

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

THE CITY OF BOSTON, *et al.*,

Defendants.

No. 1:25-cv-12456

**PROPOSED BRIEF OF *AMICI CURIAE* 27 CITIES, COUNTIES, AND ELECTED  
OFFICIALS IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

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## INTEREST OF AMICI

Amici, 27 cities, counties, and elected officials from across the United States, file this brief in support of Defendants’ Motion to Dismiss.<sup>1</sup> Amici bear primary responsibility for ensuring the safety and well-being of their residents and communities. Amici are also intimately familiar with the challenges of performing local governance functions in communities where immigrants fear the possibility of removal for themselves or their loved ones. In exercising their sovereign duty, local governments, including Amici, adopted laws and policies reflecting their careful judgment of what practices best serve their communities.

In this litigation and in other litigation across the country, Plaintiff United States seeks to upset those carefully considered policies. The challenged provisions of the Boston Trust Act manifest a commitment to integrating immigrants into the Boston community, and to promoting public safety, health, and a thriving local economy. Amici share the City of Boston’s goals of protecting the well-being of local residents, and they offer a critical perspective on how policies like those challenged in this case do just that.

A full list of Amici is attached as Appendix A.

## ARGUMENT

The authority of local governments to make their own policy decisions about the well-being of their communities is a fundamental feature of our constitutional system. *Gonzales v.*

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<sup>1</sup> No counsel for a party authored this brief in whole or in part, and no party or counsel for a party made a monetary contribution intended to fund the preparation or submission of this brief. Toby Merrill, an attorney for Public Rights Project and counsel in this case, advised on and arranged for the filing of earlier versions of this brief in *United States v. Rochester*, No. 6:25-cv-06226-FPG-MJP (W.D.N.Y. Aug. 28, 2025), ECF No. 55, and in *United States v. Newark*, No. 2:25-cv-05081-EP-AME (D.N.J. Oct. 21, 2025), ECF No. 44-2, but had no role in authoring this brief, in whole or in part. No person other than amici curiae or their counsel made a monetary contribution to this brief’s preparation or submission.

*Oregon*, 546 U.S. 243, 270 (2006) (“[T]he structure and limitations of federalism ... allow the States ‘great latitude under their police powers to legislate as to the protection of the lives, limbs, health, comfort, and quiet of all persons.’” (internal quotation marks omitted) (quoting *Medtronic, Inc. v. Lohr*, 518 U.S. 470, 475 (1996))); *Hillsborough Cnty. v. Automated Med. Labs., Inc.*, 471 U.S. 707, 719 (1985) (explaining that residents’ health and safety are “primarily, and historically, a matter of local concern”).

The Boston Trust Act exists to safeguard “the rights and dignity of all residents, regardless of immigration status,” which is “vital for maintaining a safe and welcoming city for all.” *Council Reaffirms the Trust Act*, City of Bos. (Dec. 6, 2024), <https://perma.cc/5JPL-Q4RD>. The Act does not allow local law enforcement to comply with a civil detainer request issued by Immigration and Customs Enforcement (ICE) absent a criminal warrant, make arrests based solely on ICE administrative warrants, inquire about an individual’s immigration status, affirmatively provide personal information about an individual’s release date to ICE, transfer an individual to immigration agents without judicial authorization, or otherwise perform the functions of a federal immigration officer. Bos., Mass., Mun. Code ch. 11, § 1.9(D) (2019).

Amici recognize that the decision to adopt policies limiting entanglement with federal immigration enforcement, like the Boston Trust Act, is not only sound as a matter of constitutional design; it is also good for communities. Extensive research shows that jurisdictions that adopt policies similar to the Act have safer, healthier, and more economically resilient communities.

### **I. Policies Like the Boston Trust Act Promote Public Safety.**

As an initial matter, and contrary to the United States’ insinuations otherwise, *see* Compl. ¶ 2, studies show that immigrants contribute to and do not detract from public safety. Immigrants

are statistically less likely to commit crimes than U.S.-born citizens.<sup>2</sup> Studies also show that U.S.-born citizens are over twice as likely as undocumented immigrants to be arrested for violent crimes, and four times as likely to be arrested for property crimes.<sup>3</sup> Further, immigrants, regardless of documentation, are also significantly less likely to be incarcerated than U.S.-born citizens.<sup>4</sup>

In any event, as Amici well know, so-called sanctuary policies,<sup>5</sup> like those challenged here, promote a culture of trust between immigrant communities and local law enforcement. One of the most important factors in a crime being solved is the willingness of witnesses to share information with the police.<sup>6</sup> Local law enforcement officers rely on the “trust and respect of the

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<sup>2</sup> Am. Immigr. Council, *Debunking the Myth of Immigrants and Crime* 6 (2024), <https://perma.cc/AEA8-2ZGU>.

<sup>3</sup> Michael T. Light et al., *Comparing Crime Rates between Undocumented Immigrants, Legal Immigrants, and Native-Born US Citizens in Texas*, 117 PNAS 32340, 32340 (2020).

