

June 28, 2017

United States House of Representatives  
Washington, D.C. 20515

**RE: Vote NO on the *No Sanctuary for Criminals Act*, H.R. 3003, and *Kate's Law*, H.R. 3004**

Dear Representative:

On behalf of the 407 undersigned local, state, and national immigrant, civil rights, faith-based, and labor organizations, **we urge you to oppose the *No Sanctuary for Criminals Act*, H.R. 3003 and *Kate's Law*, H.R. 3004**, and any similar legislation that jeopardizes public safety, erodes the goodwill forged between local police and its residents, and perpetuates the criminalization and incarceration of immigrants. H.R. 3003 would strip badly needed law enforcement funding for state and local jurisdictions, runs afoul of the Tenth and Fourth Amendment, and unnecessarily expands the government's detention apparatus. H.R. 3004 unwisely expands the federal government's ability to criminally prosecute immigrants for immigration-based offenses, excludes critical humanitarian protections for those fleeing violence, and doubles down on the failed experiment of incarceration for immigration violations.

Over 600 state and local jurisdictions have policies or ordinances that disentangle their state and local law enforcement agencies from enforcing federal immigration law.<sup>1</sup> The *No Sanctuary for Criminals Act*, H.R. 3003, seeks to attack so-called "sanctuary" jurisdictions (many of whom do not consider themselves as such) by penalizing state and local jurisdictions that follow the Fourth Amendment of the U.S. Constitution by refusing to honor constitutionally infirm requests for detainers.<sup>2</sup> H.R. 3003 penalizes jurisdictions by eliminating various federal grants, including funding through the Cops on the Beat program, the Edward Byrne Memorial Justice Assistance Grant Program, and any other federal grant related to law enforcement or immigration. Importantly, using the threat of withholding federal grants to coerce state and local jurisdictions likely runs afoul of the Tenth Amendment's prohibition on commandeering, a position supported by over 300 law professors.<sup>3</sup>

"Sanctuary" policies are critical to promote public safety for local communities. Fearing referral to U.S. Immigration and Customs Enforcement, victims and witnesses of crime are significantly less likely to communicate with local law enforcement.<sup>4</sup> Local law enforcement authorities have repeatedly echoed

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<sup>1</sup> *National Map of Local Entanglement with ICE*, Immigrant Legal Resource Center, Dec. 19, 2016, <https://www.ilrc.org/local-enforcement-map>; Lena Graber, Nikki Marquez, *Searching for Sanctuary: An Analysis of America's Counties & Their Voluntary Assistance With Deportations*, Immigrant Legal Resource Center, Dec. 2016, <https://www.ilrc.org/searching-sanctuary>.

<sup>2</sup> Lena Graber, *Immigration Detainers Legal Update*, Immigrant Legal Resource Center, Feb. 2017, <https://www.ilrc.org/immigration-detainers-legal-update-october-2016> (providing an overview of various federal court decisions that have held requests for detainers are unconstitutional under the Fourth Amendment and unlawful under the Immigration and Nationality Act).

<sup>3</sup> Letter from Annie Lai, Assistant Clinical Professors Law, UC Irvine School of Law, et. al, to Donald Trump, President, March 13, 2017, <https://www.ilrc.org/letter-law-profs-1373> ("Importantly, there is no exception to the Tenth Amendment that allows federal statutes and regulations to mandate the disclosure of private information about residents gathered by sanctuary jurisdictions in their sovereign capacity.").

<sup>4</sup> Nik Theodore, *Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement*, Department of Urban Planning and Policy, University of Illinois at Chicago, May 2013, available at [http://www.policylink.org/sites/default/files/INSECURE\\_COMMUNITIES\\_REPORT\\_FINAL.PDF](http://www.policylink.org/sites/default/files/INSECURE_COMMUNITIES_REPORT_FINAL.PDF) (Study found that 70

this sentiment, acknowledging that community policing policies are paramount to enhancing public safety.<sup>5</sup> Indeed, “sanctuary” jurisdictions have less crime and more economic development than similarly situated non-“sanctuary” jurisdictions.<sup>6</sup> Withholding critically-needed federal funding would, paradoxically, severely cripple the ability of state and local jurisdictions to satisfy the public safety needs of their communities.

