Sanctuary Cities

By Grace Kluender

WHAT ARE SANCTUARY CITIES?
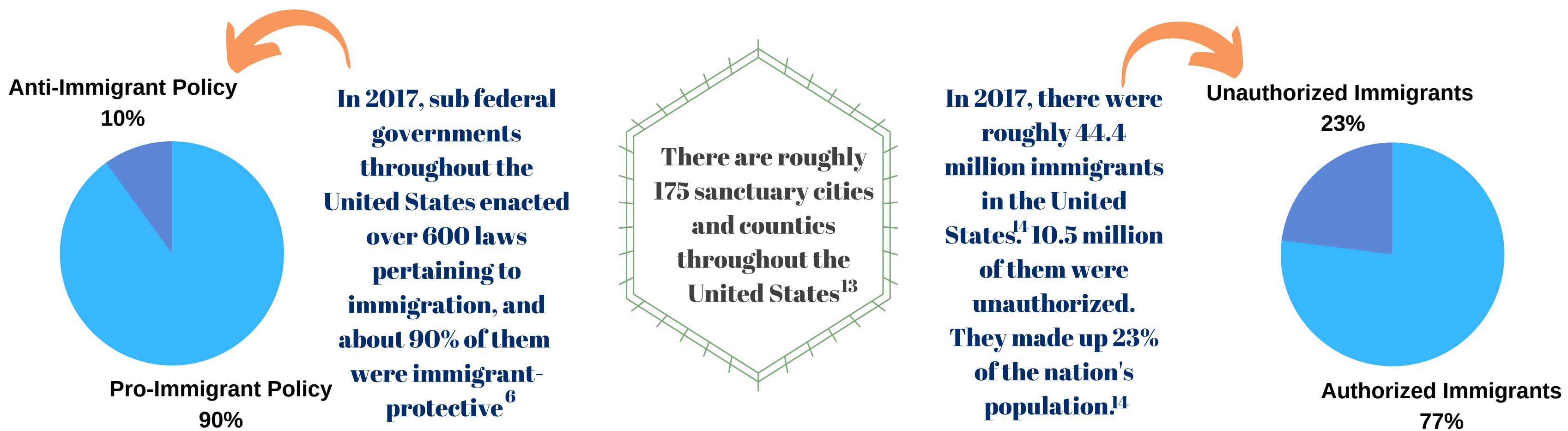
Sanctuary cities are cities that choose to **limit cooperation** with federal immigration enforcement as a way to **protect** the city's immigrant population from deportation.[1] Most commonly, sanctuary cities will choose to not respond to ICE detainer requests.[1] A **detainer request** is submitted by ICE to law enforcement agencies when an individual is in custody and is identified as a **possible illegal alien**.[4] If the request is accepted, the individual is detained for up to 48 hours to be further investigated and possibly deported.[4]

SUPPORTERS ☺

- Sub federal governments are not legally required to respond to detainer requests [9]
- Anti-Sanctuary policy decreases trust between law enforcement and immigrants, which results in lower crime reporting and worse crime [9]
- Sanctuary cities don't hurt the economy [9]

OPPOSERS ☹

- Sanctuary cities are illegal because federal law is above sub federal law [9]
- Sanctuary cities prevent immigration agents from deporting dangerous undocumented criminals, which results in higher crime rates [9]
- Sanctuary cities harm the economy [9]

**Anti-Immigrant Policy
10%**

**Pro-Immigrant Policy
90%**

In 2017, sub federal governments throughout the United States enacted over 600 laws pertaining to immigration, and about 90% of them were immigrant-protective [6]

There are roughly 175 sanctuary cities and counties throughout the United States [13]

In 2017, there were roughly 44.4 million immigrants in the United States.[14] 10.5 million of them were unauthorized. They made up 23% of the nation's population.[14]

**Unauthorized Immigrants
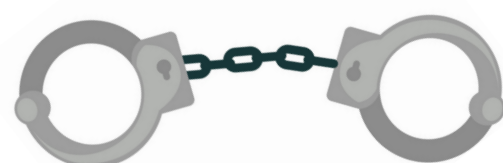23%**

**Authorized Immigrants
77%**

The Truth About Sanctuary Cities

Sanctuary Cities are Legal

The Third Circuit Court ruled that the 10th Amendment's anti-commandeering principle means that federal officials cannot require sub federal law enforcement agencies to comply with ICE detainer requests [4]

Sanctuary Cities Lessen Crime

35.5 fewer crimes are committed per **10,000 people** in sanctuary counties [12]

Illegal aliens are 50% less likely to be convicted of a crime than native born Americans [3]

Sanctuary Cities have better economies

The median household income in sanctuary counties is

💵 **$4,353** 💵

higher than in non-sanctuary counties [12]

$

The poverty rate in sanctuary counties is

2.3% lower

than in non-sanctuary counties [12]

Sanctuary cities are not illegal, they lessen crime, and they are beneficial for the economy, so why does the opposition say otherwise?

