

Connecticut Debate Association

September 26, 2015

Novice Scrimmage: Greenwich High School and Simsbury High School

Resolved: Cities, states and other local governments should cooperate fully with Federal authorities to enforce Federal immigration laws and policies.

Sanctuary city

From Wikipedia, the free encyclopedia

Sanctuary city is a term that is applied by some to cities in the United States or Canada that have policies designed to not prosecute unauthorized immigrants. These practices can be by law (de jure) or they can be by habit (de facto). The term generally applies to cities that do not allow municipal funds or resources to be used to enforce federal immigration laws, usually by not allowing police or municipal employees to inquire about an individual's immigration status. The designation has no legal meaning.[1]

History

United States

There is no legal definition of a sanctuary city, county or state.[2] Certain cities in the United States began designating themselves as sanctuary cities during the 1980s.[1] The policy was first initiated in 1979 in Los Angeles, to prevent police from inquiring about the immigration status of arrestees. The internal policy, "Special Order 40", states: "Officers shall not initiate police action with the objective of discovering the alien status of a person. Officers shall not arrest nor book persons for violation of title 8, section 1325 of the United States Immigration code (Illegal Entry)."[3] Some of the 31 American cities are Washington, D.C.; New York City (see also Illegal immigration in New York City); Jersey City; Los Angeles; Philadelphia, San Francisco; Santa Ana; San Diego; San Jose; Oakland; Salt Lake City; Houston; Detroit; Chicago; Salinas, California; Minneapolis; Miami; Denver; Baltimore; Seattle; Portland, Oregon; New Haven; Somerville; Cambridge; and Portland, Maine.[4][dead link] These cities have adopted "sanctuary" ordinances banning city employees and police officers from asking people about their immigration status.[5][6]

The Common Council of the city of Madison, Wisconsin enacted an ordinance on 5 March 1985 forbidding city employees, ostensibly including city police, to co-operate with immigration officials.[7]

Feds Must Put A Stop To Immigrant Sanctuaries

The Hartford Courant, August 4, 2015, Jessica Vaughn

The senseless murder of Kate Steinle by an illegal alien with seven prior felony convictions and five deportations has focused public attention on the problems created when local sanctuary policies prioritize protecting illegal alien residents over the public interest.

Immigration laws are not obsolete relics that are unworthy of enforcement; they are crucial to preserving jobs and security for Americans. Sanctuary policies are especially harmful when they are imposed by local law enforcement agencies. When criminal aliens are released back to the street instead of removed to their home country, they have the opportunity to continue preying on the community, creating needless new victims.

The Steinle episode was not an isolated example of immigration failure leading to bloodshed. In July, a Haitian immigrant was charged with stabbing to death 25-year-old Casey Chadwick of Norwich. He should have been deported to his native Haiti after serving a 16-year prison sentence, but Haiti wouldn't take him back. Instead of pressuring the murderer's native country to accept his deportation, as it is required to do by law, the State Department followed its own sanctuary policy and let the killer stay here.

According to Immigration and Customs Enforcement records, from Jan. 1 to Aug. 31, 2014, more than 8,100 immigrant offenders who were sought by ICE in sanctuary jurisdictions were released instead of being turned over for deportation. Just in this eight-month period, 1,900 of these deportable convicts reoffended 4,300 more times, racking up 7,500 new charges. The subsequent crimes included murder, sexual assault on young children, violent rape, burglary, assault, dangerous drug offenses and drunken driving. More than 1,000 are still at large in our communities.

Some will argue over whether immigrants commit more or fewer crimes than Americans. (There's no solid evidence either way.) That's irrelevant; the more important policy issue at hand here is how we handle those immigrants who

have committed crimes. ICE agents do not patrol the streets looking for illegal aliens; they depend on local officers to find out about those who are committing crimes. If local officers will not turn over illegal aliens who have already been arrested for something else, that means ICE agents have to go get them where they live and work — a much more resource-intensive process that also puts the agents and the public at risk if something goes wrong.

Others insist that sanctuary policies are needed so that immigrants will not be afraid to report crimes. This is a myth spread by illegal alien advocacy groups that has no basis in reality. The claim has been refuted in numerous studies, including a 2009 analysis by the University of Virginia and the Police Executive Research Forum, which found no decline in crime reporting by Hispanics after the implementation of a tough local enforcement program.

Sanctuary policies do nothing to build trust between immigrants and police. They do not improve access to law enforcement services; that is better accomplished with anonymous tip lines and officers who speak the languages of the community. On the contrary, sanctuary policies destroy the larger public trust that the laws will be faithfully enforced to preserve the quality of life for all.

