematic Review and Meta-Analysis,  
*Epidemiol. Psychiatr. Sci.*, Feb. 11, 2019, 28(4):376-388,  
<https://pmc.ncbi.nlm.nih.gov/articles/PMC6669989/>; World Health Organization,  
27 Refugee and Migrant Mental Health (Sept. 1, 2025), <https://www.who.int/news-room/fact-sheets/detail/refugee-and-migrant-mental-health>

### 3. Survivors of Trafficking, Sexual Assault, and Kidnapping Experience Substantial Trauma from Masked Authority

3        Within *amici*'s represented communities, survivors of sex trafficking, assault,  
4 and kidnapping similarly face substantial trauma from LEO's masked and  
5 unidentified enforcement. This masked authority may replicate tactics of prior  
6 abuse: *e.g.*, sudden confrontations, commands issued by unidentifiable figures, and  
7 threats of detention or force. Trauma research shows that such cues can trigger  
8 dissociation, panic responses, or compliance without comprehension.<sup>14</sup>

**K.**, in Los Angeles County, is a T Visa recipient who experienced severe human trafficking before immigrating to the United States. Her roommate in temporary housing was arrested by ICE. **K.** explained, *“I used to be a human trafficking victim, am very afraid of that because if ICE wear masks like kidnappers, a kidnapper would also wear mask. I don’t know who is ICE, who is a trafficker. I am worried about being kidnapped, because I could not tell if they were ICE or kidnapper.”*

When asked how LEOs' use of masks and failure to identify have affected her daily life, **K.** explained: *“Currently, I am living in the car because I am afraid they might find me. I don’t dare to have a stable address. For now I will go to the gym to take baths, even when I go to the bath I was worried they would break into the gym. I really worry about that because I was trafficked for many years and I don’t want that happening to me again, I always worry they will find me and because ICE is wearing masks, I could not tell who they are.”*

Masked policing undermines trust and raises concerns about impersonation.

<sup>14</sup> See Substance Abuse & Mental Health Servs. Admin. (SAMHSA), Trauma-Informed Care in Behavioral Health Services 61–64 (2014), <https://store.samhsa.gov/sites/default/files/d7/priv/sma14-4816.pdf> (explaining that trauma reminders—such as perceived loss of control, threats, and authoritative commands—can trigger dissociation, panic, or automatic compliance).

1 coercion, and abuse of authority. Indeed, these fears are not unfounded; according  
2 to public reporting, the Federal Bureau of Investigation has urged agencies to ensure  
3 officers clearly identify themselves and cooperate when civilians ask to verify an  
4 officer's identity and cited five 2025 incidents involving fake immigration officers  
5 using ICE's heightened profile to target vulnerable communities.<sup>15</sup> The State of  
6 California has also warned that criminals have posed as immigration officers to  
7 exploit Californians.<sup>16</sup> Such anonymity can amplify trauma and erode confidence in  
8 legitimate enforcement efforts.

9       **M.** in Los Angeles County, explained, *“I am an*  
10 *immigrant, a public health worker, and a survivor of*  
11 *sexual violence. I am terrified of people pretending to be*  
12 *ICE in order to kidnap and assault women. I am*  
13 *constantly afraid of ICE interaction, and worse still of*  
14 *people pretending to be ICE in order to traffic me.”* **M.**  
15 contacted the Los Angeles Police Department and the Los  
16 Angeles Sheriff's Department to ask if they would  
17 intervene to confirm someone is a LEO, but they said they  
18 would not do so. **M.** stated, *“I’m just avoiding*  
19 *everything. My background is in public medicine, and*  
20 *emergency rooms are empty. Kids aren’t going to school*  
21 *or the hospital. A lot of people will or already have lost*  
22 *access. Doctors and nurses are being laid off. It’s a*  
23 *mess.”*

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<sup>15</sup> See Dell Cameron, Caroline Haskins, “FBI Warns of Criminals Posing as ICE, Urges Agents to ID Themselves,” *Wired* (Aug. 30, 2025), <https://www.wired.com/story/fbi-warns-of-criminals-posing-as-ice-urges-agents-to-id-themselves/>

<sup>16</sup> See Cal. Att'y Gen., Attorney General Bonta Issues Warning Amid Increased Reports of Fake ICE Officers, *Cal. Dep’t of Justice* (Aug. 15, 2025), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-warning-amid-increased-reports-fake-ice-officers> (warning the public about impersonators posing as immigration enforcement officers and advising verification of official credentials).

