

Robbins went on to describe a recent ICE operation made necessary by lack of cooperation by sanctuary city officials:

Within the last few weeks, ICE conducted...a targeted, intelligence-based operation targeting criminal aliens at-large...Among the nearly 1,300 aliens taken into custody, many had extremely serious criminal histories: three had convictions for manslaughter or murder, and 100 had convictions for sexual assault or related crimes, with nearly half of the victims being children. Additionally, 70 had convictions for crimes involving drugs, and 320 had convictions for driving under the influence of drugs or alcohol. Almost 200 of the aliens arrested during the most recent operation could have been taken into custody at local jails if the detainer had been honored.

According to the *Washington Times*, Robbins departed from the text of his written statement to emphasize the irony of sanctuary cities saying they want ICE to focus on deporting criminals:

“But by refusing to cooperate at their jails they’re actually pushing the agency’s 6,800 deportation officers out into communities, meaning they are more likely to pick up rank-and-file illegal immigrants while arresting fewer criminals. It also means ICE needs more money and more agents to staff deportation teams that go out into the communities, rather than the one or two officers needed to take custody of people in a jail.

“There’s a true cost,” Mr. Robbins said. “ICE enforcement will no longer be in the jails. It’ll be in the communities — the same communities these sanctuary policies are trying to keep ICE out of...I will have to send officers out onto the street, which is less safe for officers, the community and the subject at large.”<sup>58</sup>

## Conclusion

The national criminal alien crisis generated by local law enforcement agencies’ offering sanctuary to even the most violent illegal immigrants is driving federal officials to resort to desperate measures.

Judicial Watch has reported on this extensively and just recently exposed<sup>59</sup> yet another elected law enforcement official who freed a child sex offender and forbids his department from honoring ICE detainees.

Now ICE is trying to strike preemptively by publicly disclosing convicts<sup>60</sup> complete with mug shots, scheduled to be released before they are actually let go by police in municipalities that proudly offer illegal aliens sanctuary. It indicates that the federal agency is determined to do its job amid a growing wave of local resistance. In November, 2019 ICE targeted six offenders incarcerated in two Maryland counties notorious for shielding illegal immigrants from the feds. These are no boy scouts and ICE is pleading with authorities in Montgomery and Prince George’s counties to hand over the prisoners instead of freeing them into the community.

Most of these predators are incarcerated for sexual crimes involving children, including rape and serious physical abuse that resulted in death. A couple of the offenders are in jail for murder and assault, and ICE wants them all transferred to its custody, so the illegal aliens don’t reoffend.

“The county leadership has chosen misguided politics over public safety,” said ICE’s Baltimore office director, Francisco Madrigal, in the statement<sup>61</sup> announcing the upcoming scheduled releases. “The individuals we have lodged detainers against have been arrested in the community and will likely

be released directly back into that community under these dangerous policies. We aren't asking Montgomery County or Prince George's County to conduct immigration enforcement. We're asking them to honor a lawful request to transfer these individuals into our custody where they can avail themselves of due process in the immigration court system."

Judicial Watch reached out to law enforcement officials in both Maryland sanctuary counties and called for criminal prosecutions of public officials "who aid and abet illegal alien criminals." When local jurisdictions refuse to cooperate with immigration enforcement, they betray their duty to protect public safety and should be held accountable.

Besides Montgomery and Prince George's counties, two other large Maryland jurisdictions—Baltimore County and the city of Baltimore—shield illegal immigrants from the feds and deportation.

**Now even the United States Government is spending millions of dollars to give delinquent, gangbanger and pregnant illegal immigrant minors special care.**

As Judicial Watch reported in October 2019, the federal government is spending \$125 million to provide illegal immigrant minors, UACs, with a multitude of services in the private sector including medical care, special housing arrangements for delinquent, pregnant and gang-affiliated teens as well as long-term counseling. A division of the Department of Health and Human Services known as the Office of Refugee Resettlement (ORR) will pay nonprofits, local governments, small businesses, school districts and other assorted entities to take care of the illegal alien minors once they're released from federal government custody. The handsomely funded ORR claims to provide new populations with the opportunity to achieve their full potential in the United States. "Our programs provide people in need with critical resources to assist them in becoming integrated members of American society," according to its website.

