



# GROWING THE RESISTANCE

How Sanctuary Laws and Policies Have Flourished During the Trump Administration

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# ACKNOWLEDGMENTS

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## ABOUT THE IMMIGRANT LEGAL RESOURCE CENTER (ILRC)

The Immigrant Legal Resource Center (ILRC) is a national non-profit resource center that works to improve immigration law and policy, expand the capacity of legal service providers, and advance immigrant rights. With deep expertise in immigration law, including removal defense and the immigration consequences of criminal convictions, the ILRC trains attorneys, paralegals, and community-based advocates who work with immigrants around the country. We inform the media, elected officials, and public to shape effective and just immigration policy and law. Our staff works with grassroots immigrant organizations to promote civic engagement and social change.

## ABOUT THE DATA

The ILRC has been tracking policies regarding local assistance with deportations since 2013. In November 2016, we received data from a Freedom of Information Act (FOIA) request to Immigration and Customs Enforcement (ICE) that provided ICE's records on how local jails across the country were willing to provide assistance to federal immigration agents. Based on this data, as well as our own collected information from existing written policies and ordinances, we analyzed the extent of local involvement in civil immigration enforcement across the country. In December 2017, we received the results of a second FOIA request with updated information on how counties are willing or unwilling to engage with ICE. In 2018-2019, we followed developments at the county and state level across the country and we continue to update our data and live map accordingly.

For our earlier reports and analysis see: [Searching for Sanctuary](#) and [The Rise of Sanctuary](#).

For current national data on county-level involvement with deportations, see: [www.ilrc.org/local-enforcement-map](http://www.ilrc.org/local-enforcement-map).

# INTRODUCTION

Since Donald Trump was elected President, his administration has gone out of its way to detain, deport, and terrorize immigrant communities in every way possible. However, while the Trump regime has ruthlessly attacked immigrants, advocates on the ground have successfully resisted by passing local laws and policies that divest local agencies and resources from the immigration enforcement system. Popularly known as sanctuary policies, these laws take many different forms, but generally cut ties between states, counties, or cities and Immigration and Customs Enforcement (ICE).

Localities have no independent legal authority to enforce immigration laws and no legal obligation to provide assistance to ICE. To the contrary, involvement with federal immigration authorities will often undermine local priorities. Local involvement in immigration enforcement makes local agencies the gateway to deportation, increases racial discrimination, strips communities of any sense of safety, and undermines the rule of law. Despite the current administration's continual scaremongering about immigration and "sanctuary cities", actual sanctuary policies continue to flourish throughout the country and have helped to welcome and protect our immigrant communities. In fact, since Donald Trump was elected, at least 475 counties (about sixteen percent of all counties in the country) have increased their sanctuary policy protections.

In this report, we break down some of the most common types of sanctuary policies and examine the different ways that local agencies are entangled with immigration enforcement across the country. We look at all the ways communities have pushed back against the tyranny of this administration's war on immigrants, and point localities towards the next steps they can and should undertake to protect their immigrant residents.

# SANCTUARY POLICIES AT A GLANCE

Since 2016, the ILRC has kept track of a variety of different sanctuary policies throughout the country (see our comprehensive [National Map of Local Entanglement with ICE](#)). Over the last three years, we have seen the continued growth of local policies. More than 700 counties have declined to hold people on ICE detainers, and another 196 counties have stopped notifying ICE each time they release someone with an ICE detainer. An ICE detainer is a request from ICE to a local jail to notify ICE when someone in local custody will be released and to detain them for an extra forty-eight hours so ICE can come take custody. At least 240 counties have instituted policies limiting ICE agents' ability to interrogate people who are detained in local custody. More than 160 counties have prohibited officers from asking people their immigration status at all. And many more localities have taken other steps not reflected in our data, such as ending data sharing agreements with ICE, preventing ICE from entering municipal facilities without a federal warrant, and reducing arrests and prosecutions by linking local criminal justice and policing reforms.



**SINCE DONALD TRUMP WAS ELECTED, AT LEAST 475 COUNTIES (ABOUT SIXTEEN PERCENT OF ALL COUNTIES IN THE COUNTRY) HAVE INCREASED THEIR SANCTUARY POLICY PROTECTIONS.**

The political spotlight on sanctuary policies and on immigration overall have driven what was once a local policymaking effort into statehouses across the country. More than a third of state governments have weighed in on the issue of involvement with ICE with legislation or statewide executive orders. And as the political climate has polarized, so have state legislative approaches. Many states, led by California, Washington, and Connecticut with the most sweeping policies, have rejected the nativist agenda and withdrawn their state and local resources from being used for immigration enforcement. On the other side, Texas, Florida, and Iowa have wholly surrendered their sovereignty to ICE and the federal government's mass deportation machine by requiring local police to comply with anything ICE asks of them.

On the whole, sanctuary policies have increased and strengthened across the country, despite constant threats and attacks from the Trump administration. Although President Trump promised in his campaign, and in an executive order in his first week of office, to "defund sanctuary cities," the government's repeated attempts to block federal grants from going to sanctuary jurisdictions have repeatedly failed in the federal courts. Similarly, the courts have upheld state sanctuary laws and widely agreed that the federal government cannot legally require local agencies to help enforce immigration laws.

Sanctuary policies protect immigrants and ensure safety and justice. The growth of sanctuary policies has measurably slowed deportations, even as ICE enforcement has grown even more aggressive and intentionally cruel. As such, sanctuary policies represent the only real policy challenge to the federal government's massive detention and deportation machine.

# UNDERSTANDING SANCTUARY POLICIES

Local engagement with federal immigration enforcement activities takes many forms, and so do local policies regulating that involvement. Sanctuary policies are not just one thing, but include a variety of policies that seek to reduce or prohibit a locality's contributions to deportations. Equally significant, however, are non-sanctuary jurisdictions, which are also making a choice, a choice to actively and/or passively spend resources supporting immigration enforcement. The federal government has intentionally built a system for mass deportation that is dependent on the aid of local agencies. Thus the question for local governments is not will they or won't they be involved, but how much?



**SANCTUARY POLICIES ARE NOT JUST ONE THING, BUT INCLUDE A VARIETY OF POLICIES THAT SEEK TO REDUCE OR PROHIBIT A LOCALITY'S CONTRIBUTIONS TO DEPORTATIONS.**

In this report, we review seven of the most common ways that local agencies may interact with immigration enforcement and the common policies adopted to restrict local resources from being spent on immigration, which are often called sanctuary policies. These policies form a spectrum of how deeply involved a county may be in immigration enforcement. They do not, by any stretch, cover the full spectrum of what localities can do to mitigate the harms that federal immigration enforcement and mass incarceration inflict on their communities.

The ILRC identified seven common ways that counties choose to regulate their involvement in immigration enforcement, and then analyzed how common they are. Our data breaks down policies at the county level, taking into account underlying state law requirements.

