

METROPOLITAN NASHVILLE POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

to: Honorable Bill Haslam
Governor, State of Tennessee

from: Steve Anderson
Chief of Police

date: May 9, 2018

re: "Sanctuary City" Legislation

In our law enforcement world we have coined a phrase to remind us of our mission and the means of how that mission must be accomplished. **"All communities cannot be safe until all communities are safe."**

Taken at face value, this phrase seems obvious to the point of being nonsensical. And, that is a part of the attraction of the phrase—to invite pause, ponder and introspection. That is, the safety and well-being of our citizens must be a collective effort. Our state and our cities are but a conglomeration of our communities. These communities adjoin and overlap. There are no walls or fences to keep the dangers of one community from spilling into the next or the next.

If we are unable to bring security and safety to one community, then the safety and security of all communities are at risk.

Since the days of Sir Robert Peel, it is known that, in the absence of the citizenship and the police working together, there cannot be safety in any community. It is the duty and responsibility of local law enforcement to do everything possible to ensure that cooperative effort. To that end, we have developed 692 neighborhood and business groups across our 533 square miles. This includes our immigrant communities.

Our efforts to build inroads into the immigrant communities does not ignore the need to enforce immigration laws at the federal level. It simply takes into account

the greater need to do all that is possible to make every community safe. To do that we need the trust and confidence of all of our citizens. This includes those citizens not in this state lawfully.

For local law enforcement to be effective in its mission to provide for the safety and welfare of all citizens, there must be a separation between the duties of the federal official charged with the responsibilities of enforcing immigration laws and local law enforcement. If there is confusion and apprehension on the part any person as to whether an interaction and cooperation with local authorities might produce a detrimental effect, then the safety of all of our communities is diminished.

Other detrimental effects of this legislation include, but are not limited to, the following:

- The terms 'practice' and 'policy' are liberally used throughout the bill. These are very subjective terms that could be interpreted very broadly. The use of these terms should be deleted or more narrowly defined.
- The provision that penalizes a law enforcement agency that "Grants to aliens unlawfully present in the United States the right to lawful presence within the boundaries of this state . . ." requires more definition. As written, this could be interpreted as any failure to actively seek out the residency status of an individual and/or not taking affirmative action to initiate deportation proceedings.
- This legislation could be interpreted to require local and state officers to respond to calls of immigration issues that we are not authorized to enforce, generating a complaint that we did not take the action the complainant expected or wanted.
- Taking law enforcement action on anything less than probable cause or a court approved arrest order would subject local governments, and individual law enforcement officers, to liability.
- As a practice, our officers do not inquire into the immigration status of individuals while performing public safety duties. Maintaining the confidence and cooperation of victims and witnesses is vital to your public safety mission.

- This is an unfunded mandate to local agencies
- Carrying out the mandates of this legislation will invite accusations of racial profiling

Certainly, nothing said above will interfere in any way with our longstanding partnership and cooperation with our Federal partners. We have a very good working relationship and it is always in our mutual best interest as we work together to arrest any person who has committed a violation of our state or federal criminal laws. That relationship will continue regardless of the status of any proposed legislation.

I believe it is in the best interest of the citizens of this state that the so-called “sanctuary city” bill, as presently written, not become law in Tennessee. I appreciate your consideration.