

Sanctuary Jurisdictions: The Legal Landscape & City Responsibilities

OCTOBER 2, 2025

PRESENTED BY ANIT JINDAL AND ERIN DAWSON

Oregon as a Sanctuary Jurisdiction

Oregon's Sanctuary Law

Key components

- Found at ORS 181A.820, *et seq.* (2019)
- Prohibits public bodies from inquiring into or collecting information about an individual's immigration or citizenship status or national origin (ORS 181A.823)

Oregon's Sanctuary Law

Key components cont.

- Prohibits public bodies from cooperating, supporting, or providing information or access to federal immigration authorities for the purposes of federal immigration laws without a judicial order or except as required by state or federal law (ORS 181A.823)

Oregon's Sanctuary Law

Key components cont.

- Prohibits law enforcement agencies or their personnel (on duty or off duty) from:
 - aiding in the enforcement of federal immigration laws;
 - denying services or benefits based on immigration status;
 - using public resources to assist with enforcing federal immigration laws without a judicial order.
- (ORS 181A.822, ORS 181A.823, ORS 181A.826)

Oregon's Sanctuary Law: A History

1 CHARLES N. HILKE
2 FRANK R. BARILLA
3 Marion-Polk Legal Aid Service, Inc.
4 1244 State Street
5 Salem, Oregon 97301
6 Telephone: (503) 581-5265

7 STEVEN GOLDBERG
8 940 Garnet Street N.E.
9 Salem, Oregon 97301
10 Telephone: (503) 399-0878
11 Attorneys for Plaintiffs

12 SIDNEY I. LEZAK
13 United States Attorney
14 District of Oregon
15 LAURY HENNINGS
16 Assistant United States Attorney
17 506 U.S. Courthouse, P.O. Box 71
18 Portland, Oregon 97207
19 Telephone: (503) 221-2101
20 Attorneys for Federal Defendants

21
22
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24
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U. S. DISTRICT COURT
DISTRICT OF OREGON
FILED
JUL 17 1978

ROBERT M. CHRIST, CLERK
BY *[Signature]* DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DELMIRO TREVINO, and the OREGON STATE)
CHICANO CONCILIO, an Oregon Non-Profit)
Corporation, individually and on behalf) CIVIL NO. 77-209
of all others similarly situated,)
Plaintiffs,) STIPULATION
v.)
LYLE H. DAHLIN, District Director,)
Immigration and Naturalization Service;)
Five or more unknown agents of the)
Immigration and Naturalization Service;)
WOODY JONES, Sheriff of Polk County;)
Three unnamed Deputy Sheriffs of Polk)
County; JAMES DEFOREST, Chief of Police,)
Independence Police Department; JANET)
DAVIDSON, Policewoman, Independence)
Police Department; all individually and)
in their official capacities,)
Defendants.)

Trevino v. Dahlin, Case No. 77-209 (D. Or. 1977)

JAMES A. REDDEN
DEPUTY ATTORNEY GENERAL

JAMES W. DURHAM
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
100 State Office Building
Salem, Oregon 97310
Telephone: (503) 378-6368

April 28, 1977

No. 7439

This opinion is issued in response to questions presented
by Mr. Edward J. Sullivan, Legal Counsel to the Governor.

FIRST QUESTION PRESENTED

What, if any, jurisdiction do state and local
law enforcement officers have to enforce United States
statutes and regulations regarding immigration and
naturalization?

ANSWER GIVEN

None.

Oregon's Sanctuary Law History: 1987-2021

- The first Oregon sanctuary law was enacted in 1987. (HB 2314)
- Limited revision to the law in 2003. (HB 2089)
- In 2018, voters rejected Measure 105, which would have repealed the sanctuary law.
- 2021 Sanctuary Promise Act added new provisions. (HB 3265)



Tracking Violations of Oregon's Law

DOJ hotline / webpage

- 129 contacts
- 30: state resources used to investigate, apprehend, arrest, detain or hold.
- 14: information sharing.
- 11: agreement to authorize holds or exercise immigration powers.

OCJC webform

- 104 reports
- 57: immigration detainers
- 28: information sharing.
- 10: request for cooperation (investigation, interrogation, warrant for arrest)

What about a private lawsuit?

Under the 2021 Sanctuary Promise Act, the answer is yes, but...

