

# Congressional Hispanic Caucus

United States Congress

Washington, DC 20515

CHAIRWOMAN

NYDIA M. VELAZQUEZ

12TH DISTRICT, NEW YORK

May 28, 2010

The Honorable Janet Napolitano  
Secretary  
The Department of Homeland Security  
310 7th Street, S.W.  
Washington, DC 20528-0150

Dear Secretary Napolitano:

On behalf of the Congressional Hispanic Caucus (CHC), we write to ask that you respond swiftly and with concrete measures to Arizona's enactment of SB 1070. While we applaud your recent statement opposing the new law, we ask that the Department of Homeland Security immediately suspend its 287(g) and Secure Communities programs in Arizona.

In addition, we strongly recommend that you deploy monitors from the DHS Office of Civil Rights and Civil Liberties (OCRCL) to Arizona by the time the law goes into effect. Doing so will make clear to a watchful nation that the Department refuses to tolerate a patchwork of state immigration enforcement laws that imperil federal priorities and impose disproportionate burdens on minority communities.

We believe the communities' trust in law enforcement officials must not be further undermined by DHS' cooperation with SB 1070. The executive director of the National Black Police Association recently wrote that "enforcement efforts such as Secure Communities and 287(g) prevent police from doing their jobs, because such systematic ICE-police collaboration damages the core principle of effective community policing: trust. For communities of color who already have fragile relationships with law enforcement, trust is a critical tool for ensuring security and safety." It is vital that DHS act promptly to help mitigate a crisis of confidence in law enforcement among Arizona's minority communities.

Furthermore, your Department's inexplicable decision to continue its partnership with Maricopa County Sheriff Joe Arpaio has already badly compromised State and local immigration enforcement. Earlier this month, a federal judge issued an order criticizing Maricopa County for its jail conditions in a facility on which DHS relies heavily. Even after sixteen months of supervision, "significant areas of failure to comply with . . . medical and mental health requirements remain." Continuing the 287(g) and Secure Communities programs in Arizona is eroding the integrity of DHS and emboldening Arpaio and his allies.

We believe the Department's basic credibility is at stake. While it may not be your intention to assume joint responsibility for the law's manifold harms, unless the 287(g) and Secure Communities programs in Arizona are suspended, DHS will be complicit in the implementation of SB 1070.

As Governor, you stood up for immigrants and minorities, repeatedly vetoing laws in the mold of SB 1070. We believe that by suspending DHS' partnerships in Arizona, you can build on that proud record by ensuring that your Department is not an accessory to the unconstitutional actions of the Arizona government

Thank you for your consideration. We look forward to your response.

Sincerely,



Nydia M. Velazquez  
Chairwoman  
Congressional Hispanic Caucus



Luis V. Gutierrez  
Chair  
CHC, Immigration Task Force



Lucille Roybal-Allard  
Member of Congress