

November 8, 2018

Kent County Board of Commissioners County Administration Building 300 Monroe Avenue NW Grand Rapids MI 49503

RE: Ending Immigration Detainers and the ICE Contract in Kent County

Dear County Commissioners,

We, the undersigned, represent a growing contingency of organizations, faith communities, businesses, and individual citizens in Kent County who are concerned about the county's treatment of our immigrant neighbors. We have seen and heard the stories of families torn apart at the border by the extreme and cruel enforcement tactics of Immigration and Customs Enforcement (ICE). And we know that this kind of family separation happening at the border is also happening right here in our community. We have seen it first hand, and we have experienced it as we listen to our friends and neighbors tell their own stories of families separated by ICE. When ICE targets our community members with extreme and cruel enforcement measures, families are torn apart and children, including many United States citizen children, are left vulnerable and traumatized.

Currently, the Kent County Sheriff's Department is voluntarily contracting with ICE to aid in the detention of immigrants for federal immigration purposes. Last month, two of the undersigned organizations, the Michigan Immigrant Rights Center and the ACLU of Michigan, sent a letter to the Kent County Sheriff and copied all of the County Commissioners explaining some of the controversial legal and moral issues surrounding the county's practice of contracting with ICE and complying with so-called "detainer" requests.¹ The takeaway was this: there is no legal reason why the sheriff must continue to detain our community members for ICE. This practice is completely voluntary and can be stopped at any time. We believe the choice to volunteer our county resources in this way is the wrong choice for Kent County. We call on our county officials to work with us to end this practice and mitigate the disastrous impact on our neighbors.

The negative effects on communities when local law enforcement aids ICE's federal immigration efforts have been well documented. Law enforcement leaders all over the country have explained that attaching immigration consequences to police interactions makes ordinary police work more difficult.² In a recent study, a majority of prosecutors, judges, and police officers reported that

¹ A copy of the letter is also available at https://michiganimmigrant.org/resources/advocate-library/115

² See, for example, Nat'l Imm. Law Ctr., *Local Law Enforcement Leaders Oppose Mandates to Engage in Immigration Enforcement* (August 2013), https://bit.ly/2J929st (dozens of law enforcement leaders criticizing police-ICE entanglement); Dep't of Justice, *The President's Task Force on 21st*

ramped-up immigration enforcement makes it harder to protect local communities from crime.³ Indeed, crime reporting has plummeted amongst Latinos in multiple cities.⁴ And academic studies have confirmed that immigrants avoid local authorities who act as a pipeline to the deportation system.⁵ We see these impacts locally as well. The Sheriff's Department itself has reported that it feels a rift with immigrant communities, and community members have shown up again and again to county commission meetings to tell their stories.⁶

ICE has tried to minimize those disturbing patterns by claiming that its detainer requests only target people with serious criminal records. But ICE's own data shows that this is false. The vast majority of detainer requests are issued against people with little to no criminal history.⁷ Indeed, *two-thirds* of the people targeted for deportation in recent months have no criminal convictions of any kind.⁸ The reality is that ICE detainer requests are indiscriminately issued against almost anyone who comes into contact with local police—immigrants, refugees, moms, dads, brothers, sisters, grandmothers and grandfathers—instilling fear in immigrant communities and undermining the trust and cooperation that are essential for effective policing.

We are increasingly concerned about the treatment of immigrants in our community. Earlier this summer, hundreds of Kent County residents signed a petition calling on the Sheriff and the County

Century Policing Guidebook, at 18 (May 2015) (recommending that ICE not issue detainer requests to local jails), https://bit.ly/2G8S75v; William J. Bratton, *The LAPD Fights Crime, Not Illegal Immigration*, L.A. Times, Oct. 27, 2009, https://lat.ms/2LXm8IE.

³ Rafaela Rodrigues et al., *Promoting Access to Justice for Immigrant and Limited English Proficient Crime* Victims, May 3, 2018, https://bit.ly/2jvGfAr; *see also* Am. Civil Liberties Union, *Freezing Out Justice* (2018) (summarizing the results), https://www.aclu.org/report/freezing-out-justice.

⁴ See, for example, Rob Arthur, *Latinos in Three Cities Are Reporting Fewer Crimes Since Trump Took Office*, FiveThirtyEight.com, May 10, 2017, https://53eig.ht/2rjgs40; Cora Engelbrecht, *Fewer Immigrants Are Reporting Domestic Abuse. Police Blame Fear of Deportation*, N.Y. Times, June 3, 2018, https://nyti.ms/2Lk35ad; James Queally, *Fearing Deportation, Many Domestic Violence Victims Are Steering Clear of Police and Courts*, L.A. Times, Oct. 9, 2017, https://lat.ms/2gqsz93.

