

Sanctuary Cities Or Sanctuaries For Criminals?

While there is no official legal definition of “sanctuary city,” the term refers to towns, cities, or counties that protect undocumented immigrants by refusing to cooperate completely with federal detention requests.

Advocates of these “save havens” for individuals who survive outside of American law believe sanctuary cities are safer because they encourage good relationships between undocumented immigrants and law enforcement. This rationale comes from politicians like Zoe Lofgren, U.S. Representative (D-CA), who stated, “When people are afraid the police might ask about immigration status, they are less likely to report crimes and cooperate with investigations. As a result, criminals thrive, and the general public suffers.”

However compelling to some, the truth is sanctuary policies defy federal laws to which state and local governments are bound. 8 U.S. Code § 1373 states that “a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.”

In light of the Trump administration saying it will appeal a ruling by a federal judge in California that blocked part of the President’s executive order on so-called “sanctuary cities,” I thought it was time to chime in on this hot topic.

In the past, I have regularly, if not frequently, raised objections to what I have considered to be overreaching by the federal government. It seems to be the rule rather than the exception that federal lawmakers and agencies take actions

that are beyond the limited and enumerated powers granted to them by the terms of the U.S. Constitution.

In fact, some years ago the conservative CATO Institute estimated that upwards of 90% of the activities of the federal government were not authorized by the Constitution.

So, it must seem strange for you to hear me raise my voice to favor the authority of the federal government. But that is what I find myself doing today. And the reason is really rather straight forward.

You see, in this case, it is the federal government which is acting within the jurisdiction granted by the Constitution and it is these so-called sanctuary cities that constitute an interference with the proper and valid duty that is delegated to the United States pursuant to Article IV, Section 4, of the Constitution.

Let me be clear that the reason I would side with the federal government, or why I would not do so, lies with the fact that it is the Constitution which is controlling.

In this regard it may be helpful to recall that the oath of office which our local and state officials took when elected, was NOT an oath made to the Congress, or to the president, or to a judge or a court. It was an oath to obey AND DEFEND the CONSTITUTION; and that oath was made before God, meaning that they invoke His wrath should they violate it.

So, the Constitution is the test. The Constitution is the standard to look to. I agree with George Washington who, in an address to a group in Boston in July 1795, affirmed, "...the Constitution is the guide, which I will never abandon."

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