- *Rural Organizing Project v. City of Cottage Grove*, 23CV07691 (Feb. 2023)

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

Case No. 23CV07691

RURAL ORGANIZING PROJECT and
COMMUNITY ALLIANCE OF LANE
COUNTY,

PLAINTIFFS,

vs.

The CITY OF COTTAGE GROVE,

DEFENDANT.

Based on the stipulation of the parties and the records and files herein, and the Court being fully advised in the premises,

THE COURT MAKES THE FOLLOWING FINDINGS:

1. Plaintiff Rural Organizing Project (ROP) is an Oregon nonprofit corporation with its principal place of business in Cottage Grove, Oregon. ROP's mission is to build the capacity of human dignity groups that are locally based, autonomous volunteer-led groups organizing to advance democracy and racial, economic, and social justice.

2. Plaintiff Community Alliance of Lane County (CALC) is an Oregon nonprofit corporation with its principal place of business in Eugene, Oregon. CALC's mission is to promote human rights and human dignity through the grassroots mobilization of communities to

Page 1 – CORRECTED GENERAL JUDGMENT;
PERMANENT INJUNCTION

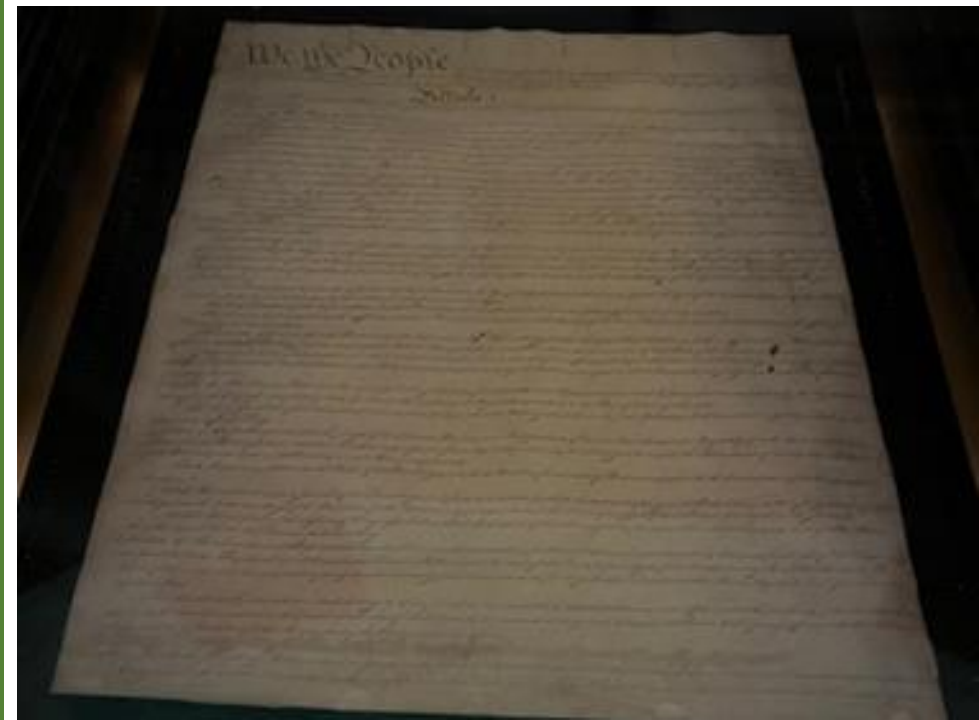
Oregon Law Center
101 E Broadway Ste 200
Eugene, OR 97401
Fax: (541) 342-5091

Sanctuary Jurisdiction Disputes

Legal Background

Article VI, Clause 2: Supremacy Clause

“This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”



But then there was the Tenth...

Tenth Amendment: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”



Anti-Commandeering



“The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program.”

Printz v. United States, 521 US 898, 935 (1997).

Immigration and Nationality Act (INA)

- Section 1373(a):
 - Government units or officials “may not prohibit, or in any way restrict any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.”

Immigration and Nationality Act (INA) (cont.)

- Section 1373(b):
 - No person or agency “may **prohibit**, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual.
 - “(1) **Sending** such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.
 - “(2) **Maintaining** such information.
 - “(3) **Exchanging** such information with any Federal, State, or local government entity.”