## For each county we looked to see if it did the following:

- Does the county have a [287\(g\) agreement](#) with ICE? 287(g) is an agreement under which local officers are delegated with authority for certain immigration enforcement tasks.
- Does the county have a contract with ICE to detain immigrants in county detention facilities?
- Does the county limit or refuse to hold individuals after their release date on the basis of ICE detainers (ICE holds)?
- Does the county have a policy against notifying ICE of release dates and times or other information about inmate status?
- Does the county allow ICE in the jail or require consent from detainees before ICE agents are allowed to interrogate them while in custody?
- Does the county prohibit asking people about their immigration status?
- Does the county have a general prohibition on providing assistance and resources to ICE for the purposes of enforcing civil immigration laws or against participating in joint task forces?

It is important to note that city-level sanctuary policies are not the focus of this report. The jail-to-deportation pipeline is mostly grounded at the county level, where the federal civil immigration and state criminal legal systems have become increasingly intertwined. Although there are many problems with biased policing against immigrants by city police, ICE regularly operates out of county jails across the country, interrogating inmates in local custody, asking sheriffs to deliver information on immigrants, and requesting that jails hold people at ICE's convenience. Thus, it is primarily the county jail's policy regarding assistance with deportations that governs how immigrants may be profiled and funneled into the deportation pipeline. As a result, we focus on county policies, particularly on county sheriffs who in most states are the managers of the county detention facilities where ICE's deportation dragnet is focused.

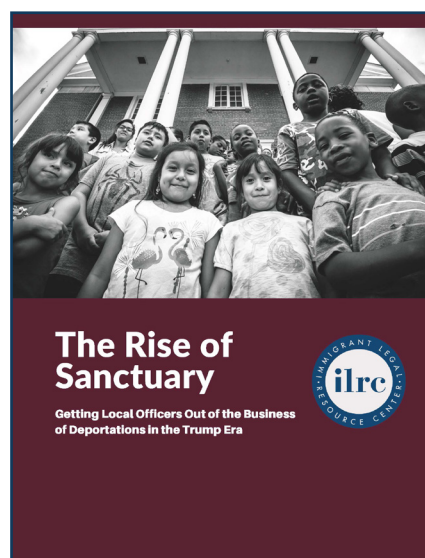
Throughout this report, we examine statements of policy, whether written or reported to us or to ICE. We do not measure compliance with those laws and policies. What actually occurs in any jurisdiction may differ from the official policy or statements provided by ICE. Within each policy there may be nuances, exceptions, and loopholes that law enforcement exploits in order to funnel immigrants to ICE. All of these laws and policies continue to struggle against endemic racial and ethnic profiling against communities of color. For these reasons, we limit our analysis to the policies themselves and not the practices or implementation of those policies.

## More Resources

For further background information and analysis of sanctuary policies, local involvement with ICE, and immigration enforcement operations, see these previous ILRC reports:



[\*Searching for Sanctuary\*](#)



[\*The Rise of Sanctuary\*](#)

# ICE DETAINERS - STILL ILLEGAL

Immigration detainers have been a central mechanism of immigration enforcement for the last decade. An immigration detainer (also called an ICE “hold”) is a written request from ICE to a local law enforcement agency to let ICE know when an individual will be released from custody, and to hold that person in detention for an extra 48 hours, to give ICE time to come and take custody themselves. ICE detainers have caused millions of deportations over the last decade and have also provoked widespread opposition and resistance. As a result of organizing and litigation against detainers, hundreds of counties have stopped holding people on ICE detainers. As of 2019, approximately one quarter of all counties in the country no longer comply with these requests.

ICE regularly violates the Constitution and federal laws by issuing unlawful detainers. Federal courts around the country have condemned ICE detainers as [legally and constitutionally defective](#). Most recently, a federal judge in California found that [ICE issues detainers based on](#)

[database information that is unreliable and lacks a basis for probable cause as required by the Fourth Amendment](#). This means that thousands of ICE detainers issued across the country based on DHS database searches are unconstitutional and that localities holding people on the basis of those detainers are violating the law.



**ICE REGULARLY VIOLATES THE CONSTITUTION AND FEDERAL LAWS BY ISSUING UNLAWFUL DETAINERS.**

At this point, the federal government has little ability to defend ICE detainers on legal grounds, yet ICE keeps issuing them and hoping that localities will continue to comply. And surprisingly, most counties still do, despite the numerous legal opinions finding them illegal on many fronts. But county by county, ICE is losing its grip on the once inescapable deportation funnel that detainers created, as sanctuary policies limiting ICE detainers continue to spread.

# WHY SANCTUARY POLICIES MATTER

Sanctuary policies are not only legal, but they send the message that everyone is part of the community and should be treated equally, regardless of immigration status. Federal and state courts agree that counties, cities, and states have the authority to control how they use their local resources, and that the federal government cannot force localities to hold people for ICE or participate in deporting their residents. Sanctuary policies bring a wealth of benefits to communities that implement them.

## Beneficial Effects on Society

Communities with sanctuary policies have [higher median incomes, lower poverty, lower crime rates, and lower unemployment](#) than communities that do not. It is essential to remember that immigrants are part of our schools, our labor force, our churches, our economies, and our communities. One in four children in the United States has an immigrant parent. Policies that affect immigrants affect everyone.

## Impact for Immigrant Communities

Local divestment from immigration enforcement keeps families together and promotes community safety. In California, after the state sanctuary law took effect, ICE arrests in the state dropped by 29%. Nationally, sanctuary policies have prevented the Trump administration from tearing apart thousands of families by deportation.

## Protection of Justice

Preventing inquiry into immigration status and reducing participation in immigration enforcement reduces discrimination and unfair treatment of immigrants. Local rules against discrimination ensure that everyone in the community has equal access to justice and services.

## Compliance with the Constitution

Courts across the country have found holding people on ICE detainers to be a violation of the Fourth Amendment. Sanctuary policies that reject ICE detainers are thus protecting the fundamental rights of their residents.

## Effects on Public Safety

When local governments help ICE, communities are less safe because immigrants are less likely to report crimes or emergencies for fear that contact with local government or police could lead to deportation for them or someone close to them. When people believe that contacting local officials is risky, communities are marginalized and vulnerable, which erodes access to justice and undermines the rule of law.

## Moral and Political Value

Sanctuary policies send the message that a community opposes the harshness and destructiveness of immigration enforcement and will not contribute local resources to it. These policies can also reinforce that people are not the sum of their mistakes, and that immigrants who have been charged with a crime do not deserve double punishment first in the criminal system and then the immigration system.

## Uplift Vulnerable Community Members

Sanctuary policies help immigrants and their families participate more fully in their communities. From accessing services to participating in their child's education, sanctuary policies give immigrants the space and support they need to thrive.



