



Secretary Napolitano Announces New Agreement for State and Local Immigration Enforcement Partnerships & Adds 11 New Agreements

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Department of Homeland Security (DHS) Secretary Janet Napolitano announced today that U.S. Immigration and Customs Enforcement (ICE) has standardized the Memorandum of Agreement (MOA) used to enter into “287(g)” partnerships—improving public safety by removing criminal aliens who are a threat to local communities and providing uniform policies for partner state and local immigration enforcement efforts throughout the United States. Additionally, today ICE announced eleven new 287(g) agreements with law enforcement agencies from around the country.

“This new agreement supports local efforts to protect public safety by giving law enforcement the tools to identify and remove dangerous criminal aliens,” said Secretary Napolitano. “It also promotes consistency across the board to ensure that all of our state and local law enforcement partners are using the same standards in implementing the 287(g) program.”

The new MOA aligns 287(g) local operations with major ICE enforcement priorities—specifically, the identification and removal of criminal aliens. To address concerns that individuals may be arrested for minor offenses as a guise to initiate removal proceedings, the new agreement explains that participating local law enforcement agencies are required to pursue all criminal charges that originally caused the offender to be taken into custody.

The new MOA also defines the objectives of the 287(g) program, outlines the immigration enforcement authorities granted by the agreement and provides guidelines for ICE’s supervision of local agency officer operations, information reporting and tracking, complaint procedures and implementation measures.

“The 287(g) program is an essential component of DHS’ comprehensive immigration enforcement strategy,” said ICE Assistant Secretary John Morton. “The new agreement strengthens ICE’s oversight of the program and allows us to better utilize the resources and capabilities of our law enforcement partners across the nation.”

DHS and ICE will begin working with their current 287(g) partner agencies to re-sign the standardized agreements—ultimately, only those agencies with newly signed agreements will be permitted to continue enforcing immigration law. A “sunset clause” will keep the MOA in effect for three years from the date of signing unless terminated by either party.

To date, ICE has trained more than 1,000 officers operating under 66 local 287(g) agreements between DHS and law enforcement agencies nationwide. Since January 2006, these 287(g)-trained officers are credited with identifying more than 120,000 individuals, predominantly in jails, who are suspected of being in the country illegally.

The Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) of 1996 added Section 287(g) to the Immigration and Nationality Act, which authorizes the DHS Secretary to enter into agreements with state and local law enforcement agencies to perform immigration officer functions. Pursuant to these MOAs, designated officers who receive appropriate training and function under the supervision of sworn ICE officers are permitted to perform immigration law enforcement duties.

The eleven new agreements are with the following jurisdictions: Gwinnett (GA) County Sheriff’s Department.; Monmouth (NJ) County Sheriff’s Office; Rhode Island Department of Corrections; Delaware Department of

Corrections – Sussex Correctional Institution; Houston Police Department; City of Mesquite (NV) Police Department; Morristown (NJ) Police Department; City of Mesa (AZ) Police Department; Florence (AZ) Police Department; Guilford County (NC) Sheriff's Office; Charleston County (SC) Sheriff's Office.

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