

EXHIBIT L



Petition to Secretary Napolitano, Department of Homeland Security

Across the country, counties are recognizing the damage to communities and public safety caused by police/ICE collaboration programs, such as "Secure Communities" or S-Comm. We've seen racial profiling and the diversion of scarce local resources when counties are coerced into conducting federal civil immigration enforcement. We've heard from families too afraid to approach police. And we've decided to end it. Counties, including Arlington, VA; Santa Clara County, CA; and San Francisco, CA have all voted to "opt-out" of ICE's dangerous S-Comm program.

Unfortunately, Secretary Janet Napolitano has gone back on her word and is trying to stop counties from opting out of S-Comm.

Join us today in signing your individual letter to Secretary Napolitano to demand that she respect the right of counties to opt out of S-Comm now!

Subject:

Allow Counties & States to Opt-Out of the "Secure Communities" Program

Your Letter:

Dear Secretary Napolitano,

I am writing to ask that you allow Arlington, Santa Clara, San Francisco and any other counties or states that have requested to do so, to opt out of S-Comm immediately. As you know, the so-called "Secure" Communities Program ("S-Comm") was forced on these counties without their consent despite strong opposition from civil rights advocates, city officials, and local law enforcement.

S-Comm is an overbroad, dragnet program that has torn apart tens of thousands of families. Under the S-Comm program, any fingerprints taken by local law enforcement are automatically sent to ICE and checked against immigration databases right after individuals are arrested, even if the criminal charges are eventually dismissed or the result

First Name*

Last Name*

Email*

Street*

Street 2

City*

State/Province*

Select a state

Zip/Postal Code*

Organization

Sponsoring Organizations:

Send Your Message

- Arab Resource and Organizing Center
- Arlington Coalition Against the Secure Communities Program
- Asian Law Alliance
- Asian Law Caucus
- Asian Pacific American Legal Center
- California Immigrant Policy Center
- Central American Resource Center
- Center for Constitutional Rights
- Center for Employment Training
- Community Legal Services in East Palo Alto
- Community United Against Violence
- DC Jobs with Justice
- Dolores Street Community Services
- Enlace Comunitario
- Equality Wisconsin, Inc.
- Grassroots Global Justice Alliance
- Hayward Day Labor Center
- Immigrant Legal Resource Center
- Instituto Familiar de la Raza, Inc.
- InterAlliance Dialogue
- International Institute of the Bay Area
- La Collectiva
- La Raza Centro Legal
- Legal Aid Society of San Mateo County
- Legal Aid Society - Employment Law Center
- Legal Services for Children
- Mujeres Unidas y Activas
- National Domestic Workers Alliance
- National Latina Institute for Reproductive Health
- National Lawyers Guild, San Francisco Bay Area Chapter
- National Latina Institute for Reproductive Health
- Sacred Heart Community Services
- Services, Immigrant Rights, and Education Network
- SF Day Labor Program
- SF Immigrant Legal and Education Network
- SF Immigrant Rights Defense Committee
- Silicon Valley DeBug
- Somos Mayfair
- Steering Committee for Immigration Reform, JFI San Jose
- Tenants and Workers United
- Urgent Action Fund for Women's Human Rights
- Voces de la Frontera
- National Day Laborer Organizing Network

Title(supporter)	First Name(supporter)	Last Name(supporter)	City(supporter)	State(supporter)
1	Julia	Hoffman	Anchorage	AK
2	Peg	Blumer	Sitka	AK
3	HenriDeE	DeBardleben	Bessemer	AL
4	JUSTIN	COLEY	BIRMINGHAM	AL
5	Robert	Carrington	Birmingham	AL
6	MAJ(R) Douglas H	Cooner, Esq.	Birmingham	AL
7	Keitha	Hudson	Blountsville	AL
8	Ray	Ables	Fairhope	AL
9	David	Morris-Diaz	Mobile	AL
10	David	Owen	Mobile	AL
11	Suhail	Shaf	Ozark	AL
12	John	Earl	Tuscaloosa	AL
13	Albert	Ritchey, Jr.	Vestavia Hills	AL
14	Mark	Prime	Bentonville	AR
15	Jessica	Lawrence	Fayetteville	AR
16	Mark	Alexander	Fayetteville	AR
17	Zachary	Larson	Fayetteville	AR
18	bradford	bowen	fayetteville	AR
19	Robert	Plunkett	Fort Smith	AR
20	Hector	Fernandez	North Little Rock	AR
21	Christopher	Walker	Pine Bluff	AR
22	Angel	Cruz	Rogers	AR
23	Mary	Broughton	San Francisco	AR
24	John R	Honey	Sherwood	AR
25	Stefanie	Collins	West Fork	AR
26	Sandra	Yahn	Amado	AZ
27	Gary	Henderson	Apache Junction	AZ
28	corina	cuevas	avondale	AZ
29	Mike	Gray	Benson	AZ
30	Manny	Martinez	Bisbee	AZ
31	Alison	Gamez	Buckeye	AZ
32	Johnny	Villaneda	Bullhead City	AZ
33	Niki	Russell	Camp Verde	AZ
34	dc	katten	cave creek	AZ

35 Beth	Rosselle	Cave Creek	AZ
36 diana	hernandez	chandler	AZ
37 Steven	Fasano	Chandler	AZ
38 Molly	Noone	Chandler	AZ
39 Faussta D	Caballero	Chandler	AZ
40 Randi	Garacci	Chandler	AZ
41 edna	ortiz	chandler	AZ
42 Maria	Vallejo	chandler, az	AZ
43 Dea	Brasgalla	Cornville	AZ
44 debby	lietz	desert hills	AZ
45 Guadalupe	Mejia	Douglas	AZ
46 Lucy	Nigh	Douglas	AZ
47 Cynthia	McKinnon	Flagstaff	AZ
48 Dave	Fronske	Flagstaff	AZ
49 James	Pennington	Flagstaff	AZ
50 James	Menton	Fountain Hills	AZ
51 Jose Antonio	Franco	Gilbert	AZ
52 Carolyn	DeJonge	Gilbert	AZ
53 Linda	Rodriguez	Gilbert	AZ
54 Cristina	Sanchez	Glendale	AZ
55 Albert	C	glendale	AZ
56 Jo	Bognar	Glendale	AZ
57 Idette	Gutierrez	Glendale	AZ
58 Nancy	Garcia	Glendale	AZ
59 Helen	Bognar	Glendale	AZ
60 Richard	Dimas	Glendale	AZ
61 Rene	Reyes	Glendale	AZ
62 Xanthia	Walker	Glendale	AZ
63 Xanthia	Walker	Glendale	AZ
64 Sam	Funk	Glendale	AZ
65 Chanthall	Calderon	glendale	AZ
66 Robert	Coccagna	Goodyear	AZ
67 Lawrence	Robertshaw	Green Valley	AZ
68 Humberto L.	Garcia	Kingman	AZ
69 Danielle	Tennison	Kingman	AZ

Petition Signers in Support of Localities Right to Opt-Out of Secure Communities

70	Jason Michael	WALKER	Laveen	AZ
71	Gloria	Casillas	Laveen	AZ
72	Shandra	Keesecker	lukeville	AZ
73	Karla	Jacobson	Maricopa	AZ
74	Frank	Wyse	Mesa	AZ
75	Stephanie	Foster	Mesa	AZ
76	Pablo Andrés	Pérez O'Kelly	Mesa	AZ
77	Tim	Wells	Mesa	AZ
78	cecilia	guzman	mesa	AZ
79	Fabiana	Mateo	Mesa	AZ
80	Mrs. Janet	Brandon	Mesa	AZ
81	Ricardo	Rascon	Mesa	AZ
82	Joseph	Hill	Nogales	AZ
83	chris	hall	oracle	AZ
84	Stephania	Williams	Paradise Valley	AZ
85	vicky	crampton	patagonia	AZ
86	Michael	Vogt	Peoria	AZ
87	Concepcion	Pavon-Vega	Phoenix	AZ
88	Salvador	Reza	Phoenix	AZ
89	PETE	MORENO	PHOENIX	AZ
90	Mary Lynn	Walters	Phoenix	AZ
91	Isaac	Salcido	Phoenix	AZ
92	Everett	Morris	phoenix	AZ
93	Gale	Espinosa	Phoenix	AZ
94	Laurita	Moore	Phoenix	AZ
95	David	Guerrero	Phoenix	AZ
96	William	Pettinger	Phoenix	AZ
97	Scott	Humphrey	Phoenix	AZ
98	cassandra	moody	phoenix	AZ
99	kathleen	quirk	phoenix	AZ
100	Carlina	Cruz-Guerrero	phoenix	AZ
101	perseus	munshi	phoenix	AZ
102	Nancy	Ramirez	Phoenix	AZ
103	Judy	Wilson	Phoenix	AZ
104	Stacey	Champion	Phoenix	AZ

