



CONGRESSIONAL TESTIMONY

**SANCTUARY CITIES: THE COST OF
UNDERMINING LAW AND ORDER**

March 10, 2026

TESTIMONY BEFORE

UNITED STATES SENATE
Committee on the Budget

TESTIMONY BY

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Thank you, Chairman Graham and Ranking Member Merkley, for the opportunity to testify before the committee today.

In 1979, the Los Angeles City Council implemented “Special Order 40,” which prevented local police officers from questioning individuals on their immigration status, and stopped officers from conducting immigration-related arrests.

What we now call “sanctuary cities” was born nearly 50 years ago in California – and since then, has exploded nationwide. According to the Department of Justice, 12 states and the District of Columbia, along with 22 other jurisdictions, for now, are considered “sanctuary jurisdictions” – defined by the DOJ as jurisdictions that “materially impede enforcement of federal immigration statutes and regulations.” According to 2024 research, approximately eight million illegal immigrants live in sanctuary jurisdictions.

That also means that approximately one in every three Americans today, at a minimum, live in sanctuary jurisdictions – comprising over 120 million people. This is not a localized phenomenon. Ultimately, sanctuary policies affect every American and puts them in increased danger.

While not all sanctuary jurisdictions have the same policies, they all share a core belief that it is acceptable, even justifiable, to ignore illegal immigration. Indeed, sanctuary jurisdictions believe that they, rather than the federal government, have the authority to decide which federal laws may be enforced, and ultimately who can stay in our country. These beliefs belie in our Constitution, legal precedent, and common sense.

Tragically, sanctuary policies are unleashing devastating consequences for the American people – especially those who live in sanctuary jurisdictions.

In California, the birthplace of the sanctuary movement, local politicians released 4,641 criminal aliens from local jails in 2025, rather than handing them over to ICE for removal. Those criminals included aliens who had committed homicide, assault, sexual predatory offenses, and burglary.



In New York, nearly 7,000 criminal aliens were released in 2025— again, including murderers, sexual predators, and drug dealers.

Let me state this as clearly as I can: sanctuary policies put the American people in jeopardy and danger. Unfortunately, Americans – including the men and women of law enforcement - have already borne the cost of deadly sanctuary city policies.

For example, American motorists are being killed because sanctuary jurisdictions are handing out commercial driver’s licenses to illegal aliens. An off-duty CBP officer in New York City was ambushed and shot by two criminal illegal aliens with final orders of removal - both of whom were repeatedly released by New York’s sanctuary policies. And in Fairfax County, Virginia, a criminal illegal alien committed a murder the day after he was released from jail due to the sanctuary policies of that jurisdiction.

All of these tragedies are entirely preventable.

Rather than transferring custody of dangerous criminal illegal aliens in a jail setting, sanctuary policies force ICE agents to find and detain those aliens within the community – putting everyone at risk. Ironically, sanctuary policies achieve the opposite of what their proponents want – more ICE agents in their communities, and more operations occurring on their streets. If sanctuary politicians want to limit the visible presence of ICE in their communities, they should partner with the federal government rather than actively impeding them.

Unfortunately, sanctuary and anti-ICE policies are metastasizing nationwide. Politicians at the local, state, and federal level are pushing for policies that would deepen the crisis. Some proposals would outright abolish ICE, or return it to its neutered status under the Biden Administration. Other proposals are increasingly banning the detention of illegal immigrants and even creating “ICE-free zones”.

The recent demands to “reform” ICE, made by some in Congress as part of negotiations related to the ongoing DHS shutdown are unrealistic proposals that ignore the key role of sanctuary policies in sowing chaos and worsening public trust in law enforcement.



Make no mistake: some on the Left will not stop until we have become a Sanctuary Nation – largely free from all border security and immigration enforcement.

Despite much of the media narrative on the issue, the American people are remarkably aligned on three key issues according to recent polling.

1. First, 67% of Americans support local officials handing over illegal aliens in jails to ICE. (Harvard-Harris, taken January 28-29)
2. Second, 67% of Americans believe that state and local authorities should cooperate with federal immigration authorities on the deportations of criminals. (Harvard-Harris, taken January 28-29)
3. And finally, 73% of Americans believe all criminal illegal aliens should be deported.

When looking at the core mission of ICE - that sanctuary cities are working to subvert – a broad coalition of Americans agree that state and local governments should work with, not against federal law enforcement on immigration matters.