The Obama administration has made it clear that it will not act against sanctuary jurisdictions. Instead, the president has moved to make the whole country a sanctuary by giving work permits to illegal aliens and drastically scaling back enforcement for all but the most egregious criminal offenders. And, Obama terminated perhaps the most effective enforcement program ever (Secure Communities) and replaced it with a new program that explicitly allows localities to obstruct ICE.

Therefore, it is up to Congress and state lawmakers to take prompt action against sanctuaries. States can enact laws prohibiting sanctuary policies and direct agencies to notify ICE when they are aware of deportable offenders.

Congress must clarify that sanctuary policies are not only unwise but contrary to law. They need to specify that local agencies must not obstruct, but assist when ICE seeks custody of a deportable offender, and provide legal protection to local officers who assist in enforcement. In addition, those state and local governments that persist in sanctuary policies must be barred from receiving federal homeland security and law enforcement funding.

Lawmakers should reject proposals, like a bill introduced by Sen. Chuck Grassley, R-Iowa, that mirrors many local sanctuary policies that spell out the specific crimes that trigger cooperation for enforcement. Such micromanagement sends the message that all other illegal aliens are to be tolerated.

The most comprehensive solution to both the sanctuaries and the Obama administration's dismantling of enforcement can be found in South Carolina Republican Rep. Trey Gowdy's Davis Oliver Act, which was passed by the House Judiciary Committee in March. This bill gives ICE and local governments the tools for effective enforcement. It has been endorsed by the National Sheriffs Association and many individual law enforcement leaders. Congress should join them in supporting these efforts to reverse our slide into "Sanctuary Nation."

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Sanctuary Cities Actually Make Us Safer

The Hartford Courant, August 4, 2015, Raul A. Reyes

Before the July 4 weekend, a tragedy occurred in San Francisco. Kate Steinle, 32, was walking with her father on a busy pier when she was allegedly shot and killed by Juan Francisco Lopez-Sanchez, an undocumented immigrant from Mexico with a long rap sheet.

The randomness of this crime shocked the nation, and led to a renewed debate over so-called sanctuary cities like San Francisco. Several of the leading Republican candidates for president, including Donald Trump, Jeb Bush and Rand Paul, have since weighed in against sanctuary cities.

Not so fast. "Sanctuary cities" is a misleading label that has caused a great deal of confusion. The term is a misnomer for those cities and towns that prefer that the federal government handle immigration enforcement. It is wrong to attack sanctuary cities: Their policies actually help make our cities and towns safer.

A sanctuary city is a city that has decided to leave immigration enforcement to the federal government so that its own police force can concentrate on fighting crime. That's hardly a radical idea; it is a principle that the Supreme Court affirmed in *Arizona v. U.S.* (2012), which found that only the federal government had authority over immigration enforcement.

There are several hundred sanctuary cities across the country, including Los Angeles, New York, San Francisco and Seattle. Although the policies of sanctuary cities vary from place to place, it might surprise people to know that sanctuary cities do not provide a haven for undocumented immigrants. Federal immigration laws are enforced in sanctuary cities just as in non-sanctuary cities. In a sanctuary city, undocumented immigrants can still be rounded up

and deported by the government. Local officials in sanctuary cities can still report undocumented immigrants to the government.

One way to understand why sanctuary cities are a smart idea is to look at their history. Starting in the 1990s, when illegal immigration was on the rise, the federal government rolled out several programs whereby local law enforcement would assist them in catching and removing undocumented immigrants. As it turned out, local police didn't want to do this — and with good reason.

State and local police are not trained in immigration law and procedures. Holding undocumented immigrants in local jails proved to be very expensive for cities, and led to additional liability and legal issues. Local police forces found that they didn't have enough time to do their main job, protecting their communities from crime, because they were chasing after people for immigration violations, which are civil infractions.

Worst of all, when local police were turned into immigration agents, it had a detrimental effect on community relations. A 2013 study by the University of Illinois-Chicago found that increased (local) police involvement in immigration enforcement eroded trust of law enforcement among both undocumented and legal immigrants.

As a result of this confusion and pushback, cities turned to sanctuary policies, which in effect tells the federal government: You do your job, we'll do ours.

Sanctuary cities are doing something right. Crime in San Francisco, for example, is lower than in several other non-sanctuary cities. Sanctuary cities make sense because they allow undocumented immigrants to report crime and volunteer as witnesses with local police, which makes everyone safer. Consider that a long list of cities, mayors, crime victims and law enforcement groups have spoken out against a proposal by House Republicans to withhold federal funds from sanctuary cities.