105 Alicia	Phoenix	AZ
106 Beverly	Phoenix	AZ
107 Deyzi	PHOENIX	AZ
108 julio	phoenix	AZ
109 Thomas	Phoenix	AZ
110 Antelmo	Phoenix	AZ
111 Terri	Phoenix	AZ
112 Elizabeth	Phoenix	AZ
113 Elizabeth	Phoenix	AZ
114 Marcia	Phoenix	AZ
115 Fabian	Phoenix	AZ
116 Sandra	Phoenix	AZ
117 Brenda	Phoenix	AZ
118 Philip	Phoenix	AZ
119 linda	phoenix	AZ
120 Elizabeth	phoenix	AZ
121 Lilia	Phoenix	AZ
122 Jennifer	Phoenix	AZ
123 Barni	Phoenix	AZ
124 Cynthia	phoenix	AZ
125 Abigail	Phoenix	AZ
126 Ann	Phoenix	AZ
127 Roberto	Phoenix	AZ
128 susana	phoenix	AZ
129 LEON	PHOENIX	AZ
130 ELIZABETH	PHOENIX	AZ
131 Donna	Phoenix	AZ
132 jose luiz	phoenix	AZ
133 nicolas	phoenix	AZ
134 ROBERT	PHOENIX	AZ
135 Teresa	Phoenix	AZ
136 Monica	phoenix	AZ
137 Adriana	Phoenix	AZ
138 Luis	phoenix	AZ
139 Maria	Phoenix	AZ
Montoya-Sanchez	Phoenix	AZ
Janowitz-Price	Phoenix	AZ
Ixtabalan	PHOENIX	AZ
lerma	phoenix	AZ
Jones	Phoenix	AZ
Gonzalez	Phoenix	AZ
Gallu	Phoenix	AZ
Supley	Phoenix	AZ
Paz	Phoenix	AZ
Trinidad	Phoenix	AZ
Ocotitla	Phoenix	AZ
Quinonez	Phoenix	AZ
Dominguez	Phoenix	AZ
Reina	Phoenix	AZ
leonard	phoenix	AZ
Hourican	phoenix	AZ
Cordova	Phoenix	AZ
Vannarath	Phoenix	AZ
Qaasim	Phoenix	AZ
Mejia	phoenix	AZ
Jensen	Phoenix	AZ
Morton	Phoenix	AZ
Frausto	Phoenix	AZ
campos	phoenix	AZ
WICKARD	PHOENIX	AZ
LOPEZ	PHOENIX	AZ
Blumenfeld	Phoenix	AZ
angulo lopez	phoenix	AZ
de la fuente	phoenix	AZ
ESPARZA	PHOENIX	AZ
Phillips	Phoenix	AZ
Stephenson	phoenix	AZ
Martinez	Phoenix	AZ
Medina	phoenix	AZ
Orozco	Phoenix	AZ

140 Carlos	Calderon	Phoenix	AZ
141 Alicia	Key	Phoenix	AZ
142 Ana	Ramos	phoenix	AZ
143 Vania	Guevara	Phoenix	AZ
144 Katy	Szapa	Phoenix	AZ
145 Finn	Nielsen	Phoenix	AZ
146 rutilio	Garcia	Phoenix	AZ
147 Feliciano	Perez	phoenix	AZ
148 Aidee	Valenzuela	Phoenix	AZ
149 andrea	frances	phoenix	AZ
150 Maribel	Quezada	Phoenix	AZ
151 Denise	Romesburg	Phoenix	AZ
152 Tupac	Enrique Acosta	Phoenix	AZ
153 Leah	Carmine	phoenix	AZ
154 Rob	Key	Phoenix	AZ
155 Brian	Page	Phoenix	AZ
156 Abraham	Venzor-Hernandez	Phoenix	AZ
157 Maria J	Rodriguez	PHOENIX	AZ
158 Kenneth	Fontes	Phoenix	AZ
159 Mark Hayduke	Grenard	Phoenix, Yuck, Sprawl	AZ
160 JOSE MANUEL	FONSECA SANDOVAL	PHX.	AZ
161 Walter	Staton	Pomona	AZ
162 Ray	Cage	Prescott	AZ
163 Kevin	Pitts	Prescott	AZ
164 Ken	Brown	Prescott	AZ
165 Veronica`	Hermann	Prescott Valley	AZ
166 Juan	Cisneros	San Tan Valley	AZ
167 Thierry	Deshayes	Scottsdale	AZ
168 Ariel	Gold	Scottsdale	AZ
169 Janet	Rostenberg	Scottsdale	AZ
170 Brian	Ainsley	Scottsdale	AZ
171 Jim	Graham	Scottsdale	AZ
172 Sandra	Knight	Scottsdale	AZ
173 Sue E.	Dean	Scottsdale	AZ
174 Sara	Fisch	Scottsdale	AZ

175	cristina	chenal	Scottsdale	AZ
176	Colin	Marston	Scottsdale	AZ
177	Fredrik	Tuvene	Scottsdale	AZ
178	Samantha	Stockdale	Scottsdale	AZ
179	Wanda	James	Scottsdale	AZ
180	PETER	CURIA	Scottsdale	AZ
181	Cassandra	Belson	Scottsdale	AZ
182	Jeanne	Baggs	Sedona	AZ
183	Melinda	Hall	Sierra Vista	AZ
184	Jacqueline	O'Connor	Sierra Vista	AZ
185	Marjorie	Mead	Sun City	AZ
186	Patricia	Orlinski	Sun City	AZ
187	Jeannine	Reynolds	Sun Lakes	AZ
188	Erika	Pacheco	surprise	AZ
189	Rubi	Vargas	Tempe	AZ
190	Rosalina	Baldonado	Tempe	AZ
191	Carolyn	Cooper	Tempe	AZ
192	Jerome	Roth	Tempe	AZ
193	Hailey	Coles	Tempe	AZ
194	Marco	Lopez	Tempe	AZ
195	Berkley	Carmine	Tempe	AZ
196	Manuel	Valencia	Tempe	AZ
197	Steve	Wilson	Tempe	AZ
198	Elizabeth	Reyes	Tempe	AZ
199	Ellen	Pavlick	Tempe	AZ
200	Conor	Plese	Tempe	AZ
201	Perla	Solorzano	Tolleson	AZ
202	Nancy	Munoz Quiroz	Tolleson	AZ
203	DOELORES	MEJIA	TOLLESON	AZ
204	Paul	Teitelbaum	Tucson	AZ
205	Steve	Johnston	Tucson	AZ
206	Laura	Tabili	Tucson	AZ
207	Christina	Moodie	Tucson	AZ
208	Brook	Bernini	Tucson	AZ
209	Michael	Wautier	Tucson	AZ

210 Lois	Jordan	Tucson	AZ
211 Franklyn	Bergen	Tucson	AZ
212 Kate	Van Roekel	Tucson	AZ
213 Linda	Wert	TUCSON	AZ
214 Amelia	Basurto	Tucson	AZ
215 Joan	Cummins	Tucson	AZ
216 Kenneth	Lee	Tucson	AZ
217 Florence V	Davis	Tucson	AZ
218 Arthur	Rodriguez	Tucson	AZ
219 Patricia	Murchek	Tucson	AZ
220 Bob	Segal	Tucson	AZ
221 Sebastian	Nightshade	TUCSON	AZ
222 Mari Helen	High	Tucson	AZ
223 Susan	Smith	Tucson	AZ
224 Candace	Porter	tucson	AZ
225 Serge	Grynkewich	Tucson	AZ
226 Nanette	Murray	Tucson	AZ
227 Raymond	Ybarra	Tucson	AZ
228 Michael	Prete	Tucson	AZ
229 Bernadette	Boschert	Tucson	AZ
230 Natasha	Marshall	Tucson	AZ
231 Misty	Jones	Tucson	AZ
232 Adeline	Rhinehart	Tucson	AZ
233 Maureen	Marx	Tucson	AZ
234 Paul	Diaz	Tucson	AZ
235 ana	pope	tucson	AZ
236 haydee	medialdea	tucson	AZ
237 Hilary	Tone	Tucson	AZ
238 Mary	Thurtle	Tucson	AZ
239 David	Morales	Tucson	AZ
240 KEITH	PETERSON	tucson	AZ
241 L	Bianco	Tucson	AZ
242 Lisa	Falk	Tucson	AZ
243 Rachel	Richardson	Tucson	AZ
244 Lindsey	Gaydos	Tucson	AZ

