



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION



Vote NO on H.R. 3009 - Undermines Law Enforcement and Erodes Public Safety

The American Immigration Lawyers Association, Center for American Progress, and the National Immigration Law Center recommend members of Congress oppose the “Enforce the Law for Sanctuary Cities Act” (H.R. 3009), a reactionary bill that will not even advance its stated goal of protecting American communities. H.R. 3009 will place at risk critical funding for community policing, victim services, and other local law enforcement programs to hundreds of cities and counties that currently rely upon those funds. Introduced after the tragic shooting of Kathryn Steinle in San Francisco, the bill scapegoats immigrants and seeks to punish cities and counties that it labels as “sanctuary cities.” These community trust policies do not harbor dangerous or violent criminals but instead [promote public safety](#) by using well-established community-oriented policing strategies that build trust between law enforcement and the community.

H.R. 3009 would withhold critical law enforcement funding grants to jurisdictions with community trust polices from the State Criminal Alien Assistance Program (“SCAAP”), Community Oriented Policing Services (“COPS”) program, and Edward Byrne Memorial Justice Assistance Grant (“Byrne JAG”). This funding also supports the salaries and training of law enforcement personnel and equipment used by law enforcement, and without it, jurisdictions would find their budgets cut significantly. H.R. 3009 would deprive local law enforcement agencies of the discretion to decide whether to gather information regarding immigration status and whether to share information regarding an individual’s immigration status with the federal government.

[Law enforcement groups](#), as well as groups [representing cities, mayors](#), and [crime victims](#), have opposed H.R. 3009 and similar legislation. In fact this past Tuesday Chief Thomas Manger, president of the Major Cities Chiefs Association, told a congressional panel that “withholding federal funds to coerce performance of federal duties by local police is not why these programs were established.”

Local law enforcement officials have adopted these community policing policies because they have determined that having police ask local residents about immigration status or share that information with federal authorities [can erode public trust and confidence in law enforcement](#). To be effective police strive to ensure all residents, regardless of immigration status, feel safe and comfortable contacting the police, reporting crimes, serving as witnesses, and cooperating with criminal investigations and prosecutions. If victims and witnesses are afraid to come forward and work with the police, the police simply cannot do their job. As Dayton Police Chief Richard Biehl recently wrote: inquiring about immigration status “detracts from the investigation” and “is detrimental to relations with members of our community. We must balance investigative approaches that will encourage (and not discourage) public cooperation with investigations.” Typically so-called “sanctuary cities” do allow local law enforcement to inquire

into immigration status or notify federal authorities when there is a public safety risk or they suspect criminal activity.

Hundreds of cities and counties could be at risk of losing funding under H.R. 3009

Hundreds of cities and counties—big and small, urban and rural—might be found to fall under the definition of “sanctuary city” set forth in H.R. 3009 and many of them rely on SCAAP, COPS or Byrne JAG grants to implement important law enforcement programs. By depriving these localities of support, H.R. 3009 would take away funding for bullet proof vests, resources for crime prevention initiatives, and support for victims of violence. It makes no sense to weaken public safety in these targeted cities. Local law enforcement should not be compelled to enforce federal immigration laws at the expense of the safety and security of their communities.

We urge lawmakers to reject H.R. 3009 and any other legislation that would withhold federal funding from cities with community trust policies. What America needs is for Congress to pass comprehensive immigration reform, which will include border and interior enforcement measures, and a pathway to citizenship for much of the unauthorized population. Putting people on the path to legal status means having people come forward, register with the government, and pass background checks. This will help law enforcement focus their limited resources on going after dangerous criminals. Effective, commonsense immigration reform would make our nation safer and bring people who are already members of our communities more completely into our society. As our nation’s leaders seek to respond to the incident in San Francisco, we hope the focus will be on solutions that protect all members of our communities and support, rather than undercut, our local law enforcement agencies.

Key localities that could be targeted under H.R. 3009

| States | Localities and grant amounts received ¹ |
|------------|---|
| California | Kings County - \$61,600 Riverside County - \$1,171,000 San Joaquin County - \$366,000 |
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¹ Were H.R. 3009 to become law, more guidance would be needed to determine if these jurisdictions violate it, but all have policies that restrict or limit cooperation with federal authorities, the sharing of information with federal authorities, or the gathering of information about immigration status.

NOTE: All numbers rounded. Sources: CLINIC, “States and Localities that Limit Compliance with ICE Detainer Requests (Nov 2014), <https://cliniclegal.org/resources/articles-clinic/states-and-localities-limit-compliance-ice-detainer-requests-jan-2014> (last accessed July 2015); Immigrant Legal Resource Center, “Detainer Policies,” n.d., <http://www.ilrc.org/resources/detainer-policies> (last accessed July 2015). BJA FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Allocations by state: <https://www.bja.gov/Programs/JAG/jag15/15XX.pdf> (insert two-digit state code in place of XX) (last accessed July 2015); BJA Office of Community Oriented Policing Services, “2014 COPS Hiring Program Awards,” n.d., <http://www.cops.usdoj.gov/pdf/2014AwardDocs/CHP/CHP-2014-Announcement-9-24-14.pdf> (last accessed July 2015); BJA, “FY14 SCAPP Awards”, n.d., <https://www.bja.gov/Funding/14SCAAPawards.pdf> (last accessed July 2015).

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| Florida | Broward County - \$615,000 Miami-Dade County - \$710,000 Pinellas County - \$316,000 |
| New York | New York City - \$11,406,000 Suffolk County - \$1,889,000 |
| Washington | Benton County - \$39,000 Franklin County - \$47,000 King County - \$1,094,000 Pierce County - \$489,000 Yakima County - \$178,000 |
| Illinois | Champaign County - \$76,000 Cook County - \$3,560,000 |
| Pennsylvania | Lehigh County - \$123,000 |
| Arizona | South Tuscon City - \$262,000 |
| Nevada | Clark County / Las Vegas - \$1,581,000 Washoe County - \$256,089 |
| Colorado | Adams County - \$41,000 Arapahoe County - \$251,000 Douglas County - \$19,000 |