

For Immediate Release: June 1, 2011

GOVERNOR CUOMO SUSPENDS PARTICIPATION IN FEDERAL SECURE COMMUNITIES PROGRAM

Governor Andrew M. Cuomo today announced that New York State will suspend participation in the federal Secure Communities Program to review the mounting evidence that the program is not meeting its stated goal and has serious consequences for witnesses, victims of crime and law enforcement.

The goal as stated by the federal government was to deport serious felons, and, based on evidence to date, it appears the program in New York is failing in this regard and is actually undermining law enforcement. Because of similar concerns, the Inspector General of the U.S. Department of Homeland Security (DHS) is investigating the program.

"There are concerns about the implementation of the program as well as its impact on families, immigrant communities and law enforcement in New York," Governor Cuomo said. "As a result, New York is suspending its participation in the program."

In a letter to DHS, Governor Cuomo's administration stated that information produced thus far has called into question – at both the federal and state levels – the implementation and intended effect of the Secure Communities program.

Governor Cuomo's office has also received complaints stating that the goals of the program were not being met. The questions raised are further aggravated by inconsistent statements by DHS and a failure to disclose basic information about the program.

Congressman Jose E. Serrano said, "Governor Cuomo has taken a brave and necessary step in suspending New York State's participation in the flawed 'Secure Communities' program, and he deserves great praise. He is firmly in line with our state's pro-immigrant tradition and on behalf of the immigrants and their friends in our community, I would like to thank him. Having New York State pull back from this unfair and aggressive program should be a wake-up call to the Department of Homeland Security. It is time to end this program and I am glad my home state will no longer take part."

Congresswoman Nydia M. Velázquez said, "I thank Governor Cuomo for showing the leadership and foresight to suspend this misguided program, which does not reflect New York's long history as a welcoming home for newly arrived immigrants. The Secure Communities initiative does not make our nation safer, but inhibits cooperation with law enforcement and violates immigrants' due process rights."

Derek P. Champagne, Franklin County District Attorney and President of the District Attorneys Association of the State of New York (DAASNY), said, "By suspending the state's participation in this program until a comprehensive review is complete, the Governor is sending a strong message that the law enforcement tools we utilize must be clearly communicated, evenly applied and effective. We will continue to use the effective tools that have been in place for many years to ensure that we are identifying and preventing any risk to public safety."

Janet DiFiore, Westchester County District Attorney, said, "I support Governor Cuomo's decision to take New York State out of the Secure Communities Program in light of reports of the unintended consequences by its implementation. I remain confident that law enforcement throughout the state presently has sufficient tools at its disposal to continue to safeguard and protect all New Yorkers."

State Senator Adriano Espaillat, Chair of the Latino Caucus of the Senate, said, "Governor Cuomo's decision to end the so-called Secure Communities program in New York will restore rights and justice to countless immigrants across the state. We must enact policies and reforms that bolster our diverse population, not penalize it by instilling a sense of fear of wrongful deportation in our neighborhoods."

State Senator Gustavo Rivera, Vice Chair of the Latino Caucus of the Senate, said, "I applaud Governor Cuomo for having the courage to put an end to this program's existence in New York. The Secure Communities program has frightened victims and witnesses of crime from coming forward. We need to make our neighborhoods safe places for our families and not take part in a problematic and contradictory program that hinders our safety."

Assemblyman Felix Ortiz, Chair of the Puerto Rican/Hispanic Task Force, said, "The Secure Communities program has done the opposite of what it was supposed to do, and Governor Cuomo is right in removing our state from the program. While we continue to work to find ways to make it safer for victims and witnesses of crime to come forward and be a part of the process to save our communities, we must not let our state be part of an experiment that puts innocent people at risk."

Thomas H. Mungeer, President of the New York State Police Benevolent Association, said, "We support Governor Cuomo's action today in suspending Secure Communities until the numerous questions, including a federal Inspector General's investigation, can be resolved. Police rely upon a partnership with the communities that they serve to ensure the public safety of us all. The questions that have surrounded the implementation of Secure Communities drives a wedge between law enforcement and the people they are sworn to protect. We are confident that the procedures we currently use and the strong relationships we currently have with federal, state and local authorities will ensure that we can keep our communities safe while also maintaining our relationship of trust."

John Poklemba, Counsel to the New York State Association of Chiefs of Police, said, "Governor Cuomo has made the right decision to take New York State out of the controversial Secure Communities program. This program unfortunately has had a negative impact on our crime-fighting efforts. Law enforcement must have tools and resources that are both effective and fair."

Jack Mahar, Sheriff of Rensselaer County and President of the New York State Sheriffs Association, said, "Every day, law enforcement officers put their lives on the line to rid our neighborhoods of crime, and we do it with the cooperation of the law-abiding public. This program was intended to make communities safer and stronger, but many people question whether this program has really accomplished its objectives. Governor Cuomo is right to remove our state from this program until all concerns are addressed."

Clinton County Sheriff David Favro said, "Governor Cuomo's decision to freeze the Secure Communities program until the questions that have been raised about its implementation can be settled, is a wise one. While we are sworn to keep our communities safe, that cannot come at the price of their trust. Our strong current partnerships with federal law enforcement and long-standing operations in this state will ensure that we continue to communicate effectively to identify undocumented immigrants in our county jails and take appropriate actions."

Chautauqua County Sheriff Joseph Gerace said, "We support Governor Cuomo's action today in suspending Secure Communities until the numerous questions, including a federal Inspector General's investigation, can be resolved. Sheriff departments rely upon a partnership with the communities that they serve to ensure public safety for us all. The questions that have

surrounded the implementation of Secure Communities jeopardizes that relationship. We are confident that the procedures we currently use and the strong relationship we currently have with federal, state and local authorities will ensure that we can keep our communities safe while also maintaining our relationship of trust."

Steven Krokoff, Chief of the Albany Police Department said, "In light of the confusion surrounding this program and the pending Inspector General's review, the Governor's decision to freeze this program until the federal review is complete is appropriate. The procedures we currently use will ensure the safety of neighborhoods across the state while at the same time encouraging individuals in all communities to come forward to report crimes."

Donna Lieberman, Executive Director of the New York Civil Liberties Union, said, "We applaud Governor Cuomo for taking the bold step of removing New York State from the Secure Communities initiative, which, despite its name, has become a sore subject for those who work day and night to make our neighborhoods safer. We need to ensure that vulnerable populations are protected, and the decision to remove our state from this program is a positive move for all New Yorkers."

Chung-Wha Hong, Executive Director of the New York Immigration Coalition, said, "For centuries, families have gone to great lengths to come to this great nation, and we owe it to ourselves and our neighbors to make sure the law is on their side. Unfortunately, the Secure Communities program has failed to provide protections to many individuals. Governor Cuomo's decision to remove New York from the program is a right one, and we look forward to working with him to make our state safe for all residents."

A copy of the letter sent to DHS can be found at:
www.governor.ny.gov/assets/Secure%20Communities.pdf.