



# ARIZONA SHERIFFS ASSOCIATION

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LEON WILMOT, YUMA COUNTY SHERIFF, PRESIDENT

An Open Letter to the Administration

August 5, 2015

## ARIZONA SHERIFFS ASSOCIATION TAKES STAND WITH SHERIFFS THROUGHOUT THE UNITED STATES AGAINST GAPS IN FEDERAL PRIORITY ENFORCEMENT PROGRAM

The Arizona Sheriffs Association joins sheriffs across the United States and the National Sheriffs Association to “Give the Feds a Courthouse PEP Talk” on August 5<sup>th</sup>. We call on the Administration in Washington D.C. to use the power of the Executive Order, as it has done many times before, to require the Department of Homeland Security (DHS) to share information more effectively with state and local law enforcement when it comes to the Priority Enforcement Program (PEP), thus broadening the eligibility categories for deportations, and increasing reimbursement levels for state and local agencies that house criminal aliens on behalf of the Federal Government.

The Sheriffs of Arizona have been forced to deal with many challenges due to lax enforcement of Criminal rules for U.S. immigration policies. This lax enforcement has cost Arizona taxpayers roughly 30 million dollars during this past fiscal year in Arizona.

During FY 2014, according to ICE, they conducted 315,943 removals. Everyday Immigration Customs Enforcement (ICE) asks local Sheriffs to ‘detain’ an inmate, yet they fail to provide rational, legal authority to do so, or the common sense answer to the basic question of why a County Sheriff should detain an individual. Without that legal authority, Sheriffs risk enormous legal liability. Detaining a suspected felon without rationale poses the most risk for the local community.

If the Department of Homeland Security rescinds that order, and permits the release, the question becomes one of community security and risk to the citizenry of our communities. This ongoing federal trend was reported on by reporter Stephanie Slifer **CBS News** on May 13, 2014,

*The U.S. Immigration and Customs Enforcement (ICE) released 36,007 convicted criminal aliens last year who were awaiting the outcome of deportation proceedings, according to [a report issued Monday by the Center for Immigration Studies](#). The group of released criminals includes those convicted of homicide, sexual assault, kidnapping and aggravated assault, according to the report, which cites a document prepared by the ICE.*

*A majority of the releases were not required by law and were discretionary, the organization says. According to the report, the 36,007 individuals released represented nearly 88,000 convictions, including:*

<i>193 Homicide convictions</i>	<i>1,160 Stolen Vehicle convictions</i>
<i>426 Sexual Assault convictions</i>	<i>9,187 Dangerous Drug convictions</i>
<i>303 Kidnapping convictions</i>	<i>16,070 Alcohol /Drugged Driving convictions</i>
<i>1,075 Aggravated Assault convictions</i>	<i>303 Flight Escape convictions</i>



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KC CLARK, NAVAJO COUNTY SHERIFF, PRESIDENT

*In a statement which accompanied the findings, Jessica Vaughan, the director of policy studies for the Center for Immigration Studies, called the number of criminal aliens released "shocking." "This information is sure to raise concerns that, despite professions of a focus on removal of criminal aliens, Obama administration policies frequently have allowed political considerations to trump public safety factors and, as a result, aliens with serious criminal convictions have been allowed to return to the streets instead of being removed to their home countries," Vaughan said. <http://www.cbsnews.com/news/report-36k-criminals-freed-while-awaiting-deportation/>*

ICE has been releasing these criminal aliens into the communities, we as Sheriffs are sworn to protect. They have refused to notify us of when they are being released and what type of criminal records they have. By failing to share this information, it puts our communities at great risk. A prime example of this is if a U.S. citizen is convicted of a sex offense, they are required to register with the County Sheriff's Office as a sex offender. The County Sheriff's Office then sends out community notifications letting the public know where the sex offender will be living and the type of sex offense he or she was convicted of. If ICE releases a criminal alien who has been convicted of a sex offense, they have refused to notify our office and therefore the criminal alien never registers as sex offender yet they are living in our communities.

Sheriffs across the United States want to work with the DHS but there appears to be either a complete lack of will to establish those procedures, or a complete desire to put the onus on the local County Sheriff to make a gut-instinct decision regarding how long to hold someone. Last year, the Arizona Sheriffs spent roughly 30 million dollars in detaining and prosecuting criminal illegal aliens due to the lack of the United States Attorney's willingness to prosecute these individuals for committing crimes in our communities and without local law enforcement intervention these individuals would have been cut loose in society with no consequences, only to continue to commit crimes again.

The Arizona Sheriffs Association stands united against gaps in federal Priority Enforcement Program. For more information about the PEP Talk for Action visit: [www.sheriffs.org/PEP-talk](http://www.sheriffs.org/PEP-talk).

Respectfully,

A blue ink signature of Leon N. Wilmot, consisting of several horizontal strokes.

Leon N. Wilmot  
Yuma County Sheriff  
President, Arizona Sheriffs' Association

A blue ink signature of Paul R. Babeu, written in a cursive style.

Paul R. Babeu  
Pinal County Sheriff  
Vice-President, Arizona Sheriffs' Association