The agency announced three major grants dedicated to minors who entered the country illegally, the largest for \$55 million, followed by a \$50 million allotment and another for \$20 million. The taxpayer dollars will buy an assortment of benefits and individualized services that cater to the UACs' needs. For instance, taxpayer-funded residential accommodations will feature a heightened level of supervision for children with delinquent behaviors, including gang involvement, serious behavioral problems, and/or who present a low to moderate flight risk, according to one of the grant announcements. Long-term foster care funded by Uncle Sam will also be catered to "pregnant/parenting teens and/or UACs who are especially vulnerable or with other needs." The government will provide "residential care services" until the UAC is released from ORR custody, turns 18 or gets deported.

Even when the UAC is released to relatives in the United States, the government will pay to have them monitored if ORR considers them to be "at risk" or "display special needs." In a hair-raising admission by the agency, it admits it may release children to sponsors who themselves present a "safety risk to the UAC," in which case it will, of course, monitor the situation. "In order to promote the safety and well-being of UAC, after their release to a sponsor in the United States, certain categories of children, who display special needs, are referred for post-release services," one of the grant announcements states:

Post-release services are required for all UACs who receive a home study. For cases where there is no safety risk in releasing a UAC to a sponsor but additional assistance is required to connect the UAC and sponsor to needed resources upon discharge from ORR custody, the case may be referred for post-release only services.

Tens of thousands of illegal immigrant minors have been referred to ORR by the Department of Homeland Security since the UAC influx began under the Obama administration. American taxpayers have spent a fortune to care for them, and there seems to be no end in sight as the Southern Border sees an onslaught of Central American and Mexican migrants.

In fiscal year 2019, the U.S. Border Patrol apprehended 72,873 UACs, according to agency figures, an unknown number of which are criminals who will now receive “special services” from the federal government. And then, when caught breaking the law, they are protected from deportation by sanctuary cities.

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**As witnessed in this special report, no single organization in America is fighting as hard...and as successfully...against the Left in support of our laws against illegal immigration as Judicial Watch using open records laws to keep the American people informed and to break through the walls of government secrecy which exist in all presidential administrations and gain access on behalf of the American people to government documents that shed light on the multiple crises caused by illegal immigration.**

In 2019 Judicial Watch scored a victory for public safety when it forced Department of Homeland Security (DHS) to reinstate a valuable Trump administration reporting system (the Declined Detainer Outcome Report) that alerts the public about the release of illegal alien criminals into their communities by local law enforcement agencies. DHS had suspended the Report after predictable howls of protest from the Left, but responding to pressure from Judicial Watch and others, it has since been reinstated.

Using the courts and the legal system to shut down sanctuary policies...in 2005 Judicial Watch successfully challenged the use of taxpayer funds in Herndon, Virginia (just outside Washington, DC) to support a “day laborer site” that was widely known as a place where illegal aliens gathered to be hired by employers who did not follow the law requiring they verify the legal status of their employees.

Judicial Watch’s assertion then was that taxpayer funds should not be used to support illegal activities...and that same belief, fifteen years later, is still an important component of our legal arguments opposing sanctuary policies. Nevertheless, as these policies multiplied across the country so did Judicial Watch’s legal actions to overturn them in Arizona, California, Illinois, Texas, and the District of Columbia. Judicial Watch is effectively using the courts to tackle the single biggest challenge confronting law-abiding Americans as we deal with the explosion in illegal alien criminal activity...sanctuary jurisdictions...and their refusal to cooperate with federal immigration authorities by failing to honor detainers issued by Immigration and Customs enforcement seeking custody of illegal alien criminals after their release by local law enforcement.