245 Mari	Galup	Tucson	AZ
246 Ruth	Perez	Tucson	AZ
247 Sara	LeCompte	Tucson	AZ
248 Robin	Redondo	Tucson	AZ
249 Jerry and Lois	Wharton/Putzier	Tucson	AZ
250 Aline	Torres	Tucson	AZ
251 Francisca	James Hernandez	tucson	AZ
252 steev	hise	tucson	AZ
253 Ted	Warmbrand	Tucson	AZ
254 Erin	Flory Robertson	Tucson	AZ
255 John	Rodriguez	Tucson	AZ
256 James	Condon	Tucson	AZ
257 Christina	Weissauer-Condon	Tucson	AZ
258 Juan	Brito	Tucson	AZ
259 Elissa	Hauptman	Tucson	AZ
260 Cynthia	Jordan	Tucson	AZ
261 Blanche	Razo	Tucson	AZ
262 Danijel	Ostojic	Tucson	AZ
263 Amalia	Benson Bodkin	Tucson	AZ
264 Roberto	Fuentes	Tucson	AZ
265 rosanna	salonia	Tucson	AZ
266 Tommy	Begay	Tucson	AZ
267 David	Juarez	Tucson	AZ
268 Adrienne	McLeod	Tucson	AZ
269 Leslie	Hunter	Tucson	AZ
270 Kirsten	Cummins	Tucson	AZ
271 Chris	Houseman	Tucson	AZ
272 Yvonne	Villa-Wiseley	Tucson	AZ
273 mirzet	alijagic	tucson	AZ
274 Sara	Vazquez	Tucson	AZ
275 Shirley	Muney	Tucson	AZ
276 Jill M.	Reese	Tucson	AZ
277 John	Landavaso	Wittmann	AZ
278 M	Wolfe	Port Moody	BC
279 Larry	Andrews	Vancouver	BC

Petition Signers in Support of Localities Right to Opt-Out of Secure Communities

Total: 4462

280	Jessine	Foss	Alameda	CA
281	Andrea	Mercado	Alameda	CA
282	Lupe	Cruz	Alameda	CA
283	Annie	Kane	Alameda	CA
284	Elizabeth	Johnson	Albany	CA
285	Gabriela	Kremer	Albany	CA
286	Jean	Cheng	Albany	CA
287	kadija	johnston	Albany	CA
288	Carlos	Munoz	Albany	CA
289	ruben	villalobos	Alhambra	CA
290	Mari	Gamboa	Alhambra	CA
291	Michael	Evans	Altadena	CA
292	Ruben	Cuevas	Altadena	CA
293	Mario	Salgado	Anaheim	CA
294	David	Rodriguez	Anaheim	CA
295	Patzi	Sandoval	Anaheim	CA
296	Gabriela	Cortez-Sweningsen	Anaheim	CA
297	Sharon	Lieberman	Annapolis	CA
298	Dwight	Barry	Antioch	CA
299	Jerrie	McIntyre	Antioch	CA
300	Ashley	McCall	Antioch	CA
301	Guy	Zahler	Aptos	CA
302	rebecca	weinfeld	Aptos	CA
303	Robert	McCombs	Arcata	CA
304	Phaedra	Kosow-Quinn	Arcata	CA
305	Mikal	Baker	Arcata	CA
306	Devon	Ferrucci	Arcata	CA
307	Rosa	Martinez-Motta	Arcata	CA
308	Thomas Machuca	Calderon	Bakersfield	CA
309	Richard	Gorman	Bakersfield	CA
310	Soledad	Godina	Baldwin Park	CA
311	Patricia	Aguiar	Bay Point	CA
312	Ben	Rall	Beale AFB	CA
313	Carmen	Arreola	Beaumont	CA
314	dave	alexander	bellflower	CA

315 Margaret	Cross	Belmont	CA
316 Gladwyn	d'Souza	Belmont	CA
317 Michelle	Mascarenhas	Berkeley	CA
318 Victoria	Welle	Berkeley	CA
319 cecile	leneman	berkeley	CA
320 Sedora	Tantraphol	Berkeley	CA
321 Marianne	Robinson	Berkeley	CA
322 Russell	Bates	Berkeley	CA
323 Joe	Loree	Berkeley	CA
324 john	gasperoni	berkeley	CA
325 Caryn	Graves	Berkeley	CA
326 marguerite	Smukler	Berkeley	CA
327 Joel	Hildebrandt	Berkeley	CA
328 Javier	Huerta	Berkeley	CA
329 Pablo	Paredes	Berkeley	CA
330 Lisa	Garcia Bedolla	Berkeley	CA
331 Xochi	Lubin-Amaya	Berkeley	CA
332 Arabelle	Malimis	Berkeley	CA
333 Nina	Rizzo	Berkeley	CA
334 Alicia	Moore	Berkeley	CA
335 Trilce	Santana	Berkeley	CA
336 Ann	Worth	Berkeley	CA
337 Maria	Garcia	Berkeley	CA
338 Terry	Fletcher	Berkeley	CA
339 Ann	Cornell	Berkeley	CA
340 kiran	nigam	berkeley	CA
341 Leslie	Wozniak	Berkeley	CA
342 Irene	Gutierrez	Berkeley	CA
343 Amy	Barsky	Berkeley	CA
344 Linda	Tam	Berkeley	CA
345 Maricela	Montoya	Berkeley	CA
346 Anirvan	Chatterjee	Berkeley	CA
347 Tiffany	Long	Berkeley	CA
348 Ann	Su	Berkeley	CA
349 Rebecca	Nichols	Berkeley	CA

350 Isaac	Menashe	Berkeley	CA
351 Sharada Prasad	CS	Berkeley	CA
352 Kathleen	Gutierrez	Berkeley	CA
353 Ariana	Jostad-Laswell	Berkeley	CA
354 Silvia	Bustamante	Berkeley	CA
355 Norman and Laura	Gotwald	Berkeley	CA
356 Judy	Nakadegawa	Berkeley	CA
357 Ronald	Borden	Berkeley	CA
358 Jocelyn	Bartlett	Berkeley	CA
359 Tobey	Wiebe	Berkeley	CA
360 sheila	goldmacher	Berkeley	CA
361 lisa	denenmark	berkeley	CA
362 Richard	Sherman and family	Berkeley	CA
363 Rebecca	Freeman	Berkeley	CA
364 Vivian	Crockett	Berkeley	CA
365 Alvaro	Soria	Berkeley	CA
366 Chris	Watters	Berkeley	CA
367 Victoria	Ortiz	Berkeley	CA
368 Shawn	Matloob	Berkeley	CA
369 Cynthia	Papermaster	Berkeley	CA
370 Adhamh	Hoeltzel	Berkeley	CA
371 Kathryn	Matzen	berkeley	CA
372 Moriah	Oxnard	Berkeley	CA
373 sudia paloma	mccaleb	berkeley	CA
374 Barbara	Lubin	Berkeley	CA
375 Nina	Farnia	Berkeley	CA
376 Wendy	Bravo	Berkeley	CA
377 Everardo	Calderon	Berkley	CA
378 maria	saavedra	bermuda dunes	CA
379 M. Todd	Lassich	Bishop	CA
380 Ruddy	Bravo	Bloomington	CA
381 Laura	StJohn	Blue Jay	CA
382 Clark	Shimeall	Borrego Springs	CA
383 Joel	Hill	Boulder Creek	CA
384 Blanca	Venegas	Buena Park	CA

Petition Signers in Support of Localities Right to Opt-Out of Secure Communities

385	Laura	Herndon	Burbank	CA
386	Ryan	Davis	Burbank	CA
387	Eric	Barnard	Burbank	CA
388	Gloria	Toolan	Burlingame	CA
389	hugo	castro	Calexico	CA
390	Wendy	Lopez	Calistoga	CA
391	Omar	Ramirez	Camarillo	CA
392	Lia	Tanti	Campbell	CA
393	Marie	Martinez	Campbell	CA
394	Katherine	Mattingly	Campbell	CA
395	Merlie	Robertson	Canoga Park	CA
396	Renée	Martinez	Canoga Park	CA
397	Barbara	Cogswell	Canyon Country	CA
398	Caroline	Theiss-Aird	Carlsbad	CA
399	Janice	Rocke	Carmel	CA
400	Natalie	Alfaro	Carmel	CA
401	Linda	Smith	Carmel	CA
402	Jose R.	Lopez Morin	Carson, CA 90747	CA
403	David	Fogle	Castro Valley	CA
404	Leah	Hartman	Castro Valley	CA
405	larry	hermann	castro valley	CA
406	james	gonzales	castro valley	CA
407	Al	Nava	Ceres, CA	CA
408	Randy	Colon	Cerritos	CA
409	David	Lee	Chico	CA
410	Gerda	Seaman	Chico	CA
411	Jerry	Peavy	Chico	CA
412	Heather	Schlaff	Chico	CA
413	Liz	Vindiola	chico	CA
414	Rebecca	Lee	Chico	CA
415	Juan	Reza	Chino Hills	CA
416	Jose	Hernandez	Chino Hills	CA
417	Teresa	Rolstad	Chino Hills	CA
418	James	Hunt	Chula Vista	CA
419	isela	Espana	chula vista	CA