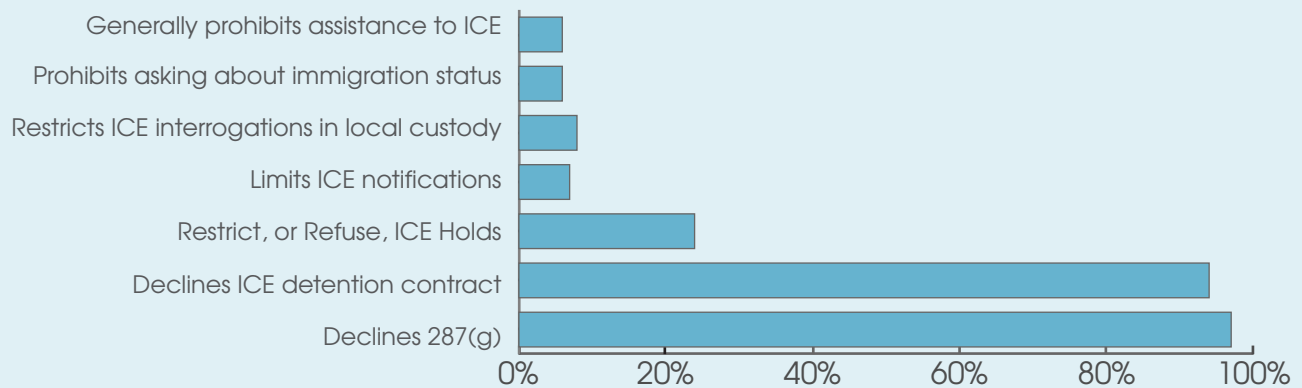
# THE STATUS OF LOCAL INVOLVEMENT WITH IMMIGRATION ENFORCEMENT AS OF 2019

Looking back at the past three years of tumult and trauma in immigration enforcement, we reviewed the landscape of local sanctuary policies across the country. We analyzed data on 2960 counties according to information from ICE and our own knowledge of local and state laws. We did not have any information on the remaining 180 counties of the 3140 total counties in the United States.

- As of September 2019, at least 715 counties have policies against holding people for ICE on ICE detainers. Federal court decisions continue to pile up against ICE's detainer regime and in favor of communities that decide to ignore ICE detainers entirely. Nonetheless, the data shows that more than 2000 counties may still be holding people in custody for ICE when they should be released, likely in violation of the Fourth Amendment.
- At least 241 counties have instituted policies limiting ICE agents' access to interrogate people while in local custody.
- At least 196 counties have decided not to notify ICE every time they release someone for whom ICE has issued a detainer.
- At least 169 counties prohibit officers from asking people their immigration status. This is a basic and essential first step to limit discrimination against immigrants in the criminal legal system. (This is also an extremely common policy at the city level - hundreds, possibly thousands, of police departments across the country direct their officers not to ask about immigration status.)
- At least 176 counties have policies that establish a general prohibition against using local resources to help with immigration enforcement or participate in joint operations with ICE.
- At the other end of the spectrum, a few dozen counties affirmatively contract with ICE: 83 had some form of affirmative agreement to conduct immigration enforcement under the 287(g) program, and 190 had contracts to rent bed space to ICE for immigration detention. The vast majority of counties do not actively partner on immigration enforcement in this manner.

TYPE OF POLICY	NUMBER OF COUNTIES	PERCENT OF COUNTIES ANALYZED
Declines 287(g)	2877	97%
Declines ICE detention contract	2770	94%
Restrict, or Refuse, ICE Holds	715	24%
Limits ICE notifications	196	7%
Restricts ICE interrogations in local custody	241	8%
Prohibits asking about immigration status	169	6%
Generally prohibits assistance to ICE	176	6%

