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**EL PASO COUNTY FILES LAWSUIT TO BLOCK IMPLEMENTATION
OF ANTI-IMMIGRANT TEXAS SENATE BILL 4**
**Complaint alleges SB4 is unconstitutional and will greatly harm El Paso
County residents**

On Monday May 22, 2017, El Paso County filed a civil lawsuit against the State of Texas, Texas Governor Greg Abbott, Texas Attorney General Ken Paxton and Texas DPS Director Steve McCraw alleging SB4 violates the First and Fourteenth Amendments, the Supremacy Clause of the US Constitution (*Article VI, Clause 2*), and the Texas Constitution.

The lawsuit was filed this afternoon in San Antonio, Texas by the law firm of Garza Golando Moran, PLLC, on behalf of El Paso County, El Paso County Sheriff Richard Wiles, and the Texas Organizing Project with the assistance of the Texas Civil Rights Project.

The lawsuit alleges Senate Bill 4 is a discriminatory legislation that unnecessarily makes Texas less safe while eroding the discretion of elected officials and local communities to govern themselves. Its implications particularly affect a border community like El Paso County that is over 80% Hispanic and whose residents already face diminished Constitutional rights as a result of its location next to Mexico.

Ironically, like most of Texas, El Paso County is not a “sanctuary city.” It cooperates with federal law enforcement agencies and is already one of the safest large cities in the United States.

The lawsuit claims SB 4 inexplicably and unconstitutionally seeks to erode the discretion of local law enforcement and local elected officials to create policies and practices that keep the community safe and that respect the rights of the nationalities and races of all residents and visitors.

The discriminatory intent of this law is made clear by the legislative process and intent of its creation. It is unconstitutionally vague and oversteps the US and Texas constitutional

protections of free speech, local discretion and regulation of immigration laws. It is for these reasons that El Paso filed this suit seeking declaratory and injunctive relief.

The lawsuit asks the court to:

- Declare SB4 unconstitutional and invalid.
- Enjoin the State of Texas from enforcing SB4.
- Award El Paso County court costs and attorney's fees.

In part, the lawsuit contends SB4 violates the Texas Constitution because it interferes with El Paso County's ability to exercise its broad discretion in accomplishing its constitutionally assigned duties to provide county government services to all its residents. It also interferes with the El Paso County Sheriff's constitutional duty to decide policy in the area of law enforcement, including the operation of the County jail, removing all discretion to make and enforce rules. SB4 also interferes with the El Paso County Attorney's exclusive prosecutorial function, and its discretion regarding her duty to protect victims of crime, including victims of domestic violence and child abuse.

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