



Immigrant Legal Resource Center  
Statement for the Record for  
House Judiciary Committee Hearing: “The Biden-Harris Border Crisis: Victim Perspectives”  
September 10, 2024

Introduction

The Immigrant Legal Resource Center (ILRC) is a national nonprofit organization dedicated to promoting the rights of all immigrants. The mission of the Immigrant Legal Resource Center (ILRC) is to work with and educate immigrants, community organizations, and the legal sector to continue to build a democratic society that values diversity and the rights of all people. With over 60 staff in California, Texas and Washington, DC, the ILRC engages in community education, technical assistance, capacity building and communications strategy with grassroots partners across the country. Our work takes us to big cities and small towns across the United States where immigrants have helped build and strengthen communities.

The ILRC is committed to combating the harmful rhetoric that scapegoats immigrants and instead supports immigrant communities in uplifting their dignity and humanity. Opportunistic anti-immigrant forces have exploited tragic incidents to weave a false narrative that immigrants present a threat to safety. When incidents of harm occur, our political leaders should decline to attribute the tragic actions of a few individuals to an entire category of people. Tragedies should not be used for political gain and should not be used to demonize immigrants.

The ILRC has focused on developing deep expertise at the intersection of the criminal legal system and the immigration system and understands the enduring harm created by this system of two-tiered punishments for immigrants. Immigrants who come into contact with the criminal legal system face harsh and cruel consequences targeting vulnerable populations and communities of color. In addition to these penalties, immigrants also face the loss of immigration status, being incarcerated in immigration detention, and even deportation. Conduct such as possession of marijuana or jumping a turnstile could mean being incarcerated in an immigration detention center and being deported to their country of birth. These consequences have torn immigrant families apart for decades and the ILRC is committed to ending the entanglement between the criminal legal system and the immigration system.

Sanctuary policies are important measures to protect vulnerable populations who suffer the harshest consequences of racist policing policies

We work with partners to uphold community strengthening policies such as sanctuary policies. Sanctuary policies take many forms in different jurisdictions, but broadly act to limit the participation of state or local agencies with detention and deportation. We have developed crucial resources that bolster the studies showing the importance of sanctuary policies in building stability in communities across the country<sup>1</sup>.

In response to the sanctuary movement we have also seen a proliferation of anti-sanctuary laws and the 287(g) program. These anti-sanctuary laws and 287(g) programs have been enacted in many jurisdictions where local law enforcement agencies are deputized to engage in immigration enforcement. Anti-sanctuary laws are anti-immigrant: some prohibit local governments from enacting sanctuary policies, and some mandate specific assistance to Immigration and Customs Enforcement (ICE).

Sanctuary policies have increasingly become a political battle between those who seek to protect the rights of immigrants and those who oppose them. Conservative rhetoric has asserted time and time again that immigrants who arrive in the United States without authorization are responsible for crime without any basis for these attacks. Studies have shown that undocumented immigrants do not contribute to any increases in crime.<sup>2</sup> The factors that drive increases in crime are extremely complex. When we look at recent increases in crime it is important to consider factors such as the pandemic and the extreme economic turmoil and need that remains as a result as well as the prevalence of gun violence.<sup>3</sup> Conservative efforts to draw a direct link between asylum-seekers and increases in violent crime are simply unsupported by facts and data.

Sanctuary policies have also been the frequent subject of attack from politicians seeking to exploit tragedies to encourage local police and sheriffs offices to engage in more cooperation with the Department of Homeland Security. Jurisdictions with sanctuary policies do not have an increase in crime when compared with jurisdictions without these policies.<sup>4</sup> Exploiting tragedies to blame immigrants for an increase in crime is an old tactic that has been revived to stoke fear in the public.<sup>5</sup> Narratives connecting immigrants with criminality have been advanced by white supremacists throughout the history of the United States. In fact, as far back as 1931, a report from the National Commission on Law Enforcement acknowledged that throughout the history

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<sup>1</sup> Immigrant Legal Resource Center, *State Map on Immigration Enforcement*, <https://www.ilrc.org/state-map-immigration-enforcement#:~:text=Sanctuary%20policies%20take%20many%20forms.mandate%20specific%20assistance%20to%20ICE>.

<sup>2</sup> [DOES UNDOCUMENTED IMMIGRATION INCREASE VIOLENT CRIME?\\* - LIGHT - 2018 - Criminology - Wiley Online Library](#)

<sup>3</sup> [Myths and Realities: Understanding Recent Trends in Violent Crime | Brennan Center for Justice](#)

<sup>4</sup> O'Brien, B. G., Collingwood, L., & El-Khatib, S. O. (2019). *The Politics of Refuge: Sanctuary Cities, Crime, and Undocumented Immigration*. *Urban Affairs Review*, 55(1), 3-40. <https://doi.org/10.1177/1078087417704974ps://journals.sagepub.com/doi/epub/10.1177/1078087417704974>

<sup>5</sup> Holly Ventura Miller, *On the History of Immigration and Crime*, [https://www.researchgate.net/publication/317833354\\_On\\_the\\_History\\_of\\_Immigration\\_and\\_Crime](https://www.researchgate.net/publication/317833354_On_the_History_of_Immigration_and_Crime)

of the United States as new groups of immigrants have arrived they have been blamed for crime and accused of presenting a threat to safety<sup>6</sup>.

Sanctuary policies have allowed immigrants to be integrated into communities and sanctuary jurisdictions across the country are thriving. Global Refuge reports that sanctuary jurisdictions enjoy lower rates of crime, higher household incomes, and lower rates of poverty<sup>7</sup>. Sanctuary policies contribute to thriving and safer communities across the United States. Across a variety of indicators, an analysis of sanctuary policies demonstrates clearly that jurisdictions with strong sanctuary policies enjoy the benefits of immigrant community members engagement in the local community<sup>8</sup>.

### Conclusion

The ILRC will continue to defend sanctuary policies across the country and encourage more jurisdictions to adopt them. The rhetoric blaming arriving asylum seekers and immigrants for violent crime are tired, steeped in racial animus and not supported by data.

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<sup>6</sup> National Commission on Law Observance and Enforcement, *Report on Crime and the Foreign Born*, <https://www.ojp.gov/pdffiles1/Digitization/44548NCJRS.pdf>

<sup>7</sup> Global Refuge, [What are Sanctuary Cities and Why do they Exist? | Global Refuge](#).

<sup>8</sup> [The Effects of Sanctuary Policies on Crime and the Economy - Center for American Progress](#)