



Astrid Dominguez
Policy Strategist
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adominguez@aclutx.org

April 7, 2017

Aransas County Sheriff's Office
Sheriff Bill Mills
Aransas County Courthouse
301 N. Live Oak St., Rm 101
Rockport, TX 78382

Dear Sheriff Mills:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Aransas County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

Participating in 287(g) undermines community trust and drains valuable budget resources

The ACLU of Texas urges you to reconsider or withdraw Aransas County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

AMERICAN CIVIL LIBERTIES UNION OF TEXAS

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status.¹ Just this week the Houston Police Department stated that they've seen a decrease of more than 40% rape reports among Hispanics due to "fear of themselves being taken into custody by immigration authorities"². Having sheriffs or other County employees engage in immigration enforcement means fewer people report crimes, which is bad for all Texans. Leading law-enforcement voices³ agree with our opposition to the entanglement of immigration enforcement with local policing, and the 287(g) program's failed history is well documented, including by the DHS Inspector General.⁴

We also append a letter from the ACLU of Virginia to the Sheriff of Fauquier County, VA, detailing concerns about that jurisdiction's application and apparent misunderstandings of their prospective 287(g) agreement. In Fauquier County, as elsewhere, taxpayers are often not given complete information about the financial and other drawbacks to 287(g) participation, which is a direct local subsidy of federal immigration-enforcement responsibilities. For example, Harris County Sheriff Ed Gonzalez estimated that the program cost his department \$675,000 annually before he recently rescinded its agreement.⁵ The bottom line is that 287(g) agreements cost counties money while damaging public safety and community trust in law enforcement. The American Immigration Council's excellent analysis of the program's history makes clear that "state and local governments have to pay the majority of [287(g)] costs . . . including travel, housing, and per diem for officers during training; salaries; overtime; other personnel costs; and administrative supplies."⁶

The County has too much to lose and little, if anything, to gain.

The 287(g) program has only managed to encourage racial profiling, divert indispensable resources away from public safety, and corrode the trust between law enforcement and the communities it is sworn to protect. 287(g) programs have not been successful at ridding communities of serious

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In conclusion, counties have no obligation under federal law to enter into these voluntary programs that actually threaten the civil rights of vulnerable individuals and communities. We call on the County to follow Harris County's example and reject or reconsider its use of voluntary programs like 287(g) that can only lead to unnecessary County expense and likely constitutional violations.

Thank you for your consideration; we would be happy to meet and discuss these concerns.

Respectfully submitted,



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April 7, 2017

Brazoria County Sheriff's Office
Sheriff Charles S. Wagner
3602 County Road 45
Angleton, TX 77515

Dear Sheriff Wagner:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Brazoria County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

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The ACLU of Texas urges you to reconsider or withdraw Brazoria County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

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In conclusion, counties have no obligation under federal law to enter into these voluntary programs that actually threaten the civil rights of vulnerable individuals and communities. We call on the County to follow Harris County’s example and reject or reconsider its use of voluntary programs like 287(g) that can only lead to unnecessary County expense and likely constitutional violations.

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April 7, 2017

Calhoun County Sheriff's Office
Sheriff Bobbie Vickery
211 S. Ann Street
Port Lavaca, TX. 77979

Dear Sheriff Vickery:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Calhoun County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

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The ACLU of Texas urges you to reconsider or withdraw Calhoun County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

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We also append a letter from the ACLU of Virginia to the Sheriff of Fauquier County, VA, detailing concerns about that jurisdiction's application and apparent misunderstandings of their prospective 287(g) agreement. In Fauquier County, as elsewhere, taxpayers are often not given complete information about the financial and other drawbacks to 287(g) participation, which is a direct local subsidy of federal immigration-enforcement responsibilities. For example, Harris County Sheriff Ed Gonzalez estimated that the program cost his department \$675,000 annually before he recently rescinded its agreement.⁵ The bottom line is that 287(g) agreements cost counties money while damaging public safety and community trust in law enforcement. The American Immigration Council's excellent analysis of the program's history makes clear that "state and local governments have to pay the majority of [287(g)] costs . . . including travel, housing, and per diem for officers during training; salaries; overtime; other personnel costs; and administrative supplies."⁶

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In conclusion, counties have no obligation under federal law to enter into these voluntary programs that actually threaten the civil rights of vulnerable individuals and communities. We call on the County to follow Harris County’s example and reject or reconsider its use of voluntary programs like 287(g) that can only lead to unnecessary County expense and likely constitutional violations.

