

# **ADVOCACY TOOLKITS:** *Freedom Cities Model Policies*





Dear Activist:

**Thank you for volunteering for the ACLU of Virginia!** We should all join together in being proactive in moving state and local officials to adopt laws and policies that will encourage and protect freedom for all people in Virginia rather than constrain it for any of us.

Advocates should begin by being strong advocates against their local law enforcement agencies or sheriffs' offices agreeing to volunteer their personnel to be ICE officers under a 287g agreement (see our letters describing opposition to such agreements [on our website at www.acluva.org](http://www.acluva.org)). Advocates should also oppose decisions by sheriffs or jail authorities to enter into Intergovernmental Services Agreements with ICE that amount to volunteering to turn some or part of a local or regional jail into a temporary federal detention facility (see, e.g., [the bad example set by the Fairfax Sheriff who entered into such an agreement despite expressed public concerns](#)).

In addition, Virginia advocates are encouraged to become advocates with state and local officials for adoption of the following model state and local law enforcement policies and rules developed by the national ACLU.

The 9 "model" state and local law enforcement policies and rules are intended, in short, to prevent the discrimination, deportation, and surveillance of immigrant communities. In this toolkit, you will find each of the policies written by ACLU staff along with a short description of each in laymen's terms and some notes specific to existing Virginia laws and policies.

Please report back using the form that is available on our website's action center. The form will ask you to provide your name and let us know what action you took and when. It will also allow you to provide feedback and any suggestions you may have for us! Your comments will keep us informed, and tell us how we can improve.

Again, thank you for your activism! Should you have any questions, do not hesitate to contact us by email at [action@acluva.org](mailto:action@acluva.org).





# ACLU's 9 Model State and Local Law Enforcement Policies and Rules

## 1. *The Judicial Warrant Rule:*

**[County/City/State] officials shall require a judicial warrant prior to detaining an individual or in any manner prolonging the detention of an individual at the request of U.S. Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP).**

Rule #1 is meant to stop local police and sheriffs from volunteering to do immigration detention without a judge's approval. Immigration agents routinely ask police and sheriffs to hold people in jail before they have the legal authority to do so. Immigration agents have even asked local police to hold U.S. citizens for immigration purposes, a clear violation of their rights. The ACLU has represented many people who were illegally arrested this way, and it has cost local governments tens of thousands of dollars in court-ordered penalties. By requiring a warrant, we are protecting everyone's Constitutional rights.

### VA NOTE:

ICE recently revised its forms and, at a recent presentation to Virginia sheriffs, represented that the new administrative "warrant" form provides a constitutionally defensible basis on which to hold someone in jail for some period after their state or local sentence ends. The ACLU of Virginia believes that this representation is wrong. Only a warrant issued based on probable cause by a judicial officer provides a constitutional basis for holding people in jail and depriving them of their liberty in jail that is not a federal immigration detention facility where a person may be detained by authorized immigration officers.



## ACLU's 9 Model State and Local Law Enforcement Policies and Rules

### 2. *No Facilitation Rule:*

**[County/City/State] officials shall not arrest, detain, or transport an individual solely on the basis of an immigration detainer or other administrative document issued by ICE or CBP, without a judicial warrant.**

Rule #2 is meant to help ensure that local police do not spend limited local dollars and staff time carrying out federal immigration work, beyond what is legally required. It also protects against violations of the Fourth Amendment and racial profiling.

#### **VA NOTE:**

Nothing in Virginia or federal law requires any state or local law enforcement official to volunteer to enforce civil immigration laws based on either a detainer or administrative "warrant."





## ACLU's 9 Model State and Local Law Enforcement Policies and Rules

### 3. *Defined Access/Interview Rule:*

Unless acting pursuant to a court order or a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law, no [County/City/State] official shall permit ICE or CBP agents access to [County/City/State] correctional facilities or any person in [County/City/State] custody in such facilities for investigative interviews or other investigative purposes.



Rule #3 is meant to stop immigration agents from interfering in the state's or local public safety mission. When immigration agents can come to a correctional local facility and do whatever they want, it blurs the line between state and local law enforcement police and federal immigration agents, and local communities lose trust in the state and local police, which harms public safety.

