

Former District Attorney Robert Morgenthau Applauds Governor Cuomo's Suspension of the Flawed Secure Communities Program

For immediate release: June 1, 2011

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I strongly support Governor Andrew M. Cuomo's courageous decision to suspend New York's participation in Secure Communities pending a review of the program. I have long been concerned about the issues that arise when local police indiscriminately share information with federal immigration authorities. Specifically, cooperation with federal immigration officials creates a lack of trust in law enforcement among the public. This makes it hard for police and prosecutors to do their jobs because immigrants become reluctant to report crimes or cooperate with investigations. That is why, during the 35 years I was district attorney in Manhattan, my policy was to never share the names of individuals involved with the criminal justice system to immigration authorities until after they were convicted of a serious crime. Programs like Secure Communities, which require automatic immigration database checks for people arrested by local police upon booking, magnify the problems I tried so hard to avoid.

About a year ago, I drafted an editorial in the Wall Street Journal calling for a more nuanced approach to the cooperation between local authorities and federal immigration officials. I am now encouraged that the Governor and other elected officials around the country share my concerns and are taking a critical look at overbroad state and local immigration enforcement cooperation programs like Secure Communities.

New York state law enforcement officials have no obligation to spend time and resources, and endanger their critical mission of keeping our communities safe, to enforce federal immigration law. The Governor's decision to suspend New York's participation in the Secure Communities program is an important step toward separating the roles of local police and federal immigration authorities in the eyes of the public, and also protecting New Yorkers from suffering often cruel and unfair treatment in the federal immigration system.