



June 24, 2019

The Honorable Governor Roy Cooper
North Carolina Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

Dear Governor Cooper,

Mandatory law enforcement cooperation with federal immigration authorities would have a wide effect on our communities, decreasing trust in all of our public authorities, resulting in [decreased](#) school attendance, and [making](#) it less likely for victims of crime to report to authorities. This is not hypothetical—we have seen the negative impact that anti-immigrant legislation and policies have had on our local communities since the early 2000s. While sheriffs should and will continue to enforce state laws, they should not be required to place the goals of federal law enforcement above public safety in their own counties.

The updated version of HB 370, was debated in the NC Senate Judiciary Committee and is expected to pass and make it to a floor vote. HB 370 raises significant Fourth Amendment concerns by requiring sheriffs and jails to comply with all immigration detainer requests made by the US Department of Homeland Security. The bill prohibits jails from releasing individuals on bail if ICE has issued a detainer request, even if they are eligible for release under North Carolina law, and could force magistrates to entangle themselves in federal immigration law. Judicial officials (magistrates, judges, and clerks) will also be compelled to issue orders extending detentions for 96 hours—twice as long as 48-hour ICE detainer requests. There is no way for sheriffs or other judicial officers to hold someone without risking a lawsuit if ICE has failed to meet constitutional requirements. An example includes the city of Allentown, PA, and Lehigh County, PA, where both jurisdictions settled with a US citizen who was detained for three days pursuant to a detainer request mistakenly issued by ICE. The lawsuit cost the city \$25,000 and the county \$95,000. In another case, Salt Lake County, UT, settled a case where an individual was held for 46 days on an ICE detainer after he had posted bail, costing the county \$75,000. We cannot and should not risk violating the Constitution while using more local resources to enforce federal immigration law.

We are your allies and we stand ready to help you make the case against this cynical power grab. A clear position now on this and other anti-immigrant bills will make it less likely for us to become divided in the future, strengthening a common-sense coalition for efforts to expand health care and

improve education. When and if this comes to a veto, we will be out front supporting you and are willing to publicly oppose HB 370.

Thank you for the continued leadership of our state.

Sincerely,

1. Commissioner Jasmine Beach-Ferrara (Buncombe County)
2. Mayor Lydia Lavelle (Carrboro)
3. Alderwoman Barbara Foushee (Carrboro)
4. Alderman and Mayor Pro Tempore Damon Seils (Carrboro)
5. Alderman Bethany Chaney (Carrboro)
6. Alderman Jacquelyn Gist (Carrboro)
7. Alderman Sammy Slade (Carrboro)
8. Alder Randee Haven-O'Donnell (Carrboro)
9. Mayor Pamela Hemminger (Chapel Hill)
10. Council Member Allen Buansi (Chapel Hill)
11. Council Member Michael Parker (Chapel Hill)
12. Council Member Rachel Schaevitz (Chapel Hill)
13. Council Member Karen Stegman (Chapel Hill)
14. Council Member LaWana Mayfield (Charlotte)
15. Charlotte City Council Larken Egleston (Charlotte)
16. Commissioner Karen Howard (Chatham County)
17. Mayor Pro Tempore Jillian Johnson (Durham)
18. Mayor Steve Schewel (Durham)
19. Council Member Vernetta Alston (Durham)
20. Council Member Javiera Caballero (Durham)
21. Council Member Mark-Anthony Middleton (Durham)
22. Council Member Charlie Reece (Durham)
23. District Attorney Satana Deberry (Durham County)
24. Commissioner Heidi Carter (Durham County)
25. Chair Wendy Jacobs (Durham County Board of Commissioners)
26. Supervisor Natalie Murdock (Durham County Soil and Water)
27. Vice-Chair Steven Unruhe (Durham Public Schools Board of Education)
28. School Board Member Natalie Beyer (Durham Public Schools Board of Education)
29. School Board Member Bettina Umstead (Durham Public Schools Board of Education)
30. Chair Michael Lee (Durham Public Schools Board of Education)
31. Supervisor Danielle Adams (Durham Soil and Water Conservation District)
32. Council Member Michelle Kennedy (Greensboro)
33. Mayor Pro Tempore Jenn Weaver (Hillsborough)
34. Commissioner Kathleen Ferguson (Hillsborough)
35. Commissioner Matt Hughes (Hillsborough)
36. Commissioner Susan Rodriguez-McDowell (Mecklenburg County)
37. Supervisor Barbara Bleiweis (Mecklenburg Soil & Water Conservation District)
38. Mayor TJ Cawley (Morrisville)
39. Commissioner Jamezetta Bedford (Orange County)

40. Commissioner Mark Dorosin (Orange County)
41. Commissioner Sally Greene (Orange County)
42. Commissioner Mark Marcoplos (Orange County)
43. Commissioner Renee Price (Orange County)
44. Commissioner Penny Rich (Orange County)
45. Mayor Pro Tempore Corey Branch (Raleigh)
46. Council Member Stef Mendell (Raleigh)
47. Council Member Nicole Stewart (Raleigh)
48. Mayor Al Heggins (Salisbury)
49. Commissioner Jessica Holmes (Wake County)
50. Vice-Chair Jenna Wadsworth (Wake County Soil & Water Conservation District)
51. Supervisor Nervahna Crew (Wake County Soil & Water Conservation District)
52. Council Member Dan Besse (Winston-Salem)
53. Council Member James Taylor (Winston-Salem)