



## Congress of the United States

House of Representatives

Washington, DC 20515-4323

March 13, 2024

The Honorable Joseph Biden, Jr.  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20528

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Avenue NW  
Washington, D.C. 20016

Dear President Biden and Secretary Mayorkas:

We write to express our serious concerns with sanctuary city policies that shield criminal illegal aliens from federal law enforcement.

We are especially concerned by the willful failure of sanctuary cities to hold criminal noncitizens in custody after federal law enforcement has issued detainers for their arrest. This refusal has on various occasions led to the release of violent offenders into American communities, posing a direct threat to public safety. We are asking you to take aggressive action to end the abuse of our nation's border laws and discourage sanctuary cities from providing safe harbor to violent criminals who have entered our country illegally.

In September 2022, an identified MS-13 gang member with multiple criminal charges was convicted for illegally possessing an unregistered firearm. Shortly after, the Montgomery County Detention Center released him from custody despite a detainer being issued against him. It was not until months later that Immigration and Customs Enforcement (ICE) finally arrested him.<sup>[1]</sup> More recently, our nation was devastated by the horrific death of Laken Riley, a nursing student from Augusta University, who was murdered by an illegal alien from Venezuela. Laken's perpetrator had previously been arrested in New York City, only to be released by local authorities despite a detainer being issued against him.<sup>[2]</sup>

These are just a few examples. Due to your administration's unlawful abuse of catch-and-release policies, criminal aliens are being set free onto our streets, only to be protected by sanctuary cities that

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<sup>[1]</sup> Immigration and Customs Enforcement, *ERO Baltimore arrests MS-13 member convicted of illegal firearm possession in Maryland*, Feb. 05, 2024. Available at <https://www.ice.gov/news/releases/ero-baltimore-arrests-ms-13-member-convicted-illegal-firearm-possession-maryland>

<sup>[2]</sup> Singman, B., *House GOP Lawmakers from Georgia blame Biden's "disastrous" border policies for murder of Laken Riley*, Feb. 28, 2024. Available at <https://www.foxnews.com/politics/house-gop-lawmakers-georgia-blame-bidens-disastrous-border-policies-murder-laken-riley>

have no regard for our federal laws. Your administration has recently called for localities across the country to cooperate with ICE in turning over criminal noncitizens for deportation<sup>[3]</sup>. We urge you to act on these demands and ensure that sanctuary cities cooperate—our national security depends on it.

In addition, we request answers to the following questions by March 22, 2024:

- 1) ICE has reported more than 7 million cases on ERO’s docket as of Feb. 2024—
  - a. How many of them are noncitizens who have been charged by a municipality?
  - b. How many of them are noncitizens who have been convicted of a crime and released into communities?
  - c. What is ERO’s current capacity for holding noncitizens in custody?
- 2) For Fiscal Years 2021-2024TD, how many immigration detainers have been issued but were declined by local jurisdictions?
  - a. Among the number of detainers issued for the same fiscal period, how many individuals were eventually apprehended by deportation officers after they were released into communities?
- 3) What policies or initiatives does the Department of Homeland Security, or the Department of Justice currently have in place to encourage immigration enforcement cooperation with state and local jurisdictions?

We appreciate your prompt attention and look forward to your response.

Sincerely,



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Tony Gonzales  
Member of Congress



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Garret Graves  
Member of Congress



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Jay Obernolte  
Member of Congress



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John H. Rutherford  
Member of Congress

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<sup>[3]</sup> Shaw, A., *White House calls for sanctuary cities to cooperate with ICE amid furor over illegal immigrant crime*, Feb. 28, 2024. Available at <https://www.foxnews.com/politics/white-house-calls-for-sanctuary-cities-to-cooperate-with-ice-amid-furor-over-illegal-immigrant-crimes>



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Andy Harris  
Member of Congress



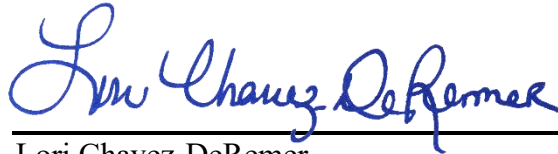
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Bruce Westerman  
Member of Congress



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Byron Donalds  
Member of Congress



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Lori Chavez-DeRemer  
Member of Congress



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Anthony D'Esposito  
Member of Congress



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Nicole Malliotakis  
Member of Congress



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Nancy Mace  
Member of Congress



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Diana Harshbarger  
Member of Congress



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Brandon Williams  
Member of Congress



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Chuck Edwards  
Member of Congress



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John Rose  
Member of Congress



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Carlos Gimenez  
Member of Congress



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Randy Feenstra  
Member of Congress



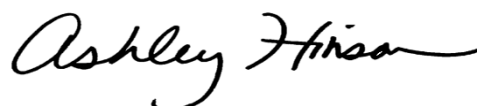
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Dan Crenshaw  
Member of Congress



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Ralph Norman  
Member of Congress



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Ashley Hinson  
Member of Congress



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Michael Guest  
Member of Congress



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C. Scott Franklin  
Member of Congress



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James Moylan  
Member of Congress