

July 5, 2016

Sheriff Charles Miller  
Salem County Administration Building  
94 Market Street  
Salem County, NJ 08079

*Re: Salem County Sheriff's Office application for participation in 287(g) program*

Dear Sheriff Miller:

We, the 42 undersigned civil rights, labor rights, faith-based, immigrant rights and legal service organizations urge you to withdraw the Salem County Sheriff's Office's application to enter into a "287(g) agreement" with Immigration and Customs Enforcement (ICE). This program undermines civil rights by tearing apart New Jersey families and damages public safety by driving an unnecessary wedge between law enforcement and immigrant communities.<sup>1</sup>

### **Choosing to enter into a 287(g) agreement with ICE harms public safety**

As you know, the 287(g) program would deputize members of the Sheriff's Office to perform the functions of federal ICE officers, including the power to arrest and detain Salem County residents for civil violations of immigration law.

This dangerously blurs the line between Salem County and federal immigration authorities and will damage the already fraught relationship between immigrant families and local law enforcement. Having ICE agents or deputized Sheriff's Office officers in the jail will make the immigrant community less likely to report crimes, act as witnesses, or cooperate with investigations. A 2013 University of Illinois survey found that 70 percent of undocumented immigrants and 44 percent of Latinos are less likely to report crime to the police because they fear local enforcement of immigration laws.<sup>2</sup>

In a 287(g) jurisdiction, immigrant communities reasonably fear that encounters with law enforcement – whether it's a traffic stop, participation in a police investigation, or requesting help from police – can lead to computer checks of family and friends at the scene. Voluntarily applying for a 287(g) contract sends the message that deportation is a potential consequence of any interaction with law enforcement.

This message has predictable effects. First, it deters persons who have undocumented relatives or friends—including citizens and legal permanent residents—from contacting law enforcement for

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<sup>1</sup> American Immigration Council, *The 287(g) Program: A Flawed and Obsolete Method of Immigration Enforcement* (2012), <http://www.immigrationpolicy.org/just-facts/287g-program-flawed-and-obsolete-method-immigration-enforcement>.

<sup>2</sup> University of Illinois at Chicago, Department of Urban Planning and Policy, *INSECURE COMMUNITIES: LATINO PERCEPTIONS OF POLICE INVOLVEMENT IN IMMIGRATION ENFORCEMENT*, May 2013, available at [http://www.uic.edu/cuppa/gci/documents/1213/Insecure\\_Communities\\_Report\\_FINAL.pdf](http://www.uic.edu/cuppa/gci/documents/1213/Insecure_Communities_Report_FINAL.pdf).

any reason.<sup>3</sup> Second, it diminishes the goodwill toward officers that the County undoubtedly seeks to foster with New Jersey's substantial immigrant community.

Law enforcement experts throughout the country have come to this same conclusion. For example, the Major Cities Chiefs Association makes it clear:

Without assurances that contact with the police would not result in purely civil immigration enforcement action, the hard won trust, communication and cooperation from the immigrant community would disappear. Such a divide between local police and immigrant groups would result in increased crime against immigrants and in the broader community, create a class of silent victims and eliminate the potential for assistance from immigrants in solving crimes or preventing future terroristic attacks.<sup>4</sup>

We urge you to avoid this unnecessary division between law enforcement and immigrant communities in Salem County.

### **ICE does not need Salem's help to enforce immigration laws**

The 287(g) program is not mandatory: only 32 law enforcement agencies in the entire country have 287(g) agreements deputizing their officers to act as immigration agents. The Maricopa County, AZ program, run by Sheriff Joseph Arpaio, was the largest 287(g) jurisdiction, until it was terminated following a federal investigation into racial profiling and discrimination.

Further, ICE deported 235,413 people in FY 2015, including nearly 70,000 due to ICE apprehensions.<sup>5</sup> Considering there are very few 287(g) programs remaining in place throughout the country, there is no indication that ICE needs to deputize the Sheriff's Office officers to efficiently deport hundreds of thousands of people, whether in Salem County or anywhere else in the country.

### **Salem County's decision to apply for a 287(g) agreement lacked transparency**

To our knowledge, there has been no public discussion or debate about your decision to apply to enter this highly controversial program. A decision of this magnitude deserves transparency, close public scrutiny, and the input of stakeholders, including immigrant communities, throughout the county.

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<sup>3</sup> This disincentive to contact police is particularly troubling in the case of domestic violence. When calling police, they must not only overcome their fear of the abuser's retaliation, but also the additional fear that reporting their abuse will lead to immigration consequences for them or their family.

<sup>4</sup> Major Cities Chiefs Immigration Committee Recommendations for Enforcement of Immigration Laws by Local Police Agencies, at 6, *adopted by* Major Cities Chiefs Association, June 2006, *available at* [http://www.houstontx.gov/police/pdfs/mcc\\_position.pdf](http://www.houstontx.gov/police/pdfs/mcc_position.pdf).

<sup>5</sup> U.S. Immigration and Customs Enforcement, *FY 2015 ICE Immigration Removals* (2016), <https://www.ice.gov/removal-statistics> (accessed June 22, 2016).

Attempting to move forward with this contract without public input does a disservice to the democratic process and decreases the legitimacy of the decision.

Salem County is home to many immigrants and 287(g) damages the trust with immigrant community members. We respectfully urge you to withdraw your application to ICE.

Please contact Chia-Chia Wang, American Friends Service Committee Immigrant Rights Program,  
Union of New Jersey, or Ari Rosmarin, American Civil Liberties  
comments, or concerns. with any questions,

Sincerely,

1199 SEIU  
32BJ SEIU  
American Civil Liberties Union of New Jersey  
American Friends Service Committee Immigrant Rights Program  
Bronx Defenders  
Brooklyn Defender Services  
Casa Esperanza  
Catholic Charities Diocese of Metuchen  
Catholic Charities Diocese of Trenton  
Central Unitarian Church – Social Justice Committee  
Centro Comunitario CEUS  
Community of Friends in Action, Inc.  
El Centro Hispanoamericano  
Faith in New Jersey  
Filipino Immigrants and Workers Organizing Project  
First Friends of New Jersey and New York  
Grupo Cajola  
Haiti Solidarity network of Northeastern  
Immigration Equality  
Ironbound Community Corporation  
Kids in Need of Defense  
La Unidad Latina, NJ/PA Region and Gamma Eta Chapter  
Latin American Legal Defense and Education Fund  
Latino Action Network  
Lutheran Episcopal Advocacy Ministry NJ  
Make the Road New Jersey  
Monmouth Center for World Religions and Ethical Thought  
Nassau Presbyterian Church, Princeton  
National Association of Social Workers – NJ Chapter  
New Labor

New Jersey Alliance for Immigrant Justice  
New Jersey Clergy Coalition for Justice  
New Jersey Communities United  
New Jersey Forum for Human Rights  
New Jersey Policy Perspective  
New Jersey Working Families  
NYU Law School Immigrant Rights Clinic\* (\*Please note that these views do not necessarily reflect the position of NYU Law School, which is listed for identification purposes only.)  
Unitarian Society of Ridgewood  
Unitarian Universalist Legislative Ministry  
Statewide Parent and Advocacy Network, Inc.  
Wind of the Spirit Immigrant Resources Center

cc:

Salem County Correctional Facility Warden Ray C. Skradzinski  
Freeholder Director Julie A. Acton  
Freeholder Dale A. Cross  
Freeholder Melissa L. DeCastro  
Freeholder Ben H. Laury  
Freeholder Douglass H. Painter  
Freeholder Robert J. Vanderslice  
Freeholder Lee R. Ware