Steinle's death was a horrific crime and her killer must be brought to justice. But we shouldn't let an emotional response to this crime blind us to the realities of the case. Steinle's death occurred because of a bureaucratic error; given his criminal history, Lopez-Sanchez should never have been released by San Francisco police.

Similarly, a Haitian immigrant in Connecticut allegedly fatally stabbed a woman when he should have already been deported. "If our federal agencies had been on top of this, my daughter would still be here with us," her mother told a Connecticut paper. But immigration authorities tried repeatedly to deport the alleged killer to Haiti. They were hampered by the fact that Haiti refused to accept him back — not by a sanctuary city policy.

So instead of scapegoating sanctuary cities, lawmakers should be taking steps to ensure better communication between federal and local law enforcement. Besides, we don't need more immigration enforcement (our government spends more on immigration enforcement than all other federal law enforcement agencies combined); we need smarter and better immigration enforcement. One step in the right direction is the recent news that the Obama administration will be focusing its immigration enforcement efforts on convicted felons, recent arrivals and security/terrorist threats.

Until our country tackles comprehensive immigration reform, sanctuary cities make our cities safer. It is misguided, uninformed and myopic to attack them as bad policy.

Raul A. Reyes is an attorney and television commentator in New York City. A third-generation Mexican American, he writes frequently on issues affecting the Latino community. He wrote this for InsideSources.com.

Exploding the Myth of Sanctuary Cities

The Daily Beast, August 3, 2015, by Ruben Navarette, Jr.

Congress is all set to crack down on “sanctuary cities” where illegal immigrants are supposedly free to roam. These cities do not exist in reality.

Recently, less than 10 miles from the U.S.-Mexico border, I had lunch with two friends—a police supervisor with 25 years' experience, and a retired border patrol supervisor who spent three decades on the job.

We marveled that so many folks could—because of shameless politicians and a careless media—get so riled up over a concept that doesn't really exist.

“There are people out there who think there are cities where federal officials are not enforcing immigration law,” I said. “Basically, they think, ‘If I can get to one of these places, I'll be home free.’ Can you believe it?”

They both shook their heads.

Conservatives have a new chew toy in the immigration debate: so-called sanctuary cities.

The House of Representatives recently voted to cut funding for cities and counties that duck federal immigration law. Majority Leader Kevin McCarthy, a California Republican, called the vote “a start to the conversation on immigration.”

The conversation we need is the one that McCarthy, and other Republicans, are desperate to avoid: going after

employers who hire the undocumented.

Instead, they rail against sanctuary cities.

Supposedly, there are about 300 U.S. cities that give illegal immigrants a free pass from immigration officials.

If you're wondering what magical power local officials have to cripple a \$60 billion-per-year bureaucratic behemoth like the Department of Homeland Security, hold the thought.

Some ordinances might bar local officers from cooperating with immigration agents at traffic stops. Others might bar federal authorities from ascertaining the immigration status of those booked. Others might prohibit the release to federal officials of any suspect who could be an illegal immigrant. The issue of sanctuary cities surfaces whenever an illegal immigrant commits a horrendous crime in a place with ordinances like these on the books.

San Francisco is one such city. And the murder on July 1 of 31-year-old Kate Steinle in front of her father, allegedly by illegal immigrant Juan Francisco Lopez-Sanchez, was horrendous.

In the immigration debate, sanctuary cities are unicorns, mermaids, and Bigfoot all wrapped into one.

The case against Lopez-Sanchez, who admitted to a local television station that he killed Steinle but claimed it was an accident, may be open and shut.

But the larger case that conservatives are building against San Francisco—and other so-called sanctuary cities—is more complicated. The major unknown is whether local officials helped keep Lopez-Sanchez in the United States—despite the fact that he had been deported five times.

And now that Kate Steinle is a martyr for the cause of outlawing sanctuary cities, the whole case is overlaid with a thick and syrupy layer of politics.

The trouble with the case is that, in localities across America, when you look at how local, state and federal law enforcement agencies work together every day to preserve public safety and enforce immigration statutes, what the right-wingers are all worked up about is more of a theory than a reality.

In the immigration debate, sanctuary cities are unicorns, mermaids, and Bigfoot all wrapped into one.

You see, sanctuary cities ain't what they used to be—or more accurately, what they were supposed to be. It was way back in 1989 that the San Francisco County Board of Supervisors voted to bar local officials, including police, from helping federal authorities with immigration investigations or arrests unless such help was required by federal or state law or a warrant was issued by a judge.

The rationale for the policy was that if an illegal immigrant was arrested on a non-immigration offense, and there was no federal warrant, local authorities could use their discretion to decide whether to alert their neighborhood office of Immigration and Customs Enforcement (ICE).