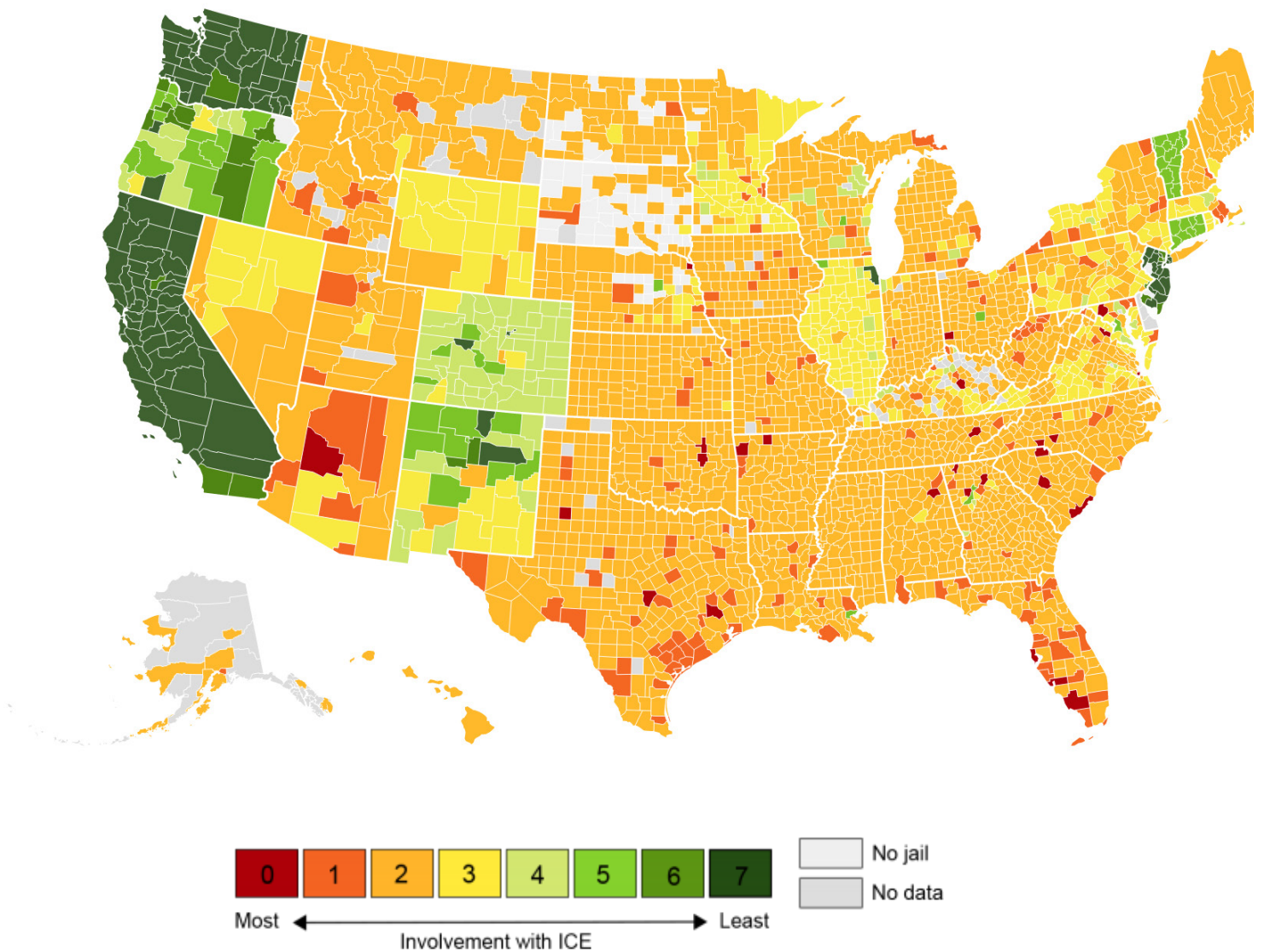
## PERCENT OF COUNTIES ANALYZED WITH SANCTUARY POLICIES



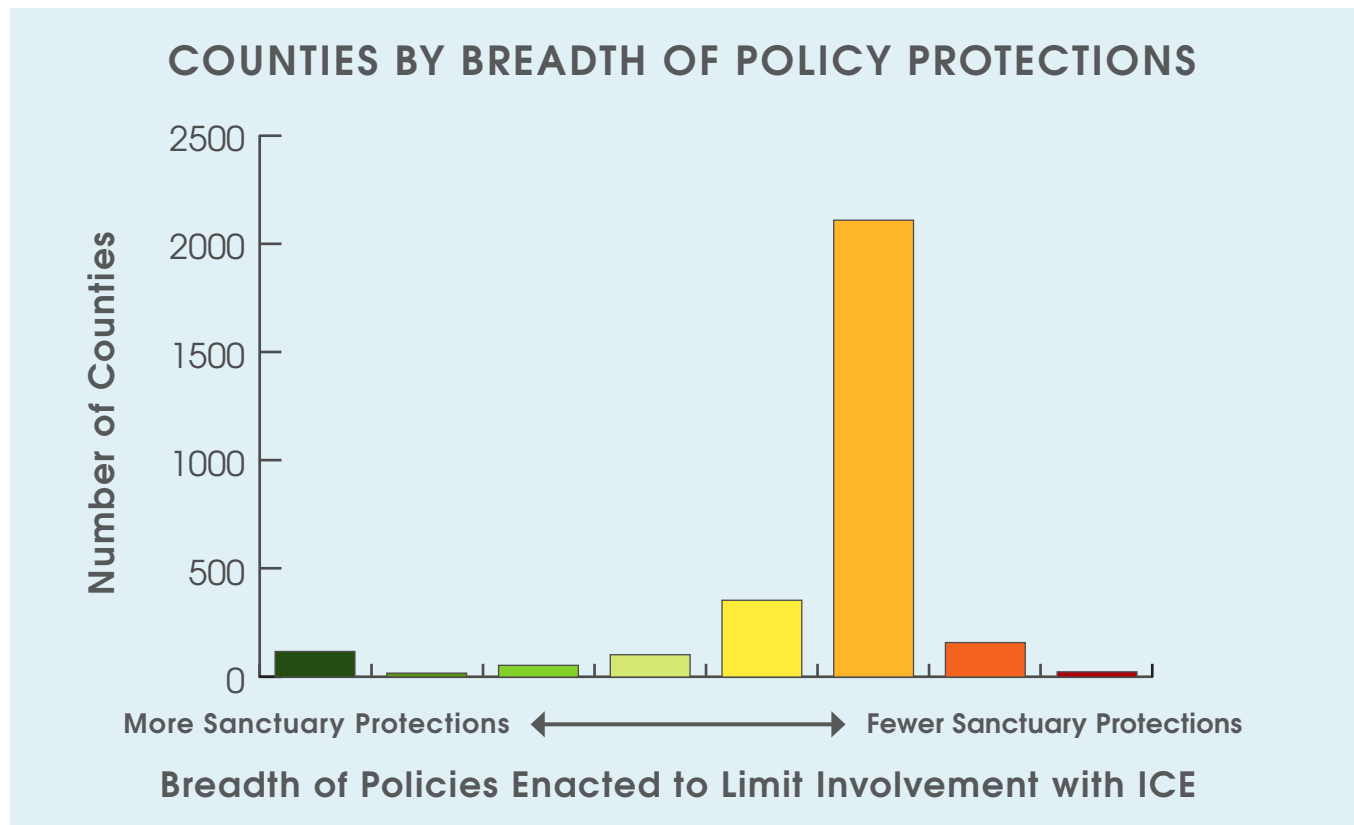
## STRENGTH OF SANCTUARY POLICIES ACROSS THE COUNTRY

Most counties do not have a specific policy regulating local agencies' involvement with immigration enforcement one way or the other. But of those that do have such policies, many more of them choose to reduce engagement with ICE. Twenty-three percent of all counties have policies that limit their participation, while only six percent seek extra involvement with ICE.

