



The Dangerous Myth: Sanctuary City Policies Encourage Victims And Witnesses To Cooperate With Local Law Enforcement

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Introduction

Since the election of Donald J. Trump as President of the United States, hundreds of cities and municipalities across the country have declared themselves “sanctuary cities.” A sanctuary city is a municipality, or other state/local subdivision, that, by law or policy, prohibits local officials from cooperating with federal immigration authorities.¹ In other words, it’s a case of American cities blatantly violating federal statutes against harboring illegal aliens.²

Proponents of these policies claim that they do not interfere with federal law enforcement activities.³ Rather, they claim, such policies simply leave immigration enforcement to the federal government. But that is semantic hairsplitting. Sanctuary policies are nothing other than a deliberate attempt by state and local entities to impede the enforcement of federal immigration laws.⁴

State and local law enforcement officers are far more likely to encounter criminal aliens during routine job activities than are federal agents.⁵ As such, the ability of state and local law enforcement officers and government officials to freely cooperate and communicate with federal immigration authorities is not just important – but essential – to public safety.⁶

The Claim: Sanctuary Policies Enhance Information Sharing Between the “Immigrant” Community and Law Enforcement

The current model of policing management preferred by most law enforcement agencies is called “community policing.”⁷ It relies on the notion that police officers should be seen as part of the communities they serve and that they require the cooperation of victims and witnesses to solve crime and convict offenders.⁸

Sanctuary proponents claim that if state and local police officers are seen as “immigration agents,” then illegal aliens, who are the victims of crime, or witnesses to crime, will not come forward to aid police.⁹ In effect, they are claiming that good immigration enforcement interferes with the ability of state and local law enforcement agencies to stop child predators, drug dealers, rapists or robbers.¹⁰

Why the Claim is False

1. There’s no proof. There is simply no documented evidence indicating that any illegal alien has ever been deported solely as a result of reporting a crime or volunteering information to the police.¹¹ As a practical matter, when police are offered information about a crime, they do not inquire about the immigration status of the person volunteering it; they do not “bite the hand that feeds them.” Moreover, prosecutors have no interest in removing the witnesses they need to successfully obtain convictions against criminals.
2. Like everyone else in the United States, illegal aliens can offer information that may be valuable to police investigations on various anonymous “tip-lines.” Jurisdictions do not need sanctuary policies in order to acquire information this way.¹²
3. Sanctuary policies don’t provide illegal aliens with any permanent form of immigration relief. The administration of our immigration laws falls solely within the jurisdiction of the federal government. State and local authorities cannot provide illegal aliens with any type of immigration status.¹³ They can only harbor illegal aliens and help them evade U.S. Immigration and Customs Enforcement – both of which are serious violations of federal law.¹⁴
4. The federal government administers a number of programs that allow state and local police to seek lawful status for illegal aliens who aid in the prosecution of criminals. Illegal aliens who have valuable information that they do want to share with law enforcement, but who feel nervous about doing so, have no legitimate

concerns about being deported. If illegals provide helpful information to police, they may qualify for a “S,” “T,” “U” or “VAWA” nonimmigrant visa, which, in-turn, would allow them to apply for permanent legal status in the U.S.¹⁵ Where those visas are not appropriate, the federal government may also provide cooperating victims and witnesses with deferred action or parole.¹⁶

5. Most illegal aliens don't cooperate with police, even in sanctuary cities. The vast majority of illegal aliens come from countries where law enforcement authorities are either corrupt or serve as a tool of state oppression.¹⁷ They don't suddenly begin trusting American police officers because of sanctuary policies.

And gangs – which are inextricably tied to crime in illegal alien neighborhoods – often exact retribution from anyone who is viewed as collaborating with law enforcement.¹⁸ As a result, most illegal aliens have no interest in cooperating with policing authorities at all.¹⁹ In most cases, they will only speak with investigators if they are likely to receive some form of immigration status in return for their testimony.

6. Sanctuary policies diminish trust in the integrity of law enforcement and may actually inhibit information-sharing. Community policing strategies were developed from a study called *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities*.²⁰ The authors found communities that discourage all public safety violations, from low-level offenses such as vandalism to administrative building code violations, are most successful in reducing serious crimes because they promote a culture of compliance with the law.

Conversely, cities that ignore and promote illegal immigration – usually for political gain – erode civic trust in law enforcement. They send a clear message that law enforcement agencies in sanctuary jurisdictions are willing to tolerate a certain level of lawlessness.²¹ The result is a chilling effect; fewer residents may be willing to approach police if they believe that officers are only willing to enforce certain laws against certain law-breakers under certain conditions. Uniformly enforcing all laws for all residents of a particular jurisdiction demonstrates integrity and fairness and fosters open dialogue.

