

Sanctuary City Op-Ed Nashville

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New reporting from the Intercept has revealed Immigration and Customs Enforcement's clandestine surveillance, targeting, and harassing of immigrant rights demonstrators not only in Nashville but throughout the country. The time has come to resist ICE's efforts to terrorise the most marginalised members of our communities: undocumented migrants. Reversing the Tennessee Assembly's blanket ban on non-compliance with customs enforcement, we can make our state safer for everyone and use limited resources more wisely.

Nashville's previous policy of non-compliance was reversed by Mayor Cooper; the Tennessee assembly has passed laws prohibiting municipal governments and police departments from non-cooperation. As part of a grander logic of deterring all migration during the Trump administration, the theory predicted that making life inhospitable for people without papers would discourage migration. But we know that economic opportunity motivates migration, not sanctuary policies.

Consider the fact that 57% of undocumented people living in the US have been in the country for more than 10 years (according to best estimates). Rather than trekking through the Sonoma desert to cross the border, most of these people entered the US legally but overstayed their visa. Since arriving, undocumented people have set down roots in our society; 56,000 Tennessean children have an undocumented parent who they depend on, and 150,000 families in the country have an undocumented member. Detaining and deporting a household breadwinner leaves elderly people and American citizens, born on our soil, in precarious financial straits.

74% of these families do not own their home, and 70% of them have no health insurance. Rather than a burden on state resources, people without papers and their dependents make do with much less and contribute far surplus value to the economy than they are compensated for: 70% are employed (25% are not seeking employment, leaving only 5% searching for jobs), and they are employed in vital industries such as construction, manufacturing, and agriculture doing tasks that documented residents and full citizens are not willing to do. Undocumented labour generates \$143.4 million in federal tax revenue and yet 29% of undocumented households survive on poverty or sub-poverty incomes.

The downward spiral of detention and deportation can begin with something as trivial as a traffic stop over a broken tail-light. In Tennessee, people without paper's cannot receive a driver's license but still have to get to work, same as all of us. But once you are booked by the police for a non-criminal infraction, your data is cross-checked with federal databases. For undocumented migrants, an ICE detainer (the request that local police hold a suspected criminal in custody) might be issued, requiring the jail to detain them for deportation. To reiterate: undocumented migration is not a crime and neither is driving without

a license. And yet, the public will be footing the bill for ICE's detainer – and meanwhile, as far as family members know, their law-abiding loved ones have “been disappeared.”

Non-cooperation with federal customs enforcement is not just good governance, it's also good politics. District attorneys and sheriffs departments in jurisdictions as different as Tampa Bay and Sioux City say that undocumented people are more likely to seek police assistance and comply with investigations when they know their immigration status won't be used against them. It also prevents unscrupulous employers from using the threat of an immigration raid to bust unions, which are one of the only options for undocumented people to defend their material interests. Lastly, as the Latin-x demographic in the US grows, so too will the number of voters whose livelihoods were harmed by unnecessary deportation.

Federal attorneys and ICE argue that honouring detainers is necessary for the justice system to function. What they conveniently leave unspoken is that undocumented immigration is not a crime and that detention without a pressing legal warrant (such as from a judge) is unconstitutional – according to multiple courts. The only cases which would justify prolonged detention are when actual criminals – who cannot legally enter the US under normal visas anyway – are apprehended and treated like normal criminals.

Even with the changing of the guard in the White House, the administration continues to rhetorically disregard the human dignity of people without papers. In this vacuum of moral leadership, Tennessee and Nashville can become a national leader on the issue. ICE has no legal authority over Tennessee police departments that we don't give it. Nashville and Tennessee should take this opportunity to keep the federal government out of our lives and make our state a sanctuary for America's tired, poor, and huddled masses yearning to breathe free.