OPPOSE SB 2567 (Hensley)/HB 2579 (Ragan)

This bill “permits” law enforcement to enter into agreements with federal immigration enforcement, and it authorizes local funding to cover costs not reimbursed by the federal government. This bill is a useless and confusing restating of existing law that could come at a high price tag to local jurisdictions for doing the work of the federal government.

Here is why you should oppose:

- **Unnecessary restating of existing law:** Existing state and federal laws already require all local governments and law enforcement agencies to comply with federal immigration law, and local law enforcement can already choose to enter into agreements with federal immigration agents that go beyond the mandated cooperation. In fact, from 2007 to 2012 Davidson County Sheriff’s Office (DSCO) had a memorandum of understanding (MOU) that deputized DSCO staff as immigration agents. This same program is now being implemented by the Knox County Sheriff’s Department. This bill is searching for a problem that doesn’t exist.

- **Sends a confusing message to law enforcement:** Law enforcement agencies already receive countless voluntary requests from federal immigration enforcement agents - including to detain immigrants who are otherwise eligible for release and provide free office space and equipment to use within a local jail. Decisions about whether or not to comply with these voluntary requests are best left to local jurisdictions who know what works for their communities and who know where resources should be allocated. But, the way this bill is written sends a confusing message to law enforcement about what they can or can’t agree to that goes above and beyond the law. It effectively creates a directive for voluntary cooperation instead of leaving these decisions up to local communities.

- **Commandeering of critical resources for the work of the federal government:** Authorizing the use of local resources for the work of the federal government could come at a high cost to local jurisdictions who do not possess adequate resources to enforce federal laws. Agreements that entangle local law enforcement with federal immigration activities have come at a high cost to localities. For example, taxpayers in San Bernardino, CA spent an estimated $54.5 million to jail undocumented immigrants between 2004 and 2014, but federal officials reimbursed the county only $6.7 million in that time. The county suspended its 287(g) program in 2014.

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1 See, for example: TCA 6-54-307; And, TCA Title 7, Chapter 68, expressly prohibits the adoption of an ordinance or policy that restricts a local government’s ability to enforce the federal immigration law.