

Sen. Tillis And Rep. Budd Reintroduce Justice For Victims Of Sanctuary Cities Act

By Administrator

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U.S. Senator Thom Tillis (R-NC) and Representative Ted Budd (R-NC) reintroduced the Justice for Victims of Sanctuary Cities Act, legislation that holds sanctuary jurisdictions accountable for failing to comply with lawful detainer and release notification requests made by federal authorities and jeopardizing public safety. The legislation creates a private right of civil action for the victims of sanctuary jurisdictions, allowing them to bring an action for compensatory damages against the sanctuary jurisdiction as a result of a violent crime committed by an illegal immigrant. Any sanctuary city or jurisdiction that refuses to waive its immunity as it relates to sanctuary-related civil action would be subject to the withholding of certain Community Development Block Grant (CDBG) funding.

The Justice for Victims of Sanctuary Cities Act is a direct response to a growing number of sanctuary jurisdictions across the nation (including North Carolina's Buncombe, Cumberland, Durham, Forsyth, Guilford, Mecklenburg, and Wake Counties) that either have official sanctuary policies or are refusing to comply with detainer requests and release notifications from the Department of Homeland Security.

“For more than a year now, we have watched careless sheriffs across North Carolina ignore notification and detainer requests made by federal ICE agents, releasing dangerous criminals back into the communities they serve and jeopardizing public safety,” said Senator Tillis. “Now, we see President Biden making good on the liberal agenda by announcing his plans to release detainees and suspend the functions of ICE in his first 100 days, standing by these sheriffs and letting lawlessness preside. If politicians want to prioritize reckless sanctuary policies over public safety, they should also be willing to provide just compensation for the victims. The Justice for Victims of Sanctuary Cities Act is commonsense legislation that will enhance public safety and hold sanctuary jurisdictions accountable for their refusal to cooperate with federal law enforcement.”

“This is a matter of public safety and the rule of law,” said Congressman Budd. “At a time when the Biden administration refuses to crack down on sanctuary cities, Congress has the responsibility to act. It's long past time that cities who refuse to enforce our immigration laws face legal consequences. When laws are not enforced, completely preventable tragedies strike. That has to stop. Our bill will put lawless cities on notice and will hopefully persuade them to enforce our laws and keep our streets safe.”

The legislation was co-sponsored by Senators Chuck Grassley (R-IA), Joni Ernst (R-IA), Ted Cruz (R-TX), Jim Inhofe (R-OK), Cindy Hyde-Smith (R-MS), Mike Rounds (R-SD), Shelley Moore Capito (R-WV), Marco Rubio (R-FL), Mike Lee (R-UT), Steve Daines (R-MT), Josh Hawley (R-MO), and Mike Braun (R-IN).

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Major provisions of the Justice for Victims of Sanctuary Cities Act of 2021:

Defining a “Sanctuary Jurisdiction”:

The legislation defines a sanctuary jurisdiction as any state or political subdivision (including a county or city) that has a statute, ordinance, policy, or practice that restricts a government official or entity from receiving or maintaining information about the immigration status of an individual, including refusing to comply with lawful detainer requests made by DHS or the notification of the release of an illegal immigrant. A jurisdiction would not be deemed a “sanctuary jurisdiction” based solely on policies where officials do not share information or comply with detainers for illegal immigrants who come forward as a victim or a witness to a criminal offense.

Establishing civil action for the victims or family members of crimes committed by illegal immigrants benefitting from a sanctuary policy:

The legislation establishes a private right of action for any individual, spouse, or child who is a victim of a violent crime or felony that was a result of a sanctuary jurisdiction failing to comply with a lawful request made by the Department of Homeland Security and refused to comply with a detainer or notify DHS about the release of an illegal immigrant.

Withholding grant funding for jurisdictions that refuse to comply with lawful requests:

The legislation requires any state or political subdivision of a state to waive immunity as it relates to sanctuary-related civil action as a condition of receiving Community Development Block Grant funds (CDBG) and certain Economic Development Administration grants. The failure to waive immunity on sanctuary-related civil action will result in the withholding of grants for public works, grants related to planning administrative expenses, and grants for training, research, and technical assistance.