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FAIR is a nonprofit public interest organization working to end illegal immigration and to set levels of legal immigration that are consistent with the national interest.



February 23, 2020

The Honorable William Smith, Jr., Chairman
Judiciary Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

Dear Chairman Smith and other distinguished members of the Committee,

My name is Shari Rendall and I am the Director of State and Local Engagement at the Federation for American Immigration Reform (FAIR). FAIR is an non-profit, non-partisan organization of concerned individuals who believe that our immigration law must be reformed to serve our nation's interests.

FAIR advocates for immigration policies that reduce the harmful impact of illegal immigration on national security, public safety, the economy, jobs, education, healthcare and the environment.

Founded in 1979, FAIR has two million members and supporters nationwide including approximately 12,300 in Maryland. On behalf of our members and supporters, I am writing to express FAIR's strong opposition to Senate Bill (SB) 850. FAIR opposes the reckless lawlessness of sanctuary policies like those imposed by this bill.

Sanctuary policies place a greater emphasis on the welfare of illegal aliens than the well-being and safety of citizens and legal immigrants in their own communities by impeding the enforcement of federal immigration laws and blocking free communication between state and local officials and federal immigration officials.

SB 850 expresses that state and local officials should have no involvement in immigration enforcement or detention matters. In practical terms, this bill would not only forbid local sheriffs from cooperating with federal agents in enforcing immigration laws, but more importantly, would prevent them from alerting U.S. Immigration and Customs Enforcement if they become aware of the fact that a suspected criminal in custody at the local jail might also be in this country illegally and thus removable by law. Instead of handing these convicted criminals over to ICE for removal, they are simply released back onto our streets, many to recommit more crimes.

California's sanctuary policies have led to more crimes and more innocent victims. In the last two years, the Orange County sheriffs office has released



more than 1,500 aliens with ICE detainers back onto the streets. More than 400 of those aliens have already been rearrested with charges including rape, assault with a deadly weapon, child sex offenses, domestic violence and driving under the influence. Every single one of those crimes was preventable because none of those criminals should have still been in the U.S. State and local officials cooperate with the federal law enforcement in every aspect, such as gun control and drug laws, and immigration enforcement should not be an exception.

Moreover, SB 850 conflicts with federal law. Specifically, 8 U.S.C. §1357(g)(10) states that a formal agreement with the federal government is *not* necessary for any officer or employee of a state or local agency to communicate with the Attorney General regarding the immigration status of any individual, including reporting knowledge that a particular alien is not lawfully present in the United States or to cooperate with the Attorney General in the identification, apprehension, *detention*, or removal of aliens not lawfully present in the United States.

Further, sanctuary policies, like SB 850 deny ICE critical assistance to enable it to accomplish its statutorily mandated mission to identify and ultimately remove illegal aliens who are currently in state or local custody. ICE has just 20,000 employees, only half of whom are dedicated to the apprehension and removal of illegal aliens. The cooperation of state and local law enforcement, which number about 900,000 strong, is vital to ferreting out those among us who are here illegally and who wish to cause us harm. At least five of the 9/11 hijackers were illegal aliens, four of whom came into contact with state and local law enforcement several times before the attacks, in some cases just days prior to the attack.¹ If those state and local law enforcement officers had worked with federal immigration officials, the 9/11 terrorist plot might have been thwarted.

Sanctuary policies tell individuals that despite violating federal laws, law enforcement and other government officials will ignore them. Just because the regulation of immigration is a federal issue, does not mean that state and local law enforcement agencies must overlook immigration violations that harm their communities.

To the contrary, the cost of illegal immigration disproportionately affects state and local governments, giving them even more incentive to cooperate with federal officials.

To ensure the safety of our communities, state and local law enforcement and governments should be encouraged—not discouraged—from cooperating with federal immigration authorities. For these reasons, FAIR opposes SB 850.

¹¹ CNN, "Another Hijacker Was Stopped for Traffic Violation, January 9, 2002

I thank you for the opportunity to provide my input. Please do not hesitate to reach out to me, if I may be of assistance. I may be reached by email at srendall@fairus.org or by phone at 202-328-7004.

Sincerely,

A handwritten signature in black ink that reads "Shari Rendall". The script is fluid and cursive, with the first letter of "Shari" being a large, stylized capital 'S'.

Shari Rendall