The Media's Influence

- The media has been shown to frame undocumented immigration in terms of the threat it poses to American jobs, culture, health, or safety [2]
- Just being a frequent watcher of television makes a person more likely to adopt the immigrant-as-criminal narrative [2]
- Research has found that most media coverage of undocumented immigration is in a negative tone [2]

In one study, respondents were asked to think of the first word that comes to mind when they hear the word "immigrant." The most common response was "illegal" [5]
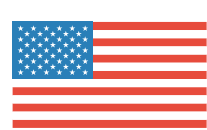
President Trump's Influence

- Trump covered his plans for restrictive immigration policy in 77% of his campaign speeches, and he mentioned and rebuked sanctuary cities in 26% of them [2]
- President Trump opposes sanctuary cities and has even threatened to pull federal funding from cities who do not respond to ICE detainer requests. [6]
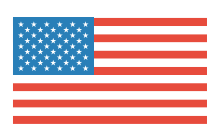- He uses the immigrant-as-criminal narrative:

"When Mexico sends its people, they're not sending their best [...] They're bringing drugs, they're bringing crime, they're rapists..." [5]

Possible Solutions

There is little that we can do to stop the media and President Trump from negatively framing sanctuary cities, therefore, we must treat the symptoms that arise from this negative rhetoric and from anti-sanctuary policy

Make it easier to become an American citizen!

Becoming a U.S. citizen has always been a costly and lengthy process, but President Trump and his administration has made it even more difficult by enacting the Public Charge Rule.[10] This rule makes it harder for immigrants who are more likely to rely on public benefits to receive a visa or green card. [10]

By eliminating oppressive standards like these, it lessens the amount of illegal immigrants residing in the U.S., and therefore it decreases the need for sanctuary cities, which are very misunderstood in today's society.

Implement U & T Visa Programs

We know that anti-sanctuary policy results in decreased crime reporting. Therefore, implementing a visa program where police officers certify when undocumented immigrants have become victims of serious crimes such as human trafficking would likely be effective. [8]
This would encourage illegal immigrants to report serious crimes without fear of deportation. [8]

In 2006, the San Francisco Police Department successfully implemented a proactive U Visa program. [8] 100% of their clients stated that their life has gotten better and they feel more safe. [8]

References

1   Bilke, C. (2009). Divided we Stand, United we Fall: A Public Policy Analysis of Sanctuary Cities' Role in the "Illegal Immigration" Debate. Indiana Law Review, 42(1). Retrieved from https://heinonline.org/HOL/P?h=hein.journals/indilr42&i=167

2   Collingwood, L., & Gonzalez O'Brien, B. (2019). Sanctuary Cities: The Politics of Refuge. Oxford Scholarship Online. DOI: https://doi.org/10.1093/oso/9780190937027.001.0001

3   Johnson, K. (2019). The mythology of sanctuary cities. Southern California Interdisciplinary Law Journal, 28(3), 589-614. Retrieved from https://heinonline.org/HOL/P?h=hein.journals/scid28&i=623

4   Manuel, K. (2015). Immigration Detainers: Legal Issues. Congressional Research Service. Retrieved from https://fas.org/sgp/crs/homesec/R42690.pdf

5   Martínez-Shuldt, R. D., & Martínez, D. E. (2017). Sanctuary Policies and City-Level Incidents of Violence, 1990 to 2010. Justice Quarterly, 36(4), 567–593. DOI: https://doi.org/10.1080/07418825.2017.1400577

6   Pham, H., & Van, P. (2019). Subfederal Immigration Regulation and the Trump Effect. New York University Law Review, 94(1), 125–170. Retrieved from https://www.nyulawreview.org/wp-content/uploads/2019/04/NYULawReview-94-1-PhamVan.pdf

7   Pierce, S., & Steele, A. (2017). Immigration under Trump: A Review of Policy Shifts in the Year Since the Election. Migration Policy Institute. Retrieved from https://www.migrationpolicy.org/research/immigration-under-trump-review-policy-shifts

8   Reed, M. E. (2019). Senate Bill 4: Police Officers' Opinions on Texas' Ban of Sanctuary Cities. Chicana/o Latina/o Law Review, 36(1). Retrieved from https://escholarship.org/uc/item/7906h4pz

9   (2019). Sanctuary Cities: Should Local and State Governments Adopt Policies That Protect Undocumented Immigrants from Deportation? Issues & Controversies. Retrieved from https://icof.infobaselearning.com/recordurl.aspx?ID=18444

10   Silva, C. D. (2020). What the Trump administration's new "public charge" rule will mean for immigrants. Retrieved March 19, 2020, from https://www.newsweek.com/what-trump-administrations-new-public-charge-rule-will-mean-immigrants-u-s-1488630

11   Stupi, E. K. (2014). Perceived Criminal Threat from Undocumented Immigrants: Antecedents and Consequences for Policy Preferences. Justice Quarterly, 33(2), 239–266. DOI: https://doi.org/10.1080/07418825.2014.902093

12   Wong, T. (2017). The Effects of Sanctuary Policies on Crime and the Economy. Center for American Progress. Retrieved from https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/

13   Griffith, B., & Vaughan, J. M. (2020). Map: Sanctuary Cities, Counties, and States. Retrieved from https://cis.org/Map-Sanctuary-Cities-Counties-and-States

14   Radford, J. (2019, June 17). Key findings about U.S. immigrants. Retrieved April 1, 2020, from https://www.pewresearch.org/fact-tank/2019/06/17/key-findings-about-u-s-immigrants/