



How California Can Put ICE in Jail

The true test of a leader is not who they disparage and attack, but who they defend and uplift. Donald Trump attacks and robs the most vulnerable in our society, while protecting and enriching the most powerful.

I've made it clear: ICE must be abolished. ICE is acting like a criminal organization, carrying out indiscriminate racial profiling and using violence, intimidation, terrorism, and the murder of Americans to extend Trump's rule by fear.

It's not enough for Democrats to simply engage in rhetoric, and "stand" against ICE or Trump. California must build a system that fights fire with fire. To stop this authoritarian takeover, we must counter ICE head-on, and go after both their agents on the streets and their leadership within the Department of Homeland Security (DHS).

How do we do this? The same way we took on the mob. Put ICE agents and their leadership in jail for their crimes, because that's how you take on a violent extremist group and win.

As Governor, I will do the following five things.

Each point builds on one another to create a comprehensive strategy that gives the State of California the power it needs to take on ICE and win.

First, I will go after ICE's modus operandi: using racial discrimination to detain, arrest, attack, and brutalize Americans. I will pass aggressive legislation that builds on current California statutes and outlaws any law enforcement agency from profiling anyone based on their race, ethnicity, language, occupation, or location. We are done letting federal badges serve as a shield for abuse in our state.

Second, I will give the state Attorney General the authority to hold ICE's leadership accountable for violence. My plan will pursue supervisory liability. This body of law empowers the California justice system to criminally prosecute and imprison not just the ICE agents who are committing these crimes, but the leadership directing them to do so.

Third, I will appoint and fund a special investigative unit and work with the Attorney General who is specifically tasked with enforcing these California laws, including laws related to the conditions at detention facilities. This investigative unit will collect the evidence the Attorney General can use to prosecute offenders and their leadership.

Fourth, I will bring those detained and kidnapped by ICE back home by creating a much larger and stronger immigration legal defense infrastructure in our state – funding for more attorneys, investigators, and accredited representatives, as well as legal aid and law school programs – to assist and help those who have been imprisoned without due process.

Getting the thousands of unlawfully detained immigrant men, women, and children the legal representation they need is one of the most direct ways to defend them from deportation. [Data show](#) that 62 percent of immigrants without a lawyer are ordered deported, compared to 27 percent of those who have legal assistance.

Backed by expanded protections against racial profiling, legal representation empowers detained individuals to report ICE's crimes to the special investigator and California's Attorney General, and take the agents to court.

And Fifth, I will launch a massive statewide "Know Your Rights" public education and public awareness campaign. Every Californian, regardless of their immigration status, should know their constitutional and legal rights if you are stopped, detained, or questioned by ICE agents, if you are assembled to protest against ICE, if you are filming ICE agent activities, or if you witness unlawful and illegal actions perpetrated by ICE agents.

There is a solid legal foundation for California to expand these protections and prosecute ICE agents for breaking the law. In July 2025, Judge Frimpong of the U.S. District Court for the Central District of California [placed significant restrictions](#) on President Trump's efforts to ramp up immigrant arrests to achieve his pledge of mass deportations.

Judge Frimpong ordered ICE agents to not rely exclusively on four specific factors to meet the legal standard of "reasonable suspicion" for making a stop: race or ethnicity, language spoken, occupation, and location (the four outlined above). But these restrictions were [overruled](#) by the [Supreme Court](#) in September 2025.

So California should take matters into our own hands. California can extend these legal protections to its residents, despite the federal government's failure.

In America, our system of government allows states to [step in](#) when the federal government fails to do its job. Leading constitutional law scholars [have argued](#) that states can and should prosecute ICE agents for breaking their laws. And in the *United States v. California* (C.D. Cal. 2/9/26), Judge Snyder made clear that California can regulate ICE agents, so long as the law applies to state and local police as well.

This is about our right as a state to protect our residents. Trump's Attorney General refuses to protect our constitutional rights, so the state of California can and must go further to protect the rights of Californians.

Extending these protections is a major step forward. It targets the linchpin that holds together the entire ICE machine: their ability to weaponize their authority as federal agents to engage in racial profiling and racial violence.

In a functioning democracy, the Attorney General of the United States would prosecute these cases. Under Trump, the United States is not a fully functioning democracy, exercising all the constitutional, legislative, and judicial checks and balances the founding fathers put in place – but California still is and always will be.

Trump has turned ICE into a criminal enterprise, so let's treat it as such. As governor, I'll go after ICE the way Eliot Ness and Joe Friday went after the Mob: bring them to justice by using their most basic crimes against them. For the Mob it was racketeering; for ICE it's racial discrimination.

On my watch, California will protect the most vulnerable and bring to justice those who break the law and brutalize our neighbors. We'll let ICE know: in California, you obey our laws and respect our residents, or you go to jail.