



## **Statement of the American Immigration Council**

Submitted to the House Committee on Oversight and Government Reform  
Hearing with Sanctuary City Mayors  
March 5, 2025

The American Immigration Council is a non-profit organization that envisions a nation where immigrants are embraced, communities are enriched, and justice prevails for all. We strive to create a society that values immigrants as vital contributors and where everyone is afforded an equal opportunity to thrive socially, economically, and culturally. We do this by shaping immigration policies and practices at the federal, state, and local levels through educating decisionmakers and the public and advancing sensible policy solutions through research and advocacy.

For years, the Council has highlighted the benefits<sup>1</sup> of so-called “sanctuary” laws and policies.<sup>2</sup> While there is no legal or standard definition and they take many forms, the common theme behind them is that state and local officials limit the use of local resources in federal immigration enforcement while not actively preventing federal officials from carrying out their duties.

By limiting local entanglement in federal immigration enforcement, these jurisdictions make choices that are best for their communities. They include preserving limited law enforcement resources, avoiding any legal liability for enforcing federal immigration laws, and ensuring that all residents—regardless of immigration status—can engage with local institutions such as law enforcement, healthcare providers, and schools without fear. When people feel safe to report crimes and engage in their communities, everyone is safer. This safety and social cohesion also lead to better economic outcomes for sanctuary jurisdictions.

In other words, “sanctuary policies” promote fiscal and legal responsibility, public safety, and economic growth in the states and localities that choose to adopt such policies. These policies align with the U.S. Constitution’s Tenth Amendment which prevent the federal government from impeding on the ability of localities to make the best choices for the safety and prosperity of their residents.

### **Sanctuary Policies Allow Localities to Prioritize Fiscal and Legal Responsibility**

There is no distinction between jurisdictions that limit cooperation with federal immigration enforcement personnel and those that refuse to cooperate—all are considered sanctuary

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<sup>1</sup> See Michele Waslin, American Immigration Council, Immigration Impact Blog, “ ‘Sanctuary’ Policies Protect Communities, Not Criminals,” March 2, 2017, <https://immigrationimpact.com/2017/03/02/sanctuary-cities/>.

<sup>2</sup> See American Immigration Council, “Sanctuary Policies: An Overview,” February 21, 2025, <https://www.americanimmigrationcouncil.org/research/sanctuary-policies-overview>.

jurisdictions. One of the most common forms of sanctuary policy is a restriction on state or local police honoring a “detainer” issued by Immigration and Customs Enforcement (ICE). A detainer is an official but nonbinding request from ICE that a state or local law enforcement agency maintain custody of an individual for up to 48 hours beyond the time the individual otherwise would have been released so that ICE can arrange to take over custody.<sup>3</sup> In other words, this is a request from ICE to local law enforcement agents to hold a person for longer until ICE can show up to make an immigration arrest.

Many jurisdictions, regardless of political leanings, have expressed concerns with honoring ICE detainers because it subjects them to potential legal liability that can be timely and expensive. In recent years, several federal courts have held that detainers violate the Fourth Amendment because holding someone beyond their usual release date constitutes a new arrest without probable cause.<sup>4</sup> These cases have found states and localities liable for these Fourth Amendment violations when they work with ICE to effectuate detainers. Lehigh County in Pennsylvania paid \$95,000 in damages and attorney’s fees because of honoring ICE detainers.<sup>5</sup> Similarly, in 2020 Los Angeles County paid out \$14 million to settle a class-action lawsuit filed against the county for routinely holding people in jail beyond their release dates because of detainer requests from ICE.<sup>6</sup> The longstanding case law on the illegality of detainers and the experiences of places like Lehigh and Los Angeles Counties make many localities understandably hesitant to cooperate with federal immigration agencies. Therefore, they enact “sanctuary” policies to limit such collaboration.

Outside the legal context, detainers and other forms of cooperation with ICE require local law enforcement agencies to invest significant resources into working with ICE rather than focus on reducing everyday crime in their communities. In 2012 alone, taxpayers in Los Angeles County paid over \$26 million for their local police to hold people at the request of ICE officials—dollars that could have been used instead for fighting actual crime instead of prioritizing violations of civil immigration law.<sup>7</sup>

### **Sanctuary Policies Increase Public Safety**

Public safety officials in sanctuary cities have consistently emphasized that their policies are designed to build trust and protect residents, not shield criminals. When immigrants regardless of status feel safe reporting crimes, seeking medical attention, or enrolling their children in school, entire communities benefit. If community members fear that reporting a crime could result in detention and deportation, they are less likely to do so, making everyone less safe. Decades of

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<sup>3</sup> See American Immigration Council, “Immigration Detainers: An Overview,” March 21, 2017, <https://www.americanimmigrationcouncil.org/research/immigration-detainers-overview>.

<sup>4</sup> See Immigrant Legal Resource Center, “Immigration Detainers Legal Update,” February 2017, <https://asistahelp.org/wp-content/uploads/2019/08/Immigration-Detainers-Legal-Update-February-2017.pdf>.

