

## IMMIGRATION SAFE ZONES ACT (HB0426) FREQUENTLY ASKED QUESTIONS

**What will a the Immigration Safe Zones Act do?** State funded schools, universities and healthcare facilities a may not grant access to Immigration & Customs Enforcement (ICE) or agencies working on behalf of ICE without a valid court-issued warrant. It also prevents schools and universities from asking students or their families about immigration status, with some exceptions.

**Why is this important?** Over the last eight years, nearly 3 million people were deported. The current administration has shown it intends to surpass those record deportation numbers. Recent executive orders have made all immigrants a priority for deportation.<sup>1</sup> At a time when vulnerable communities are under attack, the state of Illinois must demonstrate its commitment to protecting the most vulnerable, as well as standing and acting in solidarity with the immigrant community.

**Who will this benefit?** This bill will benefit ALL residents of Illinois, including ALL immigrants, regardless of race, gender, religion, and/or previous interactions with the justice system. There are nearly 2 million immigrants in Illinois, half a million who are undocumented.<sup>2</sup> Millions of Illinois families will feel safe to worship, attend school or seek necessary medical attention without fear of deportation or family separation.

The fear of deportation can harm children's brain and health, potentially for life.<sup>3</sup> This bill will also benefit all school age children and their families. Approximately 43,000 undocumented children are enrolled in school in Illinois.<sup>4</sup> Children should feel safe at school. The Immigration Safe Zones Act will ensure that immigration officials are not allowed on any school campus unless they have a valid, court issued warrant that is reviewed by the appropriate personnel at the school.

Studies show that communities or institutions with sanctuary or welcoming policies have lower crime rates, lower unemployment and higher incomes.<sup>5</sup> These policies make communities better and safer for all residents. This bill will ensure Illinois families continue to benefit from the contributions that immigrants make to its diversity, culture, and economic success.

**How is this bill different from a sanctuary/welcoming city?** Sanctuary or welcoming cities are local laws or ordinances that prevent cooperation and information sharing between local law enforcement and immigration officials. This bill is only focused on preventing immigration from entering state funded school campus or health care centers without a valid, court issued warrant.

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<sup>1</sup> <https://www.whitehouse.gov/the-press-office/2017/01/25/presidential-executive-order-enhancing-public-safety-interior-united>

<sup>2</sup> <https://docs.google.com/spreadsheets/d/15pawLD8TtsTYInGqfOhqQ20gRi22VqVL0QW9saVJc7A/edit#gid=1>

[http://www.robparal.com/downloads/Key\\_Facts\\_Illinois\\_Immigrants.pdf](http://www.robparal.com/downloads/Key_Facts_Illinois_Immigrants.pdf)

<sup>3</sup> <https://www.theatlantic.com/health/archive/2017/01/the-toxic-health-effects-of-deportation-threat/514718/>

<sup>4</sup> <http://www.migrationpolicy.org/data/Unauthorized-immigrant-population/state/IL>

<sup>5</sup> <https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>

**What does this mean for safety?** Collaboration with ICE endangers safety. When immigrant communities think that city officials, police, schools, hospitals collaborate with ICE, they are less likely to seek access to resources, or even to report a crime. *In addition, the bill does NOT prevent officials from complying with valid, legal warrants issued by a court.*

Studies demonstrate that crime is significantly lower in sanctuary jurisdictions. Economies are also stronger in sanctuary jurisdictions—from higher median household income, less poverty, and less reliance on public assistance to higher labor force participation, higher employment-to-population ratios, and lower unemployment.<sup>6</sup>

### **But why wouldn't we want to deport "criminals"?**

**The rhetoric is untrue:** For years, President Obama's administration has claimed to target "criminals." However, two-thirds of President Obama's more than two million deportation cases have involved people who had committed minor infractions, including traffic violations, or had no criminal record at all.<sup>7</sup>

People of color are more likely to be arrested or stopped by police. In Chicago and some suburbs police, for example, place more DUI checkpoints in Black & Latino neighborhoods despite conviction rates comparable and sometimes lower to that of predominantly white neighborhoods<sup>8</sup>

For a President who is eager to continue to tap into the rhetoric of deporting "criminals," mass deportations will be an easy thing as long as local governments continue to aid and abet in the criminalization of immigrant communities and collaboration with ICE.

**And it is unfair:** When a citizen makes a mistake or breaks the law, they respond to the criminal system, pay their fines/fees, serve time, etc. However, the way our immigration system is set up now immigrants are often meted with double punishment through deportation. **Bottomline: it's time to end the double standard.** The criminal and immigration system are two different systems and they should be kept separate.

**If Illinois passes the Immigration Safe Zones Act, won't we lose federal funding?** Several hundred cities and jurisdictions, including major cities like Chicago and San Francisco, have declared themselves Sanctuary cities. The federal government cannot remove funding from all of them. Moreover, the law is on our side:<sup>9</sup>

- The 10th Amendment to the Constitution bars the federal government from forcing non-federal entities from doing their bidding. This means that the federal government cannot force local or State officials to cooperate or to serve as de-facto deportation officers.
- The Supreme Court recently ruled that threats to remove funding can't be "coercive." Threats become coercive when you threaten to take away everything.

**This bill is an important first step towards Illinois becoming  
a safe and welcoming state for all immigrants!**

<sup>6</sup> <https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>

<sup>7</sup> [https://www.nytimes.com/2014/04/07/us/more-deportations-follow-minor-crimes-data-shows.html?\\_r=0](https://www.nytimes.com/2014/04/07/us/more-deportations-follow-minor-crimes-data-shows.html?_r=0)

<sup>8</sup> <http://www.chicagotribune.com/news/watchdog/ct-dui-checkpoints-chicago-met-20150507-story.html>

<sup>9</sup> <https://www.dnainfo.com/new-york/20170127/civic-center/trump-sanctuary-city-executive-order-federal-funding-de-blasio>