The evidence is clear: to restore the rule of law, common sense, and public safety, the era of sanctuary jurisdictions needs to end – permanently. Here is how we get there:

- First, federal dollars must be tied to immigration enforcement measures and law enforcement cooperation – in both directions. Localities that refuse to cooperate must be held accountable financially while jurisdictions that protect ICE officers, honor detainer requests, and provide detention capacity must be promoted.
- Second, immunity must be provided to any law enforcement official who chooses to enforce ICE detainers.
- Third, every illegal alien with a final order of removal from a judge should be removed.
- Fourth, there should be a prohibition on any form of driver's license for illegal aliens.
- Fifth, continued resources must be allocated to any locality willing to enter into a 287(g) agreement with ICE.



- Sixth, a statutory definition of a “sanctuary jurisdiction” should be established to give enforcement mechanisms teeth.
- And finally, we should strongly enforce Title 8 Section 1324 of the U.S. Code which makes it a federal crime to harbor, conceal, or shield an illegal alien from law enforcement and create new criminal penalties for officials who ignore federal immigration requests.

No longer should we ignore officials who clearly state they plan to impede immigration enforcement or harbor illegal aliens. Minneapolis Mayor Jacob Frey recently stated that “Minneapolis will remain a welcoming city for all.” In fact, on its webpage on immigration enforcement, Minneapolis unequivocally states that “The City of Minneapolis is committed to serving all residents – no matter their immigration status.” Here, Mayor Frey is telling us that not only does he not believe in immigration enforcement but that the city will openly provide services and protection to illegal aliens.

These statements and policies are a direct contravention of Title 8, Section 1324, which states that any person “who encourages or induces an alien to come to, enter, or reside in the United States, knowing or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law.”

It is time for sanctuary cities to become an artifact of American history – rather than ongoing safe havens for drug dealers, murderers, and other criminal illegal aliens.

I would like to close by reflecting on our Constitution, its founding principles, and the rule of law. As our forefathers debated the Constitution, they understood that for federalism to succeed, federal law had to unite the country and serve as the “supreme law of the land.” This wisdom was reflected through the adoption of Supremacy Clause in 1787, which was subsequently ratified by the states.

Due to the Supremacy Clause, and long line of judicial opinions interpreting it, states do not have the authority to pick and choose which federal laws are recognized or enforced. And they do not have the authority to nullify federal laws by ignoring them or proactively creating obstacles to their effectiveness.



Ironically, sanctuary politicians think believe they are protecting American communities. However, we have seen repeatedly what happens when states and local jurisdictions attempt to circumvent federal law. The result is chaos. Aliens from all over the world rush to our borders because they know sanctuary jurisdictions will shield them from removal. And with them come criminals, gang members, and even terrorists.

In the end, Americans pay the price. Taxpayers are forced to subsidize newcomers who use welfare programs and other public services. American workers are forced to compete with illegal laborers who drive down wages. And the American public sacrifices its public safety and security with the arrival of millions unvetted migrants. Even when our immigration agencies attempt to vet them, our ability is severely limited by the lack of access to reliable criminal records from other countries.

In 2024, ICE acknowledged that, to the best of its knowledge, there were over 647,000 criminal aliens at large in the U.S.: 425,000 had criminal convictions and another 222,000 had criminal charges pending. Over 13,000 aliens had convictions for murder. Another 15,000 have convictions for sexual assault; 56,000 aliens had convictions related to dangerous drugs; 62,000 had convictions for assault; 18,000 have convictions for larceny; 14,000 had convictions for burglary; 13,000 had convictions for weapons offenses, and 2,500 had convictions for kidnapping.

Under sanctuary policies, these aliens are released into American communities rather than transferred to ICE for removal. Many will re-offend.

So, I would like to ask a few simple questions to those who continue to support sanctuary policies: How many more Americans need to die at the hands of illegal aliens released by sanctuary jurisdictions? How many more innocent victims need to be assaulted and murdered by those same criminal illegal aliens? How many more American motorists need to lose their lives on our roadways to illegal alien drivers? How many more law enforcement agents need to be shot at by hardened criminals released by sanctuary cities?

How many more Americans need to lose their lives from sanctuary city policies before our elected leaders choose to act?



Let us heed the lessons we have learned from the tragedies that have unfolded in sanctuary cities, whether New York City, Los Angeles, Chicago, Seattle, or San Francisco. The American people are safer when state and local governments cooperate with federal immigration agencies. At the very least, state and local governments should give our immigration agents access to their jails and prisons so that federal agents can screen prisoners, determine immigration status, process removable aliens, and effectuate a transfer of custody to federal authorities once an alien is released. This requires no effort or affirmative action on the part of local governments, yet under these radical sanctuary policies, state and local officials slam the doors shut on our immigration agents. They would rather release criminal aliens into our communities in the name of sanctuary policies that have directly contributed to the violence and loss of life we have seen unfold in our communities nationwide.

This madness must stop.

The Constitution grants Congress the plenary power over immigration and must use it to end sanctuary policies once and for all.

Thank you.