But, in the last 26 years, San Francisco's sanctuary policy has been repeatedly modified and become less lenient. These days, local law enforcement will hand over to federal immigration agents undocumented immigrants who haven't even gone before a judge.

Also, in the last six and a half years, the Obama administration has been quite aggressive in roping in local police and sheriff departments into the enforcement of federal immigration law, using tools like Secure Communities. Under that program, which was only recently discontinued, local police would run the fingerprints of suspected illegal immigrants through a federal database to determine their status.

Now the administration is pushing the Priority Enforcement Program (PEP), which asks local law enforcement to notify ICE when it releases what local authorities suspect is an illegal immigrant—something that the Sheriff's Department in San Francisco, which runs the jail, apparently failed to do.

So it's not true that the Obama administration is giving away the store on immigration enforcement. Sanctuary cities don't provide much sanctuary. Those are lies told by Republicans, and apparently accepted as fact by Democrats.

Even Republicans who are supposedly more reasonable on immigration issues wind up getting fooled. In a recent interview with Yahoo News, Jeb Bush said of the American people: "They see here in San Francisco, a sanctuary city, where a person who had been deported five times commits a violent crime—he should have been in prison to begin with—and was released, and this city does not cooperate with ICE. They see this stuff and they're legitimately angry."

Even Democrats who once supported sanctuary policies—such as Senators Dianne Feinstein and Barbara Boxer of California and Dick Durbin of Illinois—seem ready to support a crackdown.

All the while, local officials delude themselves into thinking that they can influence federal policy—in this case, U.S. immigration policy. They can't, and they don't.

Words on a page certainly don't mean anything at 3 a.m. when an illegal immigrant is pulled over for drunk driving,

and police call Border Patrol to the scene. These declarations are especially meaningless to a federal agency like ICE, which is busy filling a yearly quota of 400,000 immigrant removals. And the Obama administration didn't rack up more than 2 million deportations in six and a half years by deferring to meaningless declarations by local officials.

Authorities in San Francisco are reportedly gearing up to cancel its sanctuary city policy, even if it may not have been all that it was cracked up to be. There have been media reports that, even under the old policy, San Francisco police officers would hand over to ICE suspects who were thought to be in the country illegally—all before processing them into the system.

I've heard similar stories about other police departments. Where I live, a police officer who writes a ticket for running a stop sign will call the Border Patrol to the scene, if the officer suspects the driver is here illegally.

My lunch companions confirmed it. The local cop said that, in his department, ICE agents go out on calls with police officers and maintain a presence at the station house.

So while radio host Sean Hannity recently told his audience that we live in a "sanctuary country," implying that no immigration laws of any kind are being enforced anywhere at any time by any one, that's crazy.

One last time: There is no enforcement-free zone where illegal immigrants can hide from the long arm of federal immigration officials. ICE agents don't bow to cities and counties. They don't play games. They are open for business, 24/7. They never close.

California killing not about 'sanctuary cities'

By Juliette Kayyem, CNN National Security Analyst, Tue August 11, 2015 (CNN)

The brutal rape and killing last month of Californian Marilyn Pharis, a 64-year-old Air Force veteran, was avoidable. That much we know.

One of the suspects, Victor Martinez, was in this country illegally. Martinez, well-known to both law enforcement and immigration officials for a long list of criminal charges, allegedly roamed the streets free from punishment because of rules that prohibit local jurisdictions from notifying immigration officials about the status of arrestees unless they have been charged with a serious crime.

Ralph Martin, the police chief of Santa Maria, where Pharis was killed, cast the tragedy in terms of a failure at the federal level, saying, "I am not remiss to say that from Washington, D.C., to Sacramento, there is a blood trail to Marilyn Pharis' bedroom."

And as a presidential campaign heats up and the issue of immigration takes center stage, some are placing this case -- and last month's San Francisco shooting of Kate Steinle, allegedly by an undocumented immigrant -- at the forefront of how we think about immigration policy. They say it is a problem of "sanctuary cities."

But to put all of our analysis on this single issue is misleading and too simplistic. Certainly, the Santa Maria police chief knows that his department had every capacity to hold Martinez for previous unlawful conduct. This fact was made clear by immigration officials in response to his statements -- they added they indeed requested that Santa Maria officials hold Martinez for previous violations but were never notified by Santa Maria he had been released.

As the details of this case get worked out, it is already clear that the Pharis killing sits at the intersection of two dysfunctional systems: our overburdened criminal justice system, which cannot hold all those who come before it, and our disjointed immigration system, which cannot keep track of all undocumented immigrants.

