



# SAFE CITY ORDINANCE

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## **PURPOSE OF THE ORDINANCE**

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The purpose of this ordinance is to ensure that city funds are not used to house, accommodate, or exclusively benefit illegal immigrants.

**Tulsans expect their elected officials to responsibly steward city resources and take proactive steps, when necessary, to mitigate impending crises, like the illegal immigrant crisis affecting other U.S. cities.**

This ordinance upholds federal immigration statutes, including the U.S. Constitution, while safeguarding the prudent use of taxpayer funds.

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## BACKGROUND

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Since 2021, over 10 million illegal immigrants have entered the U.S., roughly 2.5 times the population of Oklahoma. Hundreds of U.S. cities are seeing their resources overwhelmed as unlawful migrants show up en masse.

2023 was ranked the **worst year on record** for many U.S. cities overwhelmed by migrant arrivals, and 2024 is on pace to break prior records. This crisis will get worse before it gets better.

**We need proactive leadership to ensure Tulsa is protected from this crisis.**

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## EXAMPLE: DENVER, CO

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- In 2023, Denver received over 40,000 new migrant arrivals.
- City shelters, hospitals, and schools are at their **breaking points**.
- Denver has spent \$42m already on this crisis, and their **city spending** may reach \$180m by year-end, or 10% of Denver's annual budget.

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## EXAMPLE: NEW YORK CITY, NY

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- In 2023, New York City received over 130,000 new migrant arrivals.
- NYC has spent \$12b already on this crisis. Costs are spiraling.
- Mayor Adams is preparing “Extremely painful city budget cuts. Every agency **will be cut by 5%**, including Preschools, Police, and Libraries.

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## BOTTOM LINE

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- Tulsa is ill-equipped to be a future migrant arrival destination city.
- It would be unfair and irresponsible of us to be forced to cut important city services for Tulsans, including those that help our homeless population when this crisis is avoidable by the passage of this ordinance.
- This ordinance sets clear guidelines to ensure that City Funds are not used to house, accommodate, or exclusively benefit Illegal Immigrants.

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## **FAQ: HUD FUNDING OR GRANTS**

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**Will the City of Tulsa lose its HUD Funding/Grants if we do not house illegal immigrants?**

No. In fact, Tulsa may lose HUD funding if we do knowingly house illegal immigrants. HUD is prohibited from providing financial assistance to unlawful residents as stated in 42 US Code 14346a:

“(A) Conditions for Assistance. Notwithstanding any other provision... may not make financial assistance available for the benefit of any alien unless that alien is a resident of the United States...”

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## **FAQ: CONSTITUTIONALITY**

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**Does the 14th Amendment make this hard to enforce?**

No. The ordinance includes the words “**except where required by the Federal Constitution.**” This means SCOTUS rulings or Constitutional protections are not at odds with this ordinance. The 14th Amendment's equal protection clause grants access to utilities and emergency services such as police, fire, and EMSA, but it is not an umbrella for all city spending.

**IMPORTANT NOTE: Tulsa is not federally required to provide housing subsidies, food stamps, or other social services to illegal immigrants.**



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## **FAQ: WHAT FEDERAL LAWS SAY**

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Title 8, U.S. Code Section 1324(a) prohibits the following actions:

**Domestic Transporting:** prohibits knowingly transporting or moving unlawful aliens within the United States.

**Harboring:** prohibits knowingly attempting or effectively concealing, harboring, or shielding unlawful aliens from detection in any building or transportation.

**Encouraging/Inducing:** prohibits knowingly encouraging or inducing illegal immigrants to come to, enter, or reside in the U.S.

**Conspiracy/Aiding or Abetting:** prohibits engaging in conspiracy to commit or aid/abet the commission of the foregoing offenses.

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## **FAQ: IMMIGRATION STATUS**

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**Does this require city officials to check the immigration status of people residing in Tulsa? What about visa holders or DACA recipients?**

No. The scope is specific to the city treasury, ensuring city funds are not used to exclusively benefit illegal immigrants with housing or accommodations.

This ordinance would not affect VISA holders and DACA recipients.