City & County of San Francisco v. Garland 42 F.4th 1078 (9th Cir. 2022)

- What does 1373 require?

“Section 1373 only covers immigration-status information—i.e., what one's immigration status is.”

“Oregon Plaintiffs' laws do not restrict sharing what [a person's] immigration status is and, therefore, comply with Section 1373.”

Is Section 1373 constitutional?

City & County of San Francisco v. Garland
42 F.4th 1078 (9th Cir. 2022)



Federal Executive Orders (2025)



Executive Order 14159: “Protecting the American People Against Invasion” (January 20, 2025)

Executive Order 14218: “Ending Taxpayer Subsidization of Open Borders” (February 19, 2025)

Executive Order 14287: “Protecting American Communities from Criminal Aliens” (April 28, 2025)

Sanctuary Jurisdiction Disputes

Recent Action

Federal Characteristics of a Sanctuary Jurisdiction

Pursuant to executive order, the US DOJ has published a list of characteristics of a sanctuary city:

- Public declaration.
- Laws, ordinances, or executive directives limiting local cooperation.
- Restriction on information sharing under Section 1373.
- Prohibit local funds from supporting federal immigration enforcement.
- Non-cooperation with ICE/DHS or detainers.
- Local offices that liaise with or advise immigrant communities.
- Benefit assistance to undocumented individuals.

Letters to Sanctuary Jurisdictions (Aug. 13, 2025)

On August 13, 2025, the US DOJ sent letters to sanctuary jurisdictions.

Jurisdictions were given until August 19, 2025, to eliminate sanctuary policies.

You are hereby notified that your jurisdiction has been identified as one that engages in sanctuary policies and practices that thwart federal immigration enforcement to the detriment of the interests of the United States. This ends now. By Tuesday, August 19, 2025, please submit a response to this letter that confirms your commitment to complying with federal law and identifies the immediate initiatives you are taking to eliminate laws, policies, and practices that impede federal immigration enforcement. This letter does not constitute final agency action and nothing in this letter creates any right or benefit enforceable at law against the United States.



Office of the Attorney General
Washington, D. C. 20530

August 13, 2025

Tina Kotek
Governor of Oregon
c/o Office of the General Counsel
900 Court Street, Suite 254
Salem, OR 97301

Dear Governor Kotek,

The United States has a long history of cooperation with state and local law enforcement agencies, including for immigration enforcement. Such cooperation is vital to enforce federal law and protect national security. Recognizing that need, Congress has codified the duty of states and local governments to cooperate in immigration enforcement efforts.

For too long, so-called sanctuary jurisdiction policies have undermined this necessary cooperation and obstructed federal immigration enforcement, giving aliens cover to perpetrate crimes in our communities and evade the immigration consequences that federal law requires.

Under President Trump's leadership, full cooperation by state and local governments in immigration enforcement efforts is a top priority. To ensure such cooperation, the President has directed the Attorney General of the United States, in coordination with the Secretary of Homeland Security, to identify sanctuary jurisdictions and notify them of their unlawful sanctuary status and potential violations of federal law. Additionally, the President directed federal agencies to identify and evaluate their statutory authority to issue grants, contracts, and federal funds, to determine where immigration-related terms and conditions may be added to combat sanctuary policies that violate federal immigration law. See Executive Order 14,287, *Protecting American Communities from Criminal Aliens*, 90 Fed. Reg. 18,761 (April 28, 2025). As contemplated by the Executive Order, designation as a sanctuary jurisdiction may result in additional consequences and further agency actions as permitted by law. See *Id.*

As the chief law enforcement officer of the United States, I am committed to identifying state and local laws, policies, and practices that facilitate violations of federal immigration laws or impede lawful federal immigration operations, and taking legal action to challenge such laws, policies, or practices. Individuals operating under the color of law, using their official position to obstruct federal immigration enforcement efforts and facilitating or inducing illegal immigration may be subject to criminal charges. As such, I have instructed that all litigating components of the Department and each U.S. Attorney's Office shall investigate incidents involving any such potential unlawful conduct and shall, where supported by the evidence, prosecute violations of federal laws such as 8 U.S.C. § 1324, 18 U.S.C. § 371, 18 U.S.C. § 1071, and 18 U.S.C. § 1505. State and local entities, particularly those with policies in violation of 8 U.S.C. § 1373 and