<sup>4</sup> Ran Abramitzky et al., *Law-Abiding Immigrants: The Incarceration Gap Between Immigrants and the US-Born, 1870–2020* (Nat’l Bureau of Econ. Rsch., Working Paper No. 31440, 2023), <https://perma.cc/ELM4-U5ZZ>; Christian Gunadi, *On the Association Between Undocumented Immigration and Crime in the United States*, 73 Oxford Econ. Papers 200, 221 (2021).

<sup>5</sup> Jurisdictions adopt or are labeled with a variety of descriptors, including “sanctuary” cities and “welcoming” jurisdictions. *City of Chicago v. Sessions*, 888 F.3d 272, 281 (7th Cir. 2018), *vacated in part*, No. 17-2991, 2018 WL 4268817 (7th Cir. 2018). Although the Trump Administration has adopted the term “sanctuary cities” to demonize places that prioritize resources for local purposes, it has not offered a specific definition of the term. *See id.* Indeed, “localities which have concluded that cooperation in federal civil immigration efforts is counterproductive or simply offensive are often labeled ‘sanctuary’ cities or states, but that term is commonly misunderstood.” *Id.* The term is a misnomer because such jurisdictions “do[] not interfere in any way with the federal government’s lawful pursuit of its civil immigration activities, and presence in such localities will not immunize anyone to the reach of the federal government.” *Id.* Given the common usage of the term, however, this brief will refer to “so-called sanctuary jurisdictions” or “so-called sanctuary policies” to refer to those jurisdictions and policies that seek to limit the entanglement of local law enforcement with federal immigration efforts.

<sup>6</sup> Deborah Baskin & Ira Sommers, *The Influence of Forensic Evidence on the Case Outcomes of Assault and Robbery Incidents*, 23 Crim. Just. Pol’y Rev. 186, 203 (2012); Robert C. Davis et al.,

communities [they] serve” to do their jobs well.<sup>7</sup> To combat crime, officers “need the full cooperation of victims and witness[es].”<sup>8</sup> Building trust and encouraging cooperation requires officers to engage with their communities in a working partnership, an approach called “community policing.”<sup>9</sup> When community members trust local law enforcement, they are more likely to share pertinent information with the police that could solve and prevent crimes.<sup>10</sup> Conversely, when community members do not trust law enforcement, they will be less likely to contact the police to report a crime or cooperate with prosecutors, and community policing breaks down.<sup>11</sup>

Many immigrants, regardless of documentation, live in fear, especially during heightened immigration enforcement. According to a 2025 Pew study, over half of Latino adult immigrants

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*Working Smarter on Cold Cases: Identifying Factors Associated with Successful Cold Case Investigations*, 59 J. Forensic Sci. 375, 378 (2014).

<sup>7</sup> *Oversight of the Administration’s Misdirected Immigration Enforcement Policies: Examining the Impact on Public Safety and Honoring the Victims: Hearing Before the S. Comm. on the Judiciary*, 114th Cong. 2 (July 21, 2015) (statement of Tom Manger, Chief, Montgomery Cnty., Md., Police Dep’t & President, Major Cities Chiefs Ass’n) [hereinafter Statement of Tom Manger], <https://perma.cc/SKM2-QKV9>.

<sup>8</sup> *Id.*

<sup>9</sup> See Anita Khashu, Police Found., *The Role of Local Police: Striking a Balance Between Immigration Enforcement and Civil Liberties* 24 (2009), <https://perma.cc/KL5A-EQWR>.

<sup>10</sup> See Daniel W. Webster et al., Johns Hopkins Bloomberg Sch. for Pub. Health, Ctr. for Gun Pol’y & Rsch., *Reducing Violence and Building Trust: Data to Guide Enforcement of Gun Laws in Baltimore* 9 (2020), <https://perma.cc/YJN3-N3HS>.

<sup>11</sup> See *Sanctuary Jurisdictions: The Impact on Public Safety and Victims: Hearing Before the S. Comm. on the Judiciary*, 116th Cong. 4 (Oct. 22, 2019) (statement of Andy Harvey, Former Chief of Police, Palestine, Tex., Police Dep’t), <https://perma.cc/MTS9-WZYY> (“Proposals to have state and local law enforcement assume immigration enforcement functions that historically have been the purview of the federal government risks undermining community trust. . . . Particularly in a time of ramped-up immigration enforcement and increasingly troubling rhetoric surrounding immigration, it is increasingly challenging to law enforcement to win their trust.”).

are worried about removal—either for themselves or someone close to them.<sup>12</sup> This fear demonstrably hinders cooperation and communication with police. Immigrants often assume that interaction with law enforcement officials could have adverse consequences for themselves or a loved one. One study found that in jurisdictions where undocumented immigrants knew that ICE worked with local law enforcement, immigrants were less likely to trust that law enforcement would keep them and their families and communities safe; less likely to trust that law enforcement would protect confidentiality; and less likely to think that law enforcement would treat people equally.<sup>13</sup>

This skepticism of law enforcement manifests in concrete ways that make entire communities less safe. According to a recent study, in jurisdictions where local police lend their support to federal immigration enforcement efforts, Latinos’ crime reporting rates decreased by 30 percent.<sup>14</sup> One advocate warned that immigrant domestic violence victims fear “not only will nothing happen to the abuser,” but also that the victim “will have to be deported, or be detained, or get into trouble if [they] call the police.”<sup>15</sup> This is especially problematic because, as a 2018 study found, individuals living in communities of recent immigrants are already less likely to report violent crime: In neighborhoods where 65 percent of residents are immigrants, there is

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<sup>12</sup> Luis Noe-Bustamante, *Latinos Worry More Than Other U.S. Adults About Deportations*, Pew Rsch. Ctr. (Apr. 30, 2025), <https://perma.cc/UJ6S-GG4U>.