The common understanding is that immigrants are allowed to avoid deportation proceedings in jurisdictions broadly known as "sanctuary cities," that is places in which authorities are not required to report undocumented immigrants to the federal authorities. The term has been so vilified by its critics that it may have come as a surprise for many to learn that Santa Maria is not a haven for undocumented immigrants, according to Martin, the police chief.

Let's pause here to explain the idea of "sanctuary cities."

What is animating these cities -- some, such as San Francisco, which proudly claim the moniker, and those that don't, such as Santa Maria -- is an attempt to add some humanity to a system that often deported those who had long ties to their communities and with relatively minor offenses.

These cities and states -- whatever label you give them -- determined that the only practical way to stop aggressive immigration rules was to provide a haven and to buttress effective local law enforcement. Indeed, what drove these communities was the documented reality that most sanctuary cities have less violent crime, that members of immigrant communities are often the victims of crimes and often too afraid to work with law enforcement to implicate those in their midst, for fear of being deported.

These cases have included women who were victims of spousal abuse, and employees forced to work in horrible

conditions by unscrupulous employers taking advantage of their undocumented status. Thus, the most successful way to ensure that people from these communities would come forward with information was to offer them the promise that they would no longer fear being routinely deported in the process.

But it wasn't just heartstrings and community policing that motivated these cities and states. Holding all unlawful immigrants who come before the criminal justice system was economically unviable; a city had to pay for the detention as it awaited some determination by immigration officials of a detainee's status. Many cities, dealing with financial stress and overburdened prison systems, determined that they couldn't serve as a replacement for a flawed immigration system and equally overburdened immigration detention centers.

The challenge in the tragic case of Marilyn Pharis, and in too many others, isn't over ideology but resources. Martinez could have been held by numerous agencies that encountered him over the years, but all made the calculation that his offenses did not rise to the level of incarceration or even deportation.

Were they wrong? Of course, they were (though there is growing evidence that immigration services did want to be notified in one case in 2014 when Martinez was held, presumably to start deportation proceedings. Instead, according to news reports, local officials downgraded his charges, and he was soon on the street.)

But the solution isn't as simple as "deport them all."

With a new national focus on immigration deportation rules, however, the time is ripe to refocus efforts on our deportation rules. After all, as we have seen recently, there will be unlawful immigrants in even these kinds of cities who need to be detained and processed through deportation proceedings.

Some solutions are being tested now by the Department of Homeland Security, which is trying to ease some of the tensions between local police departments and immigration personnel.

In instances where the criminal conduct is egregious, such as a major felony or repeated and violent crimes, and the unlawful status of the criminal is known, the department would promise to take possession immediately of the person to be detained -- and pay for it -- to relieve local jurisdictions of the burdens of immigration enforcement.

Under this scenario, local jurisdictions that did not want to give the status of someone picked up over to immigration officials -- say, someone held over a relatively minor crime and with ties to the community -- would not be forced to do so. But, in those instances where the criminal is detained and charged, immigration officials could immediately take possession instead of putting the burden on local officials.

Horrible cases sometimes make for bad policy fixes. Instead of focusing on this notion of sanctuary cities, a notion that doesn't even apply in most cases, there is another way to move forward. It would recognize the priorities and needs of local and state officials who must work with immigrant communities, and the necessity of deporting those unlawful immigrants who pose a risk to Americans' safety and security.

Unless we see that both sides have a solid argument, we will swing wildly one way, then the other, never achieving a balance that can suit us all.

'Sanctuary cities' not changing policies after San Francisco shooting

Alan Gomez, USA TODAY 3:32 p.m. EDT July 11, 2015

A woman's murder in San Francisco that police say was committed by an undocumented immigrant released from jail has not prompted other "sanctuary cities" to change their immigrant detention policies.

Juan Francisco Lopez-Sanchez is charged with murder for allegedly shooting 32-year-old Kathryn "Kate" Steinle in the back on July 1 as she was walking with her father along San Francisco's scenic Embarcadero waterfront. Federal immigration authorities have lashed out at local police for having ignored a request to hold Lopez-Sanchez, an undocumented Mexican felon, so that he could be deported.

More than 200 cities around the country have passed laws in recent years prohibiting law enforcement officers from detaining suspects based solely on requests from Immigration and Customs Enforcement agents. While many examined their policies in the wake of the July 1 San Francisco shooting, none has reported a decision to make a change.

Miami-Dade County Commissioner Sally Heyman said the shooting was a tragic "breakdown of the system" that allowed an undocumented immigrant with an extensive criminal history to be set free. But she warned about a "knee-jerk reaction" of using local police as de-facto immigration agents.

"I don't see that we would make a change. I would fight it," she said. "If the only reason someone is in custody is an ICE hold, we're not doing it."