420 Manuel	De la Mora	Chula Vista	CA
421 david	neffew	chula vista	CA
422 Bertha	Gutierrez	Chula Vista	CA
423 Andrea	Duran	Chula Vista	CA
424 Travis	Corona	Chula Vista	CA
425 Julia	Piedad	Chula Vista	CA
426 Robert	Ludgate	Citrus Heights	CA
427 Irving	Torres	Claremont	CA
428 Stacy	Villalobos	Claremont	CA
429 Tristan	Roberts	Claremont	CA
430 Rev. Thomas	Ambrogi	Claremont	CA
431 Amy	Pinto	Cloverdale	CA
432 ANA	MENA	Coachella	CA
433 MAURICIO	MARTINEZ	COACHELLA	CA
434 Carol	Nolan	Coachella	CA
435 Lety	Bolanos	coachella	CA
436 Joel	Estrada	Compton	CA
437 Lorena	Gamboa	Compton	CA
438 melissa	miller	concord	CA
439 Marta	Vanegas	Concord	CA
440 Michael	Eppenbach	Concord	CA
441 Maggie	Marquez	Corona	CA
442 Tina	Contreras	Corona	CA
443 Angela	Garcia-Sims	Coronado	CA
444 Vivian	Pena	Coronado	CA
445 erin	carrera	corte madera	CA
446 Natasha	Noriega-Goodwin	Costa Mesa	CA
447 Rick	Thomas	Costa Mesa	CA
448 Amalia del Carmen	Cardenas	Costa Mesa	CA
449 Charles	Richmond	Costa Mesa	CA
450 Victor	Aguilar	Costa Mesa	CA
451 Patricia	Black	Covina	CA
452 Edward	Suchecki	Crescent City	CA
453 Kelly	Kawamoto	Culver City	CA
454 Alan	Myerson	Culver City	CA

EXHIBIT M

Immigration agency confirms fingerprint-sharing program is mandatory

Official acknowledges mixed messages on Secure Communities

By Elise Foley 11/10/10 12:00 AM

Immigration and Customs Enforcement official David Venturella started off a meeting with San Francisco law enforcement leaders on Tuesday with an apology. ICE, he admitted, had given conflicting information about Secure Communities, a program that shares fingerprints taken for criminal background checks with federal immigration enforcement, and whether counties like San Francisco could opt out.

The meeting was one of three held in the past week — with officials from Arlington, Va., on Nov. 5, and from Santa Clara, Calif., later on Tuesday — between ICE and communities that had voted to be removed from the program, claiming it could harm public safety and lead to fear of police among immigrants.

In all three, the message was the same: Venturella, the assistant director of Secure Communities, acknowledged there had been reports from ICE that the program was optional and that such meetings were the first step in opting out. But the counties could not withhold information from federal immigration authorities, he informed them.

“They flew all the way here just to basically say, ‘We’re going back on our word,’” said Angela Chan, an attorney with the Asian Law Caucus who was briefed after the meeting Tuesday. “The whole entire thing is kind of a puppet show.”

The message on Secure Communities and whether or not counties could be removed from the program has changed multiple times in the last six months, as local officials in Arlington, San Francisco and Santa Clara sought to determine how they could opt out of sending fingerprints to immigration enforcement. Now, even after ICE held meetings with the three counties confirming that opting out is impossible, a coalition of civil rights groups is fighting to get more information on the program and how communities can avoid joining it.

The key, according to activists, will be a Dec. 6 hearing on an injunction filed against the Department of Homeland Security last month by the National Day Laborer Organization Network, the Center for Constitutional Rights and the Immigration Justice Clinic of the Cardozo School of Law. A court in New York will decide whether Homeland Security officials have to hand over documents demanded by the groups in February related to opting out.

With those documents, critics of the program hope to be able to prove what Venturella alluded to at the beginning of the San Francisco meeting: The agency has been misleading the public — albeit perhaps unintentionally — about how Secure Communities works and what it requires from local police forces that would rather not share fingerprints with immigration officials.

“What their public definition of ‘opting out’ is has changed based on what they think they can get away with,” Chan said.

Officials in 34 states have signed memorandums of understanding to participate in the program, which so far is voluntary at the state level. (Some governors, such as Democrats Deval Patrick in Massachusetts and Bill Ritter in Colorado, have delayed requests to sign into Secure Communities, while other states are slated to join the program in the next few years.) There was indication from ICE officials this summer that local participation was also optional, even in states where governors had agreed to participate.

“No jurisdiction will be activated if they oppose it,” Dan Cadman, an ICE regional coordinator for the program, wrote in a July 23 email to the New York State Division of Criminal Justice Services. “There is no ambiguity on that point. We get it.”

On Aug. 17, ICE released a report called “Setting the Record Straight” that laid out specific steps for counties that wanted to opt out of Secure Communities. The steps were later reiterated in letters by Homeland Security Secretary Janet Napolitano and an assistant attorney general.

But a sudden message shift on Secure Communities occurred in the beginning of October. Immigration officials began to say opting out was impossible. “We don’t consider Secure Communities an opt in/opt out program,” Napolitano said on Oct. 6. By Oct. 20, the report called “Setting the Record Straight” went missing from ICE’s website.

The options presented to Arlington, San Francisco and Santa Clara were far from what the counties expected when they voted to opt out. In a memo to Arlington County board members after her Nov. 5 meeting with ICE, County Manager Barbara Donellan clarified ICE’s definition of opting out of Secure Communities.

“All jurisdictions have the option of not receiving the results of ICE’s database inquiries. (This option is what ICE officials were referring to as the ‘opt out,’ for localities, and they acknowledged the confusion these statements have created),” she wrote.

For critics of the program, the new message that Secure Communities is mandatory is a major problem.

“If ICE for some reason decides not to follow through, I think we’re looking at possible massive deception,” Sarahi Uribe, lead organizer of an anti-Secure Communities coalition called the Uncover The Truth Campaign, told TWI in October.

But there is some hope for counties that don’t want to help immigration officials deport undocumented immigrants who are released without being charged with crimes. (In cases of domestic violence, for example, police sometimes arrest both parties until they can determine which person is the victim, a practice that has led to deportation proceedings for some abuse victims under Secure Communities.)

ICE officials said Tuesday that the holds they place on illegal immigrants detected under Secure Community are optional for local police — meaning law enforcement agencies could ignore detainer requests from ICE and release immigrants they do not charge with crimes, said Eileen Hirst, a spokeswoman for San Francisco Sheriff Mike Hennessey who was at the meeting Tuesday.

“That’s the silver lining,” Chan said. “At least he didn’t go back on his word on that.”

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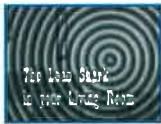
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Insecure Communities: Feds Target NYC Immigrants for More Deportations

By [Renée Feltz](#), graphics by [Stokely Baksh](#)
From the [November 17, 2010](#) issue | Posted in [Immigration](#) , [Local](#) | [Email this article](#)



Adam's friends were arrested by NYPD, then deported. Photo: Renée Feltz

On a recent Saturday night in Jackson Heights, a group of men gathered for drinks in a bar that caters to the neighborhood's international clientele. When they piled out of the door onto Roosevelt Avenue, their loud chatter was interrupted by two NYPD officers.

Those who were undocumented immigrants ran away. Several who didn't scatter fast enough were left to answer a dreaded question.

"You got any ID?" asked an officer.

That's when "a simple stop by the police turned into an immigration case," recalled Adam, an Ecuadorian immigrant who is friends with the men who were stopped. He asked that only his first name be used. Adam said his friends handed over ID cards purchased in the neighborhood, or issued by their consulates. Unsatisfied, the officers arrested them. They were taken to the local precinct and expected to be released the following Monday. Instead, they were transferred into the custody of Immigration and Customs Enforcement (ICE), moved to detention center in Texas, then deported to Mexico and Ecuador.

Now the process that led Adam's friends to be deported could become commonplace in "the city of immigrants."

New York City — home to more than three million immigrants, more than half a million of them undocumented — is on the verge of joining a program called "Secure Communities," which allows ICE to access arrest data from all local jails. Despite its name, advocates worry the program will wreak havoc in communities that are already hyper-policed.