### VA NOTE:

No Virginia or federal law requires Virginia sheriffs, regional jail authorities or corrections officials to allow ICE to enter state or local jails or correctional institutions for purposes of investigating potential civil or criminal immigration law violations.



## ACLU's 9 Model State and Local Law Enforcement Policies and Rules

### 4. *Clear Identification Rule:*



To the extent ICE or CBP has been granted access to [County/City/State] correctional facilities, individuals with whom ICE or CBP engages will be notified that they are speaking with ICE or CBP, and ICE or CBP agents shall be required to wear duty jackets and make their badges visible at all times while in [County/City/State] correctional facilities.

Rule #4 is meant to ensure ICE officers clearly identify themselves when they are speaking with people about their immigration status. Sometimes people think they are talking to a public defender – instead, they find out they are talking to an immigration agent. Everyone has the right to remain silent or seek an attorney. State and Local

correctional institutions law enforcement agencies should not assist immigration agents in deceiving immigrants and deprive them of their ability to effectively use their rights.

### VA NOTE:

While federal officials cannot be commanded by state or local law to take certain actions, there is no federal or Virginia law that prohibits sheriffs, jail authorities or other correctional officials from requiring ICE officers to be clearly identifiable as a condition of being granted access to state or local facilities.



## ACLU's 9 Model State and Local Law Enforcement Policies and Rules

### 5. *Don't Ask Rule:*

**[County/City/State] officials shall not inquire into the immigration or citizenship status of an individual, except where the inquiry relates to a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law, or where required by state or federal law to verify eligibility for a benefit, service, or license conditioned on verification of certain status.**

Rule #5 is meant to promote good government, and smart policing. Many local police departments have commonsense policies to protect victims and witnesses that ensure they only ask about immigration status if it's relevant to a state or local crime. This rule keeps our whole community safe by drawing a clear line between local priorities and interference from immigration agencies.

### VA NOTE:

There are a number of Virginia statutes that compel sheriffs, jail officials and correctional officers, probation and parole officers and court clerks to conduct certain inquiries at the time of arrest and admission to a jail or prison, on commitment to a jail or prison after conviction, prior to release on probation or parole. There is also a law that requires inquiries to verify eligibility for certain public services. There is no reason not to ask local officials to support repeal of these requirements. Moreover, none of these Virginia statutes and no federal law prohibits police or sheriffs' departments from adopting a policy or general order prohibiting individual officers from inquiring into the immigration status of cooperating victims of or witnesses to crimes unless it is directly relevant to the crime being investigated. A number of Virginia law enforcement agencies already have such policies in place, and, regardless of representations to the contrary, these policies are not "illegal" nor in contravention of any law or federal policy.



## ACLU's 9 Model State and Local Law Enforcement Policies and Rules

### 6. Privacy Protection Rule:



**No [County/City/State] official shall voluntarily release personally identifiable data or information to ICE or CBP regarding an inmate's custody status, release date or home address, or information that may be used to ascertain an individual's religion, ethnicity or race, unless for a law enforcement purpose unrelated to the enforcement of a civil immigration law.**

Rule #6 is meant to safeguard privacy. ICE officers often call local police and request personal information about people (like home addresses). People deserve to have their private information protected to the maximum extent permitted by law. The rule also protects against targeting people in discriminatory ways - for example, because they are Muslim or Latino.

### VA NOTE:

Virginia law requires certain disclosures to ICE as noted relevant to #5 above. These requirements do not mandate cooperation beyond the specific disclosures required by law. For example, while under state law local correctional agencies can turn people over to ICE up to 5 days before the end of their sentences, there is no requirement that these agencies provide information to ICE after the initial notice provided at arrest and again upon conviction.



## ACLU's 9 Model State and Local Law Enforcement Policies and Rules

### 7. *Discriminatory Surveillance Prohibition Rule:*

**No [County/City/State] agency or official shall authorize or engage in the human or technological surveillance of a person or group based solely or primarily upon a person or group's actual or perceived religion, ethnicity, race, or immigration status.**

Rule #7 is meant to prevent the discriminatory targeting of groups, including using false or weak justifications for doing so. For instance, it would prevent local involvement in the surveillance of a construction worksite for immigration reasons, solely because people of Latino background work there in large numbers. It would prevent the general surveillance of mosques.