<sup>13</sup> Tom K. Wong et al., *How Interior Immigration Enforcement Affects Trust in Law Enforcement*, 19 Persps. on Pol. 357, 357 (2021).

<sup>14</sup> Felipe M. Gonçalves et al., *Immigration Enforcement and Public Safety 3* (Nat’l Bureau of Econ. Rsch., Working Paper No. 32109, 2024), <https://perma.cc/HBD5-F8ZF> (utilizing data from the National Crime Victimization Survey). We recognize that certain data sets, like the National Crime Victimization Survey, use “Hispanic,” rather than “Latino.” We use “Latino” throughout this brief for consistency but acknowledge that “Hispanic” is a narrower term.

<sup>15</sup> Juliana Jiménez J., *Immigrant Victims of Domestic Violence Scared to Seek Help Amid ICE Deportation Threat*, NBC News (Aug. 15, 2025, 8:00 AM), <https://perma.cc/Q3JA-HXTW>.

only a five-percent chance that a victim will report a violent crime, compared with a 48-percent chance in a neighborhood where only ten percent of residents are born outside the United States.<sup>16</sup> The authors of that study specifically noted that “the development of trusting relationships between citizens and the police is often challenged by the presence and application of local and federal immigration enforcement programs . . . that may dissuade residents from calling on the police to help address crime problems.”<sup>17</sup>

Beyond decreased reporting, immigrant victims and witnesses who fear removal can be less cooperative in prosecutions.<sup>18</sup> For example, victim advocates recently reported that immigrant domestic abuse survivors in Minnesota are afraid to show up in court to testify against their abusers because the survivors fear being arrested by ICE.<sup>19</sup> In California, an immigration lawyer said that an undocumented victim of road rage was “deathly afraid” to testify in court after the aggressor threatened to call immigration on her.<sup>20</sup> And a district attorney in Maine

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<sup>16</sup> Min Xie & Eric P. Baumer, *Neighborhood Immigrant Concentration and Violent Crime Reporting to the Police: A Multilevel Analysis of Data from the National Crime Victimization Survey*, 57 *Criminology* 237, 249 (2019), <https://perma.cc/QS5R-K867>.

<sup>17</sup> *Id.* at 254.

<sup>18</sup> See Hannah Rappleye et al., *Immigration Crackdown Makes Women Afraid to Testify Against Abusers, Experts Warn*, NBC News (Sept. 22, 2018, 7:00 AM), <https://perma.cc/98JZ-9ATQ> (“Since President Trump’s [2016] inauguration,” Denver City Attorney Kristin Bronson said she “had to drop 30 cases of domestic violence because the victims were too afraid of deportation to cooperate and appear in court.”); see also Julietta Bisharyan, *Fears of Deportation Are Silencing Crime Victims in Stanislaus County*, Modesto Bee (Aug. 28, 2025, 3:46 PM), <https://perma.cc/4TKZ-SF72> (explaining that an abuse survivor in California “sought a restraining order but was afraid to file in court after hearing stories of ICE detaining people there”).

<sup>19</sup> Katelyn Vue, *Immigrant Victims of Domestic Violence Face New Hurdles, Minnesota Advocates Say*, Sahan J. (Apr. 17, 2025), <https://perma.cc/YY4B-7KZD>.

<sup>20</sup> Meg Anderson, *Some Legal Experts Say ICE in Criminal Courts Means a Slower Path to Justice*, NPR (Aug. 8, 2025, 4:13 PM), <https://perma.cc/2SW6-3FS8>.

explained that some victims and witnesses told her office “very specifically, that they are not engaging with us because they are . . . fearful of being picked up by ICE.”<sup>21</sup>

Immigrants’ fear of interacting with police and prosecutors in light of potential removal consequences is not merely theoretical. This April, an immigrant domestic violence victim was reported to ICE by local police after contacting 911 to report her abuse.<sup>22</sup> Earlier this year, a crucial witness in a murder case was taken into ICE custody before he could testify.<sup>23</sup> Lawyers and prosecutors across the country have seen ICE arrest people attending criminal court hearings, and note that the “fear of it happening has led to growing concern around court appearances.”<sup>24</sup>

State and local law enforcement officers are also sounding the alarm about the growing lack of trust between immigrant communities and the police and its consequences.<sup>25</sup> For example, in May 2025 in La Vergne, Tennessee, a six-month-old baby died after being found unresponsive because their caretaker was afraid to call 911 due to his immigration status. The police chief, addressing a community town hall, acknowledged that “there are communities in La

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<sup>21</sup> Ari Snider, *Fear of ICE Is Making Some Maine Immigrants Less Likely to Report Crimes*, Me. Pub. (Oct. 27, 2025, 3:54 PM), <https://perma.cc/K9UX-LB9D>.