People arrested by local law enforcement already have their fingerprints sent to the FBI to check if they are wanted for crimes in other jurisdictions. At the heart of the debate in many sanctuary cities is a federal program that also forwards

those fingerprints to the Department of Homeland Security to check for immigration violations.

If a person is found to have immigration violations on their record, ICE agents can request the local agency to hold onto that person for up to 48 hours after they're cleared of local charges. But in recent years, local agencies have fought back.

Some, like Miami-Dade County, were upset over the cost of the program. Holding immigrants for ICE after they paid their bond or completed their jail sentences cost the county more than \$1 million in 2011, according to Heyman's office.

In a resolution passed last year by Cambridge, Mass., the city said the program was being abused by ICE to round up undocumented immigrants with little to no criminal record, undermining their relationship with the local community. According to the resolution, 75% of ICE detainees issued from 2008 to 2011 were placed on undocumented immigrants with no criminal history.

ICE says it has worked to address the concerns of local law enforcement agencies in the past few years by focusing more heavily on undocumented immigrants with extensive criminal histories, and those who are members of criminal gangs or pose a threat to national security. In 2008, 38% of people deported from the country had a criminal conviction on their record, according to ICE. By 2014, that figure had risen to 85%.

"The agency remains committed to working collaboratively with its law enforcement partners to ensure the public's safety," ICE spokeswoman Gillian Christensen said in a statement.

Some local law enforcement offices also say the federal program is simply illegal. Johnson County (Kansas) Sheriff Frank Denning points to a U.S. District Court decision out of Oregon last year that ruled in favor of a woman who was incarcerated for 15 days solely on a request from ICE. There was no judicial order or warrant. That, according to U.S. Magistrate Judge Janice Stewart, violated the woman's Fourth Amendment protections against illegal search and seizure.

Denning said that ruling cemented in his mind that holding onto suspects solely on an ICE order was a violation of federal law.

Based partly on that ruling, ICE is currently transitioning to a system where they simply ask to be notified when certain immigrants are set to be released from local jails.

Denning said he believes the federal government needs to do a better job controlling illegal immigration and keeping dangerous undocumented immigrants out of the U.S. But since politicians in Washington have proven incapable of fixing the nation's broken immigration system, he said local law enforcement officials like him are the ones getting blamed.

"When elephants fight, the grass suffers," he said. "We've become the grass that is being trampled."

Jonathan Thompson, executive director of the National Sheriffs' Association, said there's plenty of criticism to go around. He said sanctuary cities have gone too far in letting undocumented immigrants walk out of their jails. But he also said ICE agents need to change their practices to ensure they are constitutional.

Currently, ICE asks local agencies to hold people without any explanation of the charges they face or why they're investigating them. Thompson said they should instead make their requests armed with judicial orders or warrants.

"I think both sides need to take a thorough re-evaluation of how they're protecting their respective citizenry," Thompson said. "In the case of the sanctuary cities, that policy is flawed from concept to execution. From the (ICE) perspective, they need to share the who, what, when, where and why with local authorities.

"We know there are thousands of people who are here illegally who are very dangerous people, so both sides have an equal part in this play."

Revealed: 276 'sanctuary cities' let 8,145 illegal offenders free in just 8 months, 17,000 total

The Washington Examiner, By PAUL BEDARD (@SECRETSBEDARD) • 7/13/15 8:04 AM

Some 276 "sanctuary cities," nearly 50 percent more than previously revealed, released over 8,000 illegal immigrants with criminal records or facing charges free despite federal requests that they be turned over to Immigration and Customs Enforcement for deportation, according to an explosive new report.

The Center for Immigration Studies, revealing new numbers it received under the Freedom of Information Act, said that those releases from cities that ignored federal demands came over just eight months and are just part of an even larger release of 17,000 illegals with criminal records.

The report, titled "Ignoring Detainers, Endangering Communities State/local agencies release criminals rather than obey law," provided to Secrets, is expected to fuel U.S. anger over sanctuary cities and the murder by one freed illegal of a San Francisco woman earlier this month.

"The Obama administration has given sanctuaries free rein to ignore detainers by ending the successful Secure Communities program and replacing it with the Priority Enforcement Program. This new program explicitly allows local agencies to disregard ICE notifications of deportable aliens in their custody by replacing detainers with 'requests for notification,'" wrote Vaughan.

"The only truly effective and lasting solution is for Congress to spell out in federal law that local law enforcement agencies must cooperate with ICE by complying with all detainers or face sanctions in the form of disqualification from certain kinds of federal funding," she added.

