



NEW YORK STATE SENATOR

Gustavo Rivera

Senator Rivera and Assemblywoman Meng Denounce Secure Communities, Applaud Actions of Illinois Governor

GUSTAVO RIVERA May 6, 2011

| ISSUE: **IMMIGRATION**

New York, NY - Senator Gustavo Rivera (D,WF-Bronx) and Assemblywoman Grace Meng (D-Queens) issued the following statement in response to Illinois Governor Pat Quinn's decision to keep Secure Communities out of Illinois and terminate the program in counties and cities that had already begun to participate in the program. Illinois is the first state to reject a presence of ICE after Secure Communities had already begun to operate within its borders.

“Immigration and Customs Enforcement (ICE) has misled public officials regarding the operations of Secure Communities as well as undermined the stated purpose of the Secure Communities program by allowing for non-criminal immigrants to become the target of this partnership with local and state police. According to information obtained through the Freedom of Information Act (FOIA) of ICE's activities by the National Day Laborer Organizing Network, Center for Constitutional Rights and Cardozo Law School Immigration Justice Clinic, 79% of those deported between October 2008 and June 2010 throughout the country had no criminal record. While Secure Communities was defined as a program to target and deport criminal immigrants, this data that was obtained through the FOIA shows that non-criminal immigrants, valuable witnesses or victims of crime are being deported throughout the country.

If actions are not taken to ensure that immigrant communities in New York feel safe, it will only further fuel what law enforcement officials and immigrant advocacy communities have been saying for years: immigrants will be distrustful of their local law enforcement and will allow for crimes to go unreported or unsolved. We cannot stand by and watch as a public safety crisis emerges for counties like the Bronx or Queens that are already plagued with high crime rates.

New York is depending on growing immigrant communities for economic growth, job creation and the recapturing of a vibrant economy. We cannot allow Secure Communities or programs that target non-criminal immigrants to keep immigrant communities away from New York or create the rampant fear that the police exists to protect New Yorkers unless they are immigrants. We applaud Governor Quinn's decision to keep Illinois out of Secure Communities and look forward to working with Governor Cuomo to ensure that we are doing what is in the best of the state of New York and of our diverse communities."

Background Materials:

New York's Memorandum of Agreement: Governor Paterson's Administration signed the original Memorandum of Agreement between the state of New York and ICE in May of 2010. Governor Paterson's Acting Commissioner of New York State Division of Criminal Justice Services then signed an amended agreement in December 28, 2010 that further outlined the stated purpose of Secure Communities is to deport criminal immigrants. [Immigration and Customs Enforcement]

http://www.ice.gov/doclib/foia/secure_communities-moa/r_new_york.pdf

Misleading Elected Officials: Congresswoman Zoe Lofgren, the former chair of the House Judiciary Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law has called for an investigation of ICE's Secure Communities program after materials were obtained through the Freedom of Information Act that show ICE as having misled Members of Congress regarding details of the Secure Communities program. [Los Angeles Times, April 22, 2011]

<http://latimesblogs.latimes.com/lanow/2011/04/congresswoman-calls-for-investigation-of-enforcement-program-that-screens-for-illegal-immigrants-in-.html>

Non-criminal Immigrants Deported through Secure Communities: After receiving materials obtained by a Freedom of Information Act request by the Cardozo/Center for Constitutional Rights and the National Day Laborers Organizing Network, it is now clear that states that Secure Communities has led to the rampant deportation of non-criminal immigrants throughout participating states. [Center National Day Laborer Organizing Network, Center for Constitutional Rights and Cardozo Law School Immigration Justice Clinic]

<http://ccrjustice.org/files/Uncover-the-Truth-FOIA-Briefing-Guide-2-17-11.pdf>