



For Immediate Release

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Sheriffs Voice Outrage over Flawed ICE Report

Last week, in an effort to enhance communication with our federal partners, multiple MCSA members participated in a roundtable discussion with representatives from DHS, CBP and ICE to discuss the flawed Declined Detainer Outcome Report (DDOR) and local immigration challenges.

Despite compliance with ICE requests for notification and participation in the 287G program, many MCSA members have been listed in all three weekly reports as being non-cooperative or having restrictive cooperation policies. The DDORs were issued without prior law enforcement consultation and in our meeting last week, no clarification, corrections or apologies were offered. Additionally, the report does not provide a clear picture of the legal complexities surrounding ICE detainees.

Local law enforcement follows and enforces the rule of law, not an inside the beltway interpretation of how it should be. MCSA members have been hamstrung due to numerous federal courts rulings that ICE detainees are unconstitutional and exceed sheriffs' arrest authority. Without proper arrest authority, Sheriffs cannot willfully disregard an individual's 4th amendment rights as articulated in these court cases.

Several MCSA members respectfully requested a pause in the weekly DDOR until the information can be accurately presented and verified. However, the Department made it clear they are going to press on. It should be noted that the DDOR does not report on ICE's pickup rates or lack of information sharing with local law enforcement. In the spirit of true transparency, the American public should know that in many jurisdictions across our nation, ICE routinely allows criminal back onto the streets by failing to pick up criminal aliens upon release. Often times, the pickup rate is as low as 36%. Additionally, there is no direct access to ICE databases when a person is queried on a traffic stop, or as they come into booking even though that information is critical to maintain public safety. We have been asking for this information sharing from ICE for over 8 years.

As constitutionally elected law enforcement leaders, Sheriffs take erroneous allegations very seriously and every time the flawed DDOR is released without fact checking, our relationship with our federal partners erodes. If we are to be collaborative, the Department must make a more concerted effort to be truthful and transparent with the law enforcement community. ***Make no***

mistake, the American public has a right to know which jurisdictions are blatantly ignoring the rule of law and are endangering community safety and they should be held accountable. If a jurisdiction is following the law of its' state or a binding court ruling it is disingenuous for the Department to continue to release a report absent facts.

Moving forward, the MCSA again requests a pause in the DDOR until the data formulation and collection recognizes these important differences in circumstance and local law enforcement is consulted.

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