CITY OF
PORTLAND, OREGON
OFFICE OF THE CITY ATTORNEY

Robert L. Taylor, City Attorney
1221 SW 4th Avenue, Suite 430
Portland, Oregon 97204
Telephone: (503) 823-4047
Fax: (503) 823-3089

August 19, 2025

VIA FEDERAL EXPRESS


Pamela Bondi
Attorney General
Office of the Attorney General
400 6th St. NW
Washington, DC 20001

Re: August 13, 2025 Letter

Dear Attorney General Bondi:

The City of Portland is in receipt of your August 13, 2025, letter to Mayor Keith Wilson requesting confirmation that the City of Portland complies with federal immigration law. Please take this letter as the City's response that the City of Portland complies with applicable federal and state laws, and the City of Portland will continue to follow such laws.

Sincerely,


Robert L. Taylor
City Attorney

RT/NS/am



TINA KOTER
GOVERNOR

August 19, 2025

Via: FedEx

The Honorable Pamela Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Attorney General Bondi:

The State of Oregon acknowledges receipt of your letter of August 13, 2025. Your letter asserts the State of Oregon engages in "policies and procedures that thwart federal immigration enforcement." You demanded a response by today. On behalf of the State of Oregon and its citizens, I respectfully disagree with your assertions. The State of Oregon, its public officials, and its law enforcement officers do not engage in conduct that thwarts federal immigration enforcement.

Since Oregon enacted its state law regarding federal immigration enforcement nearly 40 years ago, Oregon public officials and law enforcement officers have not violated federal immigration enforcement law.

Oregon enacted a law regarding federal immigration enforcement in 1987. A 2018 ballot measure to repeal portions of Oregon's federal immigration enforcement law failed when 63% percent of Oregon voters opposed repealing the existing law. The original state immigration law was strengthened and clarified by the Oregon Legislature in 2021. The Oregon Attorney General's sanctuary guidance states "Oregon stands for the safety, dignity, and human rights of all Oregonians." The citizens of Oregon have repeatedly and emphatically supported Oregon's immigration enforcement policy.

The State of Oregon acknowledges your threat to pursue criminal charges against public officials "using their official position to obstruct federal immigration efforts and facilitating or inducing illegal immigration." No Oregon public official or law enforcement officer is engaged in any activity to "obstruct" federal immigration efforts. Oregon's enacted laws are consistent with the Tenth Amendment and anticommandeering rule. The state does not take on the additional expense or burden to perform federal immigration enforcement as it is the job of the federal government.

Federal Grants/Funding

Detainers/Warrants

Information Collection/Sharing

Most Common Areas of Dispute

Sanctuary Jurisdiction Disputes

Close to Home



King County v. Turner (May 2025)

Western District of Washington, Case No. 2:25-cv-00814-BJR

Municipalities filed a lawsuit alleging the federal government imposed unlawful conditions on federal grants.

Bend, Portland, and Multnomah County later joined the lawsuit.

Were the new funding conditions unlawful?

6	UNITED STATES DISTRICT COURT	
7	WESTERN DISTRICT OF WASHINGTON	
	AT SEATTLE	
8	MARTIN LUTHER KING, JR.	No.
9	COUNTY; PIERCE COUNTY;	
10	SNOHOMISH COUNTY; CITY AND	COMPLAINT FOR DECLARATORY
11	COUNTY OF SAN FRANCISCO;	AND INJUNCTIVE RELIEF
12	COUNTY OF SANTA CLARA; CITY	
13	OF BOSTON; CITY OF COLUMBUS;	
	and CITY OF NEW YORK,	
	Plaintiffs,	
14	vs.	
15	SCOTT TURNER in his official capacity	
16	as Secretary of the U.S. Department of	
17	Housing and Urban Development; the	
18	U.S. DEPARTMENT OF HOUSING	
19	AND URBAN DEVELOPMENT; SEAN	
20	DUFFY in his official capacity as	
21	Secretary of the U.S. Department of	
22	Transportation; the U.S. DEPARTMENT	
23	OF TRANSPORTATION; MATTHEW	
	WELBES in his official capacity as acting	
	Director of the Federal Transit	
	Administration; and the FEDERAL	
	TRANSIT ADMINISTRATION,	
	Defendants.	