### LOCAL POLICIES ON ASSISTANCE IN IMMIGRATION ENFORCEMENT

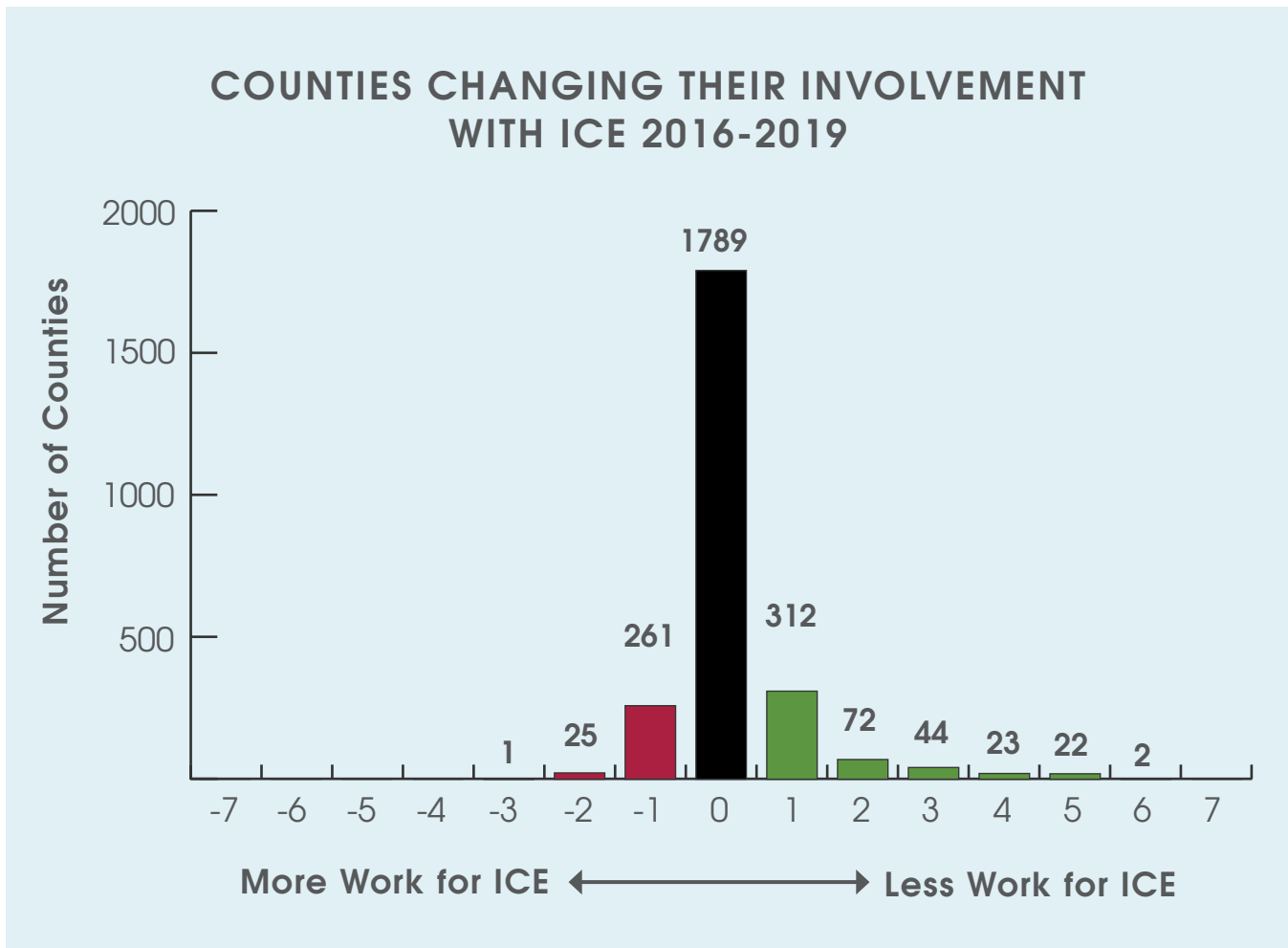


COUNTIES WITH COMPREHENSIVE OR LIMITED POLICIES	NUMBER OF COUNTIES	PERCENT OF COUNTIES ANALYZED
Total 7 - Most comprehensive policies that prevent the most significant ways that local resources are coopted into immigration enforcement	121	4%
Total 6 - Strong policies that limit most of the county's possible involvement in immigration enforcement	21	1%
Total 5 - Substantially separate local resources from participating in immigration enforcement	57	2%
Total 4 - Limit significant resources from going to immigration, but may offer substantial more passive assistance	106	4%
Total 3 - Likely decline to hold people on ICE detainers, but may spend many other resources supporting ICE and sharing local data with federal immigration authorities	357	12%
Total 2 - Generally do whatever ICE asks without analyzing whether it is legal or good policy	2109	71%
Total 1 - Formally contract with ICE to detain immigrants or be delegated to enforce immigration laws	162	5%
Total 0 - Actively contract with ICE to both conduct immigration enforcement under 287(g) and rent beds for immigration	27	1%



# SINCE 2016, SANCTUARY PROTECTIONS HAVE EXPANDED ACROSS THE COUNTRY

Throughout the country, between 2016 and 2019, about 760 counties changed their policies on how they will engage with ICE. The majority of counties have not changed their policies in the last three years. But of the hundreds of counties that did shift their policies, the majority increased protections for immigrants.



While some counties have increased their level of cooperation with ICE, significantly more counties have limited or reduced their involvement.

## STATE LAWS AND POLICIES ENACTED SINCE JANUARY 2017

A significant number of local changes have been driven by state-level legislation. As local policies have flourished and garnered national attention, more states have stepped into the picture. Since the beginning of 2017, eight states and the District of Columbia have enacted statewide policies restricting the use of their agencies' time, money, or other resources from being spent on immigration enforcement or helping ICE.

- [Washington](#) and [California](#) passed the most comprehensive state laws, limiting the detention or transfer from local custody, banning ICE from interrogating people while detained, and prohibiting any law enforcement agencies from inquiring about people's immigration status or place of birth.
- [Connecticut](#) expanded and updated its 2013 state law to prohibit 287(g), reduce compliance with ICE detainers, restrict ICE access to people in local or state custody, and increased transparency of the ways that local law enforcement work with ICE.
- California and Illinois also enacted legislation prohibiting private prisons, including for immigration detention, and California banned the expansion of any ICE detention contracts with California jails.
- Illinois and [Colorado](#) enacted legislation that forbid holding people on ICE detainers, and Colorado also banned probation officers from reporting people to ICE.
- Oregon and [Vermont](#) enacted legislation protecting personal information, including immigration status.
- Georgia repealed its Immigration Enforcement Review Board, which was a state agency tasked with punishing localities for creating immigrant-friendly policies.
- The District of Columbia updated its policy to ban inquiry into immigration status and prevent ICE from interrogating people in local custody.
- The [New Jersey](#) Attorney General issued a statewide directive ending 287(g) agreements and broadly restricting New Jersey law enforcement agencies from working with ICE.
- The governors of [New York](#), [Illinois](#), [Oregon](#), and [Washington](#) directed state agencies not to assist with immigration enforcement.

In contrast, several states sought to ban local governments from limiting their involvement in immigration enforcement. These states: Mississippi, Georgia, Indiana, [Tennessee](#), and [Arkansas](#), followed a growing trend of "state preemption" laws. These statutes limit the authority of localities to regulate specific subjects without actually imposing any substantive requirements at the state level. Beyond these laws, a few states made various forms of assistance to ICE mandatory. Texas, [Iowa](#), and Florida passed legislation that made it mandatory to comply with ICE detainers and other ICE requests for enforcement assistance. Although these laws have largely survived court sanction thus far, the weight of federal precedents falls against holding people on ICE detainers. These laws may yet be struck down when they inevitably cause the unlawful detention of U.S. citizens.

