

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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<https://oversight.house.gov>

January 27, 2025

The Honorable Mike Johnston
Mayor
City and County of Denver
Denver Mayor's Office
1437 Bannock Street
Denver, CO 80202

Dear Mayor Johnston:

The Committee on Oversight and Government Reform is investigating sanctuary jurisdictions across the United States and their impact on public safety and the effectiveness of federal efforts to enforce the immigration laws of the United States. Sanctuary jurisdictions and their misguided and obstructionist policies hinder the ability of federal law enforcement officers to effectuate safe arrests and remove dangerous criminals from American communities, making Americans less safe. Denver is a sanctuary jurisdiction that refuses to fully cooperate with federal immigration enforcement. To provide much needed oversight of this matter, the Committee requests documents and information related to the sanctuary policies of Denver. Additionally, we invite you to testify at a public hearing on the matter before the Committee on February 11, 2025, at 10:00 a.m. ET in room HVC-210 of the U.S. House Visitor Center.

Sanctuary jurisdictions are “states, counties or cities that put some limits on how much they are willing to cooperate with federal agencies’ efforts to deport” illegal aliens.¹ These jurisdictions take it upon themselves to decide what laws they will and will not abide by all for the purpose of shielding removable aliens, especially criminals, from federal law enforcement. There are about 12 states and hundreds of cities and counties with sanctuary laws or policies across the country.² Four cities, however, stand out in their abject failure to comply with federal law: Chicago, New York City, Denver, and Boston. Citizens of all four cities have suffered due to sanctuary policies.

Chicago is a sanctuary jurisdiction under Chapter 2-173 Welcoming City Ordinance and the Illinois Trust Act.³ The Welcoming City Ordinance prevents local officials from arresting,

¹ Miriam Jordan, *What Are Sanctuary Cities?*, N.Y. TIMES (Jan 25, 2025).

² *Id.*

³ See Chapter 2-173 Welcoming City Ordinance, Municipal Code of Chicago (accessed Jan. 23, 2025), *available at* <https://www.chicago.gov/content/dam/city/depts/mayor/Office%20of%20New%20Americans/PDFs/WelcomingCityOrdinance.pdf>; *see also* Rights of the People, Civil Rights, Defending Immigration Rights, Office of the Illinois Attorney General Kwame Raoul (accessed Jan. 23, 2025), *available at* <https://illinoisattorneygeneral.gov/rights-of-the-people/civil-rights/immigration/>.

detaining, or continuing to detain illegal aliens subject to “an administrative warrant entered into the Federal Bureau of Investigation’s National Crime Information Center database” or “immigration detainers.”⁴ Mayor Brandon Johnson recently “reaffirmed” his commitment to keep Chicago a sanctuary city.⁵

New York City is a sanctuary jurisdiction under several city code provisions generally prohibiting law enforcement from honoring an immigration detainer or notifying federal immigration authorities of an alien’s release from custody except in very narrow circumstances.⁶ Further, New York City is subject to the provisions of additional sanctuary policies found under Executive Order No. 170, signed by former Governor Andrew Cuomo, which directs that “[n]o State officers or employees, including law enforcement officers, shall disclose information to federal immigration authorities for the purpose of federal civil immigration enforcement, unless required by law.”⁷

Denver is a sanctuary jurisdiction under Colorado law,⁸ and Mayor Mike Johnston confirmed that he was prepared to go to jail to protect illegal aliens from federal immigration authorities.⁹

Boston is a sanctuary jurisdiction under the Boston Trust Act, which the Boston City Council recently voted unanimously to reaffirm.¹⁰ Further, Boston is also subject to Massachusetts’s judicial precedent finding ICE detainers an unlawful exercise of state power.¹¹ Mayor Michelle Wu “reiterated Boston’s status as a sanctuary city” shortly after the 2024 presidential election.¹²

⁴ *Id.*; Immigration Detainers, U.S. Immigration and Customs Enforcement (accessed Jan. 23, 2025), available at <https://www.ice.gov/immigration-detainers>; An “immigration detainer” is “a request from ICE that asks a federal, state or local law enforcement to” (1) notify the agency “before they release a removable citizen” and (2) “hold the noncitizen for up to an additional 48 hours.”

⁵ A Martinez & Obed Manuel, *Chicago immigrant residents are in Trump’s sights. The mayor says he’ll defend them*, 90.5 WESA (Updated Jan. 21, 2025).

⁶ See Administrative Code of the City of New York §§ 9-131 (Department of Correction); 14-154 (Police Department); 9-205 (Department of Probation).

