



ISSUE BRIEF: **Immigration Enforcement and Detention**

Discussion Points:

Under the “Secure Communities” and 287g programs, DHS Immigration and Customs Enforcement (ICE) authorities increasingly rely on local and state law enforcement officials to enforce federal immigration law. Most immigrants who have been detained have no criminal record and are being held pending removal on administrative grounds or on charges unrelated to immigration violations, ranging from burglary to traffic offenses. Many detainees are held for months, or even years, and are confined in jail cells, prison blocks or remote detention centers.

The use of local and state police in immigration enforcement:

- misdirects valuable resources and diminishes the ability of local and state officials to enforce criminal law
- undermines the relationship between law enforcement and immigrant communities
- alienates the very immigrant communities that could prove to be essential in keeping our country safe and secure

Recommendations:

DHS should abolish programs that place an additional burden on local and state governments by mandating enforcement of federal immigration law.

The Administration and Congress should allocate appropriate resources to ensure our entire immigration system is managed effectively and efficiently by relevant federal agencies.

Specifically regarding immigration detention, DHS should issue an internal directive to Immigration and Customs Enforcement (ICE) to clarify and enforce the standing policy of a 48-hour limit to immigration-related detention until the person detained is charged with an immigration-related offense and receives notice of the charges, as well as a timely scheduled court hearing.