



Jeff Cogen, Multnomah County Chair

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April 16th, 2012

Elizabeth Godfrey, Assistant Field Office Director
Enforcement and Removal Operations - U.S. Immigration and Customs Enforcement
511 NW Broadway
Portland, OR 97209

Re. Requesting Immigration and Customs Enforcement to Exercise Prosecutorial Discretion

Dear Ms. Godfrey,

Multnomah County is home to a diverse and vibrant community of people representing many races, ethnicities, and nationalities, including immigrants and refugees from all over the world. Over 13% of the County's residents are foreign-born and over 18% of County's residents speak a language other than English in their homes.

The Board of County Commissioners recognizes that fostering a relationship of trust, respect, and open communication between local law enforcement and County residents is essential to the County's core mission of ensuring public safety and serving the needs of the entire community. If trust by our community members for their local government deteriorates, they may be afraid to report crimes and access emergency services. The deterioration of trust in one aspect of government jeopardizes trust in other aspects of government including the provision of other County services.

The federal Secure Communities program has been implemented nationally despite wide-spread concern from local law enforcement, local governments, and community groups. Multnomah County families are being separated and isolated by this type of deportation and in many cases, inadvertently, are disrupting and damaging the lives and support networks of children and young adults who are US citizens.

The Board of County Commissioners shares the public's deep concern regarding issues raised by ICE's mandatory implementation of the Secure Communities Program in County jails, including but not limited to, the erosion of public trust and public safety and the current and potential impact it may have on the County's General Fund.

John Morton, director of the United States Immigration and Customs Enforcement, issued a memo on June 17, 2011, mandating prosecutorial discretion in the detention and deportation of immigrants, outlining 31 factors that should be weighed and considered on a frequent and regular

case-by-case basis by ICE officers, agents and attorneys to determine if prosecutorial discretion is warranted.

On March 1st, 2012 the Board of County Commissioners passed a resolution requesting ICE Enforcement and Removal Operations, the Secure Communities Program and the Criminal Alien Program to exercise prosecutorial discretion as outlined in ICE Director John Morton's June 17, 2011 memo (See attached). In our resolution I asked that ICE communicate with the region on how it plans to fund, train and implement Enforce, and other tracking and evaluation methods that will assist ICE officers, agents, and attorneys in using prosecutorial discretion on a case by case basis.

In addition, I also request that ICE identify and communicate to the public the number of people in our region deported or currently in the process of removal, since the inception of the Secure Communities program. Specifically, I would want to know, the number of:

- a. Minors that have been deported or are in the process of removal from the US;
- b. US born minors whose parents have been deported or are in the process of being deported from the US;
- c. Men and women with child dependants that have been deported or are in the process of being deported from the US;
- d. Families that have been separated as a result of a deportation of a family member.

The Board of County Commissioners is committed to working with our community to advocate for the men, women and children of Multnomah County, whose deportation cases merit the full extent of prosecutorial discretion, including but not limited to formal recommendations regarding what equitable criteria factors should be considered on a case-by-case basis by ICE's Office of Enforcement and Removal Operations in our region.

I look forward to working with your office and other relevant federal agencies including the Department of Homeland Security to address issues our community is facing as a result of federal enforcement of immigration. I look forward to your response to these requests.

Sincerely,


Jeff Cogen
Multnomah County Chair

Cc:

Secretary Janet Napolitano, Department of Homeland Security
Kareem W. Shora, Senior Advisor – Office for Civil Rights & Civil Liberties (DHS)
Nathalie R. Asher, Field Office Director Office of Enforcement and Removal Operations (ICE – DHS)
Andrew Lorenzen-Strait, Senior Advisor – Office of Enforcement and Removal Operations (ICE – DHS)
Senator Jeff Merkley, Oregon
Senator Ron Wyden, Oregon
Congresswoman Suzanne Bonamici, Oregon - District 1
Congressman Earl Blumenauer, Oregon - District 3
Congressman Kurt Schrader, Oregon - District 4
Francisco Lopez, Executive Director - CAUSA & The ACT for Justice and Dignity Network