

The Daily Campus

‘Sanctuary Myths’: Mansfield right to support undocumented residents

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This past week, the Mansfield Town Council voted to adopt a policy in support of its undocumented residents. The policy, which reaffirms the current town policy, was drafted by councilman Ben Shaiken, and states, “It shall be the policy of the Town of Mansfield that all people are free and welcome to use the public services, including police, fire and EMS, without fear that they will be questioned about their immigration status or that services will be denied because of that status.”

The vote and approval were more than just symbolic. Even though this is already the policy of the town of Mansfield, it sends a clear message to undocumented residents who perhaps were unaware that they can access public resources without retribution, or residents who are new to Mansfield, especially at a time when many have become more fearful.

There has been much back-and-forth as UConn and Mansfield have debated adopting sanctuary-like policies. Much arises over the fact that there is misinformation and misunderstanding over what being a “sanctuary city” entails. Throughout his campaign and into his presidency, Donald Trump has portrayed municipalities with these policies as places where violent criminal immigrants are let off the hook, and there is no enforcement of federal immigration law.

This is not the case. For one, there is no single, universal definition of “sanctuary city”. The term “sanctuary city” has religious origins, dating back to a church-led movement in the 1980s, inspired by biblical Cities of Refuge, which seems to be mistaken with pure amnesty. Today, and in Mansfield, the term is chiefly used to describe the adoption of community policing techniques by municipalities that align with state TRUST Acts (Transparency and Responsibility Using State Tools) – a beginning but important step which promotes safety by establishing a better relationship between immigrant communities and the police.

Opponents of the move by Mansfield Town Council testified that the town does not have the “resources” to adopt such a policy. However, it is just the opposite: the policy makes sure the town’s resources are being allocated most effectively to ensure the safety of all Mansfield residents. It allows police officers to give their complete focus and attention to policing, rather

than also having to act as immigration officers. Undocumented residents are able to cooperate with police – reporting crimes, testifying as witnesses, etc. - and other emergency personnel without fear of deportation, aiding town agencies in their mission and civic responsibility to protect the town.

Overall, it is well established that the federal government is supreme over states and localities when it comes to immigration law and policy. Mansfield’s policy, as with other municipalities’, is in “full compliance with current state and federal law,” and cannot and does not “block enforcement of [Immigration and Customs Enforcement]” as critics claim. The policy continues, “No Town of Mansfield official, employee or agent shall disclose information regarding a person’s immigration status unless required to do so by law.” Violent criminal immigrants do not have amnesty in any sanctuary city– and it is important to note that multiple studies have continuously shown that immigrants are actually far less likely than natural born citizens to commit crimes, one-half to one-fifth as likely to be jailed than American citizens, according to the right-leaning, libertarian Cato Institute think tank.

The Priority Enforcement Program established under President Obama sets a broad outline for communication between state and local law enforcement agencies with federal ICE agents for such cases. What has become incredibly troubling in the early days of the Trump administration is the proposed mass and inhumane “rounding up” of non-violent, undocumented immigrants – many of whom have been here since they were infants and are part of the fabric of their communities and local economies – with as many as 100,000 National Guard troops, which would very easily turn into racial profiling affecting legal residents and citizens. In this possible case, municipalities not keeping official records of residents’ documented status would be a very important, legal check.

Furthermore, there is the fear that cities adopting such policies will be denied all federal funding – due to Trump’s campaign promises and the recent signing of the (misnamed) Executive Order “Enhancing Public Safety in the Interior of the United States.” However, no city has lost federal funding yet, and it is extremely unlikely that they will. Doing so would be unconstitutional, with New York City Mayor Bill de Blasio threatening to sue as millions in anti-terrorism funding would be lost, and any decision by the federal government to do so would likely be blocked by an injunction before a hearing on the merits of the case. According to Supreme Court precedent - as in “National Federation of Independent Business v. Sebelius” regarding the withholding of federal funds for Medicaid for states that did not comply - such a move by the White House would be considered an overly “coercive” use of Congress’s Spending Clause, violating states’ rights.

The legal issues aside – Mansfield is right to support for its undocumented residents. The ability of towns to stand up and alongside these community members will only become more important over the next four years. Mansfield, especially given its relationship with UConn and the purpose higher education, must remain committed to diversity and humane treatment for all.