



Written by [Warren Mass](#) on March 31, 2017

## Seattle Files Suit Against Trump Admin. to Preserve Sanctuary City Status

In response to President Trump's January 25 executive order directing that jurisdictions that fail to comply with federal immigration law will not receive federal funds, the city of Seattle filed a lawsuit in U.S. District Court on March 29 that names as defendants President Donald Trump, Attorney General Jeff Sessions, and Secretary of Homeland Security John Kelly.



The timing of the lawsuit, which came just two days after Sessions — in a White House press briefing — urged states and local jurisdictions to comply with federal immigration laws and that failure to remedy violations of those laws could result in the withholding of federal grants, indicates that Seattle Mayor Ed Murray intends to go to battle with the Trump administration over this issue.

*The Hill* reported that in the suit Seattle asked a federal district court judge to declare that the city is acting in accordance with federal law. It also asked the judge to declare that Trump's order is an unconstitutional violation of the 10th Amendment by attempting to force the city to enforce federal immigration law.

The suit also argues that the order violates Article 1, Section 8 of the Constitution, by withholding federal money unrelated to immigration enforcement in an attempt to force the city to comply.

It does not, however, seek a restraining order halting Trump's executive order.

"This week, U.S. Attorney General Jeff Sessions told American cities they are breaking the law in making their communities unsafe," said Murray at a press conference announcing the lawsuit.

"Apparently, the Trump Administration, their war on facts has now become a war on cities."

"Our values of inclusion, of community, our values are the values we will stand by. Let me be clear about the facts: We are not breaking any laws and we are prioritizing safety," Murray continued. "And let me be clear about the president's executive order. It is violating law. It is unconstitutional."

Murray's statements were a continuation of his fight to defend Seattle's sanctuary city status against the Trump administration that he launched the day after Trump was elected president last November. Speaking to a large crowd gathered inside Seattle's city hall the day after the election, Murray vowed that Seattle will remain a sanctuary city for illegal aliens (which some refer to as "undocumented immigrants") in spite of Trump's election as president.

"These are our neighbors, and we will continue to support our neighbors," Murray was quoted as saying



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by the *Seattle Times*, which reported that he used the term “sanctuary city” that some of his supporters dislike. “We can’t allow ourselves to be divided and sorted out. That’s not America.”

The *Times*, in its November 9, 2016 article, cited information from Murray’s office that Seattle’s so-called sanctuary status stems from a 2003 ordinance that (unless otherwise required by law or court order) bars police officers from inquiring into a person’s immigration status without reasonable suspicion that the person has been previously deported and has committed a felony.

For some unexplained reason, except perhaps to demonstrate his unbridled social liberalism, during his speech Murray included an entire smorgasbord of alleged oppressed minorities — refugees, Muslims, women, and gay Americans, among others — along with illegal aliens.

“Seattle is the same city today that it was yesterday ... guided by equality and inclusion and openness,” Murray said, while charging that Trump has “demonstrated outright misogyny, demonstrated xenophobia and homophobia, nationalism, racism and authoritarian tendencies.”

During the press briefing that apparently motivated Seattle to file its lawsuit, Sessions said:

The President has rightly said, disregard for the law must end. In his executive order, he stated that it is the policy of the executive branch to ensure that states and cities comply with all federal laws, including all immigration laws.

Today, I’m urging states and local jurisdictions to comply with these federal laws, including 8 U.S.C. Section 1373. Moreover, the Department of Justice will require that jurisdictions seeking or applying for Department of Justice grants to certify compliance with 1373 as a condition of receiving those awards.

This policy is entirely consistent with the Department of Justice’s Office of Justice Program’s guidance that was issued just last summer under the previous administration. This guidance requires state and local jurisdictions to comply and certify compliance with Section 1373 in order to be eligible for OJP grants.

Seattle’s lawsuit alleges that the Trump executive order violates the 10th Amendment to the Constitution because it supposedly attempts to force the city to enforce federal immigration law.

What the executive order does state (in part) is that “the Attorney General and the Secretary, in their discretion and to the extent consistent with law, shall ensure that jurisdictions that willfully refuse to comply with 8 U.S.C. 1373 (sanctuary jurisdictions) are not eligible to receive Federal grants, except as deemed necessary for law enforcement purposes by the Attorney General or the Secretary.”

The 10th Amendment is very concise. It states: “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.”

So while the Constitution may not require the states or cities to enforce federal immigration law, neither does it require the federal government to provide any aid at all to those entities.

Therefore, Seattle and other sanctuary cities such as San Francisco apparently want to have their cake and eat it, too. They do not want to cooperate with federal immigration laws (mostly by honoring ICE detainers — requests to hold illegal aliens until ICE agents can come to the police station and pick them up), which is their right. But they still want to receive federal funds — which is not their right.

Officials in local jurisdictions must learn the basic lesson that all federal aid comes with a price tag.



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Those who do not want to pay the price should not ask for federal aid.



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