*Kate’s Law*, H.R. 3004, would further criminalize the immigrant community by drastically increasing penalties for immigrants convicted of unlawful reentry. Operation Streamline encapsulates our nation’s failed experiment with employing criminal penalties to deter migration. Under Operation Streamline, the federal government prosecutes immigrants for reentry at significant rates.<sup>7</sup> By all practical measures, Operation Streamline has failed to deter migration, wasted billions of taxpayer dollars, and unfairly punished thousands of immigrants who try to enter or reenter the United States to reunite with their children and loved ones.<sup>8</sup> We fear that H.R. 3004’s increased penalties for reentry would double down on this failed strategy, explode the prison population, and cost billions of dollars.

Instead of passing discredited enforcement-only legislation, Congress should move forward on enacting just immigration reform legislation that provides a roadmap to citizenship for the nation’s eleven million aspiring Americans and eliminates mass detention and deportation programs that undermine fundamental human rights. Legislation that erodes public safety, disrespects local democratic processes, and raises serious constitutional concerns represents an abdication of the Congress’ responsibility to enact fair, humane, and just immigration policy. In light of the above, we urge you to **vote NO on the No Sanctuary for Criminals Act, H.R. 3003 and Kate’s Law, H.R. 3004.**

Please contact Jose Magana-Salgado, of the Immigrant Legal Resource Center, at [jmagana@ilrc.org](mailto:jmagana@ilrc.org) or (202) 777-8999, if you have any questions regarding this letter. Thank you for your time and consideration.

Sincerely,

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percent of undocumented immigrants were less likely to report a crime for fear of referral to immigration authorities).

<sup>5</sup> Letter from the Law Enforcement Immigration Task Force, et. al, to Chairman Chuck Grassley, Chairman of Committee on the Judiciary, et. al, (July 20, 2015), available at <http://immigrationforum.org/blog/chiefs-and-sheriffs-oppose-immigration-enforcement-policies-undermining-community-policing/>; Richard S. Biehl, *Communities are safer when law enforcement roles are clear*, THE HILL, July 15, 2015, available at <http://thehill.com/blogs/congress-blog/homeland-security/247880-communities-are-safer-when-law-enforcement-roles-are>.

<sup>6</sup> Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, Center for American Progress, Jan. 26, 2017, <https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>.

<sup>7</sup> Joanna Lydgate, *Assembly-Line Justice: a Review of Operation Streamline*, THE CHIEF JUSTICE EARL WARREN INSTITUTE ON RACE, ETHNICITY & DIVERSITY, Jan. 2010, available at [https://www.law.berkeley.edu/files/Operation\\_Streamline\\_Policy\\_Brief.pdf](https://www.law.berkeley.edu/files/Operation_Streamline_Policy_Brief.pdf).

<sup>8</sup> Alistair Graham Robertson, et. al, *Operation Streamline: Costs and Consequences*, Grassroots Leadership (Sept. 2012), available at [http://grassrootsleadership.org/sites/default/files/uploads/GRL\\_Sept2012\\_Report-final.pdf](http://grassrootsleadership.org/sites/default/files/uploads/GRL_Sept2012_Report-final.pdf).

