



Written by [Matt O'Brien](#) on January 5, 2026

How Sanctuary Cities Enable Benefit Fraud

Evidence is quickly mounting that the massive criminal enterprise perpetrated by members of the Somali community in Minnesota may be the [biggest fraud scheme](#) in the history of the United States. The most significant question on the minds of most observers is, “How could this happen?” It’s a legitimate question, but the answer is fairly straightforward: The crime took place in a sanctuary jurisdiction.

The proponents of so-called [sanctuary policies](#) would have the rest of the country believe that they are protecting “innocent” migrants from unjust persecution on the basis of race or ethnicity. According to the sanctuary narrative, all foreigners entering the United States unlawfully are fleeing horrible conditions in their home countries. Those countries are a mess because of American imperialism, and nothing in any of those nations is the result of any defects in the systems used to govern those countries. The United States is then obligated to let in and take care of any alien who crosses our borders.



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However, there are two major problems with that narrative. To begin with, claims that the United States is somehow responsible for all the ills plaguing other countries are specious. According to economics professors Daron Acemoglu and James A. Robinson, the authors of [Why Nations Fail: The Origins of Power, Prosperity, and Poverty](#), countries achieve prosperity when they have “inclusive systems” that share power, protect property rights, and encourage innovation. On the other hand, countries that fail have “extractive systems” that concentrate wealth and power in the hands of a small elite, thereby stifling growth. In other words — in the vast majority of circumstances — countries determine their own economic and political destinies. Therefore, the United States does not owe migrants anything.

The second problem with the sanctuary narrative is that it undermines the rule of law. Even, assuming for the sake of argument, that past U.S. foreign policies did create some kind of moral obligation to the citizens of other countries, that fact would not exempt migrants from the laws governing the admission of aliens into the United States. Rather, it would be incumbent upon Congress to pass specific laws indicating how the U.S. government would meet such moral obligations. Yet, that’s exactly the argument being made by sanctuary proponents — past U.S. foreign policy decisions create *de facto* exemptions from the Immigration and Nationality Act that do not exist *de jure*. But, in a democratic republic based on the fair and consistent application of the rule of law, *ad hoc* exemptions from



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applicable legal norms force the system to the verge of collapse.

In a nutshell, sanctuary policies are nothing more than cities, counties, or states [unilaterally declaring](#) themselves exempt from federal immigration laws that they do not like. In our federalist system, this kind of unilateral action is not permissible. Cities, counties, and states exempting themselves from immigration law is absolutely no different than South Carolina attempting to secede from the Union over the abolition of slavery. Duly enacted federal laws are binding on all political subdivisions within our federalist system, even when a particular jurisdiction disapproves. And the process for changing a federal law that a city, county, or state disapproves of is to petition Congress to change the law, not to simply ignore the disliked provision.

The end result of sanctuary policies is that foreign nationals residing in these jurisdictions receive a “get-out-of-jail-free” card for virtually any crime. Inevitably, local authorities begin refusing to cooperate with the federal government in enforcing *any* federal laws that touch on immigration in any way. And state enforcement entities tend to shy away from cases where the primary suspects are illegal aliens — who are, paradoxically, treated as a privileged class.

The situation only becomes more problematic when one or more of the groups of privileged foreign nationals gain political power. Nobody in the Department of Homeland Security or the FBI wanted to investigate allegations that [Ilhan Omar married her brother](#) to get him a green card, because she was an up-and-coming star in the Democratic Party. And nobody in Minnesota wanted to pursue the obvious indicators of massive fraud among the Somali migrant community because that community was a source of both political contributions and votes. Political machines holding power are rarely willing to bite the hand that feeds them.

Accordingly, no one should be surprised that a migrant community in a radical sanctuary jurisdiction became involved in a massive fraud scheme. Because, for decades, Minnesota has been [telling its migrant communities](#) that it is perfectly acceptable to violate any laws that one doesn't like. Because, as any parent, teacher, coach, or youth leader knows, if you encourage bad behavior, you just get more bad behavior. And for lack of a better metaphor, sanctuary policies are the gateway drug that leads to the complete disobedience of any laws that prove inconvenient to migrant groups.

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