



Written by [Warren Mass](#) on May 13, 2015

L.A. County Ends Cooperation with ICE on Immigration Enforcement

On May 12, the Los Angeles County Board of  Supervisors voted 3-2 to abolish a program known as 287(g) — which allows federal Immigration and Customs Enforcement (ICE) agents inside county jails and also permits sheriff's deputies to act as immigration agents in the jails.

Hilda Solis, one of the supervisors who introduced the motion, was quoted by KABC News in Los Angeles: "The times are changing, it doesn't mean that we don't uphold the security and enforcement of our laws."

Fellow supervisor Sheila Kuehl, who had supported the measure, told ABC News, "I had never thought that the collaboration between the sheriff and ICE, or the Department of Homeland Security, would engender any kind of trust."

Two supervisors disagreed and voted against the motion. One of them, Michael Antonovich, said, "It's difficult to comprehend why we would eliminate a program that focuses exclusively on convicted criminals, whom even the Trust Act deems deportable."

The federal program with which L.A. County has cooperated started under the George W. Bush administration in 2008 as Secure Communities, and grew from 14 jurisdictions under Bush to over 1,210 jurisdictions in 2011 under President Obama. The program had some success, and through March 2011, was responsible for 140,396 convicted criminal aliens being booked into ICE custody, resulting in 72,445 deportations.

However, Department of Homeland Security Secretary Jeh Johnson, in a memo dated November 20, 2014, discontinued the Secure Communities program. Johnson wrote:

[T]o address the increasing number of federal court decisions that hold that detainer-based detention by state and local law enforcement agencies violates the Fourth Amendment, I am directing ICE to replace requests for detention (i.e., requests that an agency hold an individual beyond the point at which they would otherwise be released) with requests for notification (i.e., requests that state or local law enforcement notify ICE of a pending release during the time that person is otherwise in custody under state or local authority).

In a memo to then-ICE Acting Director Thomas Winkowski, Johnson asserted that Secure Communities "is widely misunderstood and is embroiled in litigation; its very name has become a symbol for general hostility toward the enforcement of our immigration laws."

Secure Communities was replaced with the Priority Enforcement Program (PEP). MyNewsLA.com reported that PEP still uses fingerprint data from local arrests to check a detainee's immigration status upon booking rather than release. Information on more inmates is shared with ICE under the PEP program, sheriff's Chief Eric Parra told the board.

Under the new program, however, only those only illegal aliens who pose "a demonstrable risk to national security" or who have been convicted of certain major crimes are targeted for deportation.



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Though the L.A. County Board of Supervisors voted to end the 287(g) program, they approved a new program that allows jail employees to communicate with immigration officials. The board, by a 4-1 vote, asked Sheriff Jim McDonnell to “continue cooperating with the U.S. Department of Homeland Security in implementing the president’s Priority Enforcement Program [PEP].”

In a statement made May 11, McDonnell pledged to balance public safety with building community trust:

Our department must work closely and cooperatively with federal authorities to identify and assist with the lawful investigation and prosecution of undocumented persons who pose a danger to our community. We must also bear in mind at all times the importance of preserving community relationships as well as the due process rights of those in our custody.

MyNewsLA.com reported the sheriff’s department has discretion to act on its own without board approval and quoted Los Angeles County Counsel Mark Saladino, who told the board, “The sheriff has complete control over the jails and everybody in them.”

The California TRUST Act, which took effect last year, provides that prisoners must not be detained beyond the end of their scheduled release date. However, local law enforcement officials can still notify ICE in advance of a detainee’s pending release.

With an estimated population of 10 million people, Los Angeles County is the largest local jurisdiction in the country that has decided not to give federal immigration authorities its full cooperation in identifying and apprehending illegal aliens. However, the city of New York, with an estimated population of 8.5 million, passed legislation last year accomplishing the same objective.

The New American reported in an [article last October](#) that New York City Council Speaker Melissa Mark-Viverito had introduced a bill to “significantly restrict the conditions under which the NYPD complies with ... ICE requests” to “detain [an] individual for up to 48 hours beyond when the individual would otherwise be released so that the individual’s custody may be transferred to ICE.”

A companion bill also prohibited the city’s Department of Correction (DOC) from allowing ICE to maintain an office on Rikers Island (New York City’s main jail complex) or any other DOC property. It also restricted DOC personnel from communicating with ICE regarding an inmate’s release date, incarceration status, or court dates, “unless the inmate is the subject of a detainer request that DOC may honor pursuant to the law.”

Therefore, not only did the bill prohibit DOC personnel at Rikers Island from detaining suspects at the request of ICE, but it also placed a gag order on jail personnel, so they could not even pick up the phone and call ICE to tell agents when a detainee was being released or would be appearing in court so ICE agents could wait for suspects and pick them up.

A month after we reported on that legislation, New York Mayor Bill de Blasio signed both bills (called “Introductions”) into law. After signing them, he said, “I’d like to thank Speaker Melissa Mark-Viverito and the City Council for passing this legislation, which further establishes New York City as a leader in immigration reform.”

With the nation’s largest city and largest county both refusing to cooperate with ICE authorities’ responsibilities to identify, apprehend, and eventually deport illegal aliens, there is little wonder why our immigration crisis has gotten so far out of hand. De Blasio’s and Obama’s, and many other liberal politicians’ idea of “immigration reform” is to provide amnesty for those who have entered our nation



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illegally. It has been estimated that there are from 10.5 million to 11.5 million illegal aliens within our borders.

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