San Francisco v. Trump (Feb 2025)

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14		UNITED STATES DISTRICT COURT
15		NORTHERN DISTRICT OF CALIFORNIA
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17	CITY AND COUNTY OF SAN FRANCISCO, COUNTY OF SANTA CLARA, CITY OF PORTLAND, MARTIN LUTHER KING, JR. COUNTY, CITY OF NEW HAVEN,	Case No. 25-1350
18		COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF
19	Plaintiffs,	
20	vs.	
21	DONALD J. TRUMP, President of the United States, UNITED STATES OF AMERICA, PAMELA BONDI, Attorney General of the United States, EMIL BOVE, Acting Deputy Attorney General, UNITED STATES DEPARTMENT OF JUSTICE, KRISTI NOEM, Secretary of United States Department of Homeland Security, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, DOES 1-100,	
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26	Defendants.	
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Northern District of California, Case No. 3:25-cv-01350-WHO

City of Portland and several other municipalities filed an action against the federal government alleging the federal government was threatening to unlawfully withhold funding that had been awarded but not yet distributed.

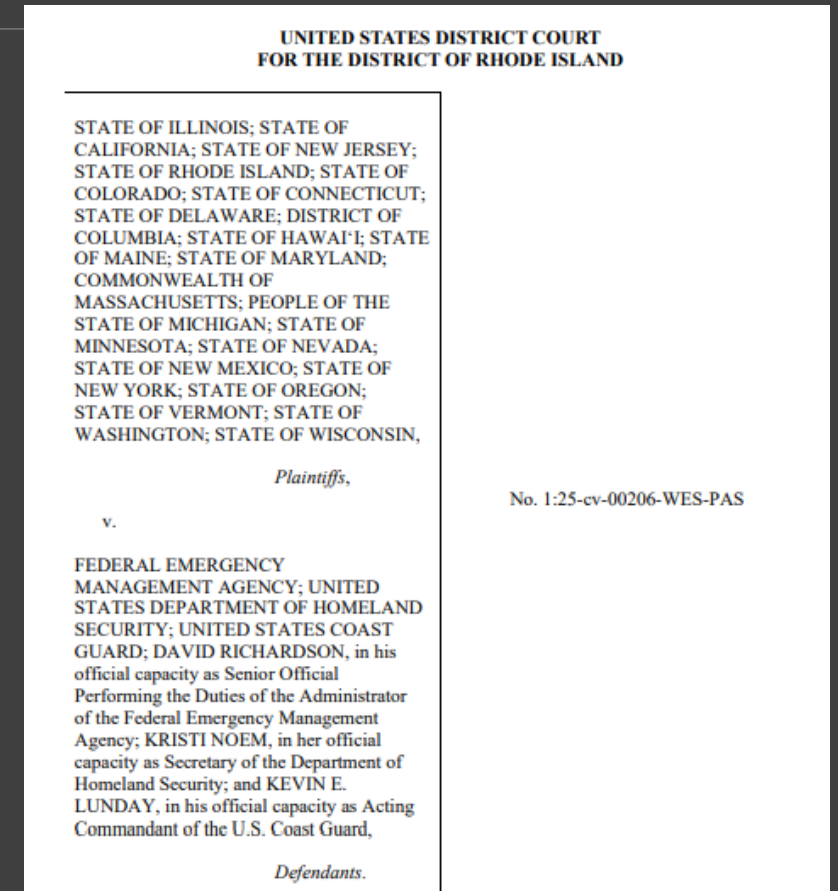
Cities of Bend and Wilsonville later joined the lawsuit.

The municipalities argued the federal government's threat to withhold hold funds based on sanctuary city status was inconsistent with statute and violated anti-commandeering principles.