Secure Communities is the new face of an enforcement system that has continued to expand even as comprehensive immigration reform languishes. It works by sharing arrest data from local jails with ICE. If agents find a match, they can then issue a hold or a "detainer" asking police to keep an immigrant in custody to be picked up by ICE. Compliance with the request is voluntary, but most police cooperate.

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How Does Secure Communities Work?
The program shares information between federal and local law enforcement agencies. It targets undocumented immigrants, as well as legal residents with criminal convictions (both new and old).

1. Police arrest a person.
2. Police scan the person's fingerprints & submit them to be checked against FBI and ICE records.
3. If ICE agents find a match, they can ask police to hold the person until they pick them up.
4. Police can comply with the request, or release the person.

Source: ICE Secure Communities Crash Course 2008

More than [700 counties in 34 states](#) have signed up for Secure Communities since it began in 2008, including all of the states along the U.S.-Mexico border. ICE wants every jail in the nation to participate by 2013.

After California enrolled in the program last year, immigrants in several counties began to quietly disappear. In one case, a single-mother of three in Hayward, across the bay from San Francisco, got into a car accident and met a fate common to undocumented immigrants. She had no driver's license and faced citation or arrest.

"A police officer told me he needed to take me to the police department where my fingerprints would be taken," said the woman, who asked to remain anonymous. "He explained the entire process would take half an hour."

But she was kept in jail until she was visited by immigration officers. She is currently in deportation proceedings.

"Secure Communities makes it hard to know when people are being detained and deported," said Evelyn Sanchez, outreach director for Somos Mayfair in California's Santa Clara County. "You can't point to it as easily as you could during the raids a few years ago."

Some states announce their Secure Communities partnership with ICE in press releases, but New York neglected to disclose that it [signed up](#) on May 10, 2010. Documents released after an open records request reveal that ICE held a briefing on the program at its Detention and Removal Office in New York City on May 21, 2009. It briefed the New York State Identification Bureau the following month.

After a state signs up for Secure Communities, counties can be added individually or all at once. No jurisdictions have been activated yet in New York. But in a Nov. 9 meeting in San Francisco, ICE officials said they expect the all of New York to be active within several months.

Once immigration advocates got word the state had joined Secure Communities, they formed a coalition called New York Working Group Against Deportation and began pushing for Gov. David Paterson to rescind the agreement with ICE. It hasn't been easy.

"You have this moment now where all you have to say is illegal criminal aliens and everyone feels justified that there would be a program to get these people out of our communities," said Mizue Aizeki, a member of the working group and a community liaison with the [Northern Manhattan Coalition for Immigrant Rights](#).

Who are these criminal aliens? In its New York briefings, ICE promoted Secure Communities as a way to use a "risk-based approach" to target high-level criminal offenders. It cited examples of immigrants the program helped locate in Dallas, Boston and Miami who had extensive criminal histories that included multiple felony drug convictions.

But these "Level 1 offenders" account for less than a quarter of those caught in ICE's dragnet. More than half of the immigrants deported through Secure Communities since it began were charged with nonviolent, low-level offenses.

Another 27 percent were "non-criminals." This means their charges were dropped or they were found innocent, but they face deportation because they were in the country without permission — a civil immigration violation.

Regardless of the charges, or lack thereof, ICE emphasizes that immigrants deported through Secure

Communities are located after they are brought to jail.

Critics like Michelle Waslin, of the Immigration Policy Center, say this type of partnership takes “the initial identification and arrest outside of ICE’s control” and increases “the potential for profiling and pretextual arrests.”

If New York City joins Secure Communities, “ICE would have to ignore all the problems with the criminal justice system in terms of who’s getting arrested and which communities are getting policed,” says Aizeki.

Many of these problems are linked to NYPD’s Stop, Question and Frisk program, which allows officers to question anyone they suspect has a weapon or drugs.

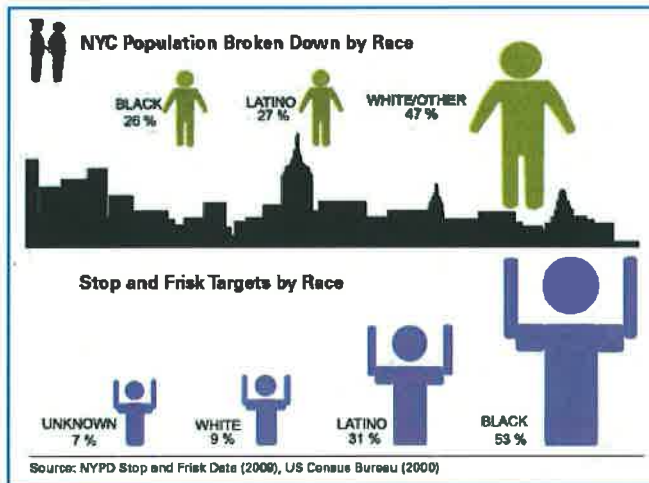
Blacks and Latinos each make up about a quarter of the city’s population, but they account for more than 80 percent of stop-and-frisk encounters. By comparison, Whites are about 45 percent of the city’s residents, but make up just 10 percent of the stops.

“You have hundreds of thousands of New York City residents who are stopped for no other reason other than their national origin and their race,” said Sunita Patel. A staff attorney at the [Center for Constitutional Rights](#), Patel is co-counsel on a [lawsuit](#) alleging that stop and frisks violate Fourth Amendment protections against unlawful search and seizure.

NYPD precincts where people are stopped and frisked most frequently are also home to large immigrant communities from the Caribbean, Latin America and Africa. They include Crown Heights, Bedford-Stuyvesant, Jackson Heights, East Harlem and the North Shore of Staten Island.

Now those subjected to racial profiling could be dragged into the deportation system.

“Secure Communities has the potential to create a real pipeline from basic police interaction to detention and removal,” said Patel.



Almost 90 percent of stop-and-frisk encounters by NYPD — nearly three million in the past five years — end without an arrest. Police record the name of the person stopped, but they are not arrested or fingerprinted. This means their information will not be shared with ICE via Secure Communities.

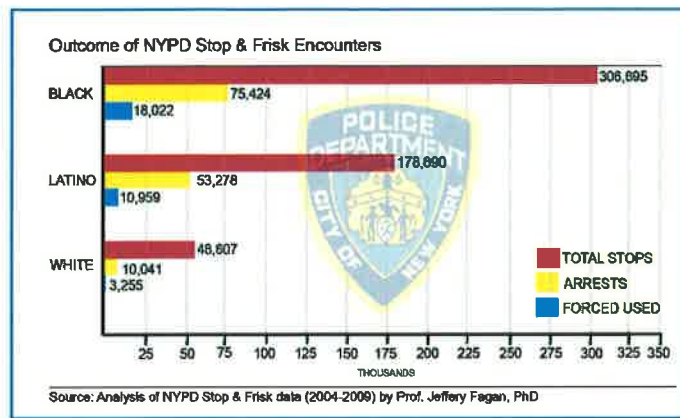
Out of those arrested in New York state, just 64 percent — 107,000 people — are convicted, according to data from the NY Department of Criminal Justice Services.

Many of the drug convictions are based on marijuana possession that NYPD officers discover when they ask suspects to empty their pockets. Blacks and Latinos account for more than 85 percent of the city’s marijuana arrests.

Immigrants who face deportation after they are convicted of these charges often seek help from organizations like [Families for Freedom](#).

“Most of our members are long-term permanent residents who have had some type of interaction with the criminal justice system,” said Janis Rosheuvel, the group’s executive director. “They have deep roots here, so their families will be very affected by Secure Communities.”

Charges stemming from the roughly 50,000 other arrests are either dismissed or result in an acquittal. But undocumented immigrants in these cases still face deportation because their information has been shared with ICE.



The frequency with which police stop Latinos is reflected in a poster that hangs in the Jackson Heights office of New Immigrant Community Empowerment (NICE). It lists useful English and Spanish vocabulary terms. From “arrested” to “search,” every word relates to law enforcement.

“A lot of people feel like police are there to protect them,” said Andres Garcia, an organizer with NICE. “Our members don’t really feel the same way.”

Garcia says immigrants in the neighborhood already hesitate to call police for help because they are afraid they will be asked for their status. He expects communication to shut down even further if the city joins Secure Communities.

“Why should they want to work with police if that’s going to hurt them?” Garcia asked.

On the wall of Families for Freedom’s office in Manhattan is a map of how the criminal justice and immigration systems now work together. Its been used in “[Deportation 101](#)” trainings at several churches and schools and on street corners in central Brooklyn.

“I’ve been out there, and when people hear ‘immigration,’ they run away thinking you’re with ICE,” says member Ravi Ragbir. “But when they listen from afar and realize we’re giving information, then they come around and say, ‘Oh, my brother is in this situation.’”

