February 8, 2019

The Honorable Richard Shelby
Chairman
U.S. Senate

The Honorable Patrick Leahy
Ranking Member
U.S. Senate

Dear Chairman Shelby and Ranking Member Leahy:

On behalf of the more than 3,000 sheriffs represented by both the National Sheriffs' Association and the Major County Sheriffs of America we write in opposition to Congress' most recent deliberation to place an artificial cap on Immigration and Custom's Enforcement's (ICE) detention capacity. Capping the number of detention beds utilized by ICE not only jeopardizes the integrity of the immigration system, but would cripple ICE's ability to detain criminal aliens and other aliens who pose a risk to public safety or are a flight risk.

Any legislation that reduces ICE's detention capacity would hinder its ability to perform its national security and public safety missions, but also impact local law enfocements ability to protect the communities they serve. In order to meet the cap being tentatively proposed by Congress, ICE would be compelled to release thousands of aliens from custody. To achieve the 16,500 adult average detainee population (ADP) caps for the remaining 7 months of the fiscal year, a net reduction of 9,264 adults by the end of this fiscal year would be required.

Approximately 72% of ICE's current detention population is subject to mandatory detention due to the alien having certain convictions or having committed certain acts. Over 90% of ICE's arrests are aliens who have a criminal conviction, have been arrested for a criminal offense, or have been previously removed. Placing a cap on ICE detention beds will undermine the efficacy of the immigration system and reduce the number of aliens who are removed from the United States.

This dangerous Congressional proposal not only jeopardizes the risk of our national security, but hinders our law enforcement officers from effectively enforcing and upholding the law and protecting their communities. The National Sheriffs' Association and the Major County Sheriffs of America oppose the current budget proposal and urge Congress to consider the dangerous ramifications that passing this depreciated budget could have on the citizens of America.

Sincerely,

Sheriff John Layton, President
National Sheriffs' Association

Sheriff Grady Judd, President
Major County Sheriffs of America

Sheriff Mike Bouchard, VP Government Affairs
Major County Sheriffs of America

CC:

The Honorable Shelley Moore Capito
U.S. Senate

The Honorable Roy Blunt
U.S. Senate

The Honorable Jon Tester
U.S. Senate

The Honorable John Hoeven
U.S. Senate

The Honorable Richard Durbin
U.S. Senate

1450 Duke St. • Alexandria, VA 22314 • 703.836.7827 phone • 703.683.6541 fax • www.sheriffs.org • nsamail@sheriffs.org
1450 Duke St. • Alexandria, VA 22314 • 703.778.3490 phone • 703.683.6541 fax • www.mcsheriff.com • kwagner@mcsheriffs.com