



NEW YORK STATE SENATOR

Jose M. Serrano

Letter from Senator Serrano to ICE Director John Morton Re: Secure Communities

JOSÉ M. SERRANO August 14, 2011

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John Morton

Director, U.S. Immigration and Customs Enforcement

500 12th Street, SW

Washington, D.C. 20536

Director Morton:

I'm writing to express my disappointment in your agency's decision to proceed with the Secure Communities (S-Comm) program, particularly in those states and jurisdictions that have chosen to opt out. Last May, I led a sign-on letter in which fifty New York State Legislators came together to ask Governor Andrew Cuomo to terminate the Secure Communities Memorandum of Agreement (MOA) with U.S. Immigration and Customs Enforcement (ICE), due to serious and legitimate concerns with the program. In June, New York took a critical step towards protecting the rights of our immigrant communities and the safety of our neighborhoods by choosing not to participate in S-Comm.

It sends a dishearteningly negative message to the public when the response of Department of Homeland Security (DHS) to the states and localities that have chosen to terminate their participation in the program is to issue very limited reforms, to unilaterally make all MOA's meaningless and to mandatorily impose this program on our communities.

The reforms proposed in June by ICE do not sufficiently address key concerns that have been raised regarding S-Comm. First, the rapid escalation in collaboration between police and ICE through S-Comm will likely lead to an increase in racial profiling. S-Comm also places a burden on our local police departments, which are already financially stretched—particularly during these economically challenging times. Moreover, the program undermines the community's trust in law enforcement, which local leaders and domestic violence and anti-trafficking advocates have worked so hard for decades to establish.

Furthermore, this type of collaboration between police and ICE greatly accelerates the funneling of the individuals into an unjust detention and deportation system that lacks basic due process rights.

The answer to repairing our failed immigration system does not lie in making adjustments to a program that is fundamentally flawed. S-Comm poses a serious threat to the safety and well-being of our communities, and must be terminated immediately. Thank you for your consideration, and I look forward to your response.

Sincerely,

José M. Serrano