

[Date]

[Mayor/County Executive/Police Commissioner/Sheriff]

[Address]

**Re: Call for local law enforcement to abstain from federal immigration enforcement**

Dear [name]:

The undersigned [number] local immigrants' rights, civil and human rights, and faith-based organizations and legal services providers write to thank you for your commitment to defend and support immigrant communities in [city/county]. We share your appreciation for immigrants' contributions to [city/county]. We are also concerned that participation of [local law enforcement agency] in U.S. Department of Homeland Security enforcement actions will damage public safety in [city/county] by undermining trust between our immigrant communities and police.

Any city or county that claims to provide "sanctuary" for immigrants should commit to disentangling the work of local police officers, jails, and probation officers from federal immigration enforcement. To that end, we offer the following recommendations:

1. Local jails, police officers, and probation officers should be prohibited from honoring any ICE detainer or other ICE or CBP request to hold an individual in jail beyond their ordinary release (the moment that person would normally be released upon completion of sentence, or on bail, supervised release, or recognizance), absent a judicial warrant. The New York State Attorney General has affirmed in guidance to all police and sheriff's departments in the state that "compliance with ICE detainers or requests for immigration holds is *voluntary*—not mandatory."<sup>1</sup>
2. Local jails, police officers, and probation officers should not delay the posting of bail and/or release from custody because of an individual's immigration status or receipt of an ICE detainer or other ICE or CBP request without a judicial warrant.
3. Local jails, police officers, and probation officers should be prohibited from expending resources and personnel time for purposes of assisting federal immigration enforcement, including by sharing information regarding a person's custodial status, release date, or address, absent a judicial warrant.
4. Local police and sheriff's departments should commit to decline any request from DHS to enter into a 287(g) agreement. The 287(g) program deputizes local law enforcement officers to act as federal immigration agents within their local jurisdictions. Currently, there are no 287(g) agreements in New York State.

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<sup>1</sup>See Office of the Attorney General, "Guidance Concerning Local Authority Participation In Immigration Enforcement And Model Sanctuary Provisions" (Jan. 2017) at 4, available at [https://ag.ny.gov/sites/default/files/guidance.concerning.local\\_.authority.participation.in\\_.immigration.enforcement.1.19.17.pdf](https://ag.ny.gov/sites/default/files/guidance.concerning.local_.authority.participation.in_.immigration.enforcement.1.19.17.pdf).

5. Local jails should commit to decline to provide land, office space, or office equipment to ICE, and should not permit ICE or CBP to access anyone in jail custody absent a judicial warrant.
6. Local police and sheriff's departments and probation offices should clarify to their officers that they should not investigate violations of federal immigration law.
7. Local government resources should not be used to create or assist in the creation of any federal registry based on race, gender, sexual orientation, gender identity or expression, religion, ethnicity, or national origin.
8. All local government employees, including local law enforcement officers, should be prohibited from inquiring into a person's immigration status unless required by law, for example for purposes of establishing eligibility for a public benefit for which verification of citizenship or satisfactory immigration status is required.
9. All local government employees, including local law enforcement officers, should be prohibited from contacting ICE or CBP for interpretation assistance. Instead, interpretation services for use by local government employees, including local law enforcement, should be funded to facilitate communication with limited English proficient individuals.

[Contact person] will follow up within the week to schedule a meeting to discuss these recommendations and next steps for [city/county].

Thank you for your leadership and support.

Sincerely,

[list of signatories in alpha order]

Cc: [Local legislators]  
[Other influencers]