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Contacts

Kemi Bello, kbello@ilrc.org, (415) 321-8568

Nearly 300 Legal Experts: Attorney General Sessions Wrong on “Sanctuary” Cities *Attorney General Falsely Claims “Sanctuary” Cities Violate Federal Law*

WASHINGTON, D.C. — This morning, during a press briefing at the White House, U.S. Attorney General Jeff Sessions made several erroneous remarks concerning so-called sanctuary jurisdictions, a term often used to describe jurisdictions with policies limiting local law enforcement involvement in federal immigration enforcement.

Nearly 300 constitutional, immigration, administrative, and international law professors and scholars recently provided [legal analysis](#) concluding this administration’s [threat](#) to withhold federal funding from sanctuary cities is unconstitutional under the spending clause and Tenth Amendment of the U.S. Constitution.

Many of the underlying legal arguments cited today by the Attorney General are in fact, false, including the Attorney General’s claim that sanctuary policies violate federal law, that local jurisdictions are legally obligated to respond to federal detainer requests, and that the U.S. Department of Justice may legally withhold or terminate grants to sanctuary jurisdictions.

As stated in the [law professor letter](#):

- “[S]anctuary’ policies that direct local law enforcement agencies to refrain from collecting immigration information or to decline detainers requesting prolonged detention do not violate 8 U.S.C. § 1373.”
- “Congress nor [the] Administration can force ‘sanctuary’ jurisdictions to enforce federal immigration law by directing them to rescind their ‘sanctuary’ policies.”
- “Sanctuary” policies represent legal exercise of local authority as local jurisdictions are “exercising their reserved constitutional authority under the Tenth Amendment to promote the health, safety, and welfare of their residents.”

The Attorney General also continues to make the legally dubious argument that immigration detainers are constitutional, an argument repeatedly [rejected by multiple courts](#) across the nation.

Finally, the Attorney General repeats the discredited argument that sanctuary policies make communities less safe, when in fact, research shows that sanctuary jurisdictions are [safer and have better economic indicators](#) than similarly situated, non-sanctuary jurisdictions.

There is no standard definition of what constitutes a sanctuary jurisdiction, but previously, the ILRC has identified [over 600 jurisdictions](#) that have policies that disentangle local authorities from federal immigration enforcement.

Read the full legal analysis here: <https://www.ilrc.org/letter-law-profs-1373>

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