

Barr announces sweeping new sanctions, ‘significant escalation’ against left-wing sanctuary cities

Charging that so-called “sanctuary” cities that protect illegal immigrants are jeopardizing domestic security, Attorney General Bill Barr announced a slew of additional sanctions that he called a “significant escalation” against left-wing local and state governments that obstruct the “lawful functioning of our nation’s immigration system.”

Speaking at the National Sheriff’s Association 2020 Winter Legislative and Technology Conference in Washington, D.C., Barr said the Justice Department would immediately file multiple lawsuits against sanctuary jurisdictions for unconstitutionally interfering with federal immigration enforcement, and implement unprecedented national reviews of left-wing sanctuary governments and prosecutors.

“Let us state the reality upfront and as clearly as possible,” Barr began. “When we are talking about sanctuary cities, we are talking about policies that are designed to allow criminal aliens to escape. These policies are not about people who came to our country illegally but have otherwise been peaceful and productive members of society. Their express purpose is to shelter aliens whom local law enforcement has already arrested for other crimes. This is neither lawful nor sensible.”

The DOJ has now filed a federal complaint against the State of New Jersey seeking declaratory and injunctive relief “against its laws that forbid state and local law enforcement from sharing vital information about criminal aliens with DHS,” Barr said.

That was a reference to New Jersey Attorney General Law Enforcement Directive 2018-6, which the DOJ says illegally bars officials from sharing the immigration status and release dates of individuals in custody. It also requires New Jersey law enforcement to “promptly notify a detained individual, in writing and in a language the individual can understand” if Immigration and Customs Enforcement (ICE) files an immigration detainer request for the individual.

Additionally, “we are filing a complaint seeking declaratory and injunctive relief against King County, Washington, for the policy ... that forbids DHS from deporting aliens from the United States using King County International Airport,” Barr said.

That lawsuit targets King County Executive Order PFC-7-1-EO, which the DOJ said has dramatically increased operating costs for ICE as detainees have had to be transported to Yakima, Washington. The executive order unconstitutionally conflicts with the federal Airline Deregulation Act, which “prohibits localities such as King County from enacting or enforcing laws or regulations that relate to prices, routes, or services of air carriers,” the DOJ said.

NEW YORK ATTORNEY GENERAL SUES DHS OVER GLOBAL ENTRY ENROLLMENT BAN

“Further, we are reviewing the practices, policies, and laws of other jurisdictions across the country. This includes assessing whether jurisdictions are complying with our criminal laws, in particular the criminal statute that prohibits the harboring or shielding of aliens in the United States,” Barr added, noting that the DOJ would support DHS with “federal subpoenas to access information about criminal aliens in the custody of uncooperative jurisdictions.”

And, Barr said, “we are meticulously reviewing the actions of certain district attorneys who have adopted policies of charging foreign nationals with lesser offenses for the express purpose of avoiding the federal immigration consequences of those nationals’ criminal conduct. In pursuing their personal ambitions and misguided notions of equal justice, these district attorneys are systematically violating the rule of law and may even be unlawfully discriminating against American citizens.”

Prosecutors in New York and California have changed their policies so that prosecutors explicitly consider so-called “collateral consequences,” including deportation, before pursuing certain charges.

Sanctuary cities, Barr said, are defined as those with policies that allow “criminal aliens to escape” federal law enforcement — and some jurisdictions are becoming “more aggressive” in undermining immigration authorities, with local politicians even developing “schemes” to circumvent immigration officials.

In 2018, Oakland Mayor Libby Schaaf blew the whistle on an imminent raid by federal immigration authorities, tweeting out a warning to illegal immigrants in advance and helping them hide.

As the president did during last week's State of the Union address, the attorney general cited several instances in which illegal immigrants were able to commit deadly crimes because they were sheltered by left-wing sanctuaries.

READ BARR'S FULL REMARKS HERE

"In November, ICE filed a detainer for an alien who was arrested for assaulting his own father," Barr said. "The local police in New York City that had the alien in custody ignored the detainer. So the alien was released onto the streets, and last month, he allegedly raped and killed 92-year-old Maria Fuertes, affectionately known as 'abuelita,' a fixture of her Queens neighborhood."

In October 2017, DHS "identified a convicted criminal alien with four prior removals at a city jail in Washington State," Barr continued. "DHS filed a detainer. Subsequently, the alien fought with jail staff and was taken to a local medical center for treatment. But after receiving treatment, local officials released the alien in violation of the detainer. In January 2018, the alien was arrested and booked for murdering and dismembering his cousin."

While the Constitution entrusts the police power to the states and does not require states to affirmatively assist federal authorities in implementing and enforcing immigration law, Barr said, it does clearly prohibit the states from actively sabotaging federal immigration officials.

"The Founding Fathers carefully divided responsibility and power between the federal government and the state governments," Barr said. The 'Supremacy Clause' in Article VI of the Constitution provides that the 'Constitution, and the laws of the United States which shall be made in pursuance thereof... shall be the supreme law of the land.'"