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April 7, 2017

Chambers County Sheriff's Office
Sheriff Brian C. Hawthorne
P.O. Box 998
Anahuac, Texas 77514

Dear Sheriff Hawthorne:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Chambers County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

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The ACLU of Texas urges you to reconsider or withdraw Chambers County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

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April 7, 2017

DeWitt County Sheriff's Office
Sheriff Carl Bowen
208 East Live Oak Street
Cuero, Texas 77954

Dear Sheriff Bowen:

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Thank you for your consideration; we would be happy to meet and discuss these concerns.

Respectfully submitted,



Astrid Dominguez
Policy Strategist
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Astrid Dominguez
Policy Strategist
713.942.8146
adominguez@aclutx.org

April 7, 2017

Galveston County Sheriff's Office
Sheriff Henry Trochesset
601 54th Street
Galveston, TX 77551

Dear Sheriff Trochesset:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Galveston County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

Participating in 287(g) undermines community trust and drains valuable budget resources

The ACLU of Texas urges you to reconsider or withdraw Galveston County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

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Astrid Dominguez
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adominguez@aclutx.org

April 7, 2017

Goliad County Sheriff's Office
Sheriff Kirby Brumby
701 E. End St.
Goliad, TX 77963

Dear Sheriff Brumby:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Goliad County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

Participating in 287(g) undermines community trust and drains valuable budget resources

The ACLU of Texas urges you to reconsider or withdraw Goliad County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration status.¹

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Astrid Dominguez
Policy Strategist
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adominguez@aclutx.org

April 7, 2017

Lavaca County Sheriff's Office
Sheriff Micah Harmon
38 FM 318
P. O. Box 373
Hallettsville, TX 77964

Dear Sheriff Harmon:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Lavaca County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

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The ACLU of Texas urges you to reconsider or withdraw Lavaca County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

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April 7, 2017

Matagorda County Sheriff's Office
Sheriff Frank D. Osborne
2308 Avenue F
Bay City, TX 77414

Dear Sheriff Osborne

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Matagorda County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

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In conclusion, counties have no obligation under federal law to enter into these voluntary programs that actually threaten the civil rights of vulnerable individuals and communities. We call on the County to follow Harris County’s example and reject or reconsider its use of voluntary programs like 287(g) that can only lead to unnecessary County expense and likely constitutional violations.

Thank you for your consideration; we would be happy to meet and discuss these concerns.

Respectfully submitted,



Astrid Dominguez
Policy Strategist
American Civil Liberties Union of Texas

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Astrid Dominguez
Policy Strategist
713.942.8146
adominguez@aclutx.org

April 7, 2017

Montgomery County Sheriff's Office
Sheriff Rand Henderson
#1 Criminal Justice Dr.
Conroe, TX 77301

Dear Sheriff Henderson:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Montgomery County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

Participating in 287(g) undermines community trust and drains valuable budget resources

The ACLU of Texas urges you to reconsider or withdraw Montgomery County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

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We also append a letter from the ACLU of Virginia to the Sheriff of Fauquier County, VA, detailing concerns about that jurisdiction's application and apparent misunderstandings of their prospective 287(g) agreement. In Fauquier County, as elsewhere, taxpayers are often not given complete information about the financial and other drawbacks to 287(g) participation, which is a direct local subsidy of federal immigration-enforcement responsibilities. For example, Harris County Sheriff Ed Gonzalez estimated that the program cost his department \$675,000 annually before he recently rescinded its agreement.⁵ The bottom line is that 287(g) agreements cost counties money while damaging public safety and community trust in law enforcement. The American Immigration Council's excellent analysis of the program's history makes clear that "state and local governments have to pay the majority of [287(g)] costs . . . including travel, housing, and per diem for officers during training; salaries; overtime; other personnel costs; and administrative supplies."⁶

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Astrid Dominguez
Policy Strategist
713.942.8146
adominguez@aclutx.org

April 7, 2017

Refugio County Sheriff's Office
Sheriff Raul "Pinky" Gonzales
P. O. Box 1022
Refugio, TX 78377

Dear Sheriff Gonzales:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Refugio County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

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The ACLU of Texas urges you to reconsider or withdraw Refugio County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

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Thank you for your consideration; we would be happy to meet and discuss these concerns.

