

Great Committee

From: Bettina Mok <director@thelegalclinchawaii.org>
Sent: Tuesday, February 1, 2022 10:39 AM
To: Great Committee
Cc: Kevin Block; Leslee Matthews
Subject: Pasadena and other cities re HSI agreements

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Aloha GREAT Committee Members,

Thank you for the opportunity to testify on GREAT 42.

Councilmember Sinenci posted a comment after I spoke (in the chat) which addressed the concern about ICE access to local jails:

The Criminal Alien Program (CAP) is a program that gives ICE access to jails and prisons where ICE officers screen and interview individuals in order to identify noncitizens for deportation. In 2020, ICE made 42,796 CAP removals. (per 287g program)

See also "[Report: Vegas police quietly give jailed immigrants to feds](#)"

Here are some resources from other cities that have grappled with ICE/HSI agreements (click on links).

[Santa Cruz, CA](#) (hear/read the police chief testimonial [here](#))

[Oakland, CA \(City Council rescinded the agreement within a year of signing\)](#)

[San Gabriel](#), Pasadena, CA

[Santa Monica](#), CA

[Birmingham, AL](#) City Council is postponing decision-making on a similar proposal due to community concerns (their foreign-born population-at 3%-is much smaller than Maui's).

This is an [article about Sheriff Lombardo of Clark County-Nevada](#) (This sheriff boasted that over 10,000 people were deported under his watch):

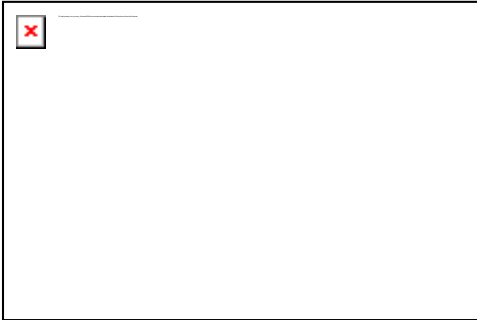
"A new investigative report by the Las Vegas Review-Journal revealed that Metro Police have helped Immigrations and Customs Enforcement capture individuals jailed for nonviolent crimes in recent years, **under a secret policy it adopted in October 2019**. The policy change came one day after Metro [Police] announced it had pulled out of a partnership with ICE under the **now-discontinued federal 287(g) program**, which encouraged local law enforcement departments to work with the feds on deportations of both violent and nonviolent individuals...However, it turns out that **Metro, under its clandestine policy change, has been alerting ICE when nonviolent offenders are going to be released from custody, allowing federal agencies to wait outside the Clark County Detention Center and pick up the immigrants. It's all being done off the books** — since Metro isn't officially turning over custody of the detainees, it doesn't have to report its activities."

This is a recent (November 2021) Washington Post article about the controversial agreements:

<https://www.washingtonpost.com/investigations/interactive/2021/trump-ice-sheriffs-immigrants-287g/>

More on cooperative ICE agreements:

- <https://www.americanprogress.org/article/287g-agreements-harm-individuals-families-communities-arent-always-permanent/>



287(g) Agreements Harm Individuals, Families, and Communities, but They Aren't Always Permanent - Center for American Progress

287(g) Agreements Harm Individuals, Families, and Communities, but They Aren't Always Permanent. Local law enforcement agencies are discovering that 287(g) agreements that target undocumented ...

www.americanprogress.org

<https://www.americanimmigrationcouncil.org/research/287g-program-immigration>

These are questions we would like addressed:

- Which duties will be assigned to designated MPD officers who are "deputized" and trained by ICE/HSI?
- When are MPD officers authorized to ask suspects, victims, and witnesses questions about their immigration status, social security number, and/or place of birth?
- What level of information sharing will MPD agree to with ICE/HSI (fingerprinting, names, addresses, etc. of "suspects") and how will you prevent the information of innocent residents being shared with the federal agency?
- Will federal agents be allowed entry into local police facilities (offices and jails)?
- Does the Council have a plan for oversight, accountability and transparency?
- Has the Council analyzed the risks vs. benefits for the immigrant community under this agreement?
- Will Maui taxpayer's money be used to carry out federal ICE duties?

Mahalo for your consideration and your service,

Bettina

Bettina Mok
Executive Director
The Legal Clinic (Justice for Our Neighbors-Hawai'i)
Honolulu, Hawai'i
Direct/Cell: (808) 797-2599
Main: (808) 777-7071
www.thelegalclinchawaii.org

