

Grassley: New 287(g) Policies Hamper Local Law Enforcement Ability to Apprehend Illegal Aliens

By *Van Esser*

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In a July 14 letter to DHS Secretary Janet Napolitano, Sen. Charles Grassley (R-Iowa) said he is worried that new departmental policies will weaken the 287(g) program, which was specifically designed to give local law enforcement offices the capability to investigate, apprehend, and detain illegal immigrants by entering into a cooperative agreement with the federal government. Grassley also noted that the department's changes are a step backward in the effort to enforce the nation's immigration laws.

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Sen. Grassley, who authored the 287(g) program, wrote:

When it was created, the 287(g) program was meant to help officers arrest and detain all illegal immigrants – not just convicted criminals or serious offenders. There is nothing in the Act that requires that the aliens in question be criminal aliens or be convicted of or arrested for other offenses. However, the changes your Department is

forcing on agencies implies a three tier system only designed to get convicted criminal aliens off the streets. I am concerned that the changes being made will weaken our attempts to arrest and detain illegal immigrants in this country, no matter the magnitude of their crime. I'm afraid that your Department is too much concerned about criminal aliens, and not at all focused on illegal aliens who knowingly broke the law by crossing the border or overstayed a visa...

...Since 1996, the 287(g) program has proven beneficial to many communities who want to take action against illegal immigration...In addition to getting illegal aliens off our streets, the 287(g) program has the capacity to help our agents protect the homeland from potential terrorists...While it's important to apprehend those who have already committed a crime, I'm afraid these new changes to the 287(g) program may preclude local law enforcement from apprehending illegal aliens who they encounter in the course of their normal duties.

...If you truly support this program, I would think you'd want to make the program more flexible for local law enforcement agencies. Your Department should also be more inclusive and encouraging for officers to want to undertake the delegation of authority to assist the Department in carrying out its duties...

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