Ragbir has also designed a 10-week curriculum for members of immigrant rights groups that prepares them to speak about the deportation system and broader legislative and policy issues. “They start to understand deportation is not something to be ashamed about. It’s about racism and the profiling that demonizes people,” said Ragbir.

Secure Communities is already troubling some on the other side of the police badge.

“We have spent 25 years building relations implementing community policing in the many cities across America; now this program could reverse that and prevent us from doing the job we need to do,” said Ron Hampton, the recently retired director of the National Police Accountability Project and a veteran D.C. cop.

The question of how and whether local police should enforce federal immigration laws was a major topic at an August gathering of police chiefs from 27 major cities. The conference took place in New York City, though no local police officials attended.

It was convened by the [Consortium for Police Leadership in Equality](#), an organization that promotes police transparency and accountability. Co-founder Dr. Tracie Keese said the group’s “overwhelming concern” with Secure Communities “is the impact it would have on the relationship with law enforcement and the Latino community, and the ability for both groups to work together to reduce crime.”

Keese co-authored an editorial published in July titled, “[Policing Immigration: A Job We Do Not Want](#).” It cited a consortium report that found one in three Salt Lake City, UT, residents are unwilling to report drug-related crimes when law enforcement can detain someone based on their immigration status.

In another study, the consortium asked 177 police officers in Salt Lake City and San Jose, Calif., how they felt about “cross-deputization.” Officers said being involved with immigration enforcement made them significantly more concerned about appearing racist. They also reported more anxiety when approaching members of the Latino community and lower job satisfaction.

The NYPD has not taken a public stance on Secure Communities, only issuing a comment through a spokesperson who said, “It is incumbent upon the NYPD to maintain the trust and confidence of all who depend on the services of the police department for their safety.”

Secretary of Homeland Security Jane Napolitano says she doesn’t consider Secure Communities “an [opt-in, opt-out](#) kind of program.”

States such as Virginia enrolled every county in the program all at once, even though at least one of them wanted out. In California, Santa Clara and San Francisco counties — home to hundreds of thousands of immigrants — were brought into the program against their will.

Officials with the New York Division of Criminal Justice Services (DCJS) previously said they had “been repeatedly assured both orally and in writing that no community in New York state will be activated unless it affirmatively opts in to the program.” But they later issued a statement that “it is the position of the federal government that it can require participation.” DCJS spokesman John Caher says no counties are active yet. Governor-elect Andrew Cuomo said he may review the program when he comes into office. He told the [New York Immigration Coalition](#), “I think the federal government has to be very careful in Secure Communities, because you don’t want to create a situation where people are afraid to report a crime, or afraid to testify. It could actually interfere with law enforcement and public safety.”

But advocates want Paterson to rescind the agreement before Cuomo replaces him in January. They have support from State Senator Jose Peralta (D-Queens), who is gathering signatures from his colleagues for a letter calling on Paterson to suspend the agreement. It says a suspension “would allow time ... to assess the potential costs and consequences of S-Comm on issues such as community safety, effective policing, civil rights (including the potential of racial profiling), fiscal costs and liabilities, among others.”

Part of the challenge opponents face is that ICE agents already interview inmates in New York’s prisons about their immigration status. Their presence is part of the “Criminal Alien Program,” a precursor to Secure Communities that targets immigrants in prisons and large jails, including Rikers Island.

“A lot of law enforcement agencies are already comfortable with ICE in their facilities,” said Aizeki. But the impact of Secure Communities would be much broader.

“Before, you’d have to be in Rikers Island for ICE to pick you up,” said Ragbir. “With Secure Communities you’ll be identified at the precinct level before you’re released. So any interaction with the police becomes a point of fear.”

In New York City, Council members with large immigrant constituencies plan to introduce a [resolution](#) opposing Secure Communities. They include council members Ydanis Rodriguez of Washington Heights, Daniel Dromm and Julissa Ferreras of Jackson Heights, and Jumaane D. Williams, whose district includes parts of central Brooklyn.

But while the council has a history of passing resolutions against Arizona’s SB 1070, Mayor Michael Bloomberg’s office has issued statements in favor of Secure Communities. Without his blessing, Speaker Christine Quinn may thwart a vote on opting out.

This shifts advocates’ focus back to asking Paterson to use a clause in the state’s agreement with ICE that allows either party to terminate or suspend Secure Communities. During his time in office, the governor put limits on records NYPD keeps about innocent people subjected to stop and frisk, and created a board to pardon crimes committed by immigrants who have become productive members of society.

“The pardon panel could benefit a small number of people,” said Aizeki. “But Secure Communities will throw thousands more New Yorkers into the same detention and deportation system that he’s already acknowledged is unjust.”

Now advocates say Paterson could seal his civil rights legacy on his way out. Immigrants like Adam will be watching from the shadows.

“The way I look at it, the program is portrayed as way to get criminals off streets,” said Adam. “But in reality it’s an excuse to come after all of us. It’s a trap.”

Renée Feltz and Stokely Baksh co-produce [DeportationNation.org](#), an investigative reporting website that critically examines immigration enforcement programs mandated to target “dangerous criminal aliens.” The project is funded by a Soros Justice Fellowship, part of the Open Society Institute.

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3 Responses to “Insecure Communities: Feds Target NYC Immigrants for More Deportations”

Reader Says:

[November 18th, 2010 at 5:51 pm](#)

For the detention and deportation chart, the numbers don't match up — look at the pullout for Arizona, all the numbers are far greater than what they are on the bar chart.

GalkinArsenij32 Says:

[November 19th, 2010 at 3:25 am](#)

Тут аренда автомобиля, прокат авто на любой вкус

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[November 19th, 2010 at 11:53 am](#)

Thanks, Reader. We'll fix that and get a corrected version back up asap.

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November 9, 2010

Confusion Over Program to Spot Illegal Immigrants

By KIRK SEMPLE

In 2008, the Bush administration announced an ambitious new program to help federal officials detain and deport illegal immigrants held on criminal charges by using fingerprints collected by local police departments.

But two years later, as the program is being put into effect state by state, confusion abounds in New York and elsewhere, among officials and immigrant advocates alike, about how it works and whether local participation is required.

Several counties around the nation have voted to opt out of the program, called Secure Communities, because of concerns that it could ensnare immigrants who have committed low-level offenses or chill crime-fighting cooperation between immigrants and the police.

As recently as last week, the spokesman for New York State's criminal justice agency maintained that the program was optional for local governments. But federal officials now say that participation was never voluntary. The program, they say, will be up and running nationwide by 2013.

The confusion appears to be largely the fault of federal immigration officials, who in recent months have issued vaguely worded or seemingly contradictory statements about the program.

"The Department of Homeland Security has done a horrible job of, one, explaining the policy; two, explaining the implementation process; and three, explaining the local jurisdictional role," said Chung-Wha Hong, executive director of the New York Immigration Coalition, who has urged the state not to join the program. "It doesn't inspire confidence."

Under Secure Communities, the fingerprints of everyone booked into a local or county jail will automatically be sent to the Department of Homeland Security and compared with

prints in the agency's databases. If officials discover that a suspect is in the country illegally, or is a noncitizen immigrant with a criminal record, they might seek to deport him or her.

More than 750 jurisdictions in 34 states have already joined the program, which has contributed to a surge in deportations over the last year. But resistance has arisen among some elected officials and immigrant advocates who contend that the program has caught up a disproportionate number of immigrants charged with low-level offenses, rather than the dangerous criminals it was primarily intended to snag.

Federal officials require states' permission to start the program, and states can refuse. In New York, where opposition surfaced early in immigrant-friendly cities, Gov. David A. Paterson signed an agreement in May to cooperate.

New York officials said that numerous written and spoken conversations with Homeland Security in the past several months left them with the understanding that participation at the local level was voluntary, as well.

On July 23, for instance, Dan Cadman, a regional coordinator for the Secure Communities program, sent an e-mail to the State Division of Criminal Justice Services. "No jurisdiction will be activated if they oppose it," Mr. Cadman wrote. "There is no ambiguity on that point. We get it."

He added, "We will do everything we can to work with a N.Y. law enforcement agency to satisfy its concerns but at the end of the day, if they are opposed, we won't go forward."

In recent weeks, Janet Napolitano, the Homeland Security secretary, has declared repeatedly that the program will be mandatory for the entire country by 2013.

Yet last Wednesday, officials in Albany said they had been assured by federal authorities that local jurisdictions could choose not to join the data-sharing network. "We have written and oral assurances that it is an opt-in, opt-out situation," said John M. Caher, spokesman for the state's Division of Criminal Justice Services. "No local community would automatically be in."

Two days later, however, after further discussion among state officials who continued to wrestle with the federal government's seemingly conflicting messages, Mr. Caher refined his message. "Apparently," he said, "it is the position of the federal government that it can require participation."

Homeland Security officials said that they never intended to imply that the program was optional. Rather, the only wiggle room available to local authorities is deciding when — not if — they will be added to the network.

“The deployment can be delayed and rescheduled, and we’ll work to iron out issues related to the deployment,” a Homeland Security official said, asking that he not be identified because he did not want to “talk over” Ms. Napolitano’s recent comments.

To participate in Secure Communities, police departments must install new fingerprinting equipment or make minor changes to existing technology, to allow fingerprint data to flow automatically to the Justice Department and Homeland Security.

No locality in New York State has signed up yet, but the entire state is scheduled to join in the next three years, according to Immigration and Customs Enforcement, the arm of Homeland Security that is managing the program.

In New York City, where city leaders have energetically tried to keep local police out of immigration enforcement, Councilman Ydanis Rodriguez said he planned to introduce a resolution asking Governor Paterson to pull out of Secure Communities, saying that the new system might discourage immigrants from reporting crime or testifying in cases. The City Council plans a hearing Wednesday to discuss the relationship between the immigration agency and the city’s Department of Correction.

A spokesman for Mayor Michael R. Bloomberg said the city would join the federal program. “Our reading of the laws are that we have to comply, and we are,” said the spokesman, Jason Post. Elected leaders in several places — including Santa Clara County, Calif. and Arlington County, Va. — have voted not to share fingerprint information with immigration authorities, though they have since been told by federal authorities that they must do so as long as their states participate in Secure Communities.

Though states can refuse to cooperate, there is a cost: Any state that declines to share fingerprints with the Justice Department will in turn lose access to the criminal databases of other states and the federal government, seriously hampering crime-fighting efforts.

The only latitude local authorities have under the program, officials said, is to decide whether to look at the immigration information that Homeland Security sends back in response to the fingerprint data. But regardless of the local jurisdiction’s posture, officials said, immigration authorities can still act on the information — and move to deport the suspects.

EXHIBIT P

Status, by agency, of search and processing of Opt-Out Records.

**all cites to declarations attached to Defendants Memo of Law.*

Plaintiffs have not received any records identified below.

STATUS OF OPT-OUT SEARCH AND PROCESSING					
AGENCY	DATE OF SEARCH	SEARCH TERMS	NUMBER OF PAGES	TYPE OF RECORDS	PROPOSED PRODUCTION DATES
FBI	Unknown	“Opt-out” and “opt-out” Hardy Decl. ¶ 32	54 pages and 500 emails Hardy Decl. ¶ 32	Documents and Emails Hardy Decl. ¶ 32	January 14, 2011 Hardy Decl. ¶ 33
OLC	May 7, 2010 Colburn Decl. ¶ 5	Unknown	Unknown	None Colburn Decl. ¶ 5	Unknown
DHS	Unknown	Unknown	Unknown	Email correspondence and internal memoranda Palmer Decl. ¶ 19	CRCL - Mid-December Palmer Decl. ¶ 19
ICE	Unknown	Unknown-ICE conflates Opt-Out Records with Request	Unknown	Unknown	Unknown

EXHIBIT Q

NDLON et al. v. ICE et al., 10-cv-3488(SAS) (KNF)
[Rel. 10-CV-2705]

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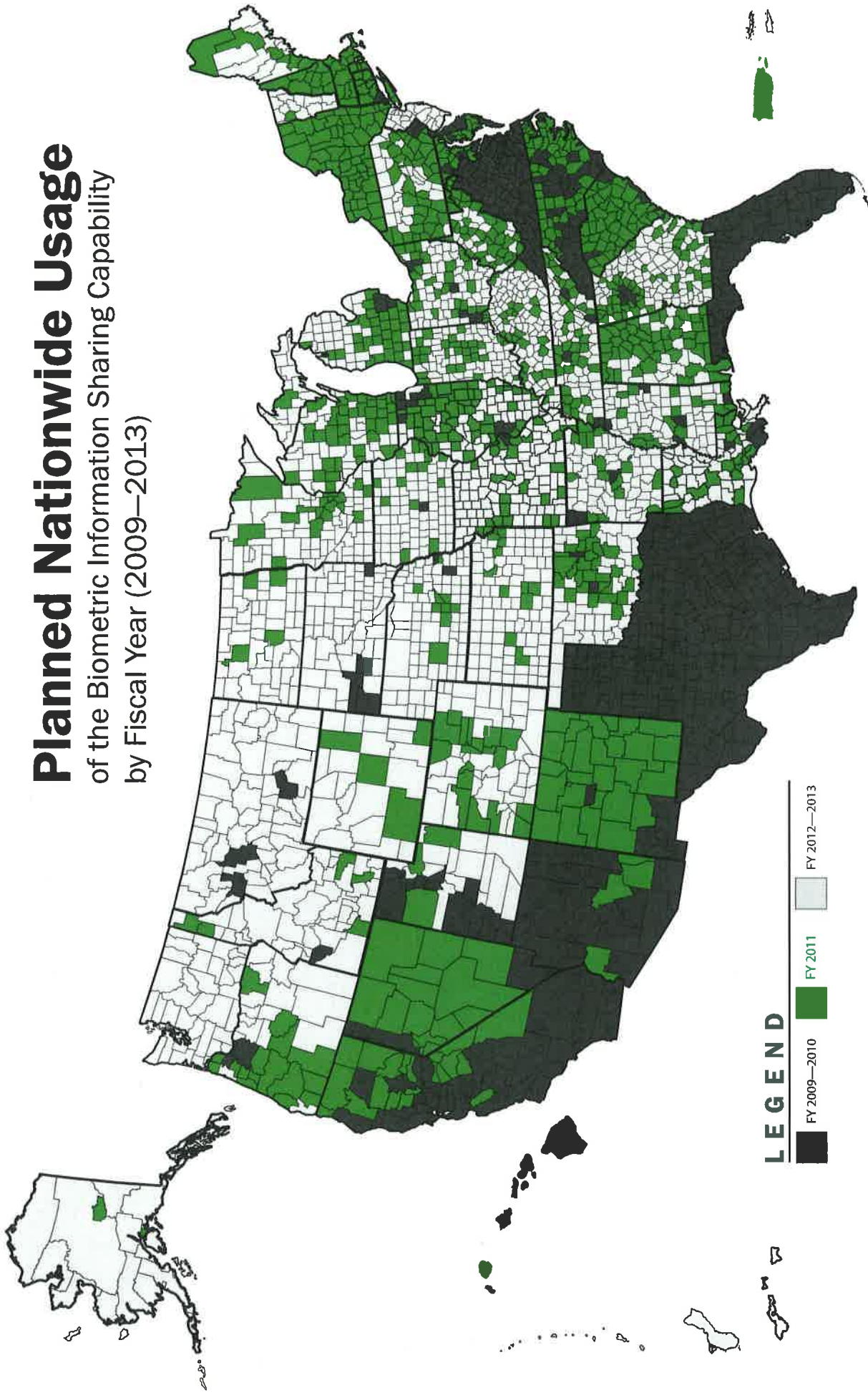
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EXHIBIT R

Planned Nationwide Usage of the Biometric Information Sharing Capability by Fiscal Year (2009—2013)



LEGEND



EXHIBIT S

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
NATIONAL DAY LABORER ORGANIZING
NETWORK; CENTER FOR CONSTITUTIONAL
RIGHTS; and IMMIGRATION JUSTICE
CLINIC OF THE BENJAMIN N. CARDOZO
SCHOOL OF LAW,

ECF CASE

10-CV-3488 (SAS)(KNF)

[Rel. 10-CV-2705]

Plaintiffs.

v.

DECLARATION

UNITED STATES IMMIGRATION
AND CUSTOMS ENFORCEMENT AGENCY;
UNITED STATES DEPARTMENT OF
HOMELAND SECURITY;
FEDERAL BUREAU OF INVESTIGATION;
and OFFICE OF LEGAL COUNSEL

Defendants.

-----X
**DECLARATION OF ANGELA FERNANDEZ IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY INJUNCTION**

I, ANGELA FERNANDEZ, declare, pursuant to 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. I am the Executive Director of the Northern Manhattan Coalition for Immigrant Rights ("NMCIR"). The mission of NMCIR is to educate, defend, and protect the rights of immigrants. NMCIR works with over 5,000 families every year on issues such as immigration, citizenship, and deportation. NMCIR also mobilizes its members to testify before local, city, and national public officials. In addition to our other work, NMCIR

collaborates with immigrant groups, advocating for New York City's ability to opt-out of Secure Communities.

2. NMCIR has been central to the public debate in the State of New York surrounding U.S. Immigration and Customs Enforcement's ("ICE") Secure Communities program. NMCIR has been actively educating State and local elected officials about the program, as well as our Congressional representatives. NMCIR has coordinated with the National Day Laborer Organizing Network ("NDLON"), which has provided critical information and support to NMCIR's Secure Communities advocacy. The confusion surrounding the ability of local jurisdictions to opt-out or opt-in of Secure Communities, stemming from ICE's lack of transparency and contradictory statements made by government officials, has diminished our ability to educate our constituents and impact the legislative policy debate.

3. NMCIR and New York residents urgently need information regarding the Secure Communities opt-out process to inform the current public debate surrounding this issue. This is especially important considering the impending activation of Secure Communities throughout the State of New York, and NMCIR's efforts to prevent Secure Communities' activation in New York City and across the State.

NEW YORK AND SECURE COMMUNITIES

4. Sean Byrne, Acting Commissioner of the State of New York Division of Criminal Justice Services ("DCJS"), signed a Memorandum of Agreement ("MOA") with ICE implementing the Secure Communities program on May 10, 2010. NMCIR and other New Yorkers, however, received no notice that negotiations were in progress, or that the

MOA had been signed, until we found the MOA posted on the ICE FOIA Reading Room website.

5. According to the list of activated jurisdictions available at ICE's website, as of today's date, Secure Communities has not been activated in any jurisdiction in New York State. A recent newspaper article states that in "early" 2011, Putnam County will become the first jurisdiction activated in New York State.

NMCIR AND SECURE COMMUNITIES

6. NMCIR is concerned about Secure Communities as the program will likely impact the lives of the over 5,000 families that NMCIR services every year. The families NMCIR serves have expressed their fear to me that Secure Communities may lead to increased deportation of community members. These fears will affect the willingness of immigrant communities to cooperate with local police and report crimes. Educating these individuals and communities, facilitating their involvement in the political process, and influencing elected officials, is vital to NMCIR's mission to protect the rights of immigrants and participation in the democratic process.

CONFUSING INFORMATION ABOUT OPT-OUT HARMS ADVOCACY

7. On June 10, 2010, NMCIR, along with the Center for Constitutional Rights, the Immigrant Defense Project, the Cardozo School of Law Immigration Justice Clinic, and Make the Road New York, sent a letter to Governor David A. Paterson requesting that New York rescind its MOA with ICE. The letter expressed concern regarding the MOA's ambiguity as to whether a local jurisdiction can opt-out or modify its participation in the program if the jurisdiction decides that Secure Communities conflicts

with local interests, such as promoting community safety and preventing racial profiling. Governor Paterson's office never directly responded to our letter.

8. On August 11, 2010, I participated in a meeting between advocacy groups and DCJS in Albany, New York. Representing DCJS were Sean M. Byrne, Acting Commissioner, DCJS; Joseph Morrissey, Director, DCJS Office of Criminal Justice Operations; Gina L. Bianchi, Deputy Commissioner and Counsel, DCJS; and John Caher, Director of Public Information, DCJS. Representing advocacy groups were myself; Mizue Aizeki, Lead Organizer, NMCIR; Michelle Fei, Co-Director, Immigrant Defense Project; Anthony Thomas, New York State Legislative Coordinator, Service Employees International Union ("SEIU") 32BJ; Yaheiry Galan, SEIU 32BJ; Michael Polenberg, Vice President of Government Affairs, Safe Horizon; and Keeli Sorensen, Advocacy and Training Director, Anti-Trafficking Program, Safe Horizon.

9. At this meeting, DCJS unequivocally stated that there was an opt-out process for Secure Communities in New York State, and that New York would not have agreed to participate in Secure Communities otherwise. DCJS also stated that the technological capability exists for jurisdictions to opt-out of Secure Communities. Specifically, the Originating Agency Identification ("ORI") number determines how requests are filtered, and requests bearing the ORI number of jurisdictions, which chose not to participate in Secure Communities, would not be sent to the United States Department of Homeland Security Database. DCJS informed us that ICE was in the process of meeting with local enforcement agencies ("LEAs") to discuss how Secure Communities works, and that DCJS was not participating in those meetings. I expressed my concern that New York's MOA does not specify that opt-in is necessary.

10. On August 11, 2010, NMCIR and forty-four (44) other organizations faxed a letter to Governor Paterson asking him to immediately rescind the Secure Communities MOA between New York State and ICE, and cease implementation of Secure Communities in light of the significant risks and costs associated with the program.

11. On August 23, 2010, I received a letter from Sean M. Byrne, Acting Commissioner, DCJS. In the letter, Byrne stated that when LEAs decide to participate in Secure Communities, fingerprints submitted to the state identification bureau would be checked against the United States DHS database. The letter clearly states that New York's MOA merely permits LEAs to participate in Secure Communities if they agree to do so.

12. Attached to the August 23, 2010 letter from Sean M. Byrne was an email to Joe Morrissey, Director, DCJS Office of Criminal Justice Operations from Dan Cadman, Secure Communities Regional Director, dated July 23, 2010. In that email, ICE stated, "[w]ith regard to New York, we fully comprehend the State's premise for agreeing to go forward with Secure Communities in the first place: no jurisdiction will be activated if they oppose it. There is no ambiguity on that point. We get it."

13. In an October 2010 interview with Telemundo47, Governor Patterson stated, "[t]his program, that the Federal Government asked us to be a part of, in which municipalities have a choice of whether or not they can opt in or not – which is what New York State was able to receive as opposed to other states – guarantees that this is only high level security threats whose information will be transferred."

14. Recent statements by senior DHS officials have drawn into question this understanding of New York's MOA – that local jurisdictions are not mandated to

participate in Secure Communities. On October 6, 2010, Janet Napolitano, Secretary of Homeland Security, DHS, stated that DHS does “not see [Secure Communities] as an opt-in, opt-out program.”

15. On October 13, 2010, NMCIR and the Immigrant Defense Project (“IDP”) sent a letter to Sean M. Byrne asking for clarification regarding whether localities can opt-out of Secure Communities, and reiterating our request that the Secure Communities MOA between New York State and ICE be rescinded or suspended immediately.

16. On November 1, 2010, I attended a meeting with representatives from Governor Paterson’s office. Representing Governor Patterson’s office were Peter Kiernan, Governor Paterson’s Counsel; Sean M. Byrne, Acting Commissioner, DCJS; and, joining by phone, Mary B. Kavaney, Deputy Secretary for Public Safety. Representing advocacy groups were myself; Mizue Aizeki, Lead Organizer, NMCIR; Michelle Fei, Co-Director, IDP; Javier Valdes, Deputy Director, Make the Road New York; Darius Charney, Staff Attorney, Center for Constitutional Rights; Camille Rivera, Political Director, SEIU 32BJ; Donna Schaper, Judson Memorial Church and New Sanctuary Coalition of New York City; and, joining by phone, Joanne Macri, Director, Criminal Defense Immigration Project, New York State Defenders Association (“NYSDA”). I stated my concern that ICE is unreliable, citing the lack of clarity surrounding the opt-out issue. Governor Paterson’s representatives expressed their confidence that New York has a special agreement with ICE that enables jurisdictions to choose whether or not they wish to participate in Secure Communities.

17. Despite assurances the Governor’s office provided to me and other advocacy groups, the *New York Times* article, “Confusion Over Program to Spot Illegal

Immigrants,” published on November 9, 2010, together with reports from across the country, make it clear that ICE has begun to take the position that Secure Communities is mandatory, even in New York. DCJS acknowledged to us that there are real costs associated with Secure Communities, and repeatedly emphasized that New York’s participation was predicated upon ICE’s promise that jurisdictions which do not want to participate would not be compelled to do so. Now, after ICE’s most recent statement, it is unclear whether this choice exists.

18. On November 11, 2010, along with Michelle Fei of the Immigrant Defense Project, I sent a memo to Peter Kiernan, Counsel to the Governor, expressing our concern that ICE’s promise that New York jurisdictions will “opt-in” to Secure Communities is yet another example of ICE’s deceptive and non-transparent practices.

19. NMCIR is concerned about ICE’s accountability, lack of transparency, and mechanisms for reversing the negative impact of their destructive enforcement strategies. Assembly members and state senators are asking Governor Paterson to rescind New York’s MOA. We continue to tell Governor Paterson there needs to be an informed public debate regarding Secure Communities. This crucial debate cannot take place without a clear understanding of whether ICE will allow local jurisdictions to opt-out of Secure Communities.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: New York, New York
November 19, 2010



Angela Fernandez, Esq.