



## WISCONSIN CATHOLIC CONFERENCE

### **TESTIMONY ON SENATE BILL 275: PROHIBITING SANCTUARY CITIES**

Presented to the Senate Committee on Labor and Regulatory Reform

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October 12, 2017

On behalf of the Wisconsin Catholic Conference (WCC) – the public policy voice for Wisconsin’s bishops – I wish to express our opposition to Senate Bill 275 (and its companion, Assembly Bill 190).

The Catholic Church teaches that “Every migrant is a human person who, as such, possesses fundamental, inalienable rights that must be respected by everyone and in every circumstance.” (Pope Emeritus Benedict XVI, *Caritas in veritate*, #62) Alongside this respect for the fundamental human rights of immigrants, the Church also recognizes the legitimate right of governments to maintain public safety and control their borders. As the Church consistently teaches, these rights need not be opposed to one another, but rather they can and must complement one another.

The Church recognizes that illegal immigration can be a problem not just for the host country, but also for the undocumented immigrants who live in constant fear. It is for this reason that the Church has for decades urged our national leaders to fix our broken immigration system by means of comprehensive reform. It is also the lens through which we measure this bill’s impact.

In assessing Senate Bill 275, which would prohibit “sanctuary cities,” the WCC recognizes that the bill does not mandate any immigration inquiries. However, it does limit the discretion of law enforcement and unnecessarily fosters distrust and fear.

Unlike last session’s bill, Senate Bill 275 would require a political subdivision to comply with a lawful detainer that is issued by U.S. Immigration and Customs Enforcement (ICE). The attorney general, appropriate district attorney, or sheriff could file a writ of mandamus with the circuit court to require compliance with this provision, or any of the bill’s requirements, if he or she believes that the political subdivision is failing to comply.

Compelling local authorities to comply with detainer requests would place an onus on local government far beyond what is required under federal law. Currently, 8 U.S. Code § 1373 speaks to the requirements placed on local government authorities regarding cooperation in an immigration enforcement action. This section forbids local governmental entities from placing restrictions on communications between local government agencies and ICE.

That is, federal law already ensures that local authorities have access to the information necessary to make determinations on whether an individual should be detained or released back

into the community. However, forcing local authorities to comply with a federal detainer means forcing those entities to incarcerate individuals without discretion. Local authorities often encounter issues of domestic violence, neglect, or welfare concerns that require some measure of judgement regarding imprisonment. The bill eliminates this discernment process.

Having local entities enforce immigration detainers will not only place a burden on local resources, but will also have a chilling effect on immigrant communities. Passing this bill will make law-abiding members of our state's immigrant communities less likely to contact law enforcement if they are victims of or witnesses to criminal activity. Only criminals benefit when communities lose trust in the police.

For all these reasons, we urge you to oppose SB 275 and instead work with local law enforcement, immigrants, and federal authorities to address violent crime, preserve security, and promote the common good. The WCC is committed to helping achieve these goals in every way possible.