



Written by [R. Cort Kirkwood](#) on August 10, 2011

ICE: State Cooperation Not Needed to Run Secure Communities Program

Immigration and Customs Enforcement (ICE) Chief John Morton (left) has terminated the federal Secure Communities program with nearly 40 states, the Arizona Republic reports. Secure Communities is a program that identifies and deports dangerous illegal alien criminals. Morton, the newspaper reports, revealed that the federal government was ending agreements with those states that implemented Secure Communities protocols, saying it does not need the cooperation of states in order to run the program.



In June, Morton and his boss, U.S. Homeland Security Secretary Janet Napolitano, [unilaterally declared](#) the unpassed federal DREAM Act law [by giving](#) local ICE officials prosecutorial discretion on deportation.

The Letter

Morton's letter flatly states that ICE does not need the cooperation of the states to deport criminal aliens, the [Republic reports](#). "In a letter to governors, [Morton] said the government was terminating Secure Communities agreements with nearly 40 states, including Arizona, after determining that the federal government does not need the agreement or cooperation of state officials to legally run the program," the newspaper reports.

In the letter, a copy of which was obtained by *The Arizona Republic*, Morton said the decision to terminate the agreements would not affect the operation of the program.

Routine fingerprints of crime suspects by local law enforcement are automatically screened by federal immigration authorities. ...

The decision to terminate the agreements and move forward without them comes after Democratic governors of several states said they would no longer participate in the program amid concerns that it makes immigrants afraid to report crimes to police.

Despite terminating the agreements, the newspaper reports, ICE expects to have Secure Communities implemented nationwide by 2013.

The program has worked well, the [newspaper reports](#): It "has resulted in the deportation of more than 15,000 immigrants from Arizona and more than 101,000 immigrants nationwide."

Through April 30, more than 77,000 immigrants convicted of crimes were identified through the program and removed from the country, according to ICE.

That figure includes more than 28,000 convicted of aggravated felonies such as murder, rape and the sexual abuse of children.



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How It Works; Leftists Worried

[Secure Communities](#) works very simply. The fingerprints of criminals jailed in participating states go to ICE for identification. That allows federal authorities to identify illegal-alien criminals for deportation. The program [is active](#) in 1,508, or 47 percent, of the nation's 3,181 jurisdictions.

States need not officially cooperate in Secure Communities, the [newspaper reports](#), for the federal government to identify possible deportees. "Immigration officials said they don't need the cooperation of state officials because local law enforcement, as a matter of practice, run the fingerprints of crime suspects through an FBI database to see if they are wanted in connection with other crimes."

Thus, whether or not a state participates in Secure Communities, the federal government has prints and can deport any illegal alien it wants.

The latest bombshell from Morton has leftists worried. They believe the federal government is deporting too many "lesser offenders," meaning illegal aliens who, say, shoplift or drive drunk, as opposed to those who commit mayhem and murder. Those illegal "lesser offenders," the left believes, must be permitted to stay.

The [Republic detailed](#) the results of its analysis, which showed that "lesser offenders" are indeed sent back home. "An *Arizona Republic* analysis of ICE data in March found that during the first 2½ years,

Sixty-six percent in Arizona [of those deported] had no criminal record or were low-level offenders.

Salvador Reza, an immigrant advocate in Phoenix, said he was disappointed that the administration is moving forward with the program.

"The Secure Communities program should be eliminated, not made mandatory," Reza said. "The program is causing a lot of havoc. It does not differentiate between a killer and a jay walker. It's tearing apart families."

Secure Communities Works?

Salvador Reza needn't worry about "tearing apart families." The Obama administration has declared that the failed DREAM Act is law, and Morton has ordered ICE agents not to deport "good" illegals.

In April, [The New American reported](#) that Morton and Homeland Security Secretary Janet Napolitano [said ICE](#) will not deport illegals who meet DREAM criteria. "The reason we set priorities is so that the focus could be on those in the country who are also committing other illegal acts," Napolitano said, explaining that merely being illegal was not a reason for deportation.

In June, [Morton published](#) his [infamous memorandum](#) ordering ICE agents to use "prosecutorial discretion" on deportations, giving a list of criteria that would permit an ICE agent to excuse an illegal alien from deportation.

"[W]hen weighing whether an exercise of prosecutorial discretion may be warranted for a given alien, ICE officers, agents, and attorneys should consider all relevant factors." Morton said.

[He offered](#) a laundry list of reasons to permit an illegal alien to stay. They included how long he has been here, if he arrived as a child, and whether he has graduated from high school or is pursuing an advanced degree. As well, he wrote, officials can take into account the military service of the illegal or one of his relatives, whether he helped law enforcement officials in a criminal investigation, his ties to the community, and whether he is physically or mentally ill. Pregnancy is another factor an ICE agent



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may consider, as is whether the illegal is caring for someone who is ill.

In other words, the list of reasons to leave an illegal alien in a community is infinite.

As [Morton said](#) after Napolitano [declared that](#) certain illegals simply won't be deported, "If you take a look at the record, people that fit within the confines of the DREAM Act, there are in fact very, very few deportations of those kinds of individuals."



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