



THE UNITED STATES CONFERENCE OF MAYORS

February 24, 2025

Dear Representatives and Senators,

We understand that you will soon be considering H.R. 32, the No Bailout for Sanctuary Cities Act, and write on behalf of America's mayors to urge you to vote against this legislation.

The bill would have a sweeping negative impact on cities and undermine the great progress that has been made in our communities over the past few years. Since the national rise in violent crime that coincided with the COVID-19 pandemic, Mayors have worked hard to support their police departments and undertake effective policing strategies to keep our communities safe. As a result, homicides and other violent crimes are down nationwide. The latest FBI statistics show that violent crime decreased by 10.3% and murder by 22.7% in the first half of 2024 when compared with 2023, and many cities have reported historic declines in homicides in 2024.

Our residents are clear that they expect their Mayors to focus community resources on combatting violent crime and keeping our neighborhoods safe. Cities have always partnered with state and federal agencies to pursue our public safety goals, and we're committed to sustained collaboration to get dangerous criminals off our streets. However, H.R. 32 would significantly impede our ability to pursue this foremost priority by diverting critical resources away from the very programs that are working to keep our communities safe. It would make many cities and states ineligible for crucial funding from federal agencies such as Justice, Transportation, Housing, Education, Homeland Security, and Health and Human Services. It would divert policing resources from ensuring community safety to enacting federal policy, and task our officers with carrying out duties they're not authorized to do, which are neither required by federal law nor legal.

While the Major Cities Chiefs Association, an organization with which the U.S. Conference of Mayors works closely, supports cooperating with DHS and ICE to enforce criminal laws and protect the public, it does not support routine, civil immigration enforcement by local police officers because:

- Enforcement of routine civil immigration by police would undermine the trust and cooperation built with immigrant communities – essential elements of community-oriented policing.
- Courts have held that the lack of legal authority to enforce Federal civil immigration statutes exposes police to liability for unlawful arrest and detention.
- Local agencies do not have adequate resources to enforce these laws.
- Immigration laws are complex and the training required to understand them significantly detracts from the core mission of local police to create safe communities.

Besides reducing public safety, H.R. 32 would punish jurisdictions for not taking actions they are not required to do and that can be illegal:

- Under The Immigration and Naturalization Act state and local officials may, but are not required to, communicate with DHS about the immigration status of any person or in the identification, apprehension, detention, or removal of people not lawfully present in the United States.
- State and local officials may not perform the functions of federal immigration officers unless they have a written agreement with DHS and such written agreements are voluntary, not required.
- Under the Tenth Amendment, courts have held that federal immigration officials may not compel state and local officials to imprison people suspected of being unlawfully present and subject to removal. Under the Fourth Amendment, when a person is detained on an immigration warrant after the reason for the initial detention ends, the detention is treated as a new seizure and, thus, must be based on a court's finding of probable cause that a crime has been committed. Immigration warrants do not meet that standard.

This is about priorities, resources, and trust. H.R. 32 would divert energy away from local priorities, create chaos in our cities, put our police departments in an untenable position, jeopardize public safety, deny our cities critically needed resources Congress has provided for them, and negatively impact our residents. For all of these reasons, we urge you to vote against H.R. 32.

Sincerely,

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