## **B. AJSOCAL's Advocacy Shows Why Transparency in Law Enforcement is Essential to Protect Vulnerable Communities**

AJSOCAL’s litigation experience demonstrates that trust and transparency in law enforcement are indispensable for protecting vulnerable communities. The former United States Acting Deputy Secretary of Labor, and AJSOCAL’s former Director of Litigation, Julie Su, and AJSOCAL’s founder, Stewart Kwoh, worked for thirteen years to protect the rights of more than 70 Thai immigrants who were enslaved by the owners of a garment sweatshop in El Monte, California. Their work included cooperation with law enforcement, who conducted the operations that freed the enslaved Thai workers, and with federal immigration agents with whom they ensured that all the enslaved could become naturalized American citizens. Paul Chang, who worked on the El Monte case with Su and Kwoh, later explained to a Department of Labor oral history project how the case came about, stating: “One worker escaped the compound and alerted local law enforcement [who] contacted the U.S. Immigration and Naturalization Service, which contacted California’s Labor Commissioner’s Office. The California Labor Commissioner’s Office secured a search warrant and the TIPP task force assembled a large team of law enforcement officers to carry out the search warrant.”<sup>17</sup>

19 In stark contrast to the prior cooperative efforts between AJSOCAL and law  
20 enforcement, the recent deterioration of transparency in law enforcement has  
21 significantly harmed the communities AJSOCAL represents.

22 As C. in Simi Valley explains, “*every time I go to court*

<sup>24</sup> <sup>17</sup> Fighting Human Trafficking: The Legacy of the El Monte Sweatshop, U.S. Dep’t of Labor, Office of Public Affairs, <https://blog.dol.gov/2022/01/11/fighting-human-trafficking-the-legacy-of-the-el-monte-sweatshop>; *see also* White House, “20 Years After a Human Trafficking Case in El Monte, California Freed 72 Thai Workers” (Dec. 12, 2016), <https://obamawhitehouse.archives.gov/blog/2016/12/12/20-years-after-human-trafficking-case-el-monte-california-freed-72-thai-workers>.

*(for yearly check-in with ICE), I don't know if I'm paranoid, but if I see an SUV with tinted windows I think I'm being followed. I don't have that peace of mind when I'm driving to work or the grocery store and I don't know if one of these days they're going to come to my workplace. Especially nowadays, you don't know if they're ICE or they're not, people can just impersonate and they can rob you, to me, if they are law enforcement, I don't know why they're afraid and putting on their face and hiding their face, any other police man they don't wear mask..."*

**H.**, in Los Angeles, attempted to self-deport by turning himself into ICE, but was released after his source country refused to issue re-entry paperwork. Though he knows he would likely be released, he fears the violence of the arrest. *“I feel very unsafe, the environment like this outside, I cannot concentrate on my work and I have to tell my children, tell them beforehand, give them a heads up, even if they go to school they have to be careful, they also worry that suddenly in the evening cannot come back home, all this kind of worry happens throughout those days, even in the whole family. We have four children in our house at this moment...we don’t go out all the time, everything we know is just from the news, it makes us feel frightened.”*

For community members who have endured exploitation or fled regimes marked by secret police and extrajudicial violence, masked authority can rekindle trauma and fear. When law enforcement conceal their identities, it erodes confidence and makes cooperation harder. Trust in accountable law enforcement agencies—as demonstrated in AJSOCAL’s advocacy—leads to greater safety for all community members and depends on those officers working in partnership with community members and advocates, not concealed or anonymized agents.

### III. CONCLUSION

For these reasons, *amici curiae* respectfully request that the Court deny Plaintiff's Motion for Preliminary Injunction.

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