

# The Herald-Sun

Sheriff defends county role in feds' illegal immigrants program

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HILLSBOROUGH -- Orange County Sheriff Lindy Pendergrass during Thursday's county commissioners meeting again defended the county's participation in a program that automatically alerts U.S. Immigration and Customs Enforcement when an illegal immigrant is taken into custody.

The program, known as Secure Communities, also allows the Sheriff's Office to identify illegal immigrants by accessing federal fingerprint bases more quickly and efficiently.

Pendergrass told commissioners that Orange County was selected to participate in a pilot of the program with Duplin and New Hanover counties. He said that by the end of the year, all 100 counties will be connected to what the county attorney described as a "two-way" federal database.

The Sheriff's Office hasn't arrested anyone wanted by another agency since the program started the first of the year. But commissioners were concerned about happens when they do, and whether the program is too similar to another program called 287(g) that gives law enforcement the power to initiate deportation.

ICE agents conduct follow-up interviews and take appropriate action once they learn that an illegal immigrant is in custody. Pendergrass has said that it's ultimately up to them what they do with the information his department provides. At Thursday's meeting, he added that the Sheriff's Office would only hold someone in jail if he or she violated a criminal law.

Orange County passed a resolution in 2007 in which it refused to participate in 287(g), but several other law enforcement agencies -- including the Durham Police Department-- are part of the program.

In an e-mail to Commissioners Vice Chairman Mike Nelson, a member of the county's Human Relations Commission said the BOCC opted "not to enter into a memorandum of agreement with Homeland Security to enforce immigration laws or take any other action that might result in racial profiling or create a climate of fear and hostility for any community in the county."

Several residents echoed the HRC's concerns that the program "will produce a chilling effect in our immigrant communities, causing lack of trust of law enforcement, misunderstandings about the program, reluctance to report crime and further marginalization of immigrant communities that result in a more tense and dangerous environment for everyone. Surely the 2007 resolution was intended to prevent this very situation."

The sheriff and commissioners expressed mutual support for one another, and Pendergrass said he would abide by elected officials' wishes whatever they decide about the county's involvement in Secure Communities.

The Orange County Bill of Rights Defense Committee planned to meet Thursday just before the BOCC meeting to discuss the significance of the Secure Communities program.