### VA NOTE:

Virginia has laws that require state or local law enforcement to obtain warrants to use some technologies in surveillance, including drones and cell site simulators. This means that there must be probable cause to believe that a crime has been committed before such technology can be deployed.



## ACLU's 9 Model State and Local Law Enforcement Policies and Rules

### 8. *Redress Rule:*

**Any person who alleges a violation of this policy may file a written complaint for investigation with [oversight entity].**

Rule #8 is meant to ensure that every city, town or county has a complaint and redress process for people who have been harmed because of failures to comply with these protections. It would allow your city, county, town to make clear that rules are not just on paper, and something will be done if they are broken.

#### VA NOTE:

There is no Virginia law prohibiting a locality from creating an oversight entity (e.g., civilian review) office or designating a person to respond to these kinds of complaints.





## ACLU's 9 Model State and Local Law Enforcement Policies and Rules

### 9. *Fair and Impartial Policing Rule:*

**No [County/City/State] official shall interrogate, arrest, detain or take other law enforcement action against an individual based upon that individual's perceived race, national origin, religion, language, or immigration status, unless such personal characteristics have been included in timely, relevant, credible information from a reliable source, linking a specific individual to a particular criminal event/activity.**

Rule #9 is meant to promote fair policing, and covers areas including, but not limited to immigration. It is a standard increasingly adopted by law enforcement agencies committed to constitutional and equitable policing. It is a safeguard against biased policing, and it requires that there be specific, non-discriminatory reasons to take police action against a person.



### VA NOTE:

Virginia has no statewide law requiring the collection and reporting of demographic data on policing actions. To make it possible to determine that policing is constitutional, fair and impartial, however, there must be a commitment to collecting and distributing data that helps the public evaluate the success of policies requiring fair and impartial policing. Ask your local elected officials, sheriffs, commonwealth's attorneys and state legislators to support passage of a state law requiring data collection statewide.



## FINAL NOTE

The Trump Administration has asserted, falsely, that if localities do not help advance Trump's mass deportation agenda, they are violating federal law. The following rule, which is the only applicable federal law in this area, would help ensure your city, county or town establishes its clear intent not to violate federal law. While not a necessary addition, this rule may be a useful complement to the above policies:

### 1373 Rule:

*Under 8 U.S.C. § 1373 and 8 U.S.C. § 1644, federal law prohibits [County/City/State] officials from imposing limits on maintaining, exchanging, sending, or receiving information regarding citizenship and immigration status with any Federal, State, or local government entity. Nothing in [County/City/State] policies is intended to violate 8 U.S.C. § 1373 and 8 U.S.C. § 1644.*

1373 Rule is **optional**, but meant to signal in a clear way that, **while your city, county, or town wants to be immigrant-friendly and a "Freedom City," it does not want to violate federal law.** Your local leaders can point to this rule to show that your policies are fully consistent with federal law. That would be true even without this rule, but this rule reiterates it. It is like driving 40 mph on a street with a 50 mph speed limit, yet nevertheless calling the police and telling them that you are driving 10 mph less than the limit.





# FACT SHEET:

## Freedom Cities



### ▶ Entanglements with ICE erode community trust and make us all less safe

Local law enforcement's primary responsibility is to keep our streets safe, and volunteering to serve as ICE officers or cooperate in turning people over to ICE regardless of whether they have committed criminal acts could have the exact opposite effect. Central to best practices of community policing is building trust between law enforcement and the community. To foster this trust, many local law enforcement agencies have standing policies not to inquire into the immigration status of cooperating witnesses and victims of crime. When localities volunteer to partner with ICE or enter into formal agreements to enforce federal immigration law, they erode the trust of immigrant communities, causing few victims and witnesses to come forward to report crimes, and this makes all of us less safe. For example, [the Los Angeles Police Department recently reported a 25% drop in reports of sexual assaults by members of that city's Latino community](#). Virginia should promote cooperation between immigrants and local police; not create fear of detention and removal for coming forward to report crimes or for appearing in court when ordered or asked to do so.