The new federal documents show that there are at least 276 sanctuary cities, more than the 200 previously believed, and are in 43 states, also more than previously revealed. Instead of turning illegal immigrants facing criminal charges over to ICE under its "detainer" rule, the sanctuaries simply ignore the request in many cases let the illegals go.

Many of those released had more than one ICE "detainer" request.

The majority, 5,132, had past criminal records, like Juan Francisco Lopez-Sanchez, the illegal previously deported five times and now charged with murdering 32-year-old Kate Steinle. Of those, 2,984 had a prior felony conviction or charge.

And, 1,867 offenders who were released were re-arrested, accumulating 7,491 new charges, including child sex abuse. Vaughan's report found that 10 percent of the new charges involved dangerous drugs and seven percent were for driving under the influence of alcohol.

'Sanctuary cities' defy immigration law

The Boston Globe, By Meredith Warren JULY 31, 2015

AS 32-YEAR-OLD Kate Steinle enjoyed an evening walk with her dad on a busy San Francisco pier July 1, she was on a deadly collision course with the product of a dangerous policy the city had adopted to protect the man who was about to kill her.

San Francisco is one of hundreds of communities nationwide, including a handful in Massachusetts, that designate themselves "sanctuary cities." In an act of political hubris, local politicians instruct their police departments not to cooperate with US Immigration and Customs Enforcement requests to further detain illegal immigrants who are in local police custody.

That's why San Francisco officials never contacted federal immigration authorities when Juan Francisco Lopez-Sanchez — a Mexican national who had been deported five times and had seven prior felony convictions — was released by prosecutors on a marijuana charge. He was free to walk the same pier, pick up a gun, and allegedly kill Steinle.

Sanctuary city proponents argue that local police shouldn't have to implement national immigration law. But that's exactly what local officials do when they buck the federal legal system and give safe harbor to illegal immigrants — they just make up their own rules.

In Massachusetts, the mayors of Somerville and Northampton issued executive orders last year barring local police from fully cooperating with federal immigration officials. A similar proposal is being considered in Lawrence.

The term "sanctuary city" sounds warm and fuzzy, and that's what proponents want you to think. They say sanctuary cities build trust with immigrant communities by removing the threat of a call to federal immigration officials if undocumented immigrants interface with local law enforcement.

But the stakes are high. In the first nine months of last year, sanctuary communities across the country refused 8,811 requests by Immigration and Customs Enforcement to hold illegal immigrants in local police custody, according to recent testimony by US Senator Chuck Grassley. Of those requests, 62 percent were for people who were previously charged or convicted of a crime or presented some other public safety risk. Almost 1,900 of the illegal immigrants released by sanctuary communities were later re-arrested.

Recently, sanctuary cities have become a national political flashpoint. Last week, House Republicans passed a bill to cut off certain federal law enforcement grants for sanctuary cities.

President Obama says he'll veto the bill, which is not surprising. He issued his own executive order last November that shielded almost five million illegal immigrants from deportation.

During a floor speech criticizing the proposal to cut funding from sanctuary cities, Democratic Representative Jim McGovern of Massachusetts argued the bill was "meant to punish cities that don't embrace the views of anti-immigrant extremists."

McGovern is entitled to his political beliefs, but when it comes to sanctuary cities, let's be clear: The "views" he's talking about are actually federal immigration laws, which he and his congressional colleagues are responsible for either

upholding or changing.

Passing the buck to local officials and encouraging them to pick and choose which federal laws to comply with is not how our system is designed to work, for good reason. It's dangerous.

Just ask Kate Steinle's dad, who was left to explain his daughter's murder in these plain words: "Unfortunately, due to disjointed laws and basic incompetence on many levels, the US has suffered a self-inflicted wound in the murder of our daughter by the hand of a person that should never have been on the streets of this country."

Meredith Warren is a Republican political analyst and consultant.

House OKs bill to crack down on 'sanctuary cities,' White House threatens veto

Published July 23, 2015 FoxNews.com

White House vows veto as Congress targets 'sanctuary cities'

The House approved legislation Thursday to punish so-called "sanctuary cities" for failing to cooperate with federal immigration authorities, in the first congressional response to a brazen murder earlier this month in San Francisco allegedly committed by an illegal immigrant.

The bill, sponsored by Rep. Duncan Hunter, R-Calif., would penalize jurisdictions that bar the collection of immigration information or don't cooperate with federal "detainer" requests, by blocking them from receiving certain federal law enforcement grants and funding.

It passed 241-179. The Senate is considering similar legislation.

"Sanctuary city policies needlessly endanger American lives by refusing to honor the federal government's authority to enforce immigration laws," House Judiciary Committee Chairman Bob Goodlatte, R-Va., said in a statement.

