

April 7, 2010

The Honorable Janet Napolitano  
Secretary  
Department of Homeland Security

The Honorable John T. Morton  
Assistant Secretary  
U.S. Immigration and Customs Enforcement  
Washington, DC 20528

Dear Secretary Napolitano and Assistant Secretary Morton:

I write to express my extreme disappointment and unequivocal condemnation of the series of reports shared with the public the last few weeks regarding DHS and ICE enforcement activities.

From the outset of both of your tenures at the agency, I have repeatedly expressed concern about the impact of misguided immigration enforcement in our communities. I have witnessed both anecdotally and in sheer deportation numbers that undocumented workers, many of them spouses and parents of permanent residents and U.S. citizens, continue to be removed from the United States at the record-breaking levels of the Bush Administration. I have called for an end to the deportations that separate families tragically and needlessly and which do nothing to protect our homeland. Likewise, I have also called for an end to 287(g) agreements out of serious concerns that the program, despite its purported goals, is being used as a tool to pursue Hispanics and people of color in a way that jeopardizes the civil rights of everyone, U.S. citizens and non-citizens alike.

I remain disappointed and frustrated that my pleas for such changes have gone unheeded. In response, however, you have assured me that under your leadership DHS was aggressively pursuing violent criminal aliens, rather than average workers and family members with simple status violations, and that reforms of the 287(g) program would ensure that local jurisdictions and police officers with agreements pursue higher risk targets without the use of racial profiling.

Despite your assurances, the recent reports that have come to light suggest a different set of priorities altogether--priorities that represent the same destructive and failed policies of the past. The enforcement memos published by the Washington Post reveal that agents have received written directives over a period of months to meet arrest quotas that would serve to fill available detention beds and meet yearly deportation goals. In addition, the recent Office of Inspector General report about the 287(g) program confirmed my worst fears and reinforced what I hear on a daily basis in my district and around the country.

I am astounded by how inconsistent these reports are with your stated priorities, and am left to wonder what your true priorities are, or to what degree agency directors and agents in the field actually understand and/or follow your stated priorities.

I consider the recent reports to be both a crisis of leadership at the agency and a human crisis in our communities and ask to meet with you as soon as possible next week. To arrange such a meeting, please contact my Washington, DC office at (202) 225-8203. Thank you.

Sincerely,

Luis V. Gutierrez  
Member of Congress