### ▶ Immigrants play a positive role in American society and are not a threat to public safety

According to [The Sentencing Project](#), “[f]oreign-born residents of the United States, regardless of immigration status, commit crime less often than native-born citizens. Policies that further restrict immigration are therefore not effective crime-control strategies. These facts—supported by over 100 years of research—have been misrepresented both historically and in recent political debates.” In fact, the Sentencing Project says that studies have shown that immigrant neighborhoods overall tend to be safer and have fewer instances of violent crime when compared to the rest of the native-born community. There is also no rational reason to fear refugees fleeing wars in countries such as Syria and Iraq. These refugees go through a rigorous “vetting” process before they are allowed into the United States as described recently by a former foreign service officer in a recent [Washington Post op-ed](#). Many have assisted our armed forces abroad and now seek to flee persecution in their home countries.



### ▶ Place local communities and the Constitution first

The Constitution of the United States guarantees the fundamental rights of equality, fairness, and freedom of religion to all **persons** in this country, regardless of immigration status. We must stand up for the rights of those who have no voice in our democracy. The ACLU of Virginia strongly recommends the adoption of Freedom Cities policies that place local communities first and limit voluntary engagement in the enforcement of our broken immigration system.

### ▶ Virginia should be a welcoming state

We are a country built by immigrants. Virginia should be a welcoming state to all, particularly the most vulnerable populations of those fleeing political upheaval, war and religious oppression abroad. Immigrants and refugees should be seen for what they are; a benefit to the United States, not derided or disparaged because of misplaced fear and xenophobia.

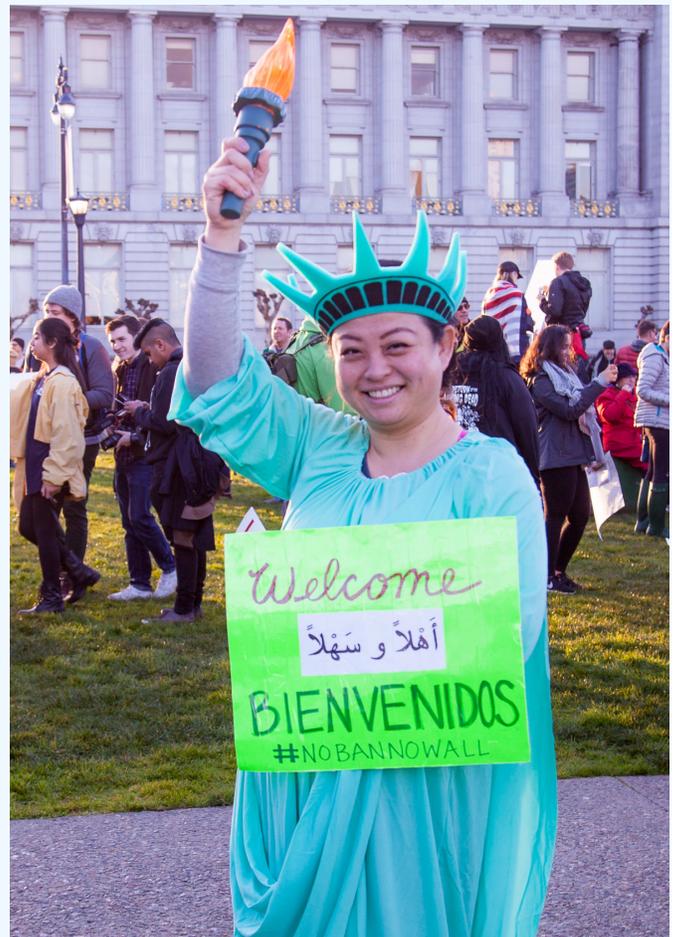
# FAQs: FREEDOM CITIES

## 1. What is the 287(g) program?

- **Section 287(g) of the Immigration and Nationality Act allows ICE to enter into agreements with local law enforcement that permit designated local officers to perform federal immigration enforcement functions.**

There are two principal forms of 287(g) agreements – “*task force*” models and “*jail*” models. Under the task force model, local officers may interrogate and arrest alleged noncitizens encountered in the field who they believe to be deportable. Under the jail model, local officers may interrogate alleged noncitizens in jail who have been arrested on local criminal charges, issue detainers on those believed to be subject to deportation for either civil or criminal violations of immigration law, and begin deportation proceedings.