"Unfortunately, the Obama Administration's own foolish policies enable rogue local governments to defy federal immigration laws. All too often, these reckless policies create preventable tragedies."

The legislation already faces a White House veto threat. The White House said the bill "fails to offer" comprehensive reforms and undermines current efforts to remove dangerous convicted criminals and work with local law enforcement.

Angry Democrats accused Republicans of aligning themselves with Donald Trump and his brash anti-illegal immigrant views.

The legislation is the first passed since the July 1 killing of Kathryn Steinle on a California pier.

Steinle, 32, was allegedly shot by Juan Francisco Lopez Sanchez, an illegal immigrant who had been released from city sheriff's department custody in April.

According to federal immigration officials, Sanchez had already been deported five times and had a lengthy felony criminal record. After serving most of his recent sentence, federal officials turned him over to San Francisco in March on an outstanding warrant – and the city released him weeks later without notifying the feds.

The city argued it had no grounds on which to hold him.

Steinle's case sparked a fresh round of debate about local jurisdictions – the so-called sanctuary cities – that don't cooperate with federal immigration authorities in order to protect those legally living in the U.S. Steinle's father Jim testified this week on Capitol Hill in support of changes to the law.

"There are criminals motivated by malice and a conscious disregard for the lives of others, and there are cities more interested in providing a sanctuary for those criminals than they are in providing a sanctuary for their law-abiding citizens," Rep. Trey Gowdy, R-S.C., said. "This is more than an academic discussion. ... It is quite literally life and death."

But Rep. Lloyd Doggett, D-Texas, said the bill was "not about grabbing criminals" but about "grabbing headlines."

Members of both parties endorsed Steinle's plea but offered different diagnoses of the problem, with Republicans calling for more enforcement of the law and Democrats calling for a comprehensive immigration overhaul, something House Republicans have blocked for years.

The comments echoed the years-long national debate over immigration, but this latest chapter comes at a moment when immigration has become a hot-button issue on the presidential campaign trail, thanks to Trump's provocative claims about Mexican immigrants being "rapists" and "criminals."

Trump traveled to the U.S.-Mexico border on Thursday to continue his focus on the issue, to the dismay of many Republicans who fear his campaign risks further alienating Latino voters from the Republican Party. House Republicans rejected Democratic attempts to connect their legislation with Trump's campaign.

"We have a horrible tragedy that was preventable," said Speaker John Boehner, R-Ohio, when asked about the link.

"Cities do not have the right to ignore federal laws that require them to incarcerate people who have committed serious felonies."

Not all House Republicans were backing the bill. Rep. Carlos Curbelo, R-Fla., a supporter of a comprehensive overhaul, said Thursday's bill wouldn't have prevented Kathryn Steinle's death to begin with.

"This is an exercise, this is not a solution," Curbelo told reporters. "This may generate a headline, but it's not going to solve a problem."

But other House Republicans viewed Thursday's vote as just the first step in advancing a slate of enforcement-focused immigration bills centered on beefing up border security and cracking down on immigrants with criminal records. Such an approach would ignore the advice of some Republican Party leaders who've urged the party to reach out to Latino voters by embracing comprehensive overhaul legislation including a path to citizenship for the 11.5 million people in the country illegally.

"The appetite for amnesty has diminished dramatically after we see the carnage in the streets of America at the hands of criminal aliens that should have been removed from the country," said Rep. Steve King, R-Iowa. "And so that means that now the climate is much better to try to move down the line on enforcement."

Sanctuary

From Wikipedia, the free encyclopedia

A sanctuary, in its original meaning, is a sacred place, such as a shrine. By the use of such places as a safe haven, by extension the term has come to be used for any place of safety. This secondary use can be categorized into human sanctuary, a safe place for humans, such as a political sanctuary; and non-human sanctuary, such as an animal or plant sanctuary.

Legal sanctuary

When referring to prosecution of crimes, sanctuary can mean one of the following:

Church sanctuary

A sacred place, such as a church, in which fugitives formerly were immune to arrest (recognized by English law from the fourth to the seventeenth century)

Political sanctuary

Immunity to arrest afforded by a sovereign authority. The United Nations has expanded the definition of "political" to include race, nationality, religion, political opinions and membership and/or participation in any particular social group or social activities. People seeking political sanctuary typically do so by asking a sovereign authority for asylum.

Right of asylum

Many ancient peoples recognized a religious right of asylum, protecting criminals (or those accused of crime) from legal action and from exile to some extent. This principle was adopted by the early Christian church, and various rules developed for what the person had to do to qualify for protection and just how much protection it was.
