



Written by [R. Cort Kirkwood](#) on September 5, 2025

DOJ Sues Boston to Overturn Unlawful Sanctuary Law

The Justice Department (DOJ) continued its legal war against sanctuary cities that protect illegal aliens yesterday [by suing](#) Boston, Massachusetts.

Like the lawsuits that preceded it, DOJ's complaint details the city's stubborn refusal to abide by federal immigration laws and seeks relief on three counts of the city's violating the federal Constitution's Supremacy Clause.

The department has filed myriad lawsuits against sanctuaries, and also filed one against Oklahoma for giving in-state tuition benefits to illegals.



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Department of Justice Sues City of Boston, Mayor Michelle Wu Over Sanctuary City Laws

"The City of Boston and its Mayor have been among the worst sanctuary offenders in America - they explicitly enforce policies designed to undermine law enforcement and protect illegal aliens...

— U.S. Department of Justice (@TheJusticeDept) [September 4, 2025](#)

Background on Boston's Rebellion

The lawsuit follows months of confrontation between the city's mayor, Michelle Wu, and federal officials.

[Linked to](#) Red China's intelligence agencies, [Wu has repeatedly vowed](#) not to assist Immigration and Customs Enforcement (ICE) in enforcing federal immigration laws. That initially invited a warning from border czar Tom Homan that she had better read federal immigration statutes, notably [8 U.S. Code 1324](#), bringing and harboring aliens.

When U.S. Attorney General [Pam Bondi warned](#) sanctuary cities and states that they must confirm with DOJ by August 19 that they are complying with federal immigration laws, Wu [unbosomed herself](#) of a reply that again vowed rebellion and insurrection against the federal government:

The U.S. Attorney General asked for a response by today. So, here it is.... Stop attacking our cities to hide your administration's failures. Unlike the Trump administration, Boston follows the law. And Boston will not back down from who we are and what we stand for....

You are wrong on the law, and you are wrong on safety.

But Bondi's [letter](#) was clear:



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Individuals operating under the color of law, using their official position to obstruct federal immigration enforcement efforts and facilitating or inducing illegal immigration may be subject to criminal charges.

She noted these federal statutes:

- [8 U.S. Code 1324](#), Bringing in and harboring aliens;
- [18 U.S. Code 371](#), Conspiracy to commit offense or to defraud United States;
- [18 U.S. Code 1071](#), Concealing person from arrest;
- [18 U.S. Code 1505](#), Obstruction of proceedings before departments, agencies, and committees; and/or
- [8 U.S. Code 1373](#), Communication between government agencies and the Immigration and Naturalization Service.

The Lawsuit

[DOJ's 17-page lawsuit](#), filed yesterday in the U.S. District Court for Massachusetts, targets Wu — who has compared ICE agents to neo-Nazis — as a key conspirator in the city's refusal to abide by federal immigration laws.

Noting that illegal-alien criminals run amok across the nation, and that President Donald Trump vowed to arrest and deport them, the suit says that

Boston Mayor Michelle Wu has repeatedly chosen to shield these criminals from federal law enforcement and reaffirmed Boston's commitment to being a "sanctuary city."

In a recent letter to Attorney General Pamela J. Bondi, Mayor Wu went so far as to say that 'Boston will never back down' from its sanctuary city policies. Her resistance endangers public safety, resulting in a number of criminals being released into Boston who should have been held for immigration removal from the United States.

□ SHOCKING: Boston Mayor Michelle Wu compares ICE agents to neo-Nazis:

"I don't know of any police department that routinely wears masks. We know that there are other groups that routinely wear masks. NSC-131 routinely wears masks."

□ pic.twitter.com/kMOh8O9Vof

— Rapid Response 47 (@RapidResponse47) [June 5, 2025](#)

Noting that "cities cannot obstruct the Federal Government from enforcing immigration laws," the suit alleges that Boston's unlawful "Trust Act" "does just that."

The act forbids the city's police from cooperating with federal immigration authorities, [says](#) the suit:

It requires Boston police officers to refuse federal immigration detainers — a document by which the government provides notice of its intent to assume custody of a removable alien detained in the custody of another law enforcement agency — which are essential to



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enforcing immigration law.

Specifically, the Boston Trust Act directs Boston law enforcement officers (1) to withhold basic information about aliens who are in City custody and are subject to federal immigration custody, including custody status or release date, from the Federal Government, and (2) to deny federal officers access to such individuals to effect their safe transfer to federal immigration custody when presented with a federal administrative warrant. These provisions reflect that City's intentional effort to obstruct the Federal Government's enforcement of federal immigration law and to impede consultation and communication between federal, state, and local law enforcement officials that is necessary for federal officials to carry out federal immigration law and keep Americans safe.

Detainer requests from ICE to Boston cops included those for illegals charged with homicides, assaults, and sex and drug crimes. But, the suit notes, the Trust Act put those criminals back on the streets.

The lawsuit also quotes the Trust Act, which says that

[a] law enforcement official shall not detain an [illegal alien] solely on the basis of a civil immigration detainer request or an ICE administrative warrant after the individual is eligible for release from custody, unless ICE has a criminal warrant, issued by a Judicial Officer, for the individual.

As well, no city money can be used for immigration enforcement, and personnel cannot "interrogate, detain or arrest persons for immigration enforcement purposes." Nor can cops provide ICE or its bureaus information "regarding [an illegal alien's] release date or time" from jail.

The city is so intransigent that

the Boston Police Department has refused to provide ICE agents access to the City's detention areas to arrange for a safe custodial transfer of an alien even when ICE agents are present at the police station and capable of taking custody of that alien.

The [lawsuit alleges](#) three violations of the Supremacy Clause that invalidate the act. First, the act "constitutes and creates obstacles to the enforcement of federal immigration law." Its provisions "undermine federal immigration law's protections for information sharing and are thus preempted under both express and conflict preemption principles."

Second, the act "discriminates against the Federal Government," which trespasses the "Doctrine of Intergovernmental Immunity."

Third, the act "effects direct regulation of the Federal Government":

By refusing to honor civil detainers and warrants expressly authorized by Congress, defendants have unlawfully eliminated these means for federal immigrations [sic] officials to carry out their statutory functions.

[Bondi said](#) of the lawsuit:



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The City of Boston and its Mayor have been among the worst sanctuary offenders in America — they explicitly enforce policies designed to undermine law enforcement and protect illegal aliens from justice.

If Boston won't protect its citizens from illegal alien crime, this Department of Justice will.

Other Lawsuits

Among the other targets of DOJ's Supremacy Clause complaints are [New York City and State](#), [Denver and Colorado](#), and [Chicago, Cook County, and the state of Illinois](#).

Last month, [DOJ sued](#) Oklahoma for trespassing the Supremacy Clause and violating the federal law that forbids the federal and state government from granting "greater benefits to individuals who are unlawfully present in the United States than to American citizens."

That suit followed Trump's executive order regarding such benefits.



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