

National Hispanic Leadership Agenda

July 5, 2016

U.S. Senate
Washington, DC 20515

Re: NHLA Opposition to S. 3100, Stop Dangerous Sanctuary Cities Act and S. 2193, Kate's Law

Dear Senator:

We write on behalf of the National Hispanic Leadership Agenda (NHLA), a coalition of 40 leading national Latino nonpartisan civil rights and advocacy organizations, to strongly urge you to vote against S. 3100, Stop Dangerous Sanctuary Cities Act and S. 2193, Stop Illegal Reentry Act or Kate's Law. These bills are contrary to public safety and target much needed community resources for the sake of punishing jurisdictions that aim to strengthen the trust between immigrant communities and local law enforcement. NHLA recommends a "no" vote on S. 3100 and S. 2193, and any similar legislation, including amendments and cloture votes. **NHLA will closely monitor any votes on them for inclusion in future NHLA scorecards evaluating Member support for the Latino community.**

Such legislation to mandate that states and localities comply with Immigration and Customs Enforcement (ICE) detainer and notification requests, despite the unconstitutionality of detainer requests, is misguided and scapegoats immigrants by making sweeping and false generalizations, particularly of Latino immigrants. Numerous studies have shown that immigrants are less likely to be incarcerated than native-born Americans, less likely to commit crimes, and less likely to be repeat offenders. Detainer requests and requests to notify blur the distinction between local police and federal immigration enforcement, severely undermining community-police relations and trust.

S. 3100 would withhold critical community development funds provided under the Public Works and Economic Development Act of 1965 and Title I of the Housing and Community Development Act of 1974 to any jurisdiction determined to be a "Sanctuary Jurisdiction" under the bill. These dollars go towards addressing affordable housing shortages and supporting anti-poverty initiatives. In addition, it would turn local and state law enforcement officers into agents of the Department of Homeland Security (DHS), going so far as to provide them "all authority available to officers and employees" of DHS, and treating them as "employees" of DHS in legal proceedings where a local or state official is performing actions in compliance with a detainer request.

S. 2193 would impose increased penalties for those convicted of illegal reentry. It would also impose a mandatory sentence of at least five years imprisonment for certain offenders. At a time when America's focus should be on decreasing the use of mandatory

MEMBER ORGANIZATIONS

Alianza Americas
American G.I. Forum
ASPIRA Association
Avance Inc.
Casa de Esperanza: National Latin@ Network
Congressional Hispanic Caucus Institute
Cuban American National Council
Farmworker Justice
Hispanic Association of Colleges & Universities
Hispanic Federation
Hispanic National Bar Association
Inter-University Program for Latino Research
Labor Council for Latin American Advancement
Latino Justice PRLDEF
League of United Latin American Citizens
MANA, A National Latina Organization
Mexican American Legal Defense and Educational Fund
National Association of Hispanic Federal Executives
National Association of Hispanic Publications
NALEO Educational Fund
National Association of Latino Independent Producers
National Conference of Puerto Rican Women, Inc.
National Council of La Raza
National Hispana Leadership Institute
National Hispanic Caucus of State Legislators
National Hispanic Council on Aging
National Hispanic Environmental Council
National Hispanic Foundation for the Arts
National Hispanic Media Coalition
National Hispanic Medical Association
National Institute for Latino Policy
National Latina Institute for Reproductive Health
National Puerto Rican Coalition
Presente.org
SER Jobs for Progress National
Southwest Voter Registration Education Project
United States Hispanic Chamber of Commerce
United States Hispanic Leadership Institute
United States-Mexico Chamber of Commerce
U.S.- Mexico Foundation

minimum sentences, legislation such as this is in direct conflict with those efforts, and the communities likely to suffer the most will be primarily Latino. Provisions such as these only serve to increase criminalization of our immigration population, and would tear families apart.

Using immigration penalties and policies as a means to target criminal activity is not the solution, particularly by compelling local law enforcement to comply with unconstitutional detainer requests. To make it harder for communities to foster trust with local law enforcement or obtain necessary federal support to improve our most underserved communities would only result in greater distrust of law enforcement agencies and increase the number of unreported crimes.

This Congress has spent years shirking its responsibility to effectively address the problems with our broken immigration system, and instead has supported policies that demonize and endanger Latino families. Legislation such as these two bills seek to move our policies in the wrong direction and foster space for dangerous and xenophobic rhetoric.

We appreciate your attention to our concerns. Please contact NHLA through Andrea Senteno, of MALDEF, at asenteno@maldef.org, or Laura Esquivel, of Hispanic Federation, at lesquivel@hispanicfederation.org, with any questions regarding this letter. Thank you for your time and consideration.

Sincerely,



Thomas A. Saenz
MALDEF, President and General Counsel
NHLA Immigration Committee Co-Chair



Jose Calderón
Hispanic Federation, President
NHLA Immigration Committee Co-Chair