



DIOCESE OF MANCHESTER
Secretariat for Administration

January 13, 2016

The Honorable James Belanger, Chair
Municipal and County Government Committee
Legislative Office Building, Room 301
Concord, NH 03301

Re: HB 1621 (Relative to Sanctuary Cities)

Dear Representative Belanger and the Members of the Municipal and County Government Committee:

As the Director of the Office of Public Policy of the Roman Catholic Diocese of Manchester, and on behalf of Bishop Peter Libasci, I urge you to **oppose HB 1621**, a bill concerning so-called “sanctuary cities.”

HB 1621 prohibits a local government from adopting an ordinance declaring it to be a “sanctuary city,” defined in the bill as a “municipality that has adopted an ordinance stating that such municipality will not enforce federal immigration laws.” We are not aware of any New Hampshire municipality that has adopted or expressed interest in adopting an ordinance restricting the enforcement of federal immigration law. And even if such an interest were expressed, state and local police do not have authority to enforce immigration laws, anyway. In *U.S. v. Arizona*, 567 U.S. ____ (2012), the United States Supreme Court held that the federal government has the *sole* authority to enforce border and immigration laws. Thus, a local ordinance that provides for non-enforcement of federal immigration laws would be meaningless.

Law enforcement leaders from around the country have spoken out about the damage that laws that prohibit “sanctuary cities” can do to community policing programs because of the message that they send, even though ultimately, they are meaningless. Kenneth E. Lavalley, Police Chief of Lowell, Massachusetts, aptly stated that: “When immigrant residents of Lowell are afraid to report crimes because they worry that contact with my officers could lead to deportation, criminals are allowed to roam free and the entire community suffers as a result.”¹ Fear also erodes the important element of trust between the police and the communities they serve.

Before passing this bill, we encourage you to consider the guidance gleaned by the Texas State Legislature. Toward the end of 2011, Texas battled over proposed anti-sanctuary cities bills in both the House and the Senate. The effort to pass legislation of this type ultimately failed because the bill was viewed as an “unfunded mandate” requiring *local* agencies to use *local* resources in carrying out federal immigration enforcement. Similar to HB 1621, the bills would have put local governments at risk of losing funds if they did not comply.¹

¹ Immigration Policy Special Report: *Debunking the Myth of “Sanctuary Cities:” Community Policing Policies Protect American Communities* (April 2011): 6
http://www.immigrationpolicy.org/sites/default/files/docs/Community_Policing_Policies_Protect_American_042611_update.pdf



The concerns that likely prompted this bill are understandable: we all want to keep our nation, state, and families safe. We believe that all those who come to this discussion do so because they have the best interests of the country, state, and loved ones at heart. But in this instance, HB 1621 is unnecessary because there are no existing or planned sanctuary cities in New Hampshire. And even if one tried to argue HB 1621 is a preventative measure, the United States Supreme Court has ruled that the federal government has the sole authority to enforce border and immigration laws.

We urge the committee to report HB 1621 as inexpedient to legislate because this bill is not necessary and only would result in sending a message to the immigrant community that the local police will enforce immigration laws (even though they do not have the authority to do so). Thank you for your consideration of our testimony and for your service to the people of the State of New Hampshire.

Sincerely,

A handwritten signature in cursive script that reads "Meredith Cook".

Meredith P. Cook, Esq.
Director, Office of Public Policy

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