

What is Secure Communities?

Secure Communities is a Department of Homeland Security (DHS) program designed to identify immigrants in U.S. jails who are deportable under immigration law. Under Secure Communities, participating jails submit arrestees' fingerprints not only to criminal databases, but to immigration databases as well, allowing Immigration and Customs Enforcement (ICE) access to information on individuals held in jails. Unlike other ICE-local partnerships, Secure Communities gives ICE a technological, not physical, presence in prisons and jails. Unlike the 287(g) program, no local law-enforcement agents are deputized to enforce immigration laws through Secure Communities.

As of September 27, 2011, Secure Communities was available in 1,595 jurisdictions in 44 states and territories. ICE plans to implement Secure Communities in each of the 3,100 state and local jails across the country by 2013. ICE reported that, as of September 30, 2011, **over 11,000,000** fingerprint submissions have resulted in **692,788** database matches. As a result of Secure Communities, ICE had removed **more than 142,000** persons.

How does Secure Communities work?

When an individual is booked into a jail, his or her fingerprints are regularly sent to the Federal Bureau of Investigation (FBI) to be checked against criminal databases. With Secure Communities, the FBI then sends the fingerprints to ICE, where they are checked against the U.S. Visitor and Immigrant Status Indicator Technology Program (US-VISIT) and the Automated Biometric Identification System (IDENT). This fingerprint check allows state and local law enforcement and ICE automatically and immediately to search the databases for an individual's criminal and immigration history.

If there is a database "hit," meaning that the arrested person is matched to a record indicating a potential immigration violation, ICE and the local law-enforcement authorities are notified. ICE then evaluates each case to determine the individual's immigration status and whether any action is necessary or appropriate based on agency priorities. In most cases, ICE will issue a detainer against the jailed individual. A detainer is a request from ICE to the arresting agency to notify ICE before it releases the noncitizen so that ICE has the opportunity to decide whether the individual should be transferred to federal custody rather than released.

ICE describes Secure Communities as "interoperability" between FBI and DHS databases. However, most people believe that Secure Communities includes the entire process that begins with the arrest of the individual by a local police officer and ends with ICE enforcement actions. Originally, ICE entered into Memoranda of Agreement (MOAs) with State Identification Bureaus, which are responsible for data sharing between the state and the federal government. Most believed that states had the option not to enter into the MOA, or to terminate the MOA if they no longer wanted to participate in the program. However, in August 2011, ICE rescinded all signed MOAs and announced that no signed agreement was necessary for the data sharing to take place, and that the program is mandatory for all jurisdictions.

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The suite of federal programs that entangle local and state law enforcement agencies with federal immigration enforcement, are called ICE ACCESS

(Agreements of Cooperation in Communities to Enhance Safety and Security). The ICE ACCESS umbrella houses the 287(g) program, the Criminal Alien program, and the Secure Communities program (also known as SComm) among others. Of greatest concern are the Administration's plans to unilaterally expand S-Comm to every local police department and jail in the nation by 2013.

- The merger of local authorities, whose primary role is to address crime, with federal immigration authorities furthers the perception that undocumented immigration is a crime, when in reality it is a civil offense.
- "Secure Communities" has actually made communities less safe, in that many individuals are afraid to report crimes that they experience or witness, for fear of being deported or having neighbors, family members or friends deported. As a result, crimes are going unreported and communities are living in fear of police.
- While, ICE markets these programs as public safety initiatives that are designed to take the most violent so-called "criminal aliens" off our streets, the reality is that these operate as wholesale deportation programs. The broad dragnet deports a majority people with no criminal record or minor infractions. What's worse is that it has even caught up victims of crimes and US citizens. (See report from [National Immigration Law Center \(PDF, 7 pages\)](#) Racial profiling and abuse by local authorities within these programs go unchecked.

Secure Communities allows fingerprints from individuals booked in federal, state, and local jails to be automatically sent to Immigration and Customs Enforcement. If ICE determines that an individual may be deportable, it requests that the local law enforcement agency detain him or her for transfer to ICE and possible deportation. This leads to further criminalization of migrants wherein minor violations, often traffic stops, turn into an investigation of citizenship status where many are therein detained. Notably the program operates pre-conviction, meaning individuals are deported prior to standing trial or being found guilty of the crime charged with. Furthermore, low-priority, non-violent offenders or even lawful permanent residents are being funneled into this program, needlessly separating hundreds of thousands of families

<http://www.interfaithimmigration.org/index.php/2011/11/21/iic-scomm-toolkit>.