⁷ Executive Chamber, Executive Order No. 170, State of New York (Sept. 15, 2017), available at https://www.governor.ny.gov/sites/default/files/atoms/files/EO_%23_170.pdf.

⁸ HB19-1124, Protect Colorado Residents From Federal Government Overreach, 2019 Regular Session (Mar. 28, 2019), available at <https://leg.colorado.gov/bills/hb19-1124>.

⁹ See Adam Shaw, *Denver mayor says he’s prepared to go to jail over opposition to Trump deportations of illegal immigrants*, FOX NEWS (Nov. 25, 2024).

¹⁰ See Gayla Cawley, *Boston City Council reaffirms sanctuary status to ‘brace for impact’ of Trump mass deportation vow*, BOSTON HERALD (Dec. 5, 2024); see also City of Boston Municipal Code, 11-1.9 Boston Trust Act (accessed Jan. 24, 2025), available at https://codelibrary.amlegal.com/codes/boston/latest/boston_ma/0-0-0-7416#JD_11-1.9.

¹¹ See *Lunn v. Commonwealth*, 78 N.E.3d 1143 (Mass. 2017).

¹² Walter Wuthmann, *Wu reasserts Boston’s sanctuary city status ahead of Trump’s second term*, WBUR (Nov. 18, 2024).

On the first day of his second term, President Donald Trump took decisive actions to restore the rule of law with respect to immigration enforcement.¹³ One action included a directive to the Attorney General and the Secretary of Homeland Security “to . . . evaluate and undertake any lawful actions to ensure that so-called ‘sanctuary’ jurisdictions, which seek to interfere with the lawful exercise of Federal law enforcement operations, do not receive access to Federal funds.”¹⁴ In addition to the efforts of the Trump Administration to ensure federal immigration enforcement can proceed unimpeded, Congress must determine whether further legislation is necessary to enhance border security and public safety. It is imperative that federal immigration law is enforced and that criminal aliens are swiftly removed from our communities.

To assist the Committee’s oversight of this matter, we request the following documents and information, covering the time period January 1, 2024, to the present, as soon as possible but no later than February 10, 2025:

1. All documents and communications among or between any official, employee, contractor, or agent of the City and County of Denver related to the city’s sanctuary status;
2. All documents and communications among or between any official, employee, contractor, or agent of the City and County of Denver and any individual or entity, including but not limited to any non-governmental organization or representative thereof, related to the city’s sanctuary status;
3. All documents and communications among or between any official, employee, contractor, or agent of the City and County of Denver and any official, employee, contractor, or agent of the State of Colorado related to the city’s sanctuary status; and
4. All documents and communications among or between any official, employee, contractor, or agent of the City and County of Denver and any official, employee, contractor, or agent of the federal government related to the city’s sanctuary status.

In addition, please confirm your testimony before the House Committee on Oversight and Government Reform by February 4, 2025.

¹³ Presidential Actions, *Declaring a National Emergency at the Southern Border of the United States*, The White House (Jan. 20, 2025); Presidential Actions, *Guaranteeing the States Protection Against Invasion*, The White House (Jan. 20, 2025); Presidential Actions, *Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global Terrorists*, The White House (Jan. 20, 2025); Presidential Actions, *Protecting the American People Against Invasion*, The White House (Jan. 20, 2025); Presidential Actions, *Securing Our Borders*, The White House (Jan. 20, 2025); Presidential Actions, *Realigning the United States Refugee Admissions Program*, The White House (Jan. 20, 2025); Presidential Actions, *Value of American Citizenship*, The White House (Jan. 20, 2025); Presidential Actions, *Military’s Role in Protecting the Territorial Integrity of the United States*, The White House (Jan. 20, 2025); Presidential Actions, *Initial Rescissions of Harmful Executive Orders and Actions*, The White House (Jan. 20, 2025).

¹⁴ Presidential Actions, *Protecting the American People Against Invasion*, THE WHITE HOUSE (Jan. 20, 2025).

The Honorable Mike Johnston

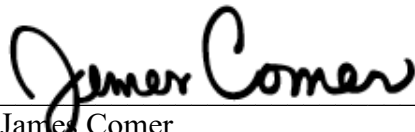
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The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. To arrange for delivery of documents, confirm your appearance at the hearing, or to ask any related follow up questions, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style with a large, prominent "J" and "C".

James Comer
Chairman

cc: The Honorable Gerald Connolly, Ranking Member
Committee on Oversight and Government Reform