

Judge in Chicago refuses to change ruling on sanctuary cities



U.S. Attorney General Jeff Sessions speaks about the asylum system at the Executive Office for Immigration Review in Falls Church, Va., on Oct. 12, 2017. (Jim Lo Scalzo/EPA-EFE)

By **Jason Meisner**
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A federal judge in Chicago on Friday refused to alter his previous ruling barring Attorney General **Jeff Sessions** from requiring sanctuary cities nationwide to cooperate with immigration agents in exchange for receiving public safety grant money.

In granting the preliminary injunction last month, U.S. District Judge Harry Leinenweber said Mayor Rahm Emanuel's administration could suffer "irreparable harm" in its relationship with the immigrant community if it were to comply with the U.S. Department of Justice's new rules. **The judge also said the attorney general overstepped his authority by imposing the special conditions, agreeing with the city's argument that it was an attempt to usurp power from Congress over the country's**

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In a motion filed Sept. 26, Sessions asked Leinenweber to narrow the ruling to apply only to Chicago, arguing it would unfairly punish smaller cities that depend on the Edward Byrne Memorial Justice Assistance Grants.

But Leinenweber wrote in his decision Friday that the “rule of law is undermined” if he allowed Sessions to continue what is likely unconstitutional conduct in other cities while the lawsuit here is pending.

“An injunction more restricted in scope would leave the Attorney General free to continue enforcing the likely invalid conditions against all other Byrne JAG applicants,” wrote Leinenweber, who was appointed to the bench by President Ronald Reagan in 1985.

A separate appeal of Leinenweber’s preliminary injunction is pending before the 7th U.S. Circuit Court of Appeals in Chicago.

President Donald Trump’s administration wants to require cities applying for the annual grants for public safety technology to give notice when immigrants in the country illegally are about to be released from custody and allow immigration agents access to local jails.

The new regulations, announced by Sessions in July, also would require local authorities to give 48 hours’ notice “where practicable” before releasing from custody people whom federal immigration agents suspect of being in the country illegally.

The Byrne grants have become a high-profile battlefield between local governments and the Trump administration over the president’s immigration policies.

This week, the [Justice Department](#) announced it had sent letters contending that Chicago and Cook County violated federal immigration laws last year when they were awarded public safety grants.

The letters to Chicago police Superintendent Eddie Johnson and Cook County Board President Toni Preckwinkle, along with a handful of other so-called sanctuary cities around the country, do not specify why the city and county are in violation, but it gives them until Oct. 27 to prove otherwise before the Justice Department reaches “its final determination” on the matter.

In a statement Friday, Emanuel claimed victory but said the “battle is not over.”

“This ruling is a victory for both Chicago and cities nationwide, because no city in America should be forced to abandon its values in order to get public safety funding from the federal government,” the

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