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Digest: In re Jose C.

Megan Krebbeks

Opinion by Werdegar, J., with George, C.J., Kennard, J., Baxter, J., Chin, J., Moreno, J., and Corrigan, J.

Issue

Whether the supremacy clause of the United States Constitution, 18 U.S.C. § 3231, or any other provision of federal law, preempts California Welfare and Institutions Code section 602.

Facts

Federal agents arrested plaintiff Jose C., a minor, after observing plaintiff leading six other persons through the California desert just across the Mexican border.¹ After the federal agents transferred plaintiff to state custody, the Imperial County District Attorney filed a juvenile wardship petition under Welfare and Institutions Code section 602 (section 602), alleging a violation of federal immigration law.² Section 602 gives California state courts jurisdiction to declare a juvenile who “violates any law of this state or of the United States . . . to be a ward of the court.”³ Though the federal courts have “original jurisdiction, exclusive of the courts of the States, of all offenses against the laws of the United States,”⁴ section 602 enables state courts to address juvenile violations of federal immigration law. At trial, plaintiff’s counsel objected on the grounds that the juvenile court lacked jurisdiction to adjudicate the federal criminal violations.⁵ The juvenile court overruled the objection and declared plaintiff to be a ward of the court, found him guilty of a felony, and sentenced him to a maximum of ten years confinement.⁶ The court of appeal affirmed plaintiff’s conviction.⁷ The Supreme Court of California granted review to determine

¹ *In re Jose C.*, 198 P.3d 1087, 1091 (Cal. 2009).

² *Id.*

³ CAL. WELF. & INST. CODE § 602(a) (West 2008).

⁴ 18 U.S.C. § 3231 (2006).

⁵ *Jose C.*, 198 P.3d at 1091–92.

⁶ *Id.* at 1092.

⁷ *Id.*

whether section 602 gives a state court jurisdiction to declare a juvenile a ward of the court based on violations of federal law.⁸

Analysis

In a unanimous opinion, affirming the court of appeal, the Supreme Court of California observed that section 3231 establishes two general principles. First, federal district courts may exercise jurisdiction over federal criminal offenses; and second, state courts may not directly prosecute violations of federal criminal statutes.⁹ Plaintiff contended that section 3231 went a step further and argued that section 3231 prohibited state courts from “interpreting and adjudicating in any proceeding whether a federal criminal statute has been violated.”¹⁰ Plaintiff’s interpretation of section 3231 would have preempted state court jurisdiction over his case.¹¹ The court was not persuaded by this argument and held that the juvenile wardship proceedings did not violate section 3231’s grant of exclusive jurisdiction to the federal courts and so were not preempted by section 3231.¹² The court found that the state court’s interpretation and application of federal law posed no threat to federal interests because state courts were bound by federal precedent and their interpretations would be subject to direct review by the United States Supreme Court.¹³

The court also acknowledged the interplay between state and federal law enforcement and judicial proceedings:

Congress may pass a law barring a particular act and imposing a specific punishment, and a state legislature may pass a state law barring the same act and imposing a different specific punishment, as well as vesting jurisdiction over violations of the state law in its state courts, without encroaching upon the exclusive jurisdiction of the federal courts to adjudicate violations of the federal law and impose the federal punishment.¹⁴

Plaintiff also argued that the state court adjudication of a federal immigration offense is preempted as an infringement of Congress’ exclusive power to regulate immigration.¹⁵ The court found this argument unconvincing. The court noted that federal criminal law relating to the jurisdiction of immigration matters

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.* at 1093.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.* at 1094–95.

¹⁵ *Id.* at 1096.

makes no mention of state courts.¹⁶ While Congress expressly vested jurisdiction in the federal courts, the “absence of an express exclusion of state court jurisdiction ‘is strong, and arguably sufficient, evidence that Congress had no such intent’” to preempt state court jurisdiction regarding immigration matters.¹⁷

Next, the court analyzed the four ways in which Congress may preempt state law: express, conflict, obstacle, and field preemption.¹⁸ In this situation, the court explained, the issue was one of field and obstacle preemption.¹⁹ Field preemption occurs where Congress intends to preempt all state law in a particular area by fully enacting comprehensive federal regulations, thus leaving no space for state regulation.²⁰ Obstacle preemption exists where the challenged state law is an obstacle to the accomplishment and execution of purposes and objectives of Congress.²¹ The court found no intent by Congress to fully occupy the field of immigration law and thus preempt state regulations.²² Similarly, the court found no evidence that section 602 stood as an obstacle to federal objectives and purposes.²³ Instead, it found that section 602 mirrored federal objectives and furthered a legitimate state interest.²⁴

Holding

The court held that section 3231 and the exclusive federal authority over immigration matters did not preempt the state wardship proceedings that declared plaintiff a ward of the court.²⁵

Legal Significance

This case affirms the state’s power and authority to conduct juvenile wardship proceedings even in instances where violations of federal criminal law are implicated. In doing so, it allows California to retain some control over immigration matters within its territory.

¹⁶ *Id.* at 1097. *See also* 8 U.S.C. § 1329 (2006).

¹⁷ *Jose C.*, 198 P.3d at 1097 (quoting *Yellow Freight System, Inc. v. Donnelly*, 494 U.S. 820, 823 (1990)).

¹⁸ *Id.* at 1098–1101.

¹⁹ *Id.* at 1098.

²⁰ *Id.* at 1099.

²¹ *Id.* at 1100.

²² *Id.* at 1098–99.

²³ *Id.* at 1100–01.

²⁴ *Id.* at 1101.

²⁵ *Id.* at 1091.

