



The Judicial Watch Verdict®

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Judicial Watch Historic Victory!

Appellate Court Rules Lawsuit Challenging Houston's Illegal Alien Sanctuary Policy Will Continue

Sergeant Joslyn Johnson, the widow of a fellow police officer gunned down by an illegal alien criminal, will finally get her day in court thanks to a landmark Judicial Watch court victory!

On September 9, 2011, the United States Court of Appeals for the Fifth Circuit ruled in favor of Sergeant Johnson and Judicial Watch. The three-judge panel reversed a decision by the district court. Sgt. Johnson's lawsuit against the city of Houston's illegal sanctuary policy will now continue.

As noted by the appellate court, under the Houston Police Department's (HPD) illegal alien sanctuary policy "HPD officers are forbidden from notifying federal authorities that they have encountered a known illegal alien unless they arrest that person on a 'separate criminal charge (other than a class C misdemeanor).'"

Moreover, Houston's sanctuary policy also prevents police officers from obtaining immigration information from a number of federal government databases. (The policy only allows police officers to check the "wanted" status of an illegal alien from a single federal database that tracks illegal aliens who have been convicted

Houston, Texas – A Hotspot for Illegal Alien Criminal Activity:

Judicial Watch is actively and aggressively investigating the illegal alien crisis in Houston, Texas. For example, Judicial Watch uncovered a shocking sex trafficking operation set up by illegal aliens right under the nose of the Houston Police Department. This operation was kept alive by illegal alien sanctuary policies. JW also uncovered documents showing that federal immigration officials in Houston suspended the deportations of dangerous illegal alien criminals at the direction of the Obama administration.



and deported for "drug trafficking, firearms trafficking, or serious violent crimes.")

As Judicial Watch argued in its September 21, 2009, lawsuit on behalf of Sergeant Johnson, Houston's restrictive illegal alien sanctuary policies harm her ability to communicate with federal

immigration officials:

"Officer Johnson does not seek to detain or arrest persons in order to inquire about their

immigration status ... Rather plaintiff [Johnson] seeks to use her professional judgment to determine when it is appropriate to contact ICE [U.S. Immigration and Customs Enforcement] to inquire or provide information about a person's immigration status if, in the course of carrying out her duties and responsibilities as a law enforcement officer, she has reason to believe a crime may have been committed."



Joslyn Johnson

PHOTO PROVIDED BY MS. JOSLYN JOHNSON

The district court initially dismissed this lawsuit, ruling that Sgt. Johnson was precluded from bringing the lawsuit because the court had previously dismissed a separate lawsuit over the death of her husband. The appellate court reversed this decision, ruling that the lower court had incorrectly determined that

Sgt. Johnson's lawsuit was essentially "duplicative" of her previous lawsuit and had therefore already been adjudicated.

"This is a tremendous victory for Judicial Watch's client, Sgt. Joslyn Johnson, who will finally get her day in court," said Judicial Watch President Tom Fitton. "The city of Houston demonstrates the terrible harm caused by illegal alien sanctuary policies. We look forward to the opportunity to try to end Houston's lawless sanctuary policies that place law enforcement officers and the citizens of Houston at risk."

On September 21, 2006, Sergeant Johnson's husband, Officer Rodney Johnson, was making a routine traffic stop when he was shot and killed by Juan Leonardo Quintero-Perez, a previously deported Mexican national who had reentered and was living in the U.S. illegally. After reentering the U.S. illegally, Quintero-Perez had multiple interactions with the HPD before shooting and killing Officer Johnson, including at least one arrest for driving under the influence and citations for failing to stop and give information following an accident and driving with a suspended license. **JW**



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