

## WHY ARE SO MANY OF US BEING ARRESTED?

You may have noticed an increase in the number of people in the community who have been arrested by Immigration and Customs Enforcement, or transferred to ICE custody once they are released from county jail or the Sheriff's Office.

Much of the reason for this is the federal government's Secure Communities Program.

Secure Communities is a program designed to identify immigrants in U.S. jails who are deportable under immigration law. Under Secure Communities, participating jails submit arrestees' fingerprints not only to criminal databases, but to immigration databases as well; allowing ICE access to information on individuals held in jails. Some jurisdictions, like San Francisco, are seeking to opt out of the program as Secure Communities conflicts with existing policies and in fact makes communities less secure.

Various agencies have documented the problems associated with the Secure Communities program: the failure to prioritize serious or violent criminals, the obstacles to community policing, the potential for racial profiling and false arrests. According to ICE's deployment plan, Secure Communities is already available in 169 jurisdictions in 20 states, and ICE continues to deploy it in additional locations, eventually producing millions of annual fingerprint submissions. Counties in California which have been activated include: Alameda, Contra Costa, Fresno, Imperial, Los Angeles, Monterey, Orange, Sacramento, San Bernadino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Solano, Sonoma, Stanislaus, Ventura. Counties in Arizona include Cochise, Maricopa, Pima, Pinal, Santa Cruz, Yavapai, and Yuma. Other activated counties in the west include Clackamas in Oregon and Oahu in Hawaii. San Francisco County was activated June 1<sup>st</sup>.

However, San Francisco is one of the communities which are questioning whether the program is right for them. In May, San Francisco Sheriff Michael Hennessey sent a letter to the California Attorney General Jerry Brown requesting that the state not share the city's fingerprints with federal immigration authorities. San Francisco already has a policy of sharing information with ICE when the arrestee is charged with a felony. But Secure Communities would send the fingerprints of all arrestees (including US citizens) who are booked into jail regardless of the charges and regardless of the ultimate resolution of the case.

According to the *San Francisco Chronicle*, Sheriff Michael Hennessey has asked that state officials not turn over data on anyone booked into a San Francisco jail to federal immigration authorities. Sheriff Mike is trying to get his department to opt out of the program. He warned that the information could be used to deport people who received a traffic citation but failed to show up in court, or other minor offenses. According to the *Chronicle*, he called the program "excessive" and blasted the secrecy of federal immigration authorities, saying on two occasions they have refused to tell him what happened to individuals transferred from San Francisco jails to federal immigration custody. "I don't think that's the kind of collaboration we want," Hennessey said during a morning rally on the City Hall steps. "ICE has a history of deporting U.S. citizens by mistake."

During the press coverage of the new Arizona law, one of the television stations interviewed Congressman Luis Gutierrez who told them about one of his Chicago constituents who had been picked up by ICE on a Friday "because he looked Mexican". Even though he spoke English without an accent and showed them his Puerto Rican (for those, like ICE, who don't know it –

people born in Puerto Rico are US citizens) birth certificate, he was held in jail over the weekend.