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Sanctuary Cities

The Statue of Liberty has long been as a beacon of hope for many across the world standing for democracy and freedom. The author had the opportunity to visit “the lady” in 2016 and was awed by the many visitors and the majesty of the statue. During her visit, she partook of the national park’s guided tour that explained what was needed for entrance to the United States at the peak years of immigration during the mid-1920s to mid-1950s (1). During these immigration years, there were methodical steps needed to immigrant to the states such as: (1) did the immigrant have a job lined up or would they displace an American worker, (2) would the entrant become a charge of the state straining limited resources, or (3) did they physically and mentally have the capability to hold a job (2). The strict standards were set up to only to bring citizens into the country that would not need assistance and contribute to the United States, yet some citizens today do not feel such standards for immigrants need to be implemented.



Sign placed on the Statue of Liberty protesting Donald Trump’s immigration vetting (3)

During the 2016 presidential election, President Donald Trump weighed in on illegal immigration specifically bringing awareness to the American public about the widespread use of shielding immigrants with enacted sanctuary laws. The laws that once discouraged illegal immigration have turned full circle by many states, cities, and counties across the country with the loose designation of Sanctuary Cities that has no single common definition. Generally, Sanctuary Cities are laws that have been legally enacted have a welcoming posture to illegal immigrant also known to some as undocumented workers. A Sanctuary City may decline usage of state funds to enforce federal laws or gag police officers for enquiring about immigration status is among just two of the endless ways to protect those among us without documentation. Understanding the array of dynamics at play to harbor aliens are active at every level of government as well as others.

Federal Laws

During the presidential campaign, many detractors accused President Trump of using illegal aliens to work at one of his many businesses. Although the conversation faded to the background, how could this be true? At a city town hall meeting held in Cudahy, California located in Los Angeles county, an African American woman tax preparer gave an impassioned speech where she claimed that the federal government is supporting illegal immigrants within the IRS (6). She explained that instead of giving a social security number when hired, an Individual Taxpayer Identification Number (ITIN) is used instead. The IRS explains “an ITIN is used by anyone who has tax-filing or payment obligations under U.S. law but is not eligible for a Social Security number” (7). Immigration status is not needed when using this form for work and non-official American documentation can be used. For example, a driver’s license can be used from the country of origin to prove identity leaving fraudulent cards unable to be verified

Additionally, the accompanying W-7 form that needs to be filled out instead of a W-2 form that legal Americans fill out. The W-7 Wage and Tax Statement does not show any taxes that must be withheld by the applicant such as social security and Medicare taxes which takes out which costs citizens 6.2% for social security and 1.45% on their gross income. The IRS also allows the writing off some dependents if they reside outside the United States. For example, some can deduct dependents even if they do not live in the United States leaving the potential for fraud and corruption with open because checking for this is virtually impossible (8). It should be noted that social security will not be granted to ITIN holders; however, medical costs are available for all that go to the emergency rooms. Many businesses would find that by not having to match the social security fee of 6.2% attractive because they do not have to pay someone to input the payroll for this tax nor pay it.¹

The Federal government premiere agency for illegal immigration is the Department of Homeland Security: U.S. Immigration and Customs Enforcement (ICE). On their Criminal Alien Program Page they highlight that “ICE places a high priority on combating illegal immigration, including targeting illegal aliens with criminal records who pose a threat to public safety.” (9) The states that have Sanctuary Cities have to some interfered with ICE agents to do their job. For example, ICE will prioritize violent illegals while not apprehending “law abiding” aliens if they know the authority will not support them by jailing or prosecuting them. On January 25, 2017, Executive Order 13768: Enhancing Public Safety in the Interior of the United States was issued which partially aims sanctuary cities that do not comply with reduced Federal grant money. (10) According to The Hill newspaper, report a “Poll: [that shows] Americans overwhelmingly

¹ The author would like to note that finding out all the tax variations would be restrictive because of the time allotted for this paper. For example, the I-9 form used for employment was not discussed or compared. The author could not find definitively if W-7 holders do not pay for Medicare. No information could be found.

oppose sanctuary cities” and that the top ten defined sanctuary cities could potentially lose \$2.27 billion dollars. (11)

State Government

Along with the Federal government, states play a critical role in taxation and business.