

An Open Letter on Why Police Should Not Act as Immigration Agents

Dear New York State Official:

Recently, some local lawmakers have proposed enlisting state and local police officers in the enforcement of federal immigration laws. We hope you will join us in opposing this misguided effort. This is a costly and counterproductive proposal that our police would be wise to reject. It would have the unintended effect of making us less safe, by destroying trust and cooperation between police and the communities they are supposed to protect, and diverting law enforcement resources away from more-important policing priorities.

The idea of deputizing state and local police as immigration agents is being promoted by State Assemblyman Greg Ball (R–Carmel), who is convening meetings with local law enforcement officials and anti-immigrant groups to sell the idea. Mr. Ball is calling on local law enforcement agencies to enter into agreements with the Department of Homeland Security under section 287(g) of immigration law, authorizing police to carry out the functions of federal immigration officers, at local expense.

Enlisting state and local police to enforce federal civil immigration laws is bad policy for many reasons:

- **Undermines community-policing efforts.** Police depend on relationships with and cooperation from the entire community. People will be less likely to go to the police if they fear that they or their family members could end up being deported. Victims of domestic violence will hesitate to report their abusers. If crime victims or witnesses are fearful of approaching the police or reporting suspicious behavior, the entire community is less safe.
- **Diverts resources away from fighting crime.** Checking immigration documents and holding suspected undocumented immigrants who have committed no crime diverts law enforcement resources away from responding to 911 calls and investigating real crimes. Our police should be focused on fighting crime, not on going after immigrants who are simply working to support their families.
- **Results in serious mistakes and civil rights violations.** Determining whether someone has violated immigration laws or regulations is not a simple matter. Enlisting police to enforce complex immigration laws is likely to lead to increased racial profiling and civil rights violations, as well as mistakes, all of which can expose state and local governments to lawsuits and expensive judgments and settlements.
- **Imposes another unfunded responsibility on local government.** The federal government provides no new funds or reimbursement to towns and cities that take on immigration law enforcement. In an era of tight budgets, the last thing we need is another unfunded mandate—one that would drive people away from cooperating with law enforcement. Congress needs to fix the broken immigration system, not shift responsibility to local municipalities.

The 287(g) agreements do nothing to help us fight crime. State and local police already have the authority to arrest immigrants who are involved in crime and to call federal immigration agents. They do this every day. But 287(g) is not about fighting crime; it is about police going after immigrants who pose no criminal threat. Such efforts would only push immigrant workers and families further underground, making them easy targets of crime.

Let us be clear on who is ultimately pushing this agenda. This is the work of a handful of groups that seek to exploit the 9/11 tragedy and people's fears in order to advance their own anti-immigrant agenda. These groups, which include the 9/11 Families for a Secure America, are linked to the nation's leading anti-immigrant organization, the Federation for American Immigration Reform, or FAIR. FAIR itself has connections to white-supremacist groups and is listed as a hate group by the Southern Poverty Law Center, which tracks hate-group activities in the United States.

Like all Americans, we are concerned about public safety and security. We want to protect our families and our communities from crime and terrorism. We also understand that serious and comprehensive immigration reform is needed to resolve our country's immigration problems. But having state and local police act as immigration agents will not solve these problems, and will only create a whole host of new problems. Please join us in opposing efforts to involve state and local police in the enforcement of federal immigration laws. We must not allow anti-immigrant politics to trump common sense. For more information and to sign on, please contact Milan Bhatt at 212.627.2227 x233 at the New York Immigration Coalition.

Sincerely,

Centro Civico de Amsterdam
Central New York Worker Center (Syracuse)/ Central NY Labor Religion Coalition
Rockland Immigration Coalition
Empire Justice Center
Family Planning Advocates
Justice for Farmworkers
Rural Migrant Ministries
Long Island Immigrant Alliance
Westchester Hispanic Coalition
Cornell University Farmworker Program
ARISE
Workers' Rights Law Center of New York, Inc.
NYCLU

expect full network to sign on/does not cover NYC groups