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Asian Pacific American Groups Strongly Object to ICE Announcement on Secure Communities

Members of the National Council for Asian Pacific Americans (NCAPA), including the **National Asian Pacific American Women's Forum (NAPAWF)**, **Asian American Justice Center**, a member of **Asian American Center for Advancing Justice (AAJC)**, **South Asian Americans Leading Together (SAALT)**, **Japanese American Citizens League (JACL)**, **Asian Pacific American Labor Alliance (APALA)**, and **National Korean American Service & Education Consortium (NAKASEC)**, have joined together to express our extreme disappointment with the Department of Homeland Security's (DHS) decision to terminate all memorandums of agreement (MOA) for state participation in the Secure Communities (S-Comm) program in order to move forward with nation-wide implementation.

On August 5th, John Sandweg, counselor to DHS secretary and deputy secretary, announced that DHS would unilaterally rescind all signed MOAs with states, claiming that the "agreement was never necessary to operate the program." Secure Communities, a controversial measure, requires local law enforcement agencies to submit fingerprints of any person they arrest to a federal immigration database. Despite the fact that the initiative was created to target serious criminal offenders, the majority of individuals who have been deported have no criminal record and many are the parents of US citizens. In fact, according to a recent report, 1 in 4 people deported under S-Comm haven't been convicted of any crime.¹ Their deportations tear apart American families and erode the trust that immigrant communities have in local police. Survivors of domestic violence and sexual assault have been re-victimized as fear of deportation deters them from contacting the police. Law enforcement officials who are saddled with serving as de facto immigration agents have less time to pursue violent criminals and find that immigrant residents are deterred from serving as witnesses and assisting police with investigating crimes, making communities as a whole less safe.

Due to rampant fears that the program encourages racial profiling and further undermines community safety, the governors of Illinois, New York and Massachusetts chose to opt-out of Secure Communities. This excessive step by DHS to terminate all existing agreements is DHS' pre-emptive effort to prevent other state leaders from also opting-out of the contentious initiative. Already, the Governor of Colorado and the Los Angeles City Council have issued public statements backing away from the program, and noted law enforcement officials including New York former District Attorney Robert Morgenthau and Salt Lake City Police Chief Chris Burbank have praised states that chose to opt-out. DHS also brazenly stated its plan to continue activating the program in jurisdictions across the country in order to implement Secure Communities nationwide by 2013. The agency claimed its legal authority derives from laws that allow federal fingerprint sharing.

Contrary to this claim, there is no federal statute that mandates participation in Secure Communities. The statute referenced requires information sharing, but does not require states to participate in this initiative, nor does it require the deportation of immigrants who have been detained by police but not convicted of any crime.

The Asian American, Native Hawaiian and Pacific Islander community calls upon DHS to stop its attacks on immigrant communities. Separating families, undermining community safety, and silencing survivors of violent crimes do not keep communities safe. NCAPA members urge the Obama administration and DHS to immediately suspend Secure Communities and move towards workable and humane immigration policies.

ⁱ “Uncover the Truth”, a report released by the National Day Laborer Organizing Network in partnership with the Center for Constitutional Rights and the Kathryn O. Greenberg Immigration Justice Clinic of the Benjamin Cardozo School of Law, 2011