- **The 287(g) program is the most extensive form of local entanglement in federal immigration enforcement.** It effectively transforms local officers into federal immigration agents – yet without the same level of training that federal agents receive, and without federal funds to cover all of the expenses incurred by the local jurisdiction. 287(g) agreements often involve the full spectrum of negative results outlined above (diversion from core responsibilities, deterioration in community trust, negative fiscal impact, and legal exposure). Indeed, the DHS Inspector General has documented the challenges encountered in the 287(g) program, noting, for example, that “claims of civil rights violations have surfaced in connection with several [law enforcement agencies] participating in the program.” The public become more fully aware of these problems through the unconstitutional implementation of a 287(g) program in Maricopa County under Sheriff Joe Arpaio, who was subsequently voted out of office.



## 2. What authority does the program give local law enforcement that they don't have now?

**Without the 287g program authority, state and local law enforcement officials have no authority to enforce civil immigration law (visa requirements, for example) and very limited authority to enforce criminal violations of immigration law.** Volunteering to accept 287g authority to enforce civil immigration laws is clearly more than a matter of “paperwork.”

Under the standard 287g MOA, employees in local police or sheriff’s departments or local or regional jails would be trained to become “immigration officers” under the supervision and control of ICE officers with respect to immigration enforcement functions. They would have the authority to identify and process for immigration violations any “removable alien” or “those aliens who have been arrested [not convicted] for violating a Federal, state or local offense.” They would have the authority to “serve [administrative ICE] warrants of arrest for immigration violations [civil or criminal].” They would have the authority to “administer oaths and to take and consider evidence ... to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review.” They would have the authority to prepare charging documents for ICE supervisory review. They would have the authority to issue immigration detainers, requests for transfer and other forms for processing aliens. And, they would have the authority to detain and “transport arrested aliens subject to removal to ICE-approved detention facilities.”

# FAQs: FREEDOM CITIES

## 3. What costs are associated with the 287g program that local taxpayers will have to pay?

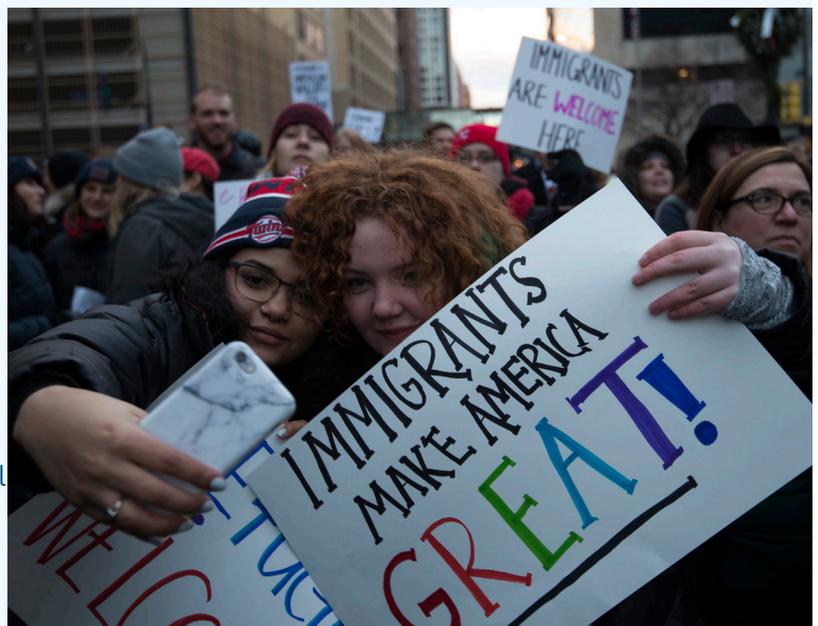
It is wrong to say that there are “no additional costs” associated with volunteering to perform the federal government’s job of enforcing civil immigration law. Individuals serving as ICE officers pursuant to a 287g agreement may or may not have time to perform other duties. If they do not, there is a cost in lost productivity of having people unavailable to do local functions because they are working for ICE. Moreover, as the Section IX of the standard MOA makes clear, local agencies will be “responsible for personnel expenses, including but not limited to, salaries and benefits, including overtime, local transportation, and official issue material.” This is true for the period while local employees are being trained by ICE. In addition, the MOA says that the local law enforcement agency will be responsible to cover “the costs of all [of your personnel’s] travel, housing, and per diem affiliated with the training required for participation” in the 287g program. The MOA goes on to say that it might issue a travel order to reimburse the direct costs incurred when attending training but that it is up to ICE if that is to happen.

