

MEMORANDUM

TO: All House Members

FROM: Representative Jerry Knowles
124th Legislative District

DATE: February 11, 2011

RE: Sanctuary Cities – Victims of unauthorized aliens

As a general rule, municipalities in Pennsylvania enjoy governmental immunity from lawsuits. The Commonwealth's Judicial Code outlines the limited exceptions to governmental immunity. For example, under certain circumstances, you can sue for dangerous conditions of streets or sidewalks, custody of personal property, etc.

In the last several years, the national media have reported on the occurrence of so-called "sanctuary cities". This term refers to various cities which have declared themselves to be "sanctuaries" for unauthorized aliens in the United States. These cities have embraced policies to discourage the enforcement of immigration laws and have, at least on some level, stymied efforts to deal with the legitimate concerns about those who have violated our laws to be here. In the near future, I intend to introduce legislation to assist victims who have been subjected to crimes committed by unauthorized aliens that were sheltered by these "sanctuary cities".

This legislation would create another exception to the shield of governmental immunity. Any municipality which adopted policies to encourage unauthorized aliens to take up residence could be held liable for damages to persons or property as a result of criminal activity by unauthorized aliens if:

- the unauthorized alien had resided in the municipality for at least 6 months,
- the unauthorized alien was convicted of a crime, and,
- the crime was the proximate cause of the injury.

If you would like to cosponsor this legislation, please contact Tracy Baker at 717-787-9029 or via e-mail at tbaker@pahousegop.com.

Thank you.

JK/TB