He added: "This Clause is a vital part of our constitutional order. Enforcing a country's immigration laws is an essential function of the national government. And no national government can enforce those laws properly if state and local governments are getting in the way. While federal law does not require that 'sanctuary jurisdictions' actively assist with federal immigration enforcement, it

does prohibit them from interfering with our enforcement efforts.”



FILE - In this June 26, 2017, file photo, protesters outside the federal courthouse in San Antonio, Texas, take part in a rally to oppose a new Texas “sanctuary cities” bill that aligns with the president’s tougher stance on illegal immigration. A federal appeals court gave Texas more latitude Monday, Sept. 25, 2017, to enforce a “sanctuary cities” ban backed by the Trump administration, but opponents suing over the immigration crackdown said it was unlikely to drastically change the status quo. (AP Photo/Eric Gay, File) (Copyright 2017 The Associated Press. All rights reserved.)

Barr emphasized that there is no way to determine how many “criminal aliens” are in the U.S., in part because of “local policies,” although recent estimates under the Obama administration put the number as high as 2 million.

“Assuming that estimate was accurate, the numbers are likely even higher today despite the Trump Administration’s consistent and concerted efforts to find and deport this criminal population,” Barr said.

It is the “rule of law that is fundamental to ensuring both freedom and security,” Barr asserted, saying law enforcement officers are increasingly under fire in “heinous” attacks that “come against the backdrop of cynicism and disrespect for law enforcement.”

Barr touted the DOJ's lawsuit against California and other states over their sanctuary policies. The suit over California involves the law prohibiting the federal government from conducting operations in its own affiliated private immigration facilities and detention centers.

The law, Barr said, was a "blatant attempt by the State to prohibit DHS from detaining aliens, and to interfere with the ability of the Bureau of Prisons and the U.S. Marshals Service to manage federal detainees and prisoners."

"Today is a significant escalation in the federal government's efforts to confront the resistance of 'sanctuary cities.'"

— Attorney General Bill Barr

"The department sued the State of California to enjoin numerous state laws that attempted to frustrate federal immigration enforcement," Barr said. "We prevailed on several of our claims in the lower courts, and we are hopeful that the Supreme Court will grant our request to review the remaining issues and side with us against California's obstructionist policies."

He concluded, "Today is a significant escalation in the federal government's efforts to confront the resistance of 'sanctuary cities.' But by no means do the efforts outlined above signify the culmination of our fight to ensure the rule of law, to defend the Constitution, and to keep Americans safe. We will consider taking action against any jurisdiction that, or any politician who, unlawfully obstructs the federal enforcement of immigration law."

Barr's new sanctions come as the Trump administration has already announced other initiatives targeting illegal immigration in the wake of the president's State of the Union address last week.

Last week, Acting Homeland Security Secretary Chad Wolf exclusively told Fox News' "Tucker Carlson Tonight" that DHS was immediately suspending enrollment in Global Entry and several other Trusted Traveler Programs (TTP) for all New York state residents — a dramatic move in response to the liberal state's recently enacted sanctuary "Green Light Law."

Barr slammed the law in his speech Monday, calling it "unlawful."

Customs and Border Protection (CBP) Assistant Commissioner, Office of Field Operations Todd Owen later told Fox News that up to 800,000 New Yorkers could be affected by the rule change within the next five years. Owen said people with pending Global Entry applications would be refunded, and that those with active applications would not be affected until their renewal date.

Illegal immigrants rushed to New York Department of Motor Vehicles (DMVs) in large numbers after the “Green Light Law,” which allowed them to obtain driver’s licenses or learner’s permits regardless of their immigration status, took effect last December. The law also permitted applicants to use foreign documents, including passports, to be submitted in order to obtain licenses.

In a letter to top New York state officials obtained exclusively by Fox News, Wolf noted that the New York law prohibited DMV agencies across the state from sharing criminal records with Customs and Border Protection (CBP) and ICE.

WATCH WOLF’S INTERVIEW WITH ‘TUCKER’

“In New York alone, last year ICE arrested 149 child predators, identified or rescued 105 victims of exploitation and human trafficking, arrested 230 gang members, and seized 6,487 pounds of illegal narcotics, including fentanyl and opioids,” Wolf wrote to New York officials. “In the vast majority of these cases, ICE relied on New York DMV records to fulfill its mission.”

The “Green Light Law,” Wolf went on, “compromises CBP’s ability to confirm whether an individual applying for TTP membership meets program eligibility requirements.”

“This Act and the corresponding lack of security cooperation from the New York DMV requires DHS to take immediate action to ensure DHS’ s efforts to protect the Homeland are not compromised,” he said.

Fox News’ Jake Gibson contributed to this report.

Source: <https://www.foxnews.com/politics/barr-announces-new-sanctuary-policies>
[Disclaimer]