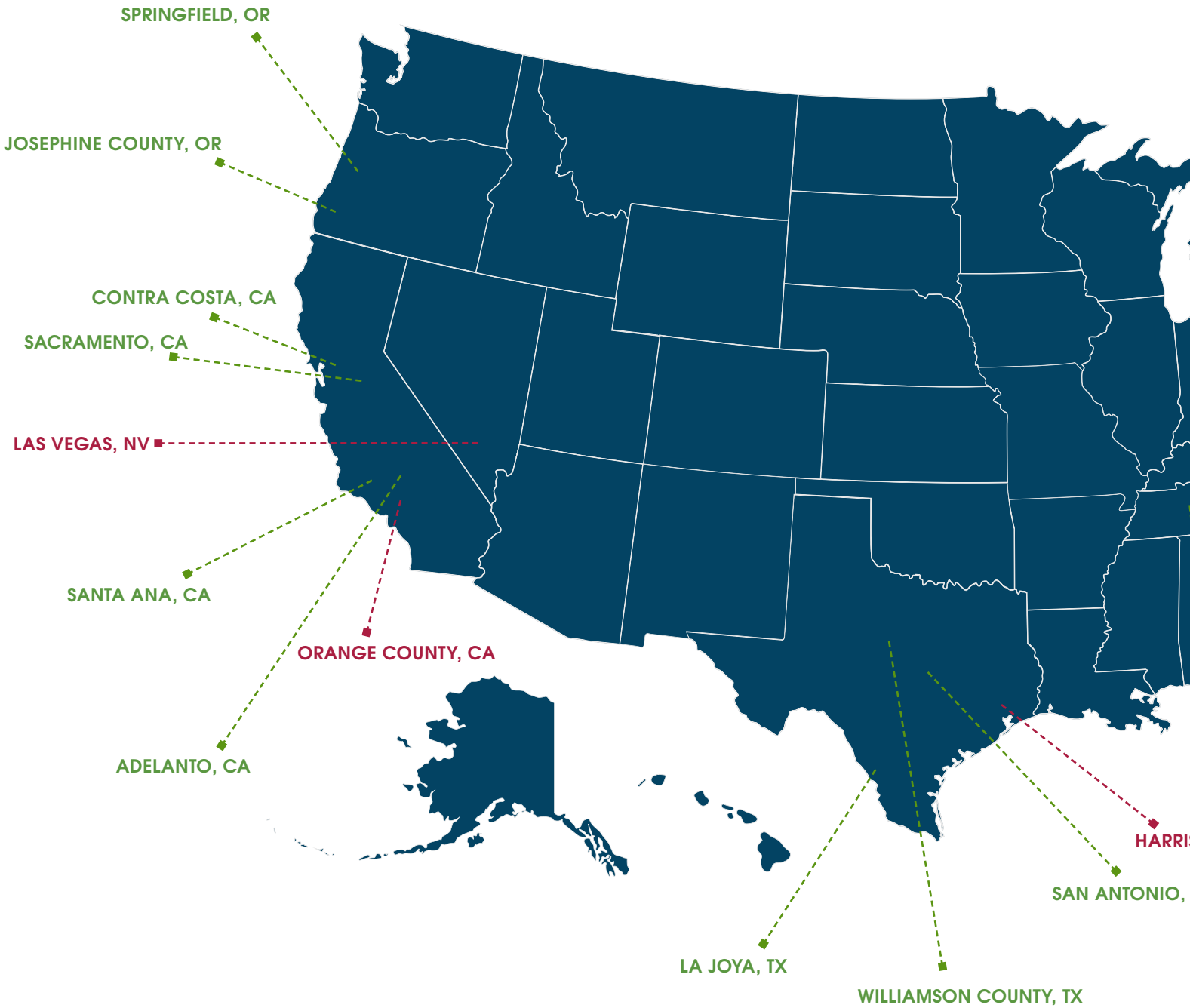
Despite many states weighing in on both sides of the issue, about twice as many immigrants live in 'sanctuary' states as live in "anti-sanctuary" states.

## LOCAL POLICY WINS IN THE LAST THREE YEARS

- July 2019: **Montgomery County**, Maryland enacted a county policy rejecting ICE holds, preventing ICE from interrogating people in custody, and restricting local resources from being spent to detect or detain anyone on the basis of immigration status.
- February 2019: **Milwaukee County**, Wisconsin sheriff announced that he would not hold people on ICE detainers and would no longer call ICE to inform them when people would be released.
- July 2018: **Philadelphia**, Pennsylvania terminated ICE's access to a central police database, the Preliminary Arraignment Reporting System (PARS), which had been providing ICE with detailed information about individuals in custody and at court hearings in Philadelphia.
- February 2019: **Bernalillo County**, New Mexico expanded its policy to prohibit the use of county resources for any sort of assistance to ICE, including sharing personal information or granting access to county facilities without a warrant.
- November 2018, **Humboldt County**, California passed a ballot initiative that went above and beyond California's state laws by eliminating nearly all forms of involvement with ICE.
- April 2018: **Austin**, Texas enacted the Freedom City resolution that reduces arrests and requires substantial reporting on police practices, particularly when and why officers are asking people about their immigration status or providing any assistance to ICE.
- In August 2017: **Denver County**, Colorado passed an ordinance to limit its employees from using any city funds or resources to assist ICE in investigating, detaining, or arresting persons or doing so without a judicial warrant. The ordinance also prohibits 287(g) contracts and denies ICE access to its jails.
- In April 2017: **Providence**, Rhode Island, passed the Community Safety Act, which prohibits racial discrimination and increases transparency and accountability related to police stops, arrests, gang designation, and use of cameras. The ordinance also prohibits arrests solely for driving without a license, demanding identification from passengers in a vehicle, inquiring about a person's immigration status, or detaining someone pursuant to an ICE request.