Beyond personnel costs, the MOA makes clear that the local law enforcement agency is responsible for the costs of upgrading computer cabling and power to accommodate ICE installed software and hardware, the costs of phone and internet service, and the costs of administrative and office supplies and security equipment. It also specifies that the agency will provide free space to ICE supervisory employees.

Finally, for jails, the MOU does not provide for any reimbursement for detaining any aliens pursuant to orders entered by the delegated local ICE officers, unless the local agency executes an optional Intergovernmental Services Agreement pursuant to which it may be paid a fee to detain aliens for immigration purposes on behalf of the federal government or to provide transportation of “incarcerated aliens” who have completed their sentences to a “facility or location designated by ICE” in return for a payment that may or may not cover the actual costs of providing the services.

## 4. Aren’t jails and correctional institutions already required to cooperate with ICE by reporting people here without authority?

Virginia has had a law on the books since 2008 that requires jails and correctional facilities to check the immigration status of every person admitted to custody. Section 19.2-83.2 requires the officers in charge of the facility to “inquire as to whether the person (i) was born in a country other than the United States, and (ii) is a citizen of a country other than the United States,” and to make “an immigration alien query to the Law Enforcement Support Center” of ICE and to report the results of the query to state data collectors. When that inquiry is made to ICE, ICE is alerted to the presence of that individual in jail, and the agency may take action to obtain a criminal warrant where possible or to seek transfer to the agency’s custody up to 5 days before their criminal sentence is ended as is authorized by state law.



No state or federal law requires any further action on the part of a jail or law enforcement agency relative to the immigration status of any person admitted to custody. There is another report that must be made when a person is admitted to a jail or prison after conviction and when admitted to probation or parole. If ICE wants to seek custody of an individual for either a criminal or civil violation of federal immigration laws, these state law requirements give ICE ample notice and time to act without further action on any local agency’s part.

# FAQs: FREEDOM CITIES

## 5. What are the arguments against entering into a 287g agreement or otherwise volunteering to cooperate with ICE in enforcing federal immigration law and for passing Freedom City policies?

- **Local Priorities** – Local law enforcement has traditional priorities that include responding to emergencies, patrolling neighborhoods to prevent crime, facilitating certain functions of the court system, and numerous other duties. Time spent engaging in federal immigration enforcement detracts from performance of these core duties. Immigration enforcement does not advance local priorities, because it commonly targets individuals who pose no threat to public safety. Traditional police work designed to solve serious crimes should not be displaced by efforts to identify and arrest people who may have overstayed a visa.
- **Local Law Enforcement/Community Relations** – To effectively protect public safety, local law enforcement needs cooperation from local communities. Local residents serve as witnesses, report crimes, and otherwise assist law enforcement. The foundation for this cooperation can often be destroyed when local police are viewed as an extension of the immigration system. Survivors of domestic violence refrain from reporting offenses and individuals with key information about burglaries fail to contact the police. These outcomes are not limited to the undocumented population. Many undocumented immigrants have U.S. citizen spouses and children. And because citizens and immigrants with legal status often fall victim to mistakes by ICE, their views toward local officials can sour as well.
- **Fiscal Considerations** – Immigration enforcement is expensive. The federal government does not reimburse the cost of most programs and practices, and local jurisdictions can incur millions of dollars in added expenses as a result. These costs come through additional detention expenses, overtime payments for personnel, and litigation costs.
- **Legal Exposure** – Local jurisdictions that participate in immigration enforcement often end up in court and held liable for constitutional violations. Local police acting upon ICE detainer requests have faced liability for unlawful detentions in violation of the Fourth Amendment and Due Process Clause. They have also been sanctioned by courts for violating prohibitions against racial profiling, especially under 287(g) “taskforce” agreements.
- **In order to preserve the Constitutional rights of all persons in the United States, the ACLU of Virginia strongly recommends the adoption of the Freedom Cities policies that place local communities first and limit involvement in federal immigration enforcement.** They includes requiring judicial warrants in order to honor ICE detainers and declining to participate in the 287(g) program, as well as avoiding other forms of engagement in federal immigration enforcement that lead to many of the same problems (e.g. notifying ICE of an individual’s release date or home address, which can itself prolong someone’s detention and sow distrust in the community). We believe, and evidence has shown, that such a decision is in the best interest of local communities. The Constitution protects states and localities from being compelled to perform federal functions and choosing to engage in federal immigration enforcement results in clear, negative consequences to public safety and local resources, and increases liability risk. It is fully consistent with federal law for state and local law enforcement to avoid engagement in federal immigration enforcement.