## **National Organizations**

America's Voice Education Fund  
American Federation of Teachers  
American Friends Service Committee (AFSC)  
American-Arab Anti-Discrimination Committee  
Americans Committed to Justice and Truth  
Asian American Legal Defense and Education Fund (AALDEF)  
Asian Americans Advancing Justice - AAJC  
Asian Americans Advancing Justice - Asian Law Caucus  
Asian Pacific American Labor Alliance, AFL-CIO (APALA)  
Asian Pacific Institute on Gender-Based Violence  
ASISTA  
Bend the Arc Jewish Action  
Black Alliance for Just Immigration  
Casa de Esperanza: National Latin@ Network  
Catholic Legal Immigration Network, Inc.  
Center for American Progress  
Center for Employment Training  
Center for Gender & Refugee Studies  
Center for Law and Social Policy  
Center for New Community  
Center for Popular Democracy (CPD)  
Christian Church (Disciples of Christ) Refugee & Immigration Ministries  
Christian Community Development Association  
Church World Service  
Coalition on Human Needs  
CODEPINK  
Columban Center for Advocacy and Outreach  
Committee in Solidarity with the People of El Salvador (CISPES)  
Community Initiatives for Visiting Immigrants in Confinement (CIVIC)  
Defending Rights & Dissent  
Disciples Center for Public Witness  
Disciples Home Missions  
Dominican Sisters of Sparkill  
Drug Policy Alliance  
Easterseals Blake Foundation  
Equal Rights Advocates  
Farmworker Justice  
Freedom Network USA  
Friends Committee on National Legislation  
Fuerza Mundial  
Futures Without Violence  
Grassroots Leadership  
Hispanic Federation  
Hispanic National Bar Association  
Holy Spirit Missionary Sisters - USA- JPIC  
Immigrant Legal Resource Center

Intercommunity Peace & Justice Center  
Interfaith Worker Justice  
Isaiah Wilson  
Jewish Voice for Peace  
Jewish Voice for Peace - Boston  
Jewish Voice for Peace - Tacoma chapter  
Jewish Voice for Peace - Western MA  
Justice Strategies  
Kids in Need of Defense (KIND)  
Lambda Legal  
Laotian American National Alliance  
Latin America Working Group  
Latino Victory Fund  
LatinoJustice PRLDEF  
League of United Latin American Citizens  
Lutheran Immigration and Refugee Service  
Mi Familia Vota  
Milwaukee Chapter, Jewish Voice for Peace  
NAACP  
National Center for Transgender Equality  
National Coalition Against Domestic Violence  
National Coalition for Asian Pacific American Community Development  
National Council of Asian Pacific Americans (NCAPA)  
National Council of Jewish Women  
National Council of La Raza (NCLR)  
National Day Laborer Organizing Network (NDLON)  
National Education Association  
National Immigrant Justice Center  
National Immigration Law Center  
National Immigration Project of the NLG  
National Iranian American Council (NIAC)  
National Justice for Our Neighbors  
National Korean American Service & Education Consortium (NAKASEC)  
National Latina Institute for Reproductive Health  
National Latina/o Psychological Association  
National Lawyers Guild  
National LGBTQ Task Force Action Fund  
National Network for Immigrant and Refugee Rights  
National Resource Center on Domestic Violence  
NETWORK Lobby for Catholic Social Justice  
OCA - Asian Pacific American Advocates  
Our Revolution  
People's Action  
PICO National Network  
Queer Detainee Empowerment Project  
Refugee and Immigrant Center for Education and Legal Services (RAICES)  
School Social Work Association of America

Sisters of the Presentation of the Blessed Virgin Mary, New Windsor  
Southeast Asia Resource Action Center (SEARAC)  
Southern Border Communities Coalition  
Southern Poverty Law Center  
T'ruah: The Rabbinic Call for Human Rights  
The Advocates for Human Rights  
The Hampton Institute : A Working Class Think Tank  
The National Alliance to Advance Adolescent Health  
The Queer Palestinian Empowerment Network  
The Sentencing Project  
The United Methodist Church - General Board of Church and Society  
U.S. Committee for Refugees and Immigrants  
UndocuBlack Network  
Unitarian Universalist Association  
Unitarian Universalist Legislative Ministry of New Jersey  
Unitarian Universalist Service Committee  
UNITE HERE  
United Child Care, Inc.  
United for a Fair Economy  
UU College of Social Justice  
UURISE - Unitarian Universalist Refugee & Immigrant Services & Education  
Voto Latino  
We Belong Together  
WOLA  
Women's Refugee Commission  
Working Families  
Yemen Peace Project  
YWCA