7. Sanctuary policies increase criminal activity by illegal aliens. According to the Bureau of Justice Statistics, about 68 percent of released prisoners wind up being arrested for another criminal offense within three years and 76.6 percent end up being re-arrested within five years.²² Sanctuary policies shield illegal alien criminals

from arrest and removal by ICE when they are released from local jails and state prisons. As a result, illegal alien criminals return to American communities, where they regularly commit new crimes.²³ Many criminal illegal aliens seek out sanctuary jurisdictions because they know living in one significantly reduces the chance that they will be deported if arrested by local police.²⁴ On the other hand, cooperating with ICE to identify and remove criminal aliens results in their removal from the United States, protecting Americans and lawfully present immigrants from further victimization.

How Many Criminal Aliens Are Allowed Back Onto Our Streets by Sanctuary Policies?

According to ICE estimates, roughly 2.1 million criminal aliens are currently living in the United States, over 1.9 million of whom are subject to deportation.²⁵ It's tough to determine how many of those criminal aliens have evaded capture by immigration authorities because of sanctuary policies.

Most correctional institutions distinguish only between American-born and foreign-born inmates. The foreign-born category includes illegal aliens, nonimmigrant visa holders, lawful permanent residents and naturalized U.S. citizens. Virtually none of the policing and corrections agencies in the United States keep clear statistics on how many illegal aliens they process each year.

Here's what we do know:

- The San Francisco County Jail houses roughly 15,000 inmates during a typical year.²⁶
- According to the Public Policy Institute of California, roughly 17 percent of inmates in the custody of the California Department of Corrections and Rehabilitation (CDCR) are foreign-born.²⁷
- Assuming only half of those inmates are aliens (as opposed to naturalized citizens), and that only half of those aliens are unlawfully present, the CDCR illegal alien population would be roughly 4 percent.
- If the San Francisco County Jail population breaks down in a similar fashion that would mean that the County of San Francisco releases approximately 600 illegal alien criminals back into the community each year, without informing ICE.
- The actual number of criminal aliens turned loose is probably much higher.

Consider that, in addition to San Francisco, a number of huge American cities like New York, Chicago and Los Angeles have also declared themselves to be sanctuary cities.²⁸ That means that state and local governments are actively harboring *thousands* of illegal aliens each year and then releasing them into American communities, without so much as a nod to ICE.

Conclusion

Sanctuary policies don't encourage information sharing between immigrant communities and local police. That's because they don't offer illegal aliens a path to any form of lawful status in exchange for their cooperation. State and local governments have no authority to confer any type of immigration status.

As such sanctuary policies just result in state and local agencies aiding and abetting illegal aliens as they continue to violate our immigration laws. And illegal aliens know this, that's why they flock to sanctuary jurisdictions.

Accordingly, there is no reliable evidence that sanctuary policies have ever encouraged a single illegal alien to cooperate with local law enforcement authorities. But there are numerous examples of law-abiding citizens who have become the victims of illegal alien crimes in sanctuary jurisdictions throughout the United States.

So – apart from buying into the sanctuary myth – what can a city do to foster information sharing and keep communities with large immigrant populations safe?

- Recognize that many immigrants, both legal and illegal, are generally hesitant to provide information to police. This may be the result of experiences in their home country or a desire not to be perceived as a “snitch.”
- Ensure that local policing agencies engage regularly with immigrant communities and consistently demonstrate that American police officers uniformly enforce all laws for all residents of their jurisdictions.
- Educate community members and law enforcement officers so they understand that, in certain circumstances, DHS may provide illegal alien crime witnesses or victims some form of relief from removal with an “S,” “T,” “U” or “VAWV” visa.
- Abolish sanctuary policies and let ICE do its job. If the governments in sanctuary jurisdictions were really concerned about fighting crime, they would cooperate with

ICE to permanently remove illegal alien criminals from their communities. Doing so would ultimately increase the number of resources available to deter crime because every dollar ICE spends removing a criminal alien from the United States is one that local communities don't have to expend on criminal justice costs.

Although the federal government is responsible for regulating immigration, state and local law enforcement play an important role in helping to ensure that immigration law is effectively enforced. Illegal and unconstitutional sanctuary city policies undermine the rule of law and prevent local, state and federal law enforcement agencies from working in conjunction with each other, as they should.

They put law-abiding members of our communities at risk. Kate Steinle was murdered by an illegal alien who was deported five times and had a lengthy felony record. Ms. Steinle is only the most recognizable of hundreds of Americans who have been killed by illegal aliens with extensive criminal records who should have been removed from the United States after their first conviction.

Tolerating illegal immigration and providing a "safe haven" for illegal aliens is unfair to immigrants who respect our nation's laws. In addition to waiting months or years to come here, legal immigrants abide by the entry, employment, health, and processing laws and regulations set by our government. Besides giving future prospective immigrants little incentive to follow the law, sanctuary policies are an affront to those who do it the right way.

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