

**Chatham County Resolution on the Federal Immigration and Customs Enforcement (ICE) Program**

**WHEREAS** the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) added Section 287(g), performance of immigration officer functions by state officers and employees, to the Immigration and Nationality Act (INA) and authorizes the Secretary of the U.S. Department of Homeland Security to enter into agreements with state and local law enforcement agencies permitting designated officers to perform immigration law enforcement functions pursuant to a Memorandum of Agreement (MOA); and

**WHEREAS** the enforcement of immigration laws by local law enforcement officials in cooperation with the Immigration and Customs Enforcement (ICE) program has resulted in abuses in the field of human relations including, but not limited to, racial profiling, conducting raids that instill fears in the minds and hearts of a portion of the immigrant population, and separating children, who may be American citizens, from their parents without ensuring proper care; and

**WHEREAS** according to the North Carolina Human Relations Commission (NCHRC), people in communities that are targeted by ICE are much more reluctant to report crimes to the sheriff/police departments because of the possible undocumented status of individuals; and

**WHEREAS** Senate Bill 1523, the North Carolina General Assembly's 2006 Technical Corrections Bill, permits state and local law enforcement agencies to give their officers the authority to investigate, arrest, and detain undocumented immigrants; and

**WHEREAS** although the North Carolina Sheriffs Association (NCSA) has asserted that the focus of ICE is to remove dangerous criminals from the streets, the arrest data compiled by Gaston, Mecklenburg, Alamance Counties would suggest otherwise; and

**WHEREAS** local law enforcement leaders in Chatham County may find themselves in the position of deciding whether or not to sign a Memorandum of Agreement (MOA) with the Department of Homeland Security and ICE to enforce immigration laws on their behalf; and

**WHEREAS** the Major Cities Chiefs (MCC) association has taken a stand against local law enforcement agencies contracting with ICE and has delineated a number of significant concerns including, but not limited to, the potential for undermining the trust and cooperation between law enforcement officers and immigrant communities, the lack of fiscal resources to support the necessary training of local law enforcement for enforcing federal immigration laws, the complexity of federal immigration law that results in confusion at the local level and that puts local law enforcement officers and local governments at higher risk of civil liability, and the lack of local authority and state law limitations of authority to enforce immigration; and

**WHEREAS** Chatham County is home to a diverse population – including people of color, documented and undocumented immigrants, citizens and non-citizens – whose contributions to the community are vital to its character and function; and

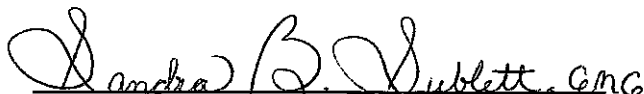
**WHEREAS** the Board of Commissioners is committed to upholding the civil rights of all persons in Chatham County and to protecting the enjoyment of any and all rights and privileges secured by the constitutions and laws of the United States, North Carolina, and Chatham County;

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners supports local law enforcement in the execution of their duties the constitutions and laws of the United States, North Carolina, and Chatham County.

**BE IT ALSO RESOLVED** that, in continuing its belief of *controlling its own destiny... while proudly preserving diverse cultural heritages*, the Chatham County Board of Commissioners stands in strong opposition to any local governmental agency contracting with the U.S. Immigration and Customs Enforcement (ICE) for the purpose of enforcing federal immigration laws.

**BE IT FURTHER RESOLVED** that this resolution will be forwarded to all Chatham County law enforcement agencies, locally-elected officials, and to our state and federal legislative delegations on behalf of the residents of Chatham County.

Adopted this, the 5<sup>th</sup> day of January, 2009.

  
Sandra B. Sublett, CMC, Clerk to the Board  
Chatham County Board of Commissioners

  
George Lucier, Chairman