### **State and Local Organizations**

(MILU) Mujeres Inmigrantes Luchando Unidas  
#VigilantLOVE  
580 Cafe/Wesley Foundation Serving UCLA  
Acting in Community Together in Organizing Northern Nevada (ACTIONN)  
Advocates for Basic Legal Equality, Inc.  
Alianza  
All for All  
Alliance San Diego  
Allies of Knoxville's Immigrant Neighbors (AKIN)  
American Gateways  
Aquinas Center  
Arkansas United Community Coalition  
Asian Americans Advancing Justice - Atlanta  
Asian Americans Advancing Justice-LA  
Asian Americans United  
Asian Counseling and Referral Service  
Asian Law Alliance

Asian Pacific American Legal Resource Center  
Asylee Women Enterprise  
Atlas: DIY  
Bear Creek United Methodist Church- Congregation Kol Ami Interfaith Partnership  
Bethany Immigration Services  
Brighton Park Neighborhood Council  
Cabrini Immigrant Services of NYC  
Campaign for Hoosier Families  
Canal Alliance  
Capital Area Immigrants' Rights Coalition  
CASA  
Casa Familiar, Inc.  
Casa Latina  
Casa San Jose  
Catholic Charities  
Catholic Charities San Francisco, San Mateo & Marin  
Causa Oregon  
CDWBA Legal Project, Inc.  
Central American Legal Assistance  
Central New Jersey Jewish Voice for Peace  
Central Pacific Conference of the United Church of Christ  
Central Valley Immigrant Integration Collaborative (CVIIC)  
Centro Laboral de Graton  
Centro Latino Americano  
Centro Legal de la Raza  
Centro Romero  
Chelsea Collaborative  
Chicago Religious Leadership Network on Latin America  
Church Council of Greater Seattle  
Church of Our Saviour/La Iglesia de Nuestro Salvador Episcopal  
Church Women United in New York State  
Cleveland Jobs with Justice  
Coalicion de Lideres Latinos-CLILA  
Coalition for Humane Immigrant Rights (CHIRLA)  
Coalition of African Communities  
Coloradans For Immigrant Rights, a program of the American Friends Service Committee  
Colorado People's Alliance (COPA)  
Columbia Legal Services  
Comite Pro Uno  
Comite VIDA  
Committee for Justice in Palestine - Ithaca  
Community Action Board of Santa Cruz County, Inc  
Community Legal Services and Counseling Center  
Community Legal Services in East Palo Alto  
Community of Friends in Action, Inc.  
Connecticut Legal Services, Inc  
CRLA Foundation

CT Working Families  
DC-Maryland Justice for Our Neighbors  
Delaware Civil Rights Coalition  
Do the Most Good Montgomery County (MD)  
Dominican Sisters ~ Grand Rapids (MI)  
Dream Team Los Angeles DTLA  
DRUM - Desis Rising Up & Moving  
East Bay Sanctuary Covenant  
Ecumenical Ministries of Oregon  
El CENTRO de Igualdad y Derechos  
El Monte Wesleyan Church  
Emerald Isle Immigration Center  
Employee Rights Center  
Encuentro  
End Domestic Abuse WI  
English Ministry ~ Korean Presbyterian Church of St. Louis  
Episcopal Refugee & Immigrant Center Alliance  
Equal Justice Center  
Equality California  
Erie Neighborhood House  
First Congregational UCC of Portland  
First Unitarian Universalist Church of Berks County  
Florida Center for Fiscal and Economic Policy  
Florida Immigrant Coalition, Inc. (FLIC)  
Franciscans for Justice  
Frida Kahlo Community Organization  
Friends of Broward Detainees  
Friends of Miami-Dade Detainees  
Georgia Latino Alliance for Human Rights  
Gethsemane Lutheran Church  
Grassroots Alliance for Immigrant Rights  
Greater Lafayette Immigrant Allies  
Greater New York Labor Religion Coalition  
Greater Rochester COALITION for Immigration Justice  
Grupo de Apoyo e Integracion Hispanoamericano  
HACES  
Hana Center  
Harvard Islamic Society  
Her Justice  
HIAS Pennsylvania  
Hispanic Interest Coalition of Alabama  
Hispanic Legal Clinic  
Hudson Valley Chapter of JVP  
Human Rights Initiative of North Texas  
ICE-Free Capital District  
Illinois Coalition for Immigrant and Refugee Rights  
Immanuel Fellowship: a bilingual congregation

