Getting Sheriffs Out of Immigration Enforcement

The involvement of local law enforcement in immigration enforcement tears apart families and communities. The vast majority of sheriffs collaborate with ICE, even though no federal laws require them to do so. These choices have devastating effects on residents whose relatives, friends, coworkers, employees, neighbors, and other community members are swept into the punitive and unaccountable deportation system. Sheriffs must disengage from immigration enforcement.

Agreements between ICE and local law enforcement funnel tens of thousands of people into ICE detention every year.

- In 2018, more than 47 percent of ICE arrests were a result of transfers from local jails, the vast majority of which are controlled by sheriffs.1
- Most sheriffs voluntarily provide ICE information about when people will be released and may even hold them extra time to give ICE time to arrive, in order to facilitate a direct handoff to ICE. Sheriffs transfer people directly from local custody to immigration agents, and allow ICE to interrogate people in their custody.2 A subsection of those sheriffs have signed various forms of 287(g) agreements, which allow local law enforcement to act as ICE agents.
- Some sheriffs rent beds to ICE under Intergovernmental Service Agreements (IGSAs). In 2019, more than half of ICE’s detained population was held pursuant to IGSAs between ICE and local jail administrators, usually sheriffs, to keep individuals detained in jail pending civil deportation proceedings.3 These agreements awarded up to $162 a day for every person held.4

When sheriffs collaborate with immigration enforcement, communities suffer.

- Sheriffs’ involvement in immigration enforcement makes local agencies the gateway to deportation, increases racial discrimination, co-opts local resources, and undermines the rule of law.5
- When local law enforcement is working with ICE, immigrants are much less likely to access public services or do any business that requires sharing their personal contact

2 For county-level information on sheriff policies around assistance to ICE, see: www.ilrc.org/local-enforcement-map.
4 Id. at 49.
information, less likely to participate in public events where law enforcement might be present, and much less likely to contact police after experiencing or witnessing a crime.⁶

**Sheriffs must affirmatively sever all ties with ICE:**

- Terminate any existing agreements with ICE, including 287(g) agreements and most bed rental programs, known as Intergovernmental Service Agreements (IGSAs).
- Refuse to hold noncitizens for extra time in order for ICE to take custody.
- Prohibit any information and record sharing with ICE, including personal information about people in custody and release dates, and refuse ICE access to internal databases.
- Enforce a policy against asking individuals their citizenship or immigration status, and remove citizenship status and place of birth questions from intake and booking forms.
- Refuse ICE access to the jail without a judicial warrant.
- Advise noncitizens of their rights before ICE and provide a copy of all relevant documents, such as ICE detainer requests.
- Do not contact ICE or Customs and Border Protection (CBP) officers to serve as interpreters.
- Actively oppose and encourage state sheriff’s associations to oppose federal immigration enforcement actions, such as ICE raids and arrests, and to oppose anti-immigrant state legislation.
- Implement policies to reduce arrests to ensure that fewer people are brought to jails where their biometric data is collected and shared with immigration enforcement.

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