

'Sanctuary' is lawless and deadly

By KRIS W. KOBACH

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Last week, the Justice Department made an astonishing statement about its unprecedented lawsuit to stop the Arizona illegal-immigration law. Attorney General Eric Holder's spokeswoman, Tracy Schmalzer, claimed that it was appropriate to go after Arizona, but inappropriate to stop "sanctuary cities."

Schmalzer said: "There is a big difference between a state or locality saying they are not going to use their resources to enforce a federal law, as so-called sanctuary cities have done, and a state passing its own immigration policy that actively interferes with federal law. . . That's what Arizona has done in this case."



U.S. Attorney General Eric Holder

There's a big difference, all right. Sanctuary cities are expressly forbidden by federal law, while Arizona's statute is in perfect compliance with federal law.

Evidently, just as Holder didn't read the 10-page Arizona law before he criticized it on national TV, his staff couldn't be bothered to read the relevant federal immigration laws before issuing the statement.

In 1996, Congress prohibited sanctuary cities in no uncertain terms: A "local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual" (8 USC Sec. 1373(a)).

In direct contravention of that statute, New York, San Francisco, Chicago and dozens of other cities have adopted "sanctuary" policies that prevent their police from reporting illegal aliens. Yet the Holder Justice Department is giving a pass to these cities that brazenly defy federal law, while using our taxpayer dollars to sue Arizona -- though Arizona's immigration statute does little but echo federal law.

The bottom line is that the politicized Holder Justice Department doesn't want federal immigration laws vigorously enforced. Sanctuary cities fit that agenda; Arizona's new law doesn't.

The Justice Department's tolerance of sanctuary cities is not only lawless, it is dangerous. Cities that adopt sanctuary policies make themselves havens for alien crime networks. Thus, violent illegal-alien gangs like Mara Salvatrucha 13 prefer to operate in cities where the police can't report them to Immigration and Customs Enforcement.

Sanctuary policies tie the hands of local police in a very real way. For example, a police officer may see a known violent gang member who is an illegal alien. In any other city, the cop can pick up the phone and call ICE to have the alien deported. But in a sanctuary city, no dice: The officer must let the gang member continue his activities unabated.

The consequences can be deadly. The story of the Bologna family in San Francisco is a case in point. On June 22, 2008, illegal alien Edwin Ramos shot Anthony Bologna, and his two sons, Michael and Matthew, as they sat in their car coming home from a picnic after church. Ramos, a member of Mara Salvatrucha 13, had been arrested by the San Francisco Police three times before the murder.

Those "priors" were for crimes of violence, including mugging a pregnant woman and beating up a juvenile who wasn't a member of his gang. Each time, San Francisco sheltered Ramos from ICE and eventually released him back onto the streets. On the third occasion, Ramos went on to murder the Bolognas.

Had the police simply phoned ICE, Ramos would've been deported, and the Bolognas would be alive today. But San Francisco's sanctuary policy prohibited the officers from making that call. In sanctuary cities, residents face a much higher risk of being victimized by illegal-alien criminals. Local lawmakers ignore this fact (and federal law) to satisfy their political agendas. Unbelievably, after the Bologna murders, the San Francisco Board of Supervisors nevertheless voted to retain the city's sanctuary policy.

That's just fine with the Holder Justice Department -- which is too busy suing a state that actually wants to see federal law enforced.

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