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Over 20 Elected State Prosecutors and Law Enforcement Leaders Challenge DOJ Conditions that Compel Local Involvement in Immigration Enforcement

Prosecutors and Law Enforcement Leaders to Federal Court: Public Safety Will Suffer if Local Law Enforcement is Entangled in Immigration Enforcement Duties

CHICAGO -- **Twenty three** prominent elected prosecutors and law enforcement leaders – including **District Attorneys, State Attorneys, Sheriffs and former Police Chiefs** from **seventeen jurisdictions** representing **over 13 million people** around the nation – filed a [brief](#) today with the United States District Court for the Northern District of Illinois, urging the Court to stop the Department of Justice from coercing local jurisdictions into enforcing federal immigration duties and responsibilities by imposing new Department of Justice conditions on federal grants that support local law enforcement initiatives.

“Trust is built from the ground up,” said **Manhattan District Attorney Cyrus R. Vance**.

“Entangling local criminal justice leaders in federal immigration enforcement – and conditioning federal funding on immigration engagement by local police officers – erodes public safety and is just plain wrong.”

Fourteen current elected prosecutors from diverse parts of the nation and a wide range of jurisdictions signed onto the brief, including **District Attorneys** Sherry Boston (Atlanta, GA), Mark Dupree (Kansas City, KS), Stan Garnett (Boulder, CO), Sim Gill (Salt Lake County, UT), Mark Gonzalez (Corpus Christi, TX), John Hummel (Bend, OR), Dan Satterberg (Seattle, WA), David Soares (Albany, NY), and Cy Vance (New York, NY); Acting District Attorney Eric Gonzalez (Brooklyn, NY); **State Attorney** Aramis Ayala (Orlando); State’s Attorney Marilyn Mosby (Baltimore, MD); **Prosecuting Attorney** Carol Siemon (Lansing, MI); and **City Attorney** James D. Smiertka (Lansing, MI). These elected prosecutors were joined by **Sheriffs** Jerry Clayton (Ann Arbor, MI), Bill McCarthy (Des Moines, IA) and Joe Pelle (Boulder, CO), as well former **Police Chiefs** Chris Burbank (Salt Lake City, UT), William Landsdowne (San Diego, CA) and Brendan Cox (Albany, NY). Taken together, the elected prosecutors and sitting law enforcement leaders **represent over 13 million people**. (A full list of signators is provided below.)

These prominent elected prosecutors and law enforcement officials came together to add the perspective of leaders charged with protecting public safety in a friend of the court (amicus) brief supporting Chicago’s lawsuit against the Department of Justice (DOJ).

The City of Chicago seeks to block the DOJ from placing harmful and unnecessary conditions on federal grant money to local law enforcement disbursed through the Edward Byrne Memorial Justice Assistance Grant Program (Byrne JAG). Byrne JAG funding supports vitally important law enforcement, prosecution, corrections, courts, crime prevention and education, drug and mental health treatment, and victim-witness initiatives.

As new conditions for receiving the grant, the Department of Justice is demanding that cities and local law enforcement generally provide 48 hours' advance notice to DHS regarding the scheduled release of detained aliens, and permit DHS personnel access to city jails and other detention facilities for the purpose of investigating suspected aliens and determining if they should be allowed to remain in the United States. The **brief** argues that these restrictions would “dangerously impact local communities by requiring jurisdictions to prioritize civil immigration enforcement over public safety and by potentially stripping jurisdictions of funding for important public safety and community initiatives.”

“We are local guardians of the law and we know that policing, at its core, depends on community trust,” said **Boulder County, Colorado Sheriff Joe Pelle**. “Entangling local law enforcement in immigration work hinders our ability to keep our communities safe.”

“Study after study show that immigrant communities are less willing to report crimes and cooperate with law enforcement and prosecutors when they fear deportation,” noted **Miriam Krinsky**, one of the signators on the brief and the **Executive Director of Fair and Just Prosecution**. “Prosecutors and law enforcement leaders need to stand together and speak out in the face of federal policies that threaten to deepen the divide between law enforcement and the immigrant communities they are entrusted to protect.”

That divide has manifested itself in a number of troubling ways. As the brief illustrates, some violent crimes have gone unreported, and pending prosecutions have disappeared from courts' dockets. And local court systems have been used as levers for federal immigration enforcement in ways sure to discourage others from participating in the justice system. In one especially vivid example, a woman arrived at a courthouse seeking a protective order against her abusive boyfriend, only to leave under arrest—likely due to a tip from her abuser.

“Trust between law enforcement and the public is critical to promoting the safety of all constituents and is a key foundation of effective models of community policing and law enforcement,” said **Joshua Geltzer, Executive Director of the Institute for Constitutional Advocacy and Protection (ICAP)** at Georgetown University Law Center. “The new conditions that the Department of Justice is attempting to impose on grant recipients would undercut that trust and therefore undermine public safety.”

The amicus brief was authored by the Chicago Law Firm of Hughes Socol Piers Resnick & Dym, Ltd., in conjunction with ICAP. Fair and Just Prosecution, a national network of newly elected prosecutors committed to change and innovation, coordinated the amicus effort.

For additional questions, or to speak with Amici, please contact Miriam Krinsky at krinskym@krinsky.la or (818)-416-5218.

A full list of signatories to the brief is below:

Roy L. Austin

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Former Assistant U.S. Attorney, District of Columbia

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