

“SECURE COMMUNITIES” ADVOCACY POINTS OF UNITY

Demand: NY State must immediately rescind the S-Comm Memorandum of Agreement.

What to Say About S-Comm

- S-Comm **automatically checks fingerprints** of every arrested person taken at booking against immigration databases
 - Based on these database checks, Immigration and Customs Enforcement (ICE) then transfers people suspected of being deportable straight into the detention and deportation system from the criminal justice system
 - In the deportation system, people are often sent far away to remote detention centers— with **no loved ones or even lawyers to help defend against deportation**
- New York’s Division of Criminal Justice Services (DCJS) signed a Memorandum of Agreement (MOA) with ICE on May 18, 2010 with **no public input**.
- S-Comm and other collaborations between ICE and local police:
 - **Jeopardize our safety** by creating a climate of mistrust between communities and law enforcement and encouraging immigrants both to not report crimes and to not cooperate.
 - **Offend values of liberty, due process, and justice** by forcing immigrants to get treated differently from US Citizens in criminal proceedings and funneling people into the unjust deportation system where they have no “fair day in court”
 - **Encourage racial profiling** by giving the police incentives to make pretextual arrests in order to transfer people into deportation
 - **Impose significant costs** on our localities by forcing them to absorb costs of mass incarcerations
 - Force local taxpayers to fund the costs of illegal detentions and deportations
- ICE is an agency that offers **no accountability**. All **liabilities fall on local governments and local law enforcement agencies**
 - There is **no recourse available** to people whose rights are violated
- People who get caught in the S-Comm have already “**paid their debt to society**”
 - Deportation strips away family and community **support systems and breadwinners**
- New Yorkers deserve a chance to have **meaningful input and debate** to ensure that S-Comm will not **endanger our communities, violate our rights, and divert scarce resources**

What NOT to Say or Focus Unduly On and Why

- We should NOT say it is OK to deport “dangerous or violent criminals”
 - **Deportation is not the answer** for people in the criminal justice system
 - Deportation **should not come as a second punishment** to those who have done their time

New York State Working Group Against Deportation

- Our goal is to bring attention to how **unjust the detention and deportation system is** overall. We undermine our work by advocating for the deportation of any particular group
- Our work on S-Comm is just one part of our **broader work to change immigration laws** to stop deportations. We need immigration reform that provides all, not just some, immigrants an opportunity to live lawfully in the US and that, at a minimum, gives immigrants a fair day in court
- We should NOT criticize S-Comm primarily because innocent people or low-level offenders make up the majority of those swept into S-Comm
 - Our immigrant communities **shouldn't be divided into the "deserving" and "undeserving"** to be deported
 - We are **not fighting for S-Comm to work efficiently**—i.e., to do what ICE says it's supposed to be doing (catching the "dangerous criminals")—but rather to put an end to the collaborations between local law enforcement agencies and ICE that are tearing apart families
- We should NOT emphasize that S-Comm is problematic because of its potential for errors—for example, that green card holders (aka lawful permanent residents) without convictions and US Citizens get caught up in S-Comm
 - We **don't want to privilege certain groups** over others
 - Again, we are not fighting for S-Comm to work efficiently and according to ICE's stated goals
- We should NOT call for increased policing by local law enforcement
 - Many immigrant communities are already **overly targeted** by the police
- We should NOT call for "comprehensive immigration reform" to solve immigration problems
 - We need reform, but **current CIR proposals increase deportations, and include ratcheting up S-Comm** and similar programs
 - We need immigration reform that provides all, not just some, immigrants an opportunity to live lawfully in the US and that, at a minimum, gives immigrants a fair day in court