

# United States Senate

WASHINGTON, DC 20510

February 5, 2009

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Napolitano:

I write to you out of concern that the rights of many people living in New York are being undermined by immigration practices allowed under the Bush administration. I urge you to take immediate steps to address the injustice of allowing immigration enforcement authorities to make unwarranted raids of people's homes without specific purpose or permission from a court of law.

While I have long been a strong supporter of fair immigration policies that encourage legal immigration and protection of our borders, I also firmly believe that those enforcing the law should treat all people, citