



# WESTERN STATES SHERIFFS ASSOCIATION

474 Rogers Canyon Road  
Laramie, Wyoming 82072  
Telephone: 307 760 4075  
[www.westernsheriffs.org](http://www.westernsheriffs.org)

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## *Position Statement on Immigration*

**The Western States Sheriffs Association, at their September Bi-Annual meeting, adopted and supports a joint coalition of Sheriff's Associations position statement on the Immigration Crisis facing our Border Sheriffs in the western region of the United States. The position statement is as follows.**

**The immigration crisis has overwhelmed the capabilities of U.S. Customs and Border Protection (CBP) and all the federal agencies attempting to assist in the efforts to secure our borders. Sheriffs support the humanitarian efforts undertaken to care for the oppressed people who appear on our borders; however, sheriffs are concerned that the crisis is creating vulnerabilities that are being exploited by real and ever-increasing threats to our national security. We, a Coalition of Sheriffs' Organizations, understand the importance of partnerships with the federal government and stand together to ensure that public safety and homeland security are appropriately promoted, protected, and preserved.**

**Sheriffs are ready and willing to help. All sheriffs swear an oath of office to protect and serve their communities. Each sheriff responds to his or her community and each sheriff knows the county's strengths, weaknesses, and vulnerabilities. Enlisting the help of those sheriffs will ensure a direct connection to local government with the ability to enlist the cooperation and collaboration of its citizens. This Coalition stands prepared to form a united security zone in sufficient depth along the border with Mexico to communicate and collaborate on unified law enforcement operations and to ensure the safety of our citizens and adherence to constitutional authority.**

## *The current illegal immigration crisis is spiraling out of control.*

The sheriffs serving counties along the border are at the epicenter of this crisis, though sheriffs across the country recognize the negative impacts of what crosses our borders illegally. The underlying criminal menace in the immigration crisis is evident in the smuggling of contraband and illegal drugs, exploitation of persons, and the movement of criminals across the border. This flood of men, women, and children is perpetrated through an organized effort aided by groups of transnational criminals who profit from these activities and exploit those being trafficked. It is impossible to determine the full extent of that underlying criminal menace or the scope of the threats to national security.

Sheriffs are concerned about the challenges created by the current illegal immigration crisis. The singular focus on the humanitarian effort for those that have entered our country illegally is a distraction engineered to further the goals of the criminal enterprises. Current border security measures have little effect on the smuggling and trafficking of humans, contraband, and illegal drugs moving across our borders, forcing local law enforcement to prepare for and respond to the continuing threats of violence, drug smuggling, and exploitation. This situation, aggravated by transnational criminals who facilitate and often accompany the movement of illegal immigrants, causes great concern for sheriffs. With little to no information, financial assistance, or physical support from the federal government, sheriffs are struggling to understand the threats and risks to their counties.

### *Creating viable law enforcement partnerships.*

Sheriffs must be collaborative partners with federal, state, local, and tribal law enforcement agencies operating along our borders in order to successfully enforce current law and secure our land and maritime borders. The development and implementation of strategies, procedures, policies, and laws to improve border security are essential to that collaboration.

To ensure communication and collaboration, it is necessary to legislate interagency cooperation, networking and information sharing among all federal agencies and their state, local, and tribal law enforcement agencies – *especially for incidents involving criminal actions and/or homeland security threats.*

To make sheriffs viable law enforcement partners, the following is necessary:

- Full reimbursement to counties participating in the State Criminal Alien Assistance Program (SCAAP);
- Funding for Operation Stonegarden at a minimum of \$100 million;
- Funding for the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) Program at a minimum of \$1.1 billion;
- Funding for the High Intensity Drug Trafficking Areas (HIDTA) Program at a minimum of \$280 million;
- Funding for U.S. Immigration and Custom Enforcement's (ICE) Criminal Alien Removal Programs, such as 287(g) and Secure Communities, which enable state and local law enforcement to effectively and accurately identify criminal aliens for removal by ICE. An application method must be made available for jurisdictions to seek 287(g) status;
- The use of the National Guard solely in support of law enforcement in a role that is commensurate with law and in a manner that does not increase liability to local jurisdictions. Information regarding the role of local jurisdictions in conjunction with National Guard

activities must be explicitly stated and the affected agencies must be included in strategic planning sessions;

- Adequate facilities to detain and process all illegal immigrants must be constructed or acquired;
- The Federal Emergency Management Agency (FEMA) and CBP must collaboratively develop resourcing strategies with state, local, and tribal law enforcement agencies;
- The Administration and Congress must work with other nations to stem the flow of illegal immigration into the United States.

***Amnesty is not the answer.***

As long as there is a reasonable expectation of amnesty in some form, the number of illegal immigrants is expected to increase. The sheriffs strongly oppose outright amnesty for those who are in the United States illegally because it is not a practical solution to illegal immigration issues. When granted in 1986, it did little to stop the flow of illegal immigrants from coming across the borders and, in fact, contributed to thousands of fraudulent applications for amnesty. The identities of those crossing our borders must be known to the federal government; otherwise, there is no plausible recourse aside from deportation.

***The need to develop viable solutions for illegal immigrants who seek legal status.***

Solutions must include the following:

- Illegal immigrants who wish to be considered guest workers must declare themselves to the federal government at which point they can take the steps necessary in a guest worker program to achieve legal status. Guest workers must not be permitted to seek U.S. citizenship;
- Citizenship application status must be earned by living within the rule of law;
- All persons apprehended entering the United States illegally, as well as those applying for legal status, must be required to submit to a DNA sample, fingerprints, and iris scan for identification purposes;
- Due process for eligible asylees within a legislated time period must be strengthened. The time frame must not be broadened; and
- The federal government must require DHS to oversee the application process and must not outsource to community organizations.

Our country's sheriffs have a unique perspective to the current immigration crisis and the underlying threats to our Nation's safety and security. The best resolution to this crisis is one in which every level of government and all federal, state, local, and tribal law enforcement agencies communicate and collaborate in pursuit of the best possible outcome for our country and her present and future citizens.