Illinois v. Fed. Emerg. Mgt. Ag. (May 2025)

D. Rhode Island, Case No. 25-206 WES (2025)

- Conditions
 - Participation in joint operations with DHS/ICE
 - Sharing of information
 - Short-term detention
 - Access to detainees in jails/prison
 - Cannot publicize federal immigration enforcement operations
 - Risk losing all DHS-administered funds
- Result: Permanent injunction (last week)



California v. U.S. Dep't of Transportation (May 2025)

D. Rhode Island, Case No. 1:25-cv-00208-JJM-PAS; filed 5/13/25

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF CALIFORNIA; STATE OF ILLINOIS; STATE OF NEW JERSEY; STATE OF RHODE ISLAND; STATE OF MARYLAND; STATE OF COLORADO; STATE OF CONNECTICUT; STATE OF DELAWARE; STATE OF HAWAII; STATE OF MAINE; COMMONWEALTH OF MASSACHUSETTS; PEOPLE OF THE STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF OREGON; STATE OF VERMONT; STATE OF WASHINGTON; AND STATE OF WISCONSIN,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF TRANSPORTATION; SEAN DUFFY, in his official capacity as Secretary of Transportation,

Defendants.

No. 1:25-cv-_____

Similar case, against Department of Transportation

The court entered a preliminary injunction on June 19, 2025

Status: Parties both filed motions for summary judgment on August 19, 2025. No oral argument or decision yet.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF NEW JERSEY; STATE OF RHODE ISLAND; STATE OF CALIFORNIA; STATE OF DELAWARE; STATE OF ILLINOIS; STATE OF COLORADO; STATE OF CONNECTICUT; DISTRICT OF COLUMBIA; STATE OF HAWAII; STATE OF MAINE; STATE OF MARYLAND; COMMONWEALTH OF MASSACHUSETTS; STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF OREGON; STATE OF VERMONT; STATE OF WASHINGTON; STATE OF WISCONSIN,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE; PAMELA J. BONDI, in her official capacity as Attorney General of the United States; OFFICE OF JUSTICE PROGRAMS; MAUREEN HENNEBERG, in her official capacity as Acting Assistant Attorney General for the Office of Justice Programs; OFFICE FOR VICTIMS OF CRIME; KATHERINE DARKE SCHMITT, in her official capacity as Acting Director of the Office for Victims of Crime,

Defendants.

No. 1:25-cv-_____

New Jersey v. Dept. of Justice (August 2025)

D. Rhode Island, Case No. 1:25-cv-00404; filed 8/18/25

Grants offered through the Victims of Crime Act programs.

Recipients required to agree to cooperate with federal immigration.

Oregon and 20 other jurisdictions filed a lawsuit.

Status: No answer filed yet.

Marion County v. Kotek (August 2025)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

MARION COUNTY, a Political Subdivision of
the State of Oregon;

Plaintiff,

v.
TINA KOTEK, in her official capacity as
Governor of Oregon;

KRISTI NOEM, in her official capacity as
Director of the United States Homeland Security;
and

TODD LYONS, in his official capacity as
Acting Director of the United States Immigration
and Customs Enforcement,

Defendants.

Case No. 6:25-cv-01464

**COMPLAINT FOR DECLARATORY
RELIEF**

District of Oregon, Case No. 6:25-cv-01464

ICE sent immigration enforcement subpoenas to County.

Marion County filed suit against the federal and state government.

Marion County requested a declaration stating what the law requires Marion County do.

Status: Complaint filed.

Sanctuary Jurisdiction

Disputes

National



United States v. State of Illinois
(Feb. 2025)

Northern District of Illinois, Case No. 1:25-cv-0128

Illinois, Cook County, and Chicago enacted sanctuary laws that prohibited state and local government from:

- supporting civil immigration activities,
- communicating with immigration agents before release from custody,
- providing access to individuals in custody,
- providing personal information for individuals.

Federal government brought claims against the State of Illinois, Cook County, Board of Commissioners, Chicago and leadership at every level (governor, President of Board of Commissioners, Mayor).

The federal government alleged the state and local sanctuary laws were preempted under the Supremacy clause, unconstitutionally discriminated against the federal government, and unconstitutionally regulated the federal government.

Were/did they?

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

**STATE OF ILLINOIS; JB PRITZKER,
Governor of Illinois, in his Official
Capacity; THE CITY OF CHICAGO;
BRANDON JOHNSON, Mayor of
Chicago, in his Official Capacity; LARRY
SNELLING, Chicago Police
Superintendent, in his Official Capacity;
COOK COUNTY, ILLINOIS; COOK
COUNTY BOARD OF
COMMISSIONERS; TONI
PRECKWINKLE, President of the Cook
County Board of Commissioners, in her
Official Capacity; THOMAS J. DART,
Cook County Sheriff, in his Official
Capacity,**

Defendants.