<sup>22</sup> Jiménez J., *supra* note 15.

<sup>23</sup> Jessica Willey, *Father Who Found His 11-Year-Old Murdered in Texas Nearly Deported by ICE Before He Could Testify*, ABC (Feb. 13, 2025), <https://perma.cc/FM7W-2DQU>.

<sup>24</sup> Anderson, *supra* note 20.

<sup>25</sup> See, e.g., Meg Anderson, *Police Say ICE Tactics Are Eroding Public Trust in Local Law Enforcement* (Mar. 30, 2025, 5:00 AM), <https://perma.cc/HCK8-9XD3> (quoting a New Mexico police chief stating that “trust between a community and law enforcement is what makes the difference in convincing people that local police are there to help them”); *id.* (quoting the Minneapolis police chief saying that “[i]f people are not willing to call us and tell us what’s going on, tell us they’ve been victimized, cooperate as witnesses, all of that leads to a situation that makes the potential for everyone in this city to be victimized that much worse.”); Kate Ryan, *‘We’re Not Going to Call ICE on Somebody’: Montgomery Co. Police Emphasize Public Safety for All*, WTOP News (Apr. 9, 2025, 5:10 AM), <https://perma.cc/N353-LMWR> (“The point that [local Maryland] police want to emphasize . . . is that ‘we need people to continue to report crime if they’re victims.’”).

Vergne that are losing trust in law enforcement in this country right now, and it's going to make our job very difficult.”<sup>26</sup> These concerns were echoed in an April 2025 report detailing the experiences of five police leaders facing difficulty maintaining the trust of immigrant communities amid increased ICE activity. These officers underscored that trust is “essential to learning about crimes in their jurisdictions and to identifying and apprehending offenders.”<sup>27</sup>

Many Amici, recognizing the need for public safety, implemented so-called sanctuary policies like the Boston Trust Act. These policies support what the evidence overwhelmingly shows: Decreased fear of immigration enforcement in local communities increases public safety overall. Extensive social science research amassed over the course of the past several decades confirms that such policies either have no statistical effect on crime rates<sup>28</sup> or result in lower crime rates,<sup>29</sup> particularly for violent crimes.<sup>30</sup>

These policies also encourage crime reporting. For example, a longitudinal study examining crime reporting trends from 1980 to 2004 found that Latinos were more likely to

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<sup>26</sup> Braden Ross, *La Vergne Police Chief Urges Community to Use Emergency Services Despite Fears of Immigration Enforcement*, WSMV4 (May 22, 2025, 6:06 PM), <https://perma.cc/BY6L-2CWC>.

<sup>27</sup> *Balancing Community Trust and Enforcement: The Complex Issue of Immigration*, Police Exec. Rsch. F. (Apr. 12, 2025), <https://perma.cc/Y5JN-KCUF>.

<sup>28</sup> David K. Hausman, *Sanctuary Policies Reduce Deportations Without Increasing Crime*, 117 PNAS 27262, 27262 (2020); Charis E. Kubrin & Bradley J. Bartos, *Sanctuary Status and Crime in California: What's the Connection?*, 3 Just. Evaluation J. 1, 1 (2020) (available at <https://tinyurl.com/4rcasksd>).

<sup>29</sup> Marta Ascherio, *Do Sanctuary Policies Increase Crime? Contrary Evidence from a County-Level Investigation in the United States*, 106 Soc. Sci. Rsch. 102743, 102743 (2022).

<sup>30</sup> Dale T. Manning & Jesse Burkhardt, *The Local Effects of Federal Law Enforcement Policies: Evidence from Sanctuary Jurisdictions and Crime*, 40 Contemp. Econ. Pol'y 423, 423 (2022); see Ricardo D. Martínez-Schuldt & Daniel E. Martínez, *Sanctuary Policies and City-Level Incidents of Violence, 1990 to 2010*, 36 Just. Q. 567, 567, 589 (2019).



report being victims of a violent crime to law enforcement after their jurisdiction adopted a so-called sanctuary policy.<sup>31</sup> Another study found that after the introduction of a so-called sanctuary policy in New York City, members of immigrant communities increased reporting sex offenses.<sup>32</sup> And another study found that although President Trump's 2017 executive order scaling up partnerships between ICE and local law enforcement led to a decline in reported crimes in counties with higher Latino populations, total reported crime fell more in counties that cooperated with ICE than in counties with existing policies limiting such cooperation.<sup>33</sup>

At bottom, policies like the Boston Trust Act make communities safer. They are grounded not in fantastical or extremist rhetoric, but in evidence-based and rational decision-making and are eminently within the domain of the police power maintained by state and local governments, including many Amici communities.

