



May 9, 2012

Re: ACLU Recommends Voting NO on Rep. Walsh's Amendment No. 18 to
H.R. 5326

AMERICAN CIVIL
LIBERTIES UNION
WASHINGTON
LEGISLATIVE OFFICE
915 15th STREET, NW, 6TH FL
WASHINGTON, DC 20005
T/202.544.1681
F/202.546.0738
WWW.ACLU.ORG

LAURA W. MURPHY
DIRECTOR

NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500

OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

ROBERT REMAR
TREASURER

Good Afternoon,

On behalf of the American Civil Liberties Union, please find below our vote recommendation for today's anticipated vote on Rep. Joe Walsh's (R-IL) amendment No. 18 to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act 2013. A recorded vote on this amendment is anticipated on the House floor today.

Please call Joanne Lin, ACLU Legislative Counsel (202/675-2317) with any questions.

Regards,

Laura W. Murphy
Director, Washington Legislative Office

Joanne Lin
Legislative Counsel

ACLU Vote Recommendation for Representative Walsh’s Amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act 2013

Representative Joe Walsh (R-IL-8) has filed an amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act 2013 to prohibit federal funding under the State Criminal Alien Assistance Program for state and local governments that “violate” 8 U.S.C. section 1373 by preventing communication with federal authorities on immigration status.

The American Civil Liberties Union recommends a NO vote on the Walsh amendment.

Vote NO on the Walsh amendment because it purports to address a “sanctuary” problem that doesn’t exist.

•Some localities have passed laws and policies—often labeled “sanctuary” laws—that limit the role their law enforcement officers play in enforcing federal immigration law, for the benefit of community policing and reducing crime. These laws and policies address communication between police and residents, *not* communication between police and federal authorities, which continues uninhibited. A 2007 Department of Justice audit of such laws found that, “in each instance [where cities have such policies], the local policy either did not preclude cooperation with ICE or else included a statement to the effect that those agencies and officers must assist ICE or share information with ICE as required by federal law.” That year DHS Secretary Michael Chertoff testified before Congress: “I’m not aware of any city . . . that actually interferes with our ability to enforce the law.”

Vote NO on the Walsh amendment because it attacks state and local efforts to promote public safety.

•Far from being “sanctuary cities,” these jurisdictions have enacted carefully considered local policing policies based on what works best to promote public safety, without interfering with federal immigration enforcement. They prioritize budgetary and law enforcement resources according to community needs, *while still permitting federal immigration enforcement to take place.*

Vote NO on the Walsh amendment because it conflicts with expert law enforcement opinions while hurting victims and witnesses of crime.

•Law enforcement leaders across the country, including the Major Cities Chiefs Police Association, have said they need to have the trust and confidence of all residents in our communities in order to fight crime and protect the public (the number one priority of state and local police). That principle is the cornerstone of community policing. Victims and witnesses won’t come forward if they fear that police officers will act as immigration agents.

Vote NO on the Walsh amendment because it is unnecessary to federal immigration enforcement.

•No federal law requires state and local police departments to enforce federal immigration law. State and local laws requiring police to enforce federal immigration law interfere with federal immigration priorities, undermine a uniform immigration policy, and encourage the racial profiling of Latinos, Asians, and all others who appear “foreign.” Requiring local police to

enforce federal immigration law, as the Walsh amendment would promote, is to commandeer the ability of states and localities to carry out their job of community policing and to interfere without justification in matters of local concern.

For more information, please contact Joanne Lin, ACLU Legislative Counsel, at 202/675-2317 or jlin@aclu.org