

Trump declares “sanctuary” cities and states are engaged in insurrection against federal government

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In an executive order signed late Monday afternoon, US President Donald Trump extended his illegal and unconstitutional attack on immigrants, threatening severe legal and financial consequences for cities and states that do not fully cooperate with the crackdown being spearheaded by Immigration and Customs Enforcement (ICE).

While the order is titled, “Protecting American Communities from Criminal Aliens,” it actually is directed at initiating a process by which Trump could invoke the Insurrection Act of 1807 and impose martial law on cities and states, all governed by Democrats, which bar local and state police from sharing information with ICE or carrying out joint anti-immigrant operations.

The order declares, “Federal supremacy with respect to immigration, national security and foreign policy is axiomatic,” although when Democrat Joe Biden was in the White House, both Texas Governor Greg Abbott and Florida Governor Ron DeSantis regularly flouted federal authority, with Trump’s support.

The text of the order invokes the same constitutional provisions that Trump sought to invoke in May 2020, after nationwide protests broke out in response to the police murder of George Floyd in Minneapolis. It declares:

Article II of the Constitution vests the power to protect national security and conduct foreign policy in the President of the United States, and Article IV, Section 4, requires the Federal Government to “protect each of [the States] against Invasion.”

The characterization of immigrants crossing the border as an “invasion” was the basis of Trump invoking the Alien Enemies Act last month, under which Venezuelan migrants have been declared—without evidence or any judicial process—to be members of the Tren de Aragua gang and

subject to immediate removal to the CECOT torture prison in El Salvador.

The order continues, in language that is chilling and politically ominous:

This invasion at the southern border requires the Federal Government to take measures to fulfill its obligation to the States.

Yet some State and local officials nevertheless continue to use their authority to violate, obstruct, and defy the enforcement of Federal immigration laws. This is a lawless insurrection against the supremacy of Federal law and the Federal Government’s obligation to defend the territorial sovereignty of the United States.

The order goes on to claim that

such nullification efforts often violate Federal criminal laws, including those prohibiting obstruction of justice... unlawfully harboring or hiring illegal aliens, conspiracy against the United States, and conspiracy to impede Federal law enforcement...

Trump’s order instructs Attorney General Pam Bondi and Secretary of Homeland Security Kristi Noem to draw up a list within 30 days of state and local governments “that obstruct the enforcement of Federal immigration laws.” They are further instructed to notify the jurisdictions that they must end their defiance of the federal government or face the consequences.

These consequences could include halting the flow of federal funds into state and local programs, although a

federal judge has issued a temporary restraining order barring the Trump administration from carrying out such a sanction.

More ominous is the threat of prosecution against state and local government officials. It is less than a week since federal agents arrested a Milwaukee County judge and charged her with obstructing immigration enforcement after she objected to ICE agents raiding her own courtroom to seize a man who was facing charges there. Judge Hannah Dugan has been temporarily suspended by the Wisconsin state Supreme Court (which has a 4-3 Democratic majority) and will be arraigned on felony charges May 15.

Trump's latest order clearly envisions extending such repressive measures to mayors, local chiefs of police, county sheriffs, and even governors or state attorneys general. An accompanying fact sheet specifically mentions the city of Philadelphia and the state of Massachusetts as failing to cooperate with federal anti-immigration operations. Local police in Colorado Springs, Colorado also declined last week to participate in a massive ICE raid that rounded up more than 100 men at a local bar popular with Venezuelan immigrants.

The Trump order also seeks to prevent local jurisdictions from providing aid to migrants, including food and other necessities, or giving them benefits such as in-state tuition at colleges and universities.

A second executive order, also issued Monday afternoon, requires proficiency in English for truck drivers working in the US transportation industry. It follows up an earlier executive order designating English as the official national language. Neither order has the slightest constitutional foundation, since the Constitution is silent on the question of language. Moreover, issuance of drivers licenses is a state responsibility and has never been subject to federal intervention.

While the pretext given is that English language proficiency is necessary as a safety measure, there is no evidence to back that up. There is no literacy test for a commercial truck license and there are doubtless many workers who have very limited reading skills—due to the decline in literacy and cutbacks in public education—but are nonetheless able to operate a truck safely.

Secretary of Transportation Sean Duffy is instructed to review commercial driver's licenses issued by the states "to identify any unusual patterns or numbers or other irregularities."

A third executive order issued Monday intensifies the law-and-order demagogic from the White House, despite record low levels of serious and violent crime. It particularly aims at protecting cops who abuse, beat or kill those they encounter, instructing Attorney General Bondi to review all

"consent decrees," agreements with local police departments usually reached after particularly notorious cases of police violence, in which the local police agencies promise to provide better training in return for the Justice Department looking the other way.

The order foreshadows further militarization of the local police for when they are deployed against mass popular opposition to the policies of the Trump administration. This includes:

- * Increase the provision of surplus military assets to support local law enforcement and evaluate their use in crime prevention.

- * Use recently established Homeland Security Task Forces (HSTFs) to advance federal and local coordination.

While Trump continues to roll out one dictatorial decree after another, further incidents of police-state action are taking place daily.

In Oklahoma City, a US citizen and her three daughters were terrorized by a group of ICE agents, accompanied by US marshals and FBI agents, who raided their home, supposedly executing a search warrant for suspects who did not live at that address. They tore apart the house and confiscated electronic devices, identification and cash in the possession of the family, who had only recently moved in.

The US citizen, whose name was given in local media only as "Marisa," said she repeatedly told the agents, "We just moved here from Maryland. We're citizens. That's what I kept saying. We're citizens."

She said the agents didn't care. "They were very dismissive, very rough, very careless," she said. "I kept pleading. I kept telling them we weren't criminals. They were treating us like criminals. We were here by ourselves. We didn't do anything."



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