## **II. Policies Like the Boston Trust Act Promote Health and Welfare.**

So-called sanctuary policies can promote health and well-being among immigrants, their families, and their communities. Without these policies, immigrants and their families' health can suffer greatly.

Entanglement with federal immigration enforcement contributes directly to decreased health by stoking an atmosphere of fear and chaos and increasing stress among immigrants,

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<sup>31</sup> Ricardo D. Martínez-Schuldt & Daniel E. Martínez, *Immigrant Sanctuary Policies and Crime-Reporting Behavior: A Multilevel Analysis of Reports of Crime Victimization to Law Enforcement, 1980 to 2004*, 86 Am. Sociol. Rev. 154, 170, 176 (2021).

<sup>32</sup> Yuki Otsu, *The Local Effect of Sanctuary Policies on Crime: Evidence from New York*, Applied Econ. Letters, May 2025, at 4.

<sup>33</sup> Reva Dhingra et al., *Immigration Policies and Access to the Justice System: The Effect of Enforcement Escalations on Undocumented Immigrants and Their Communities*, 44 Political Behavior 1359, 1380–81 (2022), <https://perma.cc/G858-ED2W>.

particularly those who are undocumented.<sup>34</sup> It also discourages individuals from seeking out the medical care they and their families need.<sup>35</sup> A recent study found that one in five lawfully present immigrants said that they or a family member had avoided seeking medical care because of their concerns about immigration enforcement.<sup>36</sup> As ICE raids have ramped up across the country, social workers, doctors, and medical professionals have seen upticks in patient anxiety, appointment no-shows, and reluctance from immigrants to access crucial medical resources—including emergency care.<sup>37</sup> Similarly, a July 2025 *Associated Press* report found that in the Rio Grande Valley of Texas, where health outcomes were already worse than the national average, increased immigration enforcement has caused many to skip medical appointments, fail to pick up prescriptions, and even refuse to sign their children up for health insurance.<sup>38</sup>

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<sup>34</sup> Allison McCord Stafford et al., *Documentation Status and Self-Rated Physical Health Among Latinx Young Adult Immigrants: The Mediating Roles of Immigration and Healthcare Stress*, 10 J. Racial & Ethnic Health Disparities 761, 769 (2023); Jacqueline M. Torres et al., *Deportation Worry, Cardiovascular Disease Risk Factor Trajectories, and Incident Hypertension: A Community-Based Cohort Study*, 8 J. Am. Heart Ass’n 1, 9 (2019).

<sup>35</sup> See Karen Hacker et al., *The Impact of Immigration and Customs Enforcement on Immigrant Health: Perceptions of Immigrants in Everett, Massachusetts, USA*, 73 Soc. Sci. & Med. 586, 589, 592 (2011) (analyzing focus group discussions, and finding that immigrants’ fear of removal led to avoidance of care).

<sup>36</sup> *Amid Increased Immigration Enforcement, A Majority of Lawfully Present Immigrants Are Worried They or a Family Member Could Be Detained or Deported*, KFF (May 20, 2025), <https://perma.cc/3ZPS-GFV4>.

<sup>37</sup> Emily Baumgaertner Nunn et al., *Migrants Are Skipping Medical Care, Fearing ICE, Doctors Say*, N.Y. Times (May 9, 2025), <https://www.nytimes.com/2025/05/08/health/migrants-health-care-trump.html>.

<sup>38</sup> Amanda Seitz & Jacquelyn Martin, *As Trump’s Raids Ramp Up, A Texas Region’s Residents Stay Inside — Even When They Need Medical Care*, AP News (July 21, 2025, 4:32 PM), <https://perma.cc/UWD3-DTTK>; see also Stephanie Ettinger de Cuba et al., *Reduced Health Care Utilization Among Young Children of Immigrants After Donald Trump’s Election and Proposed Public Charge Rule*, 1 Health Affs. Scholar 1, 7 (2023) (finding that anti-immigration rhetoric during the 2016 presidential election cycle, and the anti-immigration policies that followed, was associated with a decline in well-child visits for children of immigrant mothers).

When this happens, the overall impact is not limited to immigrant communities; it affects entire communities. A public health organization notes that “[t]he health of the nation cannot be upheld, promoted, or protected when our immigrant and refugee communities are in fear of being detained and deported.”<sup>39</sup> That is at least in part because when immigrants are reluctant to seek out healthcare for communicable diseases, it is more likely that such diseases will spread to others, including those outside of immigrant communities.<sup>40</sup>

Policies like those challenged in this case can mitigate the negative impact that fear of immigration enforcement would otherwise have on public health.<sup>41</sup> One study found that in so-called sanctuary jurisdictions, immigrants eligible for the Supplemental Nutrition Assistance Program (SNAP)—a program designed for families to get access to healthy food—were more likely than those in non-sanctuary jurisdictions to apply for and use the program.<sup>42</sup> And another study found that children of immigrants living in a state with so-called sanctuary policies were more likely to have a regular medical care provider, and were less likely to have unmet medical needs.<sup>43</sup>

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<sup>39</sup> Health in P’ship, *Public Health Talking Points for Immigration Justice* 1 (2025), <https://perma.cc/W7QZ-Z87V>.