No. 1:25-cv-1285

COMPLAINT

U.S. v. State of Colorado (May 2025)

District of Colorado Case No. 1:25-cv-01391-KAS

Federal government brought action seeking to prohibit Colorado from enforcing state and local sanctuary laws, specifically those that restricted state and local law enforcement from:

- assisting with immigration enforcement;
- detaining an individual due solely to an immigration detainer;
- collecting information on immigration or citizenship status,;
- sharing personal information with immigration enforcement;
- using city resources for immigration enforcement; and
- providing access to non-public areas

UNITED STATES DISTRICT COURT DISTRICT OF COLORADO

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF COLORADO; JARED POLIS, Governor of Colorado, in his Official Capacity; COLORADO GENERAL ASSEMBLY; PHILIP WEISER, Attorney General of Colorado, in his Official Capacity; CITY AND COUNTY OF DENVER; DENVER CITY COUNCIL; MIKE JOHNSTON, Mayor for the City and County of Denver, in his official capacity; DENVER SHERIFF DEPARTMENT; ELIAS DIGGINS, Sheriff of Denver, Colorado, in his official capacity.

Defendants.

COMPLAINT

U.S. v. City of Los Angeles (June 2025)

18	UNITED STATES DISTRICT COURT	
19	FOR THE CENTRAL DISTRICT OF CALIFORNIA	
20	UNITED STATES OF AMERICA,	No. 2:25-cv-05917
21	Plaintiff,	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF
22	v.	
23	CITY OF LOS ANGELES; KAREN	
24	BASS, Mayor of Los Angeles, in her official capacity; LOS ANGELES CITY COUNCIL; MARQUEECE HARRIS- DAWSON, President of the Los Angeles City Council, in his official capacity,	
25		
26	Defendants.	
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Central District of California Case No. 2:25-cv-05917

Los Angeles codified its sanctuary city policies in December 2024. Those sanctuary city laws prohibit city personnel from:

- collecting or sharing information about citizenship or immigration status;
- investigating, citing, arresting, holding, transferring, or detaining anyone for immigration enforcement;
- responding to an administrative warrant;
- making anyone in City custody or any non-public City area available to immigration agents; or
- participating in immigration enforcement.

Federal government filed suit against the City, alleging the City's Code violated the Supremacy Clause and constituted unlawful regulation and discrimination against the federal government.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF NEW YORK; ERIC L. ADAMS, Mayor of The City of New York, in his official capacity; NEW YORK CITY COUNCIL; ADRIENNE E. ADAMS, Speaker of the New York City Council, in her official capacity; NEW YORK CITY DEPARTMENT OF CORRECTION; LYNELLE MAGINLEY-LIDDIE, Commissioner of the New York City Department of Correction, in her official capacity; NEW YORK CITY DEPARTMENT OF PROBATION; JUANITA N. HOLMES, Commissioner of the New York City Department of Probation, in her official capacity; NEW YORK CITY POLICE DEPARTMENT; JESSICA S. TISCH, Commissioner of the New York City Police Department, in her official capacity,

Defendants.

COMPLAINT

No. 1:25-cv-4084

U.S. v. City of New York (July 2025)

Eastern District of New York Case No. 1:25-cv-4084

Federal government filed suit, challenging the New York City Code prohibiting City employees from assisting Homeland Security with immigration enforcement and prohibiting the use of any City resources to assist.

The federal government also challenged the Code's prohibition on honoring civil immigration detainer requests to hold inmates past their release date.

Federal government asserted that the New York City laws violated the Supremacy Clause and the INA.

Did they?

Key Takeaways

« The legal landscape on conflicts between federal and state/local laws regarding sanctuary jurisdictions is uncertain.

« 8 U.S.C. § 1373 is the key federal statute at issue in lawsuits brought by the federal government against local jurisdictions.

« Serious disputes about what 1373 requires and whether 1373 is constitutional

« Given the number of actions, the Supreme Court may choose to weigh in.

« An analysis of grant restrictions is fact specific, both as to the restrictions and the grants to which those restrictions apply.

Questions?



Thank You



Anit Jindal

AnitJindal@MarkowitzHerbold.com



Erin Dawson

ErinDawson@MarkowitzHerbold.com