



Sanctuary crackdown won't make San Francisco safer

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The Department of Justice sent a letter to 23 jurisdictions on Jan. 25 urging them to “reconsider” their sanctuary city policies — or else. San Francisco was one of them. No surprise. Nine out of the 23 jurisdictions addressed were in California. Also, no surprise.

At stake is the Byrne Jag federal grant. This grant from the federal government allows cities and counties in the nation to safeguard local criminal justice initiatives, including making neighborhoods safer, training and education for local law enforcement and community corrections programs. In 2016, San Francisco was awarded \$522,943 in Byrne Jag funding and used it to “hire personnel to fill critical positions in the criminal justice system and to provide training for executive leadership.”

But, with this letter, the eligibility for receiving the 2017 Byrne Jag grant is being tied to information sharing between local law enforcement agencies and federal immigration enforcement. Local law enforcement agencies are directed to inform U.S. Immigration and Customs Enforcement about the immigration status, release dates and addresses of immigrants in detention, as well as hold immigrants even after they should be released until ICE assumes custody of the individual — known as an “ICE detainer” — if the jurisdiction is to see any part of the criminal justice fund.

In other words, the DOJ is attempting to affect criminal justice programs in order to effect civil immigration programs.

“ICE is basically asking local jails to hold someone without legal authority and carry the risks for it and then attacking them when they decline to do so,” said Lena Graber, staff attorney at the Immigrant Legal Resource Center and co-author of the report “The Rise of Sanctuary.”

Withholding funds to keep our streets safe, in order to deport immigrants to keep our streets safe, sounds thoroughly illogical to me. That’s why, according to the ILRC report, more than 760 counties refuse to detain people beyond their release dates. This is an increase of 135 counties in 2017 alone.

President Donald Trump’s anti-immigration populist agenda has given our local leaders the tools and vocabulary to anatomize what’s at stake when we participate in a jail-to-deportation pipeline. In order to break down what our policies should be, sanctuary or otherwise, let’s look at how

many undocumented immigrants are committing crimes and whether immigration enforcement will make our city streets safer.

In a 2014 academic study on “Immigration Enforcement, Policing and Crime,” researchers found that “involving local police in federal immigration enforcement does not seem to offer measurable public safety benefits.” Further, a recent report by Alex Nowrasteh, an immigration policy analyst at the Cato Institute, indicated that undocumented immigrants are 44 percent less likely to be incarcerated and have an incarceration rate that’s 69 percent less than natives. Nowrasteh commented that if undocumented immigrants are inhabiting our jails in droves, then increased immigration enforcement should lower crime rates. But the research has shown no overall reduction.

So, this latest missive from the DOJ is not about keeping people safer, but about removing liberties and making our immigrant communities afraid to participate in American life.

When city, community and municipal agents work against immigrant communities, it imperils our communities’ access to justice. When people are afraid to go to the police to report a crime or go to the hospital to report abuse or seek help because of their immigration status, race or color, it becomes a problem for all of us.

Immigrants, undocumented and documented, also do their part in helping keep our streets safe. In fact, since 2009, the number of victims of crime who’ve emerged from the immigrant twilight to help law enforcement and government officials prosecute criminals has steadily increased. These are men and women who’ve petitioned for non-immigrant U visas. In 2017, more than 36,000 petitions were approved nationwide with 110,511 still pending.

If our sanctuary policies were overturned, many of these U visa applicants would be driven deeper into the shadows, choosing to suffer emotional, physical and mental abuse rather than risk being separated from their loved ones, making our neighborhoods wholly less safe.

The current administration habitually looks at an issue by glancing at its outer shape, finding a tweetable phrase and launching malicious narratives, sparing little attention to the guts and gore of a complicated question about ethical governance.

“Protecting criminal aliens from federal immigration authorities defies common sense and undermines the rule of law,” Jeff Sessions wrote in the DOJ letter, calling it an attempt to “actively thwart the federal government’s immigration enforcement.”

Since the letter, there’s been an escalation of enforcement activity, again targeting the sanctuary state of California. Earlier this month, ICE agents raided 77 businesses in Northern California, several in San Francisco, demanding proof that all those employed were legal.

ICE’s acting director Thomas Homan declared, without qualm, that the agency has “no choice but to conduct at-large arrests in local neighborhoods and at worksites, which will inevitably result in additional collateral arrests, instead of focusing on arrests at jails and prisons where transfers are safer for ICE officers and the community.”

It's really shocking that "ICE is going to decided where to do their enforcement activities based on who they're having a political fight with," Graber said. And she's right.

Coercions, threats and immigration raids, in addition to fires, earthquakes, drought and stock market crashes. Get ready, the battle is escalating, San Francisco. Not to worry, ours is the city with family-sized bags of courage, empathy, reason and resources.