**Judicial Watch soon goes to trial in one of the most important legal actions in its 26-year history – our taxpayer lawsuit (*Cerletti v. Hennessey, CGC16-556164*) seeking to overturn San Francisco’s deadly sanctuary policy, which bars local police from cooperating with ICE and honoring ICE detainers.**

On July 1, 2015, 32-year old Kate Steinle was shot to death on a San Francisco pier by an illegal alien criminal from Mexico, Juan Francisco Lopez-Sanchez. This shooting was so senseless that

it made headlines nationally, since Lopez-Sanchez had previously committed no fewer than seven felonies while in the United States...and on the day of Kate Steinle's death he had recently been released from San Francisco police custody on a drug charge.

Yet at the time Lopez-Sanchez was the subject of an ICE detainer asking the police for custody of Lopez-Sanchez so that they could institute deportation proceedings to send him back to Mexico ... but instead of honoring the detainer, the police honored the San Francisco sanctuary policy and released him with tragic results for Kate Steinle and her family. If San Francisco police had followed federal law and honored the ICE detainer, Lopez-Sanchez would have been in ICE custody on July 1, 2015...not free and on the pier where Kate Steinle was killed.

In August 2019 Judicial Watch filed another taxpayer lawsuit in California's Santa Clara County (San Jose) seeking to overturn that county's sanctuary policy which places the same restrictions on cooperating with ICE as does San Francisco's. This lawsuit (*Howard A. Myers v. Laurie Smith et al, No. 19-CV-353510*) arose out of another tragic and unnecessary death, this one of Barbi Larson in her San Jose home at the hands of an illegal alien criminal, Carlos Arevalo-Carranza.

In the case of Arevalo-Carranza, ICE had filed six separate requests with the county, asking that he be detained so that ICE could take him into custody for removal proceedings. All six requests were ignored...perhaps not surprisingly, since in 2014 Santa Clara County had the dubious distinction of refusing the largest number of ICE detainees in the country!

The outcome of these two Judicial Watch lawsuits seeking to overturn deadly and illegal sanctuary policies will assuredly have repercussions across America in the months to come.

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## Endnotes

<sup>1</sup> See § 237 of the Immigration and Nationality Act (I.N.A.) or 8 U.S.C. § 1227.

<sup>2</sup> The grounds of deportability are found in § 237 of the Immigration and Nationality Act (I.N.A.) at 8 U.S.C. § 1227. For example, non-citizens can become deportable if they:

- Commit certain types of crimes, most notably an aggravated felony; domestic violence; a crime of moral turpitude (CMT) committed within five years after being admitted to the U.S. or getting a green card, if the prison sentence was for at least one year; or two CMTs not arising out of a single scheme of criminal misconduct;
- Fail to advise USCIS of their changes of address within ten days of moving.
- Are discovered to have committed marriage fraud.
- Helped smuggle other aliens into the U.S.
- Are or have been drug abusers or addicts, or have been convicted of any drug-related violations other than other than a single offense involving possession of 30 grams or less of marijuana for personal use.
- Have committed document fraud.
- Have falsely claimed to be a U.S. citizen, for example in voting in a U.S. election.

<sup>3</sup> Judicial Watch video posted on Facebook (min. mark 7:04) July 10, 2019 ([https://www.facebook.com/JudicialWatch/videos/371106740268721/?video\\_source=permalink](https://www.facebook.com/JudicialWatch/videos/371106740268721/?video_source=permalink)).

<sup>4</sup> See Judicial Watch Special Report, *Yes, Mr. President, You Will Wait; An Updated Examination into the Unprecedented and Radical Attempt by the Obama Administration to Expand Power*, September 3, 2018.

<sup>5</sup> Transcript of President Barack Obama with Univision, October 25, 2010 (<https://latimesblogs.latimes.com/washington/2010/10/transcript-of-president-barack-obama-with-univision.html>).

<sup>6</sup> "Obama: I Can't Just Suspend Deportations Through Executive Order, There Are Laws on the Books," *Washington Examiner*, June 15, 2012 (<https://www.washingtonexaminer.com/weekly-standard/obama-i-cant-just-suspend-deportations-through-executive->