## 6. Won’t our localities lose federal funds if they don’t cooperate with ICE?

The current Attorney General Jeff Sessions has threatened action to strip federal funds from jurisdictions that decline to direct their personnel and resources toward federal immigration priorities – a set of jurisdictions the Administration has lumped under the characterization of “sanctuary jurisdictions.” Nonetheless, prior court decisions indicate that the Administration will encounter substantial constitutional hurdles, if it attempts to follow through on that pledge. We will continue to monitor developments across the Commonwealth in our role as defender of the Constitution and take action to support or challenge local policies and practices, as needed.

- 1**  **Meet with your local police chief, sheriff, and your local Commonwealth's Attorney** (i.e., prosecutor) to solicit their firm commitment in writing not to request or support any application for immigration enforcement authority under the 287g program or execution of any intergovernmental services agreement that would make a local or regional jail a temporary federal detention center or otherwise commit local resources to federal immigration enforcement. Solicit their support for legislative or policy changes needed to implement the Freedom Cities model policies. Identify which proposals they can support and ask them to make their views known to elected officials on the local governing board and their state delegates and Senators. Ask them which reforms they can and will implement voluntarily. With respect to the proposals that they oppose, identify the basis for their opposition and changes that might be made to gain their support.
- 2**  **Meet with elected officials on your county board or town or city council** to solicit their firm commitment in writing to oppose any request by local law enforcement or the regional jail for immigration enforcement authority under the 287g program or authorize or support their execution of any intergovernmental services agreement that would make a local or regional jail a temporary federal detention center or otherwise commit local resources to federal immigration enforcement. Solicit their support for legislative and policy changes needed to implement the Freedom City model policies in their jurisdiction. Identify which proposals they can support and ask them to make their views known to their colleagues on the local governing board and their state delegates and Senators. With respect to the proposals that they oppose, identify the basis for their opposition and changes that might be made to gain their support.
- 3**  **Meet with your member of the House of Delegates and your Senator** and solicit their support for any statutory changes needed to implement fully statewide Freedom City model policies and ask them to commit to oppose any state legislation that would limit local authority to refuse to volunteer and engage in immigration enforcement. Identify which Freedom City proposals they can support and ask them to make their views known to their local governing board and their law enforcement agencies. With respect to the proposals that they oppose, identify the basis for their opposition and changes that might be made to gain their support.
- 4**  **Develop opportunities to discuss Freedom Cities policies with people in your networks** (at Rotary, your religious institutions, schools, civic organizations, etc).
- 5**  **Write letters to the editor** opposing any agreements with the federal government that commit local resources to enforce federal immigration law and supporting the Freedom Cities proposals (individually or collectively).
- 6**  **Take action to advocate for the Freedom City proposals** and against local immigration enforcement on line through social media and emails to your friends and associates.
- 7**  **Participate in candidate forums and town halls** where you can ask questions of elected officials and prospective elected officials about their support for the Freedom Cities model polices and against local enforcement of federal immigration laws.