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Astrid Dominguez
Policy Strategist
713.942.8146
adominguez@aclutx.org

April 7, 2017

Walker County Sheriff's Office
Sheriff Clint M. McRae
717 FM 2821 W
Huntsville, TX 77320

Dear Sheriff McRae:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Walker County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

Participating in 287(g) undermines community trust and drains valuable budget resources

The ACLU of Texas urges you to reconsider or withdraw Walker County's application to participate in the 287(g) program, because the costs of enmeshing the County in the business of federal civil immigration enforcement far outweigh the benefits. When the public is not sure whether police are there to protect or deport them, crimes do not get reported and domestic violence survivors stay silent rather than calling 911. A recent study out of Chicago showed that 70% of undocumented immigrants reported that they are less likely to contact law enforcement if they were victims of a crime out of fear that they would be questioned about their immigration

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We also append a letter from the ACLU of Virginia to the Sheriff of Fauquier County, VA, detailing concerns about that jurisdiction's application and apparent misunderstandings of their prospective 287(g) agreement. In Fauquier County, as elsewhere, taxpayers are often not given complete information about the financial and other drawbacks to 287(g) participation, which is a direct local subsidy of federal immigration-enforcement responsibilities. For example, Harris County Sheriff Ed Gonzalez estimated that the program cost his department \$675,000 annually before he recently rescinded its agreement.⁵ The bottom line is that 287(g) agreements cost counties money while damaging public safety and community trust in law enforcement. The American Immigration Council's excellent analysis of the program's history makes clear that "state and local governments have to pay the majority of [287(g)] costs . . . including travel, housing, and per diem for officers during training; salaries; overtime; other personnel costs; and administrative supplies."⁶

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Astrid Dominguez
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April 7, 2017

Wharton County Sheriff's Office
Sheriff Shannon Srubar
315 East Elm Street
Wharton, Texas 77488

Dear Sheriff Srubar:

On behalf of the American Civil Liberties Union (ACLU) of Texas, and its thousands of members, activists, and supporters around the state, we write to express our deep concerns about the 287(g) program generally and the immediate prospect of Wharton County (the "County") entering into an agreement with Immigration and Customs Enforcement (ICE) to participate in this program. We can all agree that public safety is paramount, but the fact is that having local law enforcement officers do the work of federal immigration agents within our state and local jails has not made our communities safer. This program has devastating consequences for community relations, eroding people's trust in our officers and making them reluctant to come forward and report crimes because they fear immigration consequences for themselves or others. Decisions on participation in federal immigration enforcement require community input and transparent consideration, not backroom dealings with ICE.

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² Brooke A. Lewis, "HPD chief announces decrease in Hispanics reporting rape and violent crimes compared to last year." HOUSTON CHRONICLE, Apr. 5, 2017, available at:

<http://www.houstonchronicle.com/news/houston-texas/houston/article/HPD-chief-announces-decrease-in-Hispanics-11053829.php?t=eb46b3d100438d9cbb&cmpid=twitter-premium>

³ Statement of Chief J. Thomas Manger, Chairman of the Legislative Committee for the Major Cities Chiefs Association, "Examining 287(g): The Role of State and Local Law Enforcement in Immigration Law." House Committee on Homeland Security (Mar. 4, 2009), available at [https://www.gpo.gov/fdsys/pkg/CHRG-](https://www.gpo.gov/fdsys/pkg/CHRG-111hrg49374/html/CHRG-111hrg49374.htm)

[111hrg49374/html/CHRG-111hrg49374.htm](https://www.gpo.gov/fdsys/pkg/CHRG-111hrg49374/html/CHRG-111hrg49374.htm).

⁴ See generally American Immigration Council, "The 287(g) Program: An Overview." (Mar. 15, 2017), <https://www.americanimmigrationcouncil.org/research/287g-program-immigration>.

⁵ Lise Olsen, *18 Texas sheriffs step up to replace Harris County in Trump's deportation push*, HOUSTON CHRONICLE, Mar. 28, 2017, available at <http://www.houstonchronicle.com/news/houston-texas/houston/article/18-Texas-sheriffs-step-up-to-replace-Harris-11028107.php>

⁶ See generally, American Immigration Council, "The 287(g) Program," supra.

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crime. Many of the people targeted by 287(g) programs pose no threat to public safety or have no criminal record. The Migration Policy Institute has found that “[a]t the national level, the [287(g)] program is not targeted primarily or even mostly toward serious offenders.”⁷

In conclusion, counties have no obligation under federal law to enter into these voluntary programs that actually threaten the civil rights of vulnerable individuals and communities. We call on the County to follow Harris County’s example and reject or reconsider its use of voluntary programs like 287(g) that can only lead to unnecessary County expense and likely constitutional violations.

Thank you for your consideration; we would be happy to meet and discuss these concerns.

Respectfully submitted,



Astrid Dominguez
Policy Strategist
American Civil Liberties Union of Texas

⁷ Migration Policy Institute, *Delegation and Divergence: A Study of 287(g) State and Local Immigration Enforcement* 58 (2011), note **Error! Bookmark not defined.**, at 2.

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