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Contact: Miriam Krinsky at [krinskym@krinsky.la](mailto:krinskym@krinsky.la) or (818) 416-5218  
Tanya Weinberg at [tanya.weinberg@georgetown.edu](mailto:tanya.weinberg@georgetown.edu) or (202) 577-7827.

## **35 Prominent Prosecutors and Police Say Justice Department's Anti-Sanctuary Cities Stance Endangers Communities**

*In new filing in Calif. lawsuit, local law enforcement leaders across the country say the Justice Department is coercing them to prioritize immigration enforcement over public safety*

**Nearly three dozen prominent current and former prosecutors and law enforcement leaders** – including district attorneys, sheriffs and police chiefs from **23 jurisdictions** representing **nearly 30 million people** around the nation – are challenging a Trump administration requirement they say endangers communities by threatening to entangle local policing with federal immigration enforcement.

In a [brief](#) filed today in the federal District Court for the Northern District of California, the law enforcement and prosecution leaders urge the Court to block the Department of Justice from requiring jurisdictions to abandon local policies designed to build trust with immigrant communities in order to receive essential federal funds that support local law enforcement initiatives.

“The criminal justice system functions best when we work with all members of our community in a process predicated on cooperation and trust,” said **Denver District Attorney Beth McCann**. “All of us will lose if federal funding for important local law enforcement initiatives is tied to conditions that would require jurisdictions to prioritize civil immigration enforcement over promoting public safety and protecting the confidentiality of victims and witnesses.”

**Seventeen current prosecutor leaders** from diverse parts of the nation and a wide range of jurisdictions signed onto the brief, including **District Attorneys Diana Becton** (Contra Costa, Calif.), **Sherry Boston** (Atlanta, Ga.), **Mark Dupree** (Kansas City, Kan.), **Stan Garnett** (Boulder, Colo.), **George Gascón** (San Francisco, Calif.), **Sim Gill** (Salt Lake County, Utah), **Eric Gonzalez** (Brooklyn, N.Y.), **Mark Gonzalez** (Corpus Christi, Texas), **John Hummel**

(Bend, Ore.), **Beth McCann** (Denver, Colo.), and **Cy Vance** (Manhattan, N.Y.); **District Attorney-Elect Larry Krasner** (Philadelphia, Penn.); **State’s Attorneys Kim Foxx** (Cook County, Illinois.) and **Marilyn Mosby** (Baltimore, Md.); **State Attorney Andrew Warren** (Tampa, Fla.); and **Prosecuting Attorneys Dan Satterberg** (Seattle, Wash.) and **Carol Siemon** (Lansing, Mich.). These elected prosecutors were joined by **fourteen law enforcement leaders** including **Police Chiefs Charlie Beck** (Los Angeles, Calif.), **Chris Magnus** (Tucson, Arizona), **Celestino Rivera** (Lorain, Ohio), and **Kathleen O’Toole** (Seattle, Wash.), **Sheriffs Jerry Clayton** (Ann Arbor, Mich.), **Bill McCarthy** (Des Moines, Iowa), **Joseph Pelle** (Boulder, Colo.), **John Urquhart** (King County, Wash.) and **Lupe Valdez** (Dallas County, Texas), as well as **former Police Chiefs Chris Burbank** (Salt Lake City, Utah), **William Lansdowne** (San Diego, San Jose, and Richmond, Calif) and **Brendan Cox** (Albany, N.Y.), **former Superintendent Ronal Serpas** (New Orleans Police Dept.) and **former Sheriff Michael Haley** (Washoe County, Nevada). Other signatories on the brief include **Roy L. Austin** (former Deputy Assistant to the President for Urban Affairs, Justice and Opportunity, White House Domestic Policy Council), **Chiraag Bains** (former Senior Counsel to the Assistant Attorney General, Civil Rights Division, U.S. Department of Justice), criminal justice nonprofit **Law Enforcement Action Partnership**, and **Miriam Aroni Krinsky** (former federal prosecutor and Executive Director, Fair and Just Prosecution).

These prominent elected prosecutors and law enforcement officials came together to add the perspective of leaders charged with protecting public safety in a friend of the court (amicus) brief supporting the State of California’s lawsuit against the Justice Department.

California seeks to block the Justice Department from placing harmful and unnecessary conditions on federal grant money to local law enforcement disbursed through the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) and Community Oriented Policing Services (COPS) programs. This funding supports vitally important law enforcement, prosecution, corrections, courts, crime prevention and education, drug and mental health treatment, and victim-witness initiatives.

As a condition of receiving the grants, the Justice Department is demanding that jurisdictions abandon policies aimed at cultivating trust and cooperation with immigrant communities. Such policies include offering transparency about local law enforcement involvement with federal immigration authorities, prohibiting inquiries into immigration status, and protecting the confidentiality of victims and witnesses.

The **brief** argues that public safety, sound police work, and successful prosecution depend on community trust and cooperation, which are undermined when undocumented immigrants fear that interacting with police and the criminal justice system could lead to deportation.

“It is well settled that successful policing is dependent on strong bonds of community trust,” said **Polk County, Iowa Sheriff Bill McCarthy**. “Entangling local law enforcement in immigration enforcement hinders our ability to keep our communities safe.”

The brief warns the Justice Department's conditions would result in more unchecked crime against undocumented immigrants as well as discourage them from cooperating as witnesses in criminal investigations. The brief says that recent crime reporting statistics in major cities bear out these concerns. Houston, for example, has seen a 40 percent drop in rape reports among Hispanics since early 2016, and both San Francisco and San Diego have witnessed declining reports of both rape and domestic violence this year – but only among Hispanics.

“We have already seen evidence over the past few months of a reluctance by immigrant communities to report crimes and cooperate with law enforcement and prosecutors based on a fear of deportation,” noted **Miriam Krinsky**, one of the brief's signatories and the **executive director of Fair and Just Prosecution**. “It is encouraging to see prosecutors and law enforcement leaders from around the nation standing together and speaking out definitively about their grave concerns with federal policies that threaten to deepen the divide between law enforcement and the immigrant communities they are entrusted to protect.”

The amicus brief was authored by the Chicago Law Firm of [Hughes Socol Piers Resnick & Dym, Ltd.](#), in conjunction with [Georgetown Law's Institute for Constitutional Advocacy and Protection](#) (ICAP). [Fair and Just Prosecution](#), a national network of newly elected prosecutors committed to change and innovation, coordinated the amicus effort. In August, the same organizations coordinated [an amicus brief on behalf of prosecutors and law enforcement leaders in a similar lawsuit filed by the city of Chicago against the Justice Department](#).

“The prosecutors and other law enforcement officials who've put their names to today's brief are standing up for a critical understanding of how we actually keep our communities safe – by forging trust between those communities and the law enforcement officers who serve them. That trust is essential to ensuring that crimes are promptly reported, effectively investigated, and ultimately prosecuted,” said **Joshua Geltzer**, **ICAP's executive director and visiting professor at Georgetown Law**. “These experienced public servants are stepping forward to counter a politically driven narrative about what keeps us safe with an understanding informed by genuine, on-the-ground experience.”

The new amicus brief is available [here](#).

**For additional questions, or to speak with Amici, please contact Miriam Krinsky at [krinskym@krinsky.la](mailto:krinskym@krinsky.la) or 818-416-5218 or Tanya Weinberg at [Tanya.Weinberg@georgetown.edu](mailto:Tanya.Weinberg@georgetown.edu) or 202-577-7827.**