# LETTER

## *To the Editor*

Dear Editor:

Recent trends in community policing have helped build trust between our local law enforcement and the communities they are charged with protecting. But this trust is fragile, particularly within the immigrant community. Trust is jeopardized each time local police cooperate with ICE officials. This could lead to fewer witnesses and victims of crime stepping forward, for fear of being reported to ICE. This will not make our streets safer.

Our [sheriff], as well, should not enter into a 287g jail agreement. To do so would open our [city/county] to unnecessary costs and potential litigation. Law enforcement leaders should not volunteer their departments to take on the federal government's job of enforcing immigration laws, particularly at a time when the laws themselves are badly broken and in need of comprehensive reform.

We should welcome new arrivals to our community, not create fear and mistrust of law enforcement through misguided policies that entangle our local law enforcement with ICE.

Dear Editor:

Effective, constitutional policing depends on trust between those policed and those doing the policing. Trust requires transparency and accountability. It also requires a shared sense of commitment to the safety and liberty of all people being served. Trust between members of immigrant communities and their local law enforcement agencies is jeopardized when those agencies volunteer to enforce federal immigration law. Lack of trust discourages cooperation by victims and witnesses of crime who feel unsafe engaging with local police and prosecutors. This makes effective policing impossible and jeopardizes all of our safety.

Our [sheriff's department or police department as appropriate] should keep its focus on protecting our communities from crime and not use our local resources to help the federal government enforce our broken immigration system. Local agencies that take on the federal government's job expose themselves to unnecessary costs and litigation. Our local officials should not put our community in this position, and should "just say no" when it comes to choosing to enter into agreements with ICE to authorize local enforcement of immigration law or to rent beds to ICE in local jails for temporary detention of federal detainees.

It is past time for Congress to move beyond punitive programs and enact comprehensive immigration reform. It is time to move beyond feeding fear and provoking hostility to rewarding empathy and becoming a community welcoming to all.

# SAMPLE SOCIAL MEDIA POSTS

## For Twitter:

-  Local jails shouldn't volunteer to house federal immigration prisoners at a cost to local taxpayers. #no287g
-  Local law enforcement should focus on local crime not volunteer to enforce federal immigration laws. #no287g
-  Sheriffs and local police should "just say no" to volunteering to become agents of ICE. #no287g
-  Virginia localities should focus on freedom for all not inducing fear in immigrant communities. #freedomcities
-  Say no to federal blackmail; adopt Freedom Cities policies and ensure liberty and security for all. #freedomcities
-  Virginia localities should say no to federal blackmail; refuse to take on federal job of enforcing broken immigration system. #freedomcities
-  No one is free until all are free; no one has justice until all have justice. Yes to freedom; no to local immigenforcemnt #freedomcities
-  Don't let ICE fool your locality; constitution = rule of law; says no to holding immigrants in jail after state/local time over. #no48hourholds
-  Warrant means warrant issued by judge, not ICE officer. Constitution says no to ICE 48 hold after time served. #no48hourholds

## For Facebook:

-  Virginia local jails should not become temporary detention centers. It's unconstitutional to hold any person for any time (minutes, hours or days) after the person's state or local sentence ends.
-  It's the job of local law enforcement to protect public safety, not enforce federal immigration laws. Volunteering to help ICE would erode public trust in law enforcement and make the community less safe. Sheriffs and local police should just say no to volunteering to become agents of ICE.
-  Immigrants are part of what make America great and we will fight to ensure that everyone is welcome in cities and countries across the Commonwealth. Our neighbors deserve to be treated with respect, not hate and bigotry.
-  The immigration population is an essential part of our rich and diverse community. ICE's ruthless, cruel tactics to implement national immigration policies are consistent with the values we cherish locally. Our elected officials must stand firm in their commitment to promote diversity and keep community members safe.
-  ICE's detainer requests are only requests. Local law enforcement should comply with the rule of law by only honoring ice detainer requests that include a warrant signed by a judge. Doing otherwise would be violating the constitutional rights of those being held.
-  No one is free until all of us are free. No one has justice until all of us have justice. We stand on the side of freedom and oppose local immigration enforcement that brings fear and terror to our community.