# 287(G) AND DETENTION CONTRA

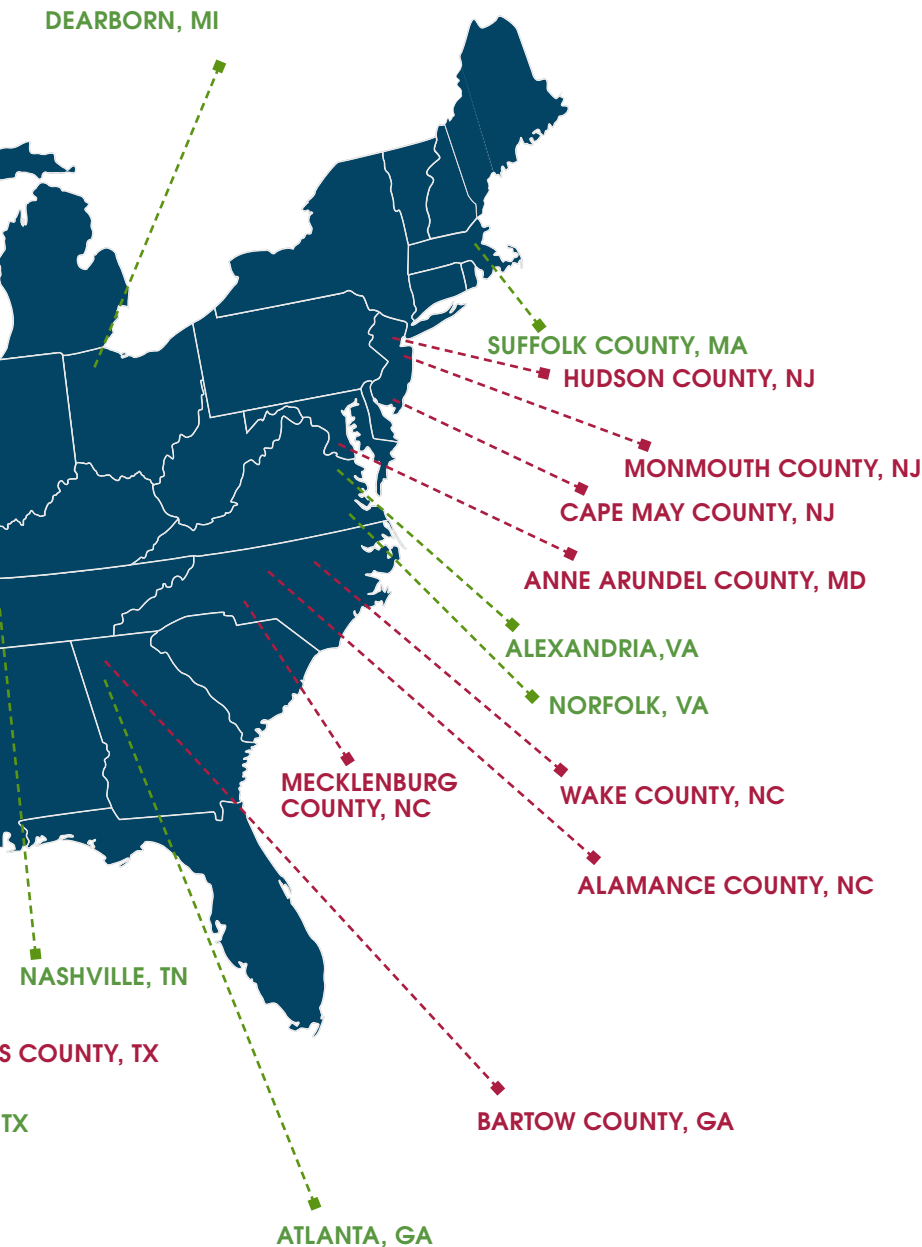
In counties that actively contract with ICE under 287(g) or for immigration detention, an important step in the program involves agreements between local law enforcement agencies and ICE that allow local police to detain immigrants. Although the Trump administration has aggressively expanded the program, many counties have turned away from 287(g) agreements throughout the country, visit <https://www.ilrc.org/national-map-287g-agreements> while they await the outcome of their immigration proceedings. Below is a list of sixteen cities and counties





# ACT WINS AROUND THE COUNTRY

in reducing local participation in immigration enforcement is to end those agreements. The 287(g) e to take on immigration enforcement tasks that are otherwise only conducted by federal agents. d around and rejected it, such as the 11 listed below. For more information on 287(g) and a national map . Additionally, there is a national movement to abolish the detention facilities where immigrants are kept ties that have ended or prevented the establishment of a detention contract with ICE since 2017.



## 287(g) CONTRACT WINS

- Orange County, CA
- Bartow County, GA
- Anne Arundel County, MD
- Las Vegas, NV
- Cape May County, NJ
- Hudson County, NJ
- Monmouth County, NJ
- Alamance County, NC
- Wake County, NC
- Mecklenburg County, NC
- Harris County, TX

## DETENTION CONTRACT WINS

- Adelanto, CA
- Contra Costa, CA
- Santa Ana, CA
- Sacramento, CA
- Atlanta, GA
- Suffolk County, MA
- Dearborn, MI
- Josephine County, OR
- Springfield City, OR
- Nashville, TN
- La Joya, TX
- San Antonio, TX
- Williamson County, TX
- Alexandria, VA
- Norfolk, VA

# THE NEXT FRONTIER IN SANCTUARY POLICIES

The ILRC works with communities around the country to enact and improve sanctuary policies. We support not only the more common efforts directed at combating ICE detainers and 287(g), but work with communities pushing other boundaries as well. Our list of seven factors analyzed in this report is by no means exhaustive! It reflects just some of the most prevalent ways that counties reduce their participation in the federal government's horrendous terror agenda against immigrant communities. As this administration continues its attacks on immigrants and our communities, local efforts continue to make a difference. Here are some of the ways in which local governments can push for the next frontier in sanctuary policies.

## Stop ICE from arresting people attending court

To the shock of communities around the country, one of the first ways that the Trump administration sought to increase deportations was to have ICE agents arrest people who were seeking justice from state and local courts. In 2017 in New York alone, ICE arrested more than 150 people attending local courts, including seizing parents attending court to obtain custody of their children, survivors of human trafficking and sexual assault receiving services through problem-solving courts, and other vulnerable communities in criminal and family courts. Judges, elected officials, and justice system stakeholders across the political spectrum condemned these tactics, highlighting the immense threats to public safety and health, and to nondiscriminatory court access. Public defenders staged walkouts in criminal courts in protest of the disruptions to courthouse functioning and violations of constitutional rights posed by courthouse arrests. But in the face of these protests, the Trump administration claimed it had this authority and would continue to use it. Courthouse arrests are yet another assault on the rule of law by an administration that seeks to eliminate all forms of justice for immigrants. Advocates quickly began pushing their courts and elected officials to make rules banning ICE from courthouses or restricting these arrests. Three states have statewide judicial rules against immigration arrests in, and in some cases around, courthouses: New York, New Jersey, Oregon. California has enacted a statute prohibiting civil immigration arrests in courthouses, and clarifying state judges' authority to issue orders protecting the right to attend court. Washington and California state laws also mandate the courts to establish judicial policies restricting immigration arrests. Massachusetts has a federal court injunction against virtually all civil immigration arrests of people attending court anywhere in the state. And county courts have stepped up as well, including Bernalillo County, New Mexico; Milwaukee County, Wisconsin; and King County, Washington.

## Abolishing immigration detention centers and private prisons

As discussed above, many cities and counties have decided to terminate ICE detention contracts, and a few states have enacted laws limiting or abolishing immigration detention centers and private prisons. The majority of immigrants are detained in facilities under contracts involving local governments. This gives states and localities power to reject these contracts. The jail closures and contract terminations are part of a broader national movement to create space for the reality we know is possible – a world without immigration detention. We must take bold action now to set the groundwork to abolish all detention nationwide.

## Stopping local governments and entities from sharing information with ICE

Many jurisdictions provide ICE with access to local databases, such as jail or court management record systems that include personal information of people detained or accused of a crime. Most states allow ICE to access DMV records to varying degrees. Law enforcement agencies also collect personal information about suspected gang members, including alleged gang allegiance, street address, physical description, identifying marks, tattoos, photographs, and nationality. ICE can access and use this information against immigrants in removal proceedings, even when the information is highly unreliable. Preventing ICE's access to administrative databases like DMV records protects the information collected by states and localities from being used to tear apart immigrant families and communities. Abolishing aggressive surveillance and data collection practices are further steps toward dismantling racist and oppressive law enforcement machinery.