<sup>40</sup> Jan Hoffman, *Sick and Afraid, Some Immigrants Forgo Medical Care*, N.Y. Times (June 26, 2017), <https://www.nytimes.com/2017/06/26/health/undocumented-immigrants-health-care.html>; see also Miriam Jordan, *‘We’re Petrified’: Immigrants Afraid to Seek Medical Care for Coronavirus*, N.Y. Times (May 12, 2020), <https://www.nytimes.com/2020/03/18/us/coronavirus-immigrants.html>.

<sup>41</sup> See Helen B. Marrow, *The Power of Local Autonomy: Expanding Health Care to Unauthorized Immigrants in San Francisco*, 35 *Ethnic & Racial Stud.* 72, 84 (2012).

<sup>42</sup> Sofia Argibay et al., *Impact of County and State Immigration Policies on Immigrant Household Enrollment in the Supplemental Nutrition Assistance Program*, 9 *J. Migration & Health* 1, 1–3 (2024).

<sup>43</sup> Heather Koball et al., *The Relationship Between States’ Immigrant-Related Policies and Access to Health Care Among Children of Immigrants*, 24 *J. Immigrant & Minority Health* 834, 838–40 (2022).

These policies, as Santa Clara County Executive James R. Williams explained, “promote community members’ trust in government services. With that trust comes increased engagement with County systems across the board, from maternal and pediatric healthcare to services for vulnerable seniors, increasing the wellbeing of the entire community.”<sup>44</sup> When immigrants can trust that their counties and cities are not making local efforts to hand them over to ICE, immigrants can more comfortably exist in their communities and access important medical services.

### **III. Policies Like the Boston Trust Act Promote Economic Well-Being.**

In addition to advancing public safety and health, so-called sanctuary policies preserve scarce local resources and stimulate the economy.

These policies play an important role in preserving local resources. As one jurisdiction has found, “[e]ntangling state and local agencies with federal immigration enforcement programs diverts already limited resources.”<sup>45</sup> For example, complying with ICE detainer requests can add staggering costs to local budgets—in some cases, tens of millions of dollars annually.<sup>46</sup> On the other hand, another study found that jurisdictions with so-called sanctuary policies not only save money by not paying for costs associated with ICE detainer requests, but these jurisdictions also

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<sup>44</sup> See Declaration of Santa Clara County Executive James R. Williams in Support of Motion for Preliminary Injunction at 6–7, *San Francisco v. Trump*, No. 3:25-cv-01350 (N.D. Cal. Mar. 17, 2025), ECF No. 76.

<sup>45</sup> 74 Cal. Gov’t Code § 7284.2(d).

<sup>46</sup> See *Legislative Threats to Undermine Community Safety Policies: The Costs of Entangling Local Policing and Immigration Law*, Nat’l Immigrant Just. Ctr. & Nat’l Immigration L. Ctr. (Aug. 2015), <https://perma.cc/M39D-JDYG>; see also Manning & Burkhardt, *supra* note 30, at 423, 435; *Orellana v. Cnty. of Suffolk*, No. 17-CV-4267-WFK, 2025 WL 481723, at \*4 (E.D.N.Y. Jan. 2, 2025) (explaining that if not for the county complying with the ICE detainer requests, hundreds of people “would have been released from [the county’s] custody upon resolution of their state cases”).

experienced a decrease in crime—in part due to increased trust in local law enforcement—which in turn could save them more than \$100 million per year in crime-related costs.<sup>47</sup>

The money saved on crime-related costs is not the only economic benefit so-called sanctuary policies offer. According to one study, cities and municipalities that adopt policies like the Boston Trust Act have higher median household incomes, less poverty, and less reliance on public assistance.<sup>48</sup> These jurisdictions also have higher labor force participation, higher employment-to-population ratios, and lower unemployment rates.<sup>49</sup> The study found that, on average, median household income is nearly \$4,353 higher in counties with so-called sanctuary policies than in counties without such policies.<sup>50</sup> When immigrants live in these jurisdictions, they are less worried that they will be turned over to ICE by local law enforcement and are thus more likely to stay “engaged in the local economy” by working and shopping in their communities.<sup>51</sup>

It should come as no surprise that communities with a strong immigrant presence have healthy economies, given that immigrants are key contributors to the labor force across sectors. One report found that between 2010 and 2018, immigrants and their U.S.-born children

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<sup>47</sup> Manning & Burkhardt, *supra* note 30, at 423, 435.

<sup>48</sup> Tom K. Wong, Ctr. for Am. Progress, *The Effect of Sanctuary Policies on Crime and the Economy* 1 (2017), <https://perma.cc/4642-53AW>.

