ASSEMBLYMEMBER DISTRICT 15

Anamarie Avila Farias

AB 2230 – Keep Childcare Safe

BILL SUMMARY

AB 2230 would prohibit immigration enforcement personnel—including members of Immigration and Customs Enforcement (ICE)—to enter nonpublic areas of a childcare facility in California without a valid judicial warrant.

BACKGROUND

Beginning in 2025, ICE has terrorized California residents, U.S. citizens and non-citizens alike, through untargeted arrests and brutality based on nothing more than a person's racial appearance, language spoken, occupation, and exercise of First Amendment-protected expression.

Although early childhood education (ECE) facilities and other places where children gather were previously designated by the federal government as "protected areas" at which immigration enforcement should not generally occur, in January 2025, the Department of Homeland Security (DHS) rescinded this federal policy.

Where a reasonable expectation of privacy exists, the U.S. Constitution prohibits anyone from entering without consent, a judicial warrant, or in certain special circumstances.

Since the rescission of the protected areas policy, news reports have documented immigration enforcement activity around schools, hospitals, and other sites.

Nonpublic areas of ECE and child care facilities are those that only certain authorized individuals can access. Nonpublic areas may include: playgrounds that are gated and require authorization to enter indoor spaces that are restricted to employees, children and parents like classrooms, hallways, stairwells, and administrative offices.

Nonpublic areas could also include a parking lot that is completely fenced in, locked, and requires authorization to enter or an office where payroll or personnel records are kept, or an area that an ECE or child care provider designates (for instance, by posting signs or keeping doors closed) as restricted to employees or management of the business.

Dropping off or picking up your own children should not be discouraged by a rogue federal organization whose task is to sow fear, intimidation and violence in California communities.

Law enforcement activities, including immigration enforcement, in schools and childcare facilities have traumatized children and dissuaded hundreds of thousands of children from attending school or utilizing childcare facilities.

Hundreds of thousands of children utilizing licensed childcare facilities are either undocumented immigrants themselves or have at least one parent who is undocumented. Families do not deserve to face fear, uncertainty, and potential disruptions to their children's education and lives. Childcare facilities should remain safe locations where all children, regardless of immigration status, can learn and thrive without fear of enforcement actions.

SOLUTION

AB 2230 will ensure that childcare facilities are free from violence and intimidation by prohibiting federal agents from entering these spaces, without proper, legal authorization.

FOR MORE INFORMATION

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