⁵ See, for example, Marcella Alsan & Crystal S. Yang, *Fear and the Safety Net: Evidence from Secure Communities*, Harvard Law School, May 2018, https://bit.ly/2kN47QJ; Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, Ctr. for Am. Progress, Jan. 26, 2017, https://ampr.gs/2kxOcHX.

⁶ See, for example, Kent County Commission Meeting from July 28, 2018, https://www.youtube.com/watch?v=FrKcLOqXl6w&feature=youtu.be.

⁷ Syr. Univ., *Few ICE Detainers Target Serious Criminals*, Sept. 17, 2013 (half of all detainers targeted people with no convictions of any kind; over 80% had either no convictions or non-violent ones only), http://trac.syr.edu/immigration/reports/330/.

⁸ John Bowden, *ICE Arrests of Immigrants with No Criminal Convictions Rises: Report*, TheHill.com, May 18, 2018, https://bit.ly/2rSjwmK; Assoc. Press, *Deportation Officers Are Increasingly Arresting People with No Crime Records*, Feb. 26, 2018, https://nbcnews.to/2Clh3bn; Niraj Warikoo, *Michigan Non-Criminal Immigrant Arrests, Deportations Soar Under Trump*, Detroit Free Press, Mar. 20, 2018, https://on.freep.com/2DEhzxj.

Commission to end the voluntary practice of contracting with ICE.⁹ Since then, residents have continued to show up to County Commission meetings to protest the County's collaboration with ICE.¹⁰ Last month, influential community organizations in Kent County gathered together to celebrate the power of immigrants in our community, and notably did not distinguish between the documented and undocumented among us.¹¹ The electorate of Kent County is demonstrating in increasing measure that we want to live in a county where immigrants have a sense of belonging and are not targeted for removal. Yet nothing has changed. The Sheriff's Department continues to hold our community members for ICE, and the Commission has yet to take steps to ensure that immigrants feel welcome and heard in Kent County.

We have attached two resource guides, one from the ACLU of Michigan and MIRC and another from the Immigrant Legal Resource Center, which detail what other local jurisdictions across the country have done to ensure the safety and well-being of their immigrant residents, and ensure that local resources are used for local purposes. We urge you to engage with immigrant leaders to identify the options that are best for Kent County from among the many identified in those resources.

As a first step, we now call on the County Commissioners to pass a welcoming resolution for Kent County that does the following:

1. Proclaim that Kent County is a county that welcomes immigrants;

2. Call on the Sheriff to end the contract with ICE and its voluntary and harmful practice of aiding ICE's deportation efforts;

3. Prohibit any county funds from being used for federal immigration enforcement efforts; and

4. Commits to engage the community on other steps the county can take to make Kent County a more welcoming county.

While the Sheriff's Department is legally responsible for terminating the contract, there are numerous things that the County Commission can do to keep immigrant communities safe and ensure that all individuals are treated equally, regardless of immigration status. We welcome the opportunity

Brian McVicar, *Immigrants contribute \$3.3B to Kent County's GDP, report says*, MLIVE, (Sep. 18, 2018), https://www.mlive.com/news/grand-rapids/index.ssf/2018/09/immigrants_contribute_33b_to_k.html.

⁹ https://actionnetwork.org/petitions/end-the-contract

Leon Hendrix, *Protestors Demand Immigration Reform with GR March*, WOOD TV.COM, (May 1,2018), https://www.woodtv.com/news/grand-rapids/hundreds-take-part-in-immigration-march-through-gr/1153463163.

¹⁰ Nina DeSarro, *Immigration Protest Disrupts Kent County Commission Meeting*, ABC 13 ON YOUR SIDE, (Jun. 28, 2018), https://www.wzzm13.com/article/news/immigration-protest-disrupts-kent-county-commission-meeting/69-568564202.

¹¹ https://www.eventbrite.com/e/gateways-for-growth-project-release-community-celebration-tickets-48597702035#

to discuss these issues with you in person and help you explore additional ways you can make Kent County a welcoming county to all immigrants.

Sincerely,

Organizational Signatories ACLU of Michigan Michigan Immigrant Rights Center LINC UP Treetops Collective Dominican Sisters of Grand Rapids Sierra Club – Michigan Chapter Joy like A River UCC Justice for Our Neighbors The Micah Center Hispanic Center of Western Michigan Christian Reformed Church – Office of Social Justice West MI Coalition for Immigration Reform Clergy of United Church of Christ Law Office of Richard Kessler

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