<sup>5</sup> See *Galarza v. Szalczyk*, 745 F.3d 634, 645 (3d Cir. 2014) (in April 2014, Lehigh County settled with plaintiff for \$95,000 and agreed to adopt a policy of no longer honoring ICE detainers without a court order).

<sup>6</sup> See *Roy v. Los Angeles County*, 2:12-cv-09012, (C.D. Cal.) (Nov. 25, 2020) (court approved settlement).

<sup>7</sup> Judith A. Greene, “Justice Strategies, The Cost of Responding to Immigration Detainers in California,” August 22, 2012, <https://immigrantjustice.org/sites/immigrantjustice.org/files/Justicestrategies--Cost%20of%20Responding%20to%20detainers%20in%20CA.pdf>.

research has shown that sanctuary jurisdictions tend to experience lower crime rates compared to those that actively enforce federal immigration laws at the local level.<sup>8</sup>

Contrary to what some believe, sanctuary policies do not conceal or shelter undocumented immigrants who have committed serious or violent crimes from detection by federal immigration officers. Research published in 2020 by the National Academy of Sciences found that sanctuary policies did not prevent the “deportations of people with violent convictions.” The research—which analyzed Federal Bureau of Investigations crime data and ICE deportation data—found that the implementation of sanctuary policies between 2010 and 2015 did not affect crime rates in jurisdictions with such policies or result in fewer people with violent convictions being deported.<sup>9</sup>

### **Sanctuary Policies Promote Economic Growth and Vibrancy**

A 2017 report found a correlation with lower crime rates and higher economic indicators in counties with sanctuary policies that prevent local law enforcement officers from honoring ICE detainees.<sup>10</sup> The analysis revealed that compared to non-sanctuary counties, these sanctuary counties had better economic outcomes:

- **Median household income is higher.** On average, median household income is \$4,353 higher in the non-detainer counties than in counties that honor detainees. This outcome is not driven by income gains among Latinos at the expense of white residents or African Americans. In fact, among white residents, median household income is \$2,836 higher in the non-detainer counties.<sup>11</sup>
- **Poverty is lower.** The poverty rate is 2.3 percent lower in non-detainer counties. The rate of poverty among white residents is 1.4 percent lower in non-detainer counties.<sup>12</sup>
- **Reliance on public assistance is lower.** The percentage of households receiving Supplemental Nutrition Assistance Program (SNAP) benefits (formerly known as food stamps) is 2.6 percent lower in non-detainer counties. The share of children under 18 who receive public assistance is 4.9 percent lower in non-detainer counties.<sup>13</sup>
- **Labor-force participation is higher.** On average, the labor-force participation rate (the proportion of the population 16 years and older that is working or actively looking for a

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<sup>8</sup> See David K. Hausman, “Sanctuary policies reduce deportations without increasing crime,” Proceedings of the National Academy of Sciences 117 no. 44, 27,262-67, November 3, 2020, <https://www.pnas.org/content/117/44/27262>.

<sup>9</sup> Ibid.

<sup>10</sup> Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, Center for American Progress, January 26, 2017, 6, <https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>.

<sup>11</sup> Ibid., 7.

<sup>12</sup> Ibid., 8.

<sup>13</sup> Ibid.

job) is 2.5 percent higher in non-detainer counties. Labor-force participation among white residents is also 2.5 percent higher in non-detainer counties.<sup>14</sup>

- **Employment-to-population ratio is higher.** The employment-to-population ratio is the number of people 16 years and older who are employed, divided by the total number of people 16 years and older. The employment-to-population ratio is 3.1 percent higher in non-detainer counties. The white employment-to-population ratio is 3.2 percent higher in non-detainer counties.<sup>15</sup>
- **Unemployment is lower.** The unemployment rate is 1.1 percent lower in non-detainer counties. The white unemployment rate is 0.8 percent lower.<sup>16</sup> Similarly, a 2016 study found no association between unemployment rates and policing practices.<sup>17</sup>

In other words, sanctuary jurisdictions that refuse to honor ICE detainers and work closely with federal immigration enforcement experience significant better economic and labor force participation outcomes.

### **Sanctuary Policies Are Protected by The U.S. Constitution**

For all the reasons discussed above, sanctuary policies are effective and pragmatic choices for localities. And they are also legal. The Tenth Amendment of the U.S. Constitution protects state and local governments from being compelled to enforce federal regulatory programs. The Supreme Court has repeatedly affirmed that the federal government cannot commandeer local law enforcement to carry out federal mandates.<sup>18</sup> Similarly, multiple federal courts have blocked attempts by the Department of Justice to impose immigration-related conditions on federal crime-related grants to sanctuary jurisdictions, finding such actions to be unlawful.<sup>19</sup>

### **The Economic and Social Contributions of Immigrants in Denver, Chicago, New York, and Boston**

As this committee considers the benefits and pragmatic reasons for localities to adopt “sanctuary policies,” it should also consider the rich contributions immigrants make in many localities around the country. Sanctuary policies ensure that immigrants can continue to contribute to their cities and communities.

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<sup>14</sup> Ibid., 8-9.