Immigrant Justice Advocacy Movement (IJAM)  
Immigrant Legal Advocacy Project  
Immigration Action Group  
Immigration Center for Women and Children  
Inland Empire - Immigrant Youth Coalition (IEIYC)  
Interfaith Movement for Human Integrity  
International Institute of Buffalo  
Irish International Immigrant Center  
IRTF - InterReligious Task Force on Central America and Colombia  
Japanese American Citizens League, San Jose Chapter  
Jewish Voice for Peace - Albany, NY chapter  
Jewish Voice for Peace - Albuquerque  
Jewish Voice for Peace - Austin  
Jewish Voice for Peace - Bay Area  
Jewish Voice for Peace - Cleveland  
Jewish Voice for Peace - DC Metro  
Jewish Voice for Peace - Denver  
Jewish Voice for Peace - Ithaca  
Jewish Voice for Peace - Los Angeles  
Jewish Voice for Peace - Madison  
Jewish Voice for Peace - New Haven  
Jewish Voice for Peace - Philadelphia  
Jewish Voice for Peace - Pittsburgh  
Jewish Voice for Peace - Portland  
Jewish Voice for Peace - San Diego  
Jewish Voice for Peace - South Florida  
Jewish Voice for Peace - Syracuse, NY  
Jewish Voice for Peace - Triangle NC  
Jolt  
Justice for our Neighbors Houston  
Justice for Our Neighbors Southeastern Michigan  
Justice For Our Neighbors West Michigan  
JVP-HV. Jewish Voice for Peace-Hudson Valley  
Kentucky Coalition for Immigrant and Refugee Rights  
Kids for College  
Kino Border Initiative  
Kitsap Immigrant Assistance Center  
KIWA (Koreatown Immigrant Workers Alliance)  
Korean Resource Center  
La Casa de Amistad  
La Coalición de Derechos Humanos  
La Comunidad, Inc.  
La Raza Centro Legal  
Lafayette Urban Ministry  
Las Vegas Chapter of Jewish Voice for Peace  
Latin American Legal Defense and Education Fund  
Latino Racial Justice Circle



Latinx Alliance of Lane County  
Legal Aid Society of San Mateo County  
Legal Services for Children  
Lemkin House inc  
Long Island Wins  
Massachusetts Immigrant and Refugee Advocacy Coalition  
Massachusetts Law Reform Institute  
Middle East Crisis Response (MECR)  
Migrant and Immigrant Community Action Project  
Migrant Justice / Justicia Migrante  
MinKwon Center for Community Action  
Mission Asset Fund  
Mississippi Immigrants Rights Alliance (MIRA)  
Mosaic Family Services  
Movement of Immigrant Leaders in Pennsylvania (MILPA)  
Mujeres Unidas y Activas  
Mundo Maya Foundation  
National Lawyers Guild - Los Angeles Chapter  
New Jersey Alliance for Immigrant Justice  
New Mexico Dream Team  
New Mexico Immigrant Law Center  
New Mexico Voices for Children  
New Sanctuary Movement of Philadelphia  
New York Immigration Coalition  
NH Conference United Church of Christ Immigration Working Group  
North Carolina Council of Churches  
North County Immigration Task Force  
North Jersey chapter of Jewish Voice for Peace  
Northern Illinois Justice for Our Neighbors  
Northern Manhattan Coalition for Immigrant Rights  
Northwest Immigrant Rights Project (NWIRP)  
OCCORD  
Occupy Bergen County (New Jersey)  
OneAmerica  
OneJustice  
Oregon Interfaith Movement for Immigrant Justice - IMIrJ  
Organized Communities Against Deportations  
OutFront Minnesota  
Pangea Legal Services  
PASO - West Suburban Action Project  
Pax Christi Florida  
Pennsylvania Immigration and Citizenship Coalition  
Pilgrim United Church of Christ  
Pilipino Workers Center  
Polonians Organized to Minister to Our Community, Inc. (POMOC)  
Portland Central America Solidarity Committee  
Progreso: Latino Progress

Progressive Jewish Voice of Central PA  
Progressive Leadership Alliance of Nevada  
Project Hope-Proyecto Esperanza  
Project IRENE  
Puget Sound Advocates for Retirement Action(PSARA)n  
Racial Justice Action Center  
Reformed Church of Highland Park  
Refugees Helping Refugees  
Refugio del Rio Grande  
Resilience Orange County  
Rocky Mountain Immigrant Advocacy Network (RMIAN)  
Rural and Migrant Ministry  
Safe Passage  
San Francisco CASA (Court Appointed Special Advocates)  
Services, Immigrant Rights, and Education Network (SIREN)  
Sickle Cell Disease Association of America, Philadelphia/ Delaware Valley Chapter  
Sisters of St. Francis, St. Francis Province  
Sisters of St. Joseph of Rochester, Inc  
Skagit Immigrant Rights Council  
Social Justice Collaborative  
South Asian Fund For Education,Scholarship And Training (SAFEST)  
South Bay Jewish Voice for Peace  
South Texas Immigration Council  
Southeast Immigrant Rights Network  
St John of God Church  
Students United for Nonviolence  
Tacoma Community House  
Tennessee Immigrant and Refugee Rights Coalition  
Teresa Messer, Law Office of Teresa Messer  
Thai Community Development Center  
The Garden, Lutheran Ministry  
The International Institute of Metropolitan Detroit  
The Legal Project  
Tompkins County Immigrant Rights Coalition  
Transgender Resource Center of New Mexico  
Trinity Episcopal Church  
U-Lead Athens  
Unitarian Universalist Mass Action Network  
Unitarian Universalist PA Legislative Advocacy Network (UUPLAN)  
United African Organization  
United Families  
University Leadership Initiative  
University of San Francisco Immigration and Deportation Defense Clinic  
UNO Immigration Ministry  
UPLIFT  
UpValley Family Centers  
VietLead

Vital Immigrant Defense Advocacy & Services, Santa Rosa, CA  
Volunteers of Legal Service  
Washtenaw Interfaith Coalition for Immigrant Rights  
Watertown Citizens for Peace, Justice, and the Environment  
Wayne Action for Racial Equality  
WeCount!  
WESPAC Foundation  
Wilco Justice Alliance (Williamson County, TX)  
Women Watch Afrika, Inc.  
Worksafe  
Young Immigrants in Action  
YWCA Alaska  
YWCA Alliance  
YWCA Berkeley/Oakland  
YWCA Brooklyn  
YWCA Clark County  
YWCA Elgin  
YWCA Greater Austin  
YWCA Greater Pittsburgh  
YWCA Greater Portland  
YWCA Madison  
YWCA Minneapolis  
YWCA Mount Desert Island  
YWCA NE KANSAS  
YWCA of Metropolitan Detroit  
YWCA of the University of Illinois  
YWCA Olympia  
YWCA Pasadena-Foothill Valley  
YWCA Rochester & Monroe County  
YWCA Southeastern Massachusetts  
YWCA Southern Arizona  
YWCA Tulsa  
YWCA Warren  
YWCA Westmoreland County