<sup>49</sup> *Id.*

<sup>50</sup> *Id.* at 7; see Robert Lynch & Michael Ettlinger, Univ. of N.H., *The Economic Impact on Citizens and Authorized Immigrants of Mass Deportation 2* (2024), <https://perma.cc/A4S9-SZSX> (finding that large-scale removals lead to reduced GDP and employment, and to lower wages for citizens and authorized-immigrant workers).

<sup>51</sup> See Wong, *supra* note 48, at 2.

represented 83 percent of workforce growth.<sup>52</sup> That report projected that through 2035, growth in the working-age population of the United States would come from immigrants and their children.<sup>53</sup> Immigrants also start businesses at far higher rates than the U.S. population overall.<sup>54</sup> In 2023, there were over 3.8 million immigrant entrepreneurs, generating \$116.2 billion in business income and creating many jobs.<sup>55</sup> A 2024 American Immigration Council report found that 46 percent of Fortune 500 companies were founded by immigrants or the children of immigrants.<sup>56</sup>

Statistics belie the widespread and false narrative that immigrants are a burden on U.S. taxpayers. Immigrants generate tax revenue, hold immense spending power, and help to build housing wealth. In 2023, immigrant tax contributions amounted to more than \$650 billion, and the collective spending power of immigrant households was \$1.7 trillion.<sup>57</sup> Immigrants also build housing wealth, often moving into neighborhoods in decline and revitalizing them, thereby raising property values and making them more attractive to other U.S. residents.<sup>58</sup>

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<sup>52</sup> Julia Gelatt et al., Migration Pol’y Inst., *Navigating the Future of Work: The Role of Immigrant-Origin Workers in the Changing U.S. Economy* 1 (2020), <https://perma.cc/LAU3-A4DQ>.

<sup>53</sup> *Id.*

<sup>54</sup> *Immigrant Entrepreneurship in the US*, Nat’l Bureau of Econ. Rsch. (Oct. 21, 2024), <https://perma.cc/BK6A-BLD8>.

<sup>55</sup> *Immigrants in the United States*, Am. Immigr. Council, <https://perma.cc/7KQH-UV3U> (last visited Oct. 29, 2025).

<sup>56</sup> *New American Fortune 500 in 2024*, Am. Immigr. Council (Sept. 9, 2024), <https://perma.cc/LA4L-AMQC>.

<sup>57</sup> *Immigrants in the United States*, *supra* note 55.

<sup>58</sup> *Id.*

But when immigrants and their families fear indiscriminate immigration enforcement, it is more difficult for them to participate fully in the economy. Recent targeting of work sites by ICE illustrates the problem, showing how heightened fear of immigration enforcement can disrupt local economies. A CNN story in June reported on a meat production plant that was left operating at 30-percent capacity after an immigration enforcement action removed dozens of workers.<sup>59</sup> In Los Angeles, a spate of ICE raids has caused a slump in the restaurant industry, with fewer diners visiting restaurants and more workers calling out sick.<sup>60</sup> Leaders in the hospitality,<sup>61</sup> childcare,<sup>62</sup> and construction<sup>63</sup> sectors also project workforce shortages due to increased immigration enforcement actions.

So-called sanctuary policies work to mitigate these effects by creating communities where immigrants feel more comfortable. A magazine op-ed describes how one immigrant who lived in a so-called sanctuary jurisdiction said she felt comfortable seeking work at a grocery store after “she came to understand the protections of the city where she now lived.”<sup>64</sup> As an immigrant, she said the city’s policies brought her “a lot of peace,” because although she

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<sup>59</sup> Nathaniel Meyersohn & Vanessa Yurkevich, *America’s Migrant Workers Are Terrified to Work But Unable to Stay Home*, CNN (June 14, 2025, 5:48 PM), <https://www.cnn.com/2025/06/13/business/ice-workplace-raids-home-depot>.

<sup>60</sup> See Carter Evans, *Trump’s Immigration Crackdown Causing Labor Shortages to California’s Construction Industry, Builder Says: “They’re Hiding,”* CBS News (July 18, 2025, 8:20 PM), <https://perma.cc/VY9S-7SLS>.

<sup>61</sup> Meyersohn & Yurkevich, *supra* note 59.

<sup>62</sup> See Ben Zipperer, *Trump’s Deportation Agenda Will Destroy Millions of Jobs*, Econ. Pol’y Inst. (July 10, 2025), <https://www.epi.org/publication/trumps-deportation-agenda-will-destroy-millions-of-jobs-both-immigrants-and-u-s-born-workers-would-suffer-job-losses-particularly-in-construction-and-child-care/>.

<sup>63</sup> See *id.*; Evans, *supra* note 60.

<sup>64</sup> Sarah Bruhn, *Sanctuary Is Good Public Policy*, Opinion, Prog. Mag. (Mar. 25, 2025, 1:39 PM), <https://perma.cc/QCA7-U3UG>.

recognized she was not “protected 100 percent,” she knew she was supported by her community and could get help if needed.<sup>65</sup>

The decision by local governments to limit entanglement with federal immigration enforcement reflects the recognition that their immigrant populations are best able to contribute to economic growth and a thriving community without the fear that local law enforcement and government officials are eager to turn them over to federal immigration officials. That choice is not only eminently reasonable—it is local governments’ choice to make.

