

BOARD OF COMMISSIONER'S OFFICE
NEWS ADVISORY



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**Kent County Board of Commission Chair & Sheriff Issue
Joint Statement on ICE Contract**

GRAND RAPIDS, MI – At last month's Board of Commission meeting, several community members and representatives of Movimiento Cosecha GR shared concerns about a contract between the Kent County Sheriff's Office and Department of Homeland Security's Immigration and Customs Enforcement Division, commonly known as ICE. Unfortunately, the meeting was temporarily suspended due to an interruption in the public comment process.

Representatives from the Administrator's Office have invited Movimiento Cosecha GR leaders to meet about their concerns and hope to speak with them directly.

The Commission is committed to hearing public comments as it is an important element of our democracy that allows people to communicate directly with their government officials. In order to make sure all residents have an ability to participate, several years ago various rules were established that apply to everyone.

Since the June meeting of the Board of Commissioners, there have been several questions raised in the community about the ICE Contract with the Kent County Sheriff's Department, including what the contract entails and the role of the Sheriff and Board of Commissioners. We believe it is important for the public to know the following:

Sheriff Policy & Practice

Sheriff deputies do not make arrests on civil immigration charges. The Sheriff decided years ago not to seek the required, special authority to make these types of arrests.

Sheriff's Department staff members working at the jail make no determinations regarding the validity of an arrest or the appropriateness of charges. They work to treat every inmate in a humane manner, with high levels of respect.

When an individual is arrested for an alleged **criminal act** and taken to Kent County Correctional Facility, fingerprints are submitted to the State and Federal government. Submission of fingerprints is not optional for the Sheriff Department or any local law enforcement agency – **with or without an ICE contract**. State and Federal laws require correctional facilities to fingerprint all individuals and send those prints to both databases to confirm their identification. When the FBI receives these prints, the Secure Communities Program (www.ice.gov/secure-communities) requires prints be shared with the

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Department of Homeland Security. It is this interplay between the FBI and Homeland Security that can trigger action by ICE.

In 2017, the Kent County Correctional Facility processed 23,455 people. In less than 0.8% of those arrests – 185 individuals - ICE submitted paperwork to detain individuals with immigration infractions that could, upon conviction, result in the individual serving jail time.

The scope of services under the ICE contract signed by the Sheriff in August 2012 is very limited, and includes:

- The provision of temporary secure housing for persons who are facing federal immigration charges detained by and under the authority of the federal government at a current rate of \$85 per day.

It also limits the housing of individuals held under the authority of the federal government to no more than 72 hours to make sure the federal government either takes custody of the individuals being held or removes the hold, so they can be released.

Board of Commissioners' Role

The Board of Commissioners has no direct oversight of or control over this agreement. The Sheriff is a Michigan constitutionally-elected official, and pursuant to state law, the Sheriff has the authority to enter into and manage the contract because state law provides the office of County Sheriff with significant latitude in running the jail. The Board is prepared to receive comment on the contract and can facilitate discussion on the topic, but it does not have legal authority to either terminate or renew the agreement.

The concerns expressed by Movimiento Cosecha GR about the separation of families arise from Federal immigration law and the activities of Federal agencies including ICE. Federal immigration law can only be changed by federal lawmakers. Neither the County Board of Commissioners nor the County Sheriff can control or change these laws.

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