<sup>15</sup> Ibid., 9.

<sup>16</sup> Ibid., 10.

<sup>17</sup> Doris Marie Provine, Monica W. Varsanyi, Paul G. Lewis, and Scott H. Decker, *Policing Immigrants: Local Law Enforcement on the Front Lines* (Chicago, IL: The University of Chicago Press, 2016), 76.

<sup>18</sup> See Kate M. Manuel, Congressional Research Service, “Immigration Detainers: Legal Issues,” May 7, 2015), <https://fas.org/sgp/crs/homesecc/R42690.pdf>; *Printz v. United States*, 521 U.S. 898, 926 (1997) (quoting *New York v. United States*, 505 U.S. 144, 188 (1992)) (“The federal government . . . may not compel the States to enact or administer a federal regulatory program.”).

<sup>19</sup> See Hillel R. Smith, Congressional Research Service, “Immigration Detainers: Background and Recent Legal Developments,” October 9, 2020, <https://crsreports.congress.gov/product/pdf/LSB/LSB10375/2>.

Immigrants are a driving force in our nation’s economy, contributing billions in taxes, starting businesses, and filling critical labor shortages across industries. In 2023 alone, the American Immigration Council, through its Map the Impact tool,<sup>20</sup> estimates that immigrants paid a total of \$651.9 billion in federal, state, and local taxes and had \$1.7 trillion in spending power.<sup>21</sup> In cities like Boston, Denver, Chicago, and New York, which are the focus of [this hearing](#), immigrants have long been essential to local economic vitality and cultural richness.

- The **Boston Metro Area** is home to nearly 940,000 immigrants.<sup>22</sup> Boston benefits from a thriving immigrant workforce in key industries such as transportation, hospitality, manufacturing, and general services. Immigrant entrepreneurs are nearly 23% more likely than U.S.-born residents to open a business in the city, contributing to job creation and economic resilience. Additionally, immigrants have over \$30.8 billion in spending power annually.
- Immigrants in the **Chicago Metro Area** account for 17.5% of the area’s population.<sup>23</sup> They are more likely to be working-age than their U.S.-born counterparts and contribute over \$20.6 billion in federal, state, and local taxes annually. The city, alongside Cook County and the State of Illinois, have implemented inclusive policies that recognize the importance of foreign-born workers, students, and entrepreneurs in sustaining a diverse and innovative economy.
- **Denver Metro Area’s** immigrant population plays a key role in sectors such as construction, hospitality, and manufacturing.<sup>24</sup> About 12% of Denver area residents is an immigrant, and foreign-born workers contribute approximately \$3.9 billion in federal, state and local taxes each year. In 2019, immigrants had a total spending power of \$10.5 billion. Policies that foster inclusion strengthen Denver’s workforce and economic growth.
- With nearly 6 million foreign-born residents, the **New York City Metro Area** is a prime example of how immigration fuels prosperity.<sup>25</sup> Immigrants make up nearly 30% of the area’s population, and immigrant-owned businesses generate billions in revenue annually. In 2019, immigrants contributed \$84.5 billion in taxes and had a combined household income of \$267.1 billion. Policies protecting immigrant communities ensure that the economic and social contributions of these residents continue to strengthen the city.

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<sup>20</sup> American Immigration Council, “Map The Impact,” <https://data.americanimmigrationcouncil.org/map-the-impact/> (interactive map to get comprehensive federal, state and local immigration data).

<sup>21</sup> Based on a 2023 assessment of the American Community Survey. *See* American Immigration Council, “Immigrants in the United States,” accessed March 3, 2025, <https://map.americanimmigrationcouncil.org/locations/national/>.

<sup>22</sup> Based on a 2019 assessment of the American Community Survey. *See* American Immigration Council, “Boston Metro Area,” accessed March 3, 2025, <https://www.newamericaneconomy.org/city/boston/>.

<sup>23</sup> Based on a 2019 assessment of the American Community Survey. *See* American Immigration Council, “Chicago Metro Area,” accessed March 3, 2025, <https://www.newamericaneconomy.org/city/chicago/>.

<sup>24</sup> Based on a 2019 assessment of the American Community Survey. *See* American Immigration Council, “Denver Metro Area,” accessed March 3, 2025, <https://www.newamericaneconomy.org/city/denver/>.

<sup>25</sup> Based on a 2019 assessment of the American Community Survey. *See* American Immigration Council, “New York Metro Area,” accessed March 3, 2025, <https://www.newamericaneconomy.org/city/new-york/>.

## **Conclusion**

Boston, Denver, Chicago, and New York exemplify how sanctuary policies help cities thrive economically and socially while upholding public safety. Immigrants contribute immensely to these communities, and policies that support their inclusion lead to more prosperous cities. When these cities make the best decisions for their communities in terms of safety, economic growth, and costs, they are stronger.

The Council urges this committee to recognize the critical role that sanctuary policies play in upholding the values of safety, economic opportunity, and community trust. Policies that attack these cities do not serve the public interest; rather, they jeopardize economic stability and public safety for all.

Thank you for your time and consideration.

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