## Stopping probation departments from helping ICE

The role of probation departments in reporting people to ICE arrest and facilitating their arrests is highly overlooked. Probation departments often inform ICE that a person is coming in for an appointment or share probationers home addresses and contact information. Many probation officers will even schedule irregular and unneeded appointments just to bring someone in for ICE to arrest. Like the recent Colorado law mentioned above, state or local laws can prohibit probation officers from sharing personal information about an individual with ICE.

## Passing criminal legal reforms

Reforms to the criminal legal system can help slow the arrest-to-deportation pipeline and build toward a more just society for overpoliced communities more broadly. Tightening policing rules to reduce arrests and discourage racial profiling can help protect people from being ensnared in the criminal legal system and transferred to ICE. Expanding legal routes to post-conviction relief and expanding diversion programs reduces mass incarceration and benefits citizens and noncitizens. For more information on some of these reforms that have been enacted around the country, visit <https://www.ilrc.org/sanctuary-all-effective-criminalimmigration-policy-fixes>.

## Reforming policing policies to reduce arrests

Many communities are currently developing local policies to restrain and reconstruct the criminal legal system to make it less discriminatory and less punitive. These broader reforms impact immigrants as well as larger communities of color that bear the brunt of heavy law enforcement tactics. Because any contact with the criminal legal system, however minimal, creates a serious risk that ICE will intervene, local policies to tamp down on aggressive policing are an important avenue for thinning the pipeline to jail and deportation. Diversion programs, especially those that direct people to social and health services prior to making an arrest, are also critical. Reducing our massive prison system and fighting racism and discrimination in law enforcement are essential for immigrants as well as non-immigrant communities of color who are unfairly targeted.

# CONCLUSION

The Trump administration inherited a well-oiled detention and deportation machine, with enormous capacity to surveil, arrest, detain, and deport immigrants at a breathtaking pace. Combining this capacity with the voracious xenophobia and racism in the leadership of the Departments of Justice and Homeland Security has led to three years of pain and fear for immigrant communities. At the same time, we have seen hundreds of counties move to decrease their engagement with ICE over the last three years. The tactics for withdrawing state and local participation in the mass deportation machine continue to spread and evolve.

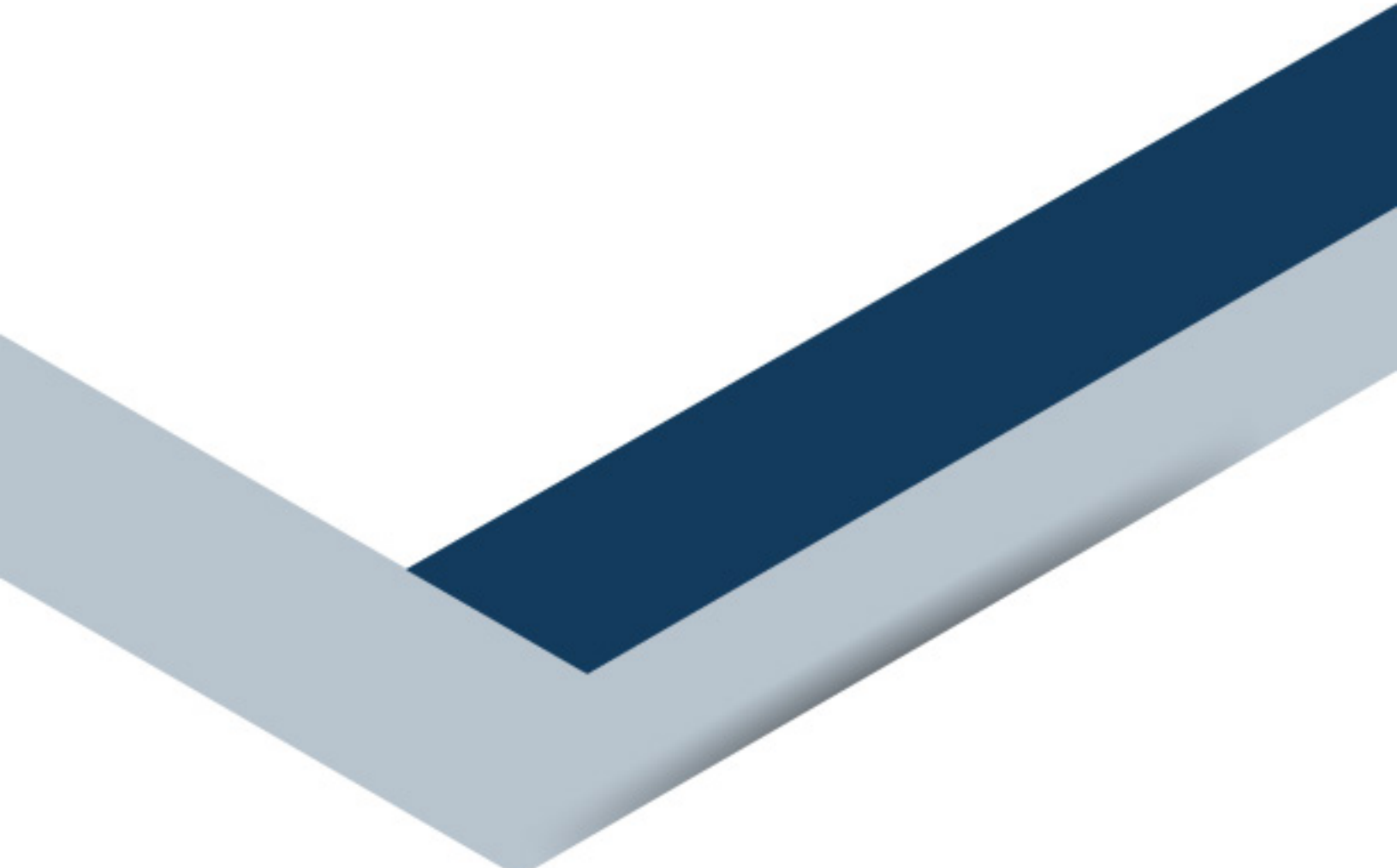
At the ILRC, we have seen tremendous success of sanctuary policies that disentangle local law enforcement from ICE, and we continue to craft, support, and advocate for those initiatives nationwide.

We know that overpoliced, vulnerable populations are better integrated, more secure, and more involved in their communities when local law enforcement agents are not involved in deportations. Their children are less likely to live in fear of losing a parent, mental health is improved, and access to justice is protected, while crime rates continue to fall. Sanctuary policies help communities thrive.



**SANCTUARY POLICIES HELP  
COMMUNITIES THRIVE.**

The Immigrant Legal Resource Center (ILRC) supports local campaigns across the country to fight back against unfair detention and deportations and to protect immigrant rights. Until our federal lawmakers gather the political will to end the tyranny of our detention and deportation machine, the ILRC will continue to advise advocates, law enforcement, and elected officials across the nation on how to enact and improve sanctuary policies to protect our communities. For assistance in starting a local campaign or joining national efforts, contact Lena Graber at [lgraber@ilrc.org](mailto:lgraber@ilrc.org).



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