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Courts throughout the country have soundly rejected the United States’ arguments in cases similar to this one. Contrary to the United States’ position, several federal courts have found that so-called sanctuary policies do not violate 8 U.S.C. § 1373(a), which prohibits local governments from refusing to share certain types of immigration information with the federal government.<sup>66</sup> Indeed, no federal law prohibits or displaces the type of local policies challenged here. Any contrary conclusion would run afoul of the U.S. Constitution, which prevents

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<sup>65</sup> *Id.*

<sup>66</sup> See *United States v. Illinois*, No. 25-CV-1285, 2025 WL 2098688, at \*10 (N.D. Ill. July 25, 2025) (finding no conflict between 8 U.S.C. § 1373 and Chicago’s so-called sanctuary policies, and noting that, “[w]ithout exception,” courts have “rejected the [government’s] capacious reading” of § 1373); see also, e.g., *City & Cnty. of San Francisco v. Garland*, 42 F.4th 1078, 1085 (9th Cir. 2022) (noting that the Ninth Circuit has “rejected DOJ’s interpretation of Section 1373 repeatedly”); *City & Cnty. of San Francisco v. Barr*, 965 F.3d 753, 764 (9th Cir. 2020) (holding that “the only information to which § 1373 extends” is “information regarding a person’s citizenship or immigration status”); *Cnty. of Ocean v. Grewal*, 475 F. Supp. 3d 355, 375 (D.N.J. 2020) (same), *aff’d*, *Ocean Cnty. Bd. of Comm’rs v. Att’y Gen. of New Jersey*, 8 F.4th 176 (3d Cir. 2021); *United States v. New Jersey*, No. 20-1364, 2021 WL 252270, at \*12 (D.N.J. Jan. 26, 2021) (same); *City of Philadelphia v. Sessions*, 309 F. Supp. 3d 289, 333 (E.D. Pa. 2018) (holding that § 1373(a) refers to “an individual’s category of presence in the United States—e.g., undocumented, refugee, lawful permanent resident, U.S. citizen, etc.—and whether or not an individual is a U.S. citizen, and if not, of what country”), *vacated in part on other grounds*, *City of Philadelphia v. Att’y Gen. of United States*, 916 F.3d 276 (3d Cir. 2019).



Congress from “strong arm[ing]” local governments “into doing its own bidding.” *Ocean*, 475 F. Supp. 3d at 381 (rejecting arguments similar to the arguments in this case); *see also* *Printz v. United States*, 521 U.S. 898, 912 (1997) (“We have held, however, that state legislatures are *not* subject to federal direction.”). After all, “[a] more direct affront to state sovereignty is not easy to imagine” than in a federal law that “dictates what a state legislature may and may not do.” *Murphy v. Nat’l Collegiate Athletic Ass’n*, 584 U.S. 453, 474 (2018). It is “entirely reasonable for the State to determine that assisting immigration enforcement in any way” would be “a detrimental use” of local resources. *See United States v. California*, 314 F. Supp. 3d 1077, 1108 (E.D. Cal. 2018), *aff’d in part*, 921 F.3d 865 (9th Cir. 2019). The United States thus lacks any legal basis for the claims it presses in this case or, for what it is worth, to support its more general endeavor to force state and local governments to carry out its immigration policy.

State and local governments and elected officials like Amici are duty-bound to promote the safety and welfare of all residents in their communities, regardless of immigration status. In enacting the challenged policies, Boston has lawfully exercised its sovereign duty to do just that.

## CONCLUSION

Amici support the Defendants’ motion to dismiss and ask that the Court grant their motion.

Dated: November 24, 2025

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Laura Greenberg-Chao

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## **APPENDIX A - LIST OF *AMICI***

### ***Amici* Local Governments**

City of Albany, New York

Allegheny County, Pennsylvania

City of Cambridge, Massachusetts

City of Evanston, Illinois

City of Minneapolis, Minnesota

City of New Haven, Connecticut

City of Portland, Oregon

City of Sacramento, California

City of San Diego, California

County of Santa Clara, California

City of Somerville, Massachusetts

City of West Hollywood, California

### ***Amici* Local Government Leaders**

Alexander Marion

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Beau Harbin

*Legislator, Cortland County, New York*

David Stout

*Commissioner, El Paso County, Texas*

Ginny Welsch  
*Councilmember, Metropolitan Nashville and Davidson County, Tennessee*

Isabel Piedmont-Smith  
*Councilmember, City of Bloomington, Indiana*

Jerald Lentini  
*Director, Town of Manchester, Connecticut*

Jessie Lopez  
*Councilmember, City of Santa Ana, California*

John Clark  
*Mayor, Town of Ridgway, Colorado*

Justin Douglas  
*Commissioner, Dauphin County, Pennsylvania*

Luis Alejo  
*Supervisor, Monterey County, California*

Michael Chameides  
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*Legislator, Tompkins County, New York*

Xouhoa Bowen  
*Vice Mayor and Councilmember, City of San Leandro, California*

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