

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION

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October 6, 2015

Senator David Vitter
United States Senate
516 Hart Senate Office Bldg.
Washington, DC 20510

Senator Pat Toomey
United States Senate
248 Russell Senate Office Bldg.
Washington, DC 20510

Chairman Chuck Grassley
United States Senate
135 Hart Senate Office Bldg.
Washington, DC 20150

Senator Ted Cruz
United States Senate
404 Russell Senate Office Bldg.
Washington, DC 20150

Senator Ron Johnson
United States Senate
328 Hart Senate Office Bldg.
Washington, DC 20150

Dear Senators Vitter, Toomey, Grassley, Cruz, and Johnson:

On behalf of the Federal Law Enforcement Officers Association (FLEOA), I thank you for introducing the Stop Sanctuary Policies and Protect Americans Act, which will empower federal and local law enforcement officers' cooperative efforts to better protect our communities and our citizenry. Your proposal will ensure we do not dishonor the memory of Kate Steinle and the immeasurable grief her family is enduring. It is critically important that all our law enforcement assets are synchronized in pursuing our shared responsibility of policing violent illegal aliens.

Federal law enforcement officers rely on their state and local counterparts to assist in keeping America's borders secure and keeping criminal illegal immigrants off of the streets. It's one team, one fight, as we all took the same sacred oath to protect and defend the Constitution and the American citizenry. We've been relying upon immigration detainees—requests from the Department of Homeland Security (DHS) for local law enforcement to hold an illegal immigrant temporarily, to give federal law enforcement an opportunity to take the individual into custody.

Unfortunately, at least four courts have ruled that local law enforcement officers may be sued for violating the Fourth Amendment if they comply with an immigration detainer, even if the detainer was lawfully issued and the detention would have been legal if carried out by DHS. This means that our local counterparts are exposed to potential civil liability and it disables their ability to detain dangerous criminals scheduled for release. The Stop Sanctuary Policies and Protect Americans Act solves this problem by explicitly stating that local law enforcement officers have legal authority to comply with immigration detainees. The bill protects civil liberties, ensuring that someone who has had their constitutional rights violated may sue.

The Stop Sanctuary Policies and Protect Americans Act takes crucial steps to eliminating sanctuary jurisdictions, which serve to shelter illegal aliens while posing real threats to the American people. We must reassess our priorities and remain committed to the unwavering premise of the safety of the American citizenry is our top priority. The proper response to Kate's tragic death is not to point fingers at each other. Ms. Steinle was killed in San Francisco by an illegal immigrant who had previously been deported from the United States five times, and had been convicted of seven felonies. The shooter chose to live in San Francisco because he knew it was a sanctuary city that would shield him from federal immigration law. Tragically, his "sanctuary" gambit proved fatal for the Steinle family. Federal officials requested that San Francisco detain the shooter until immigration authorities could pick him up, but San Francisco officials refused to cooperate and released Sanchez three months before Kate's murder. We owe it to Kate and the American citizenry to fix this critical community safety issue now.

We commend you for preserving flexibility for law enforcement, so that victims of crime and witnesses to crime who are in the U.S. illegally may come forward and cooperate with police. FLEOA especially recognizes and appreciates Senator Toomey's leadership and unwavering support for all law enforcement officers. Both Senator Toomey and Vitter understand that in America, the safety of Americans comes first!

FLEOA strongly supports the Stop Sanctuary Policies and Protect Americans Act, and we look forward to working with your offices to have this important legislation enacted into law.

Respectfully yours,

Jon Adler

Jon Adler

FLEOA National President