



OFFICE OF THE DISTRICT ATTORNEY  
TWENTIETH JUDICIAL DISTRICT

Michael T. Dougherty, District Attorney

**District Attorney's Office Statement on U.S. Supreme Court  
Ruling Against The Repeal of DACA**

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The District Attorney's Office for the 20<sup>th</sup> Judicial District (Boulder County) issued the following statement on the U.S. Supreme Court's decision in *Department of Homeland Security v. Regents of the University of California* against President Donald Trump's repeal of Deferred Action for Childhood Arrivals (DACA):

The U.S. Supreme Court's ruling against the repeal of DACA will protect the legal status of more than 700,000 young adults. In 2012, "Dreamers" came forward at the request of the United States government to seek legal protection from deportation. The federal government's ill-guided move to repeal DACA put those people at risk and betrayed the trust that they had placed in our government when they stepped forward in 2012.

In 2019, after the Supreme Court announced it would take up the question of the legality of the repeal of DACA, District Attorney Michael Dougherty and the staff of the Boulder County District Attorney's Office joined 80 other elected prosecutors, criminal justice and law enforcement leaders from around the nation in an [amicus brief](#) filed in the U.S. Supreme Court, defending the DACA program. In that amicus brief, this office joined in the argument that the DACA program promotes public safety by encouraging cooperation between immigrants and law enforcement officials and that rescinding the program would further erode public trust in the criminal justice system.

Today's ruling by the U.S. Supreme Court halts the threat posed by the Trump administration. The U.S. Supreme Court declared that the Department of Homeland Security's (DHS) decision to rescind the DACA program was arbitrary and capricious under the Administrative Procedure Act. Chief Justice Roberts wrote, in a 5-4 opinion, that DHS "failed to consider the conspicuous issues of whether to retain forbearance and what if anything to do about the hardship to DACA recipients. That dual failure raises doubts about whether the agency appreciated the scope of its discretion or exercised that discretion in a reasonable manner." Although this ruling only provides a temporary solution, it is a moment of victory for the

Dreamers, their families, and the many who support their right to remain in the United States of America. There is much work that remains to be done to achieve comprehensive immigration reform. The ruling by the U.S. Supreme Court is a positive step, but our country must work to provide U.S. citizenship to those who deserve it.

For many years, this District Attorney's Office and Boulder County law enforcement has prioritized supporting our immigrant communities. Immigrants in our communities are particularly vulnerable to crimes like fraud, wage theft, and bias crimes. Unfortunately, many immigrants are less likely to report crimes when they occur, either out of fear of the criminal justice system or a lack of familiarity with the reporting process. The problem of underreporting has been magnified by the recent changes to our nation's immigration policies. Undocumented immigrants are increasingly fearful of deportation should they make contact with law enforcement.

District Attorney Michael Dougherty stated, "The DA's Office will continue to strongly support immigrants in Boulder County. Our office was honored to join in the amicus brief and very pleased to see today's decision from the U.S. Supreme Court. Research has shown that immigrant populations are more comfortable reporting crimes, and participating in the justice system, where their communities are included in the fabric of civic life, and where programs exist to serve their needs. So, our office will continue to fight for immigrants. It is the right thing to do. That's why our Immigrant Protection Program, Hate Crimes Initiative, and U-Visa Program are priorities for this office."