



STATEMENT ON IMMIGRATION AND BORDER SECURITY

from Sheriff Mark D. Napier

The absence of a secure border presents a public safety concern for Pima County. We know significant quantities of illegal drugs are transported across the border for distribution throughout the United States. Human trafficking occurs across the border and results in the victimization of vulnerable populations. Transnational threats may also exploit the insecurity of the border to make undetected ingress into the United States, which potentially poses a national security threat. For these reasons, I fully support the increased emphasis on securing the border and providing additional federal resources to enhance our efforts to combat these public safety challenges. The Pima County Sheriff's Department looks forward to increased cooperation with our federal partners to address public safety concerns relevant to our proximity to the International Border.

While I support the increased attention given to the border and welcome additional federal resources, the Pima County Sheriff's Department does not have the capacity to engage in proactive enforcement of federal immigration laws. We have approximately 500 sworn personnel to provide law enforcement services to an area of 9,200 square miles. During the current fiscal year, we were facing a projected deficit of \$6 million just to provide essential services to the people of our County. Our correctional facility currently houses approximately 1825 inmates. We have the capacity for 2000. We lack sufficient capacity to detain significant numbers of people for federal immigration violations. The Pima County Sheriff's Department does not have the ability from either an operations or incarceration perspective to engage in active enforcement of federal immigration violations. Federal authorities best address these violations of federal law.

If local law enforcement becomes proactive in immigration enforcement, we will not enhance public safety, but rather deteriorate it. People in our community without legal documentation must be able to come forward and interact with law enforcement as victims and witnesses to criminal activity. If these people cannot interact with local law enforcement out of fear of deportation, we create an entire block of our community that will be victims of crime with no recourse and will not be partners with the community in reporting crime. All people of Pima County must be able to interact with law enforcement without fear.



The Pima County Sheriff's Department cooperates fully with our federal partners when, in the regular course of our duties, we develop a reasonable belief a person might be in this country without documentation. We contact federal law enforcement who then makes the determination about legal status and what steps might be required with respect to the enforcement of federal immigration laws. There are several thousand Border Patrol personnel in Pima County. They are able to respond rapidly to our requests for support. There is no need for personnel of the Pima County Sheriff's Department to be cross-certified as immigration agents (287G Program).

The Pima County Sheriff's Department cooperates and works collaboratively with all our federal law enforcement partners. We value these relationships. We recognize ICE Detainers and cooperate with them. We are required by State Law to verify the immigration status of persons housed in our Adult Detention Center prior to their release. A relatively small portion of persons crosschecked through ICE result in an Immigration Detainer request. An ICE Detainer, as currently drafted, does not provide a legal basis for detaining a person. Therefore, we cannot engage an extension of detention based solely on the existence of an ICE Detainer. When we no longer have a legal basis to hold an inmate, and are aware of an ICE Detainer, we notify ICE that we are beginning out-processing of the inmate. This generally takes approximately two (2) hours to complete. This provides sufficient time for ICE to take custody of the person. During calendar year 2016, the Pima County Sheriff's Department processed approximately 35,000 persons into jail. Only 420 inmates had ICE Detainers. We acknowledged 100% of them and through collaboration/cooperation with ICE ensured that no person with an ICE Detainer was released into our community.

The human toll associated with immigration is real and a factor for our department. Every year, we recover approximately 150 bodies in the desert areas of Pima County. This necessitates we maintain an industrial refrigerator at our Ajo District Station, simply to store human remains. Victimization of undocumented border crossers is a significant issue and it goes largely unreported. We know that border bandits and Coyotes prey upon these people. Securing the border will prevent deaths and criminal victimization of border crossers. Dissuading illegal entry into this country is in fact compassionate public policy.

The Pima County Sheriff's Department is committed to providing the highest level of public safety services to the people of our County. We proactively attack crime problems and criminal behavior without regard to the immigration status of the bad actors involved and will continue to do so.