

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.¹ 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.² 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.³

"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.⁴ Local law enforcement authorities have repeatedly echoed

¹ *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>.

² 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).

³ 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.").

⁴ 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 (Study found that 70

this sentiment, acknowledging that community policing policies are paramount to enhancing public safety.⁵ Indeed, “sanctuary” jurisdictions have less crime and more economic development than similarly situated non-“sanctuary” jurisdictions.⁶ 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.⁷ 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.⁸ 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 or (202) 777-8999, if you have any questions regarding this letter. Thank you for your time and consideration.

Sincerely,

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

⁵ 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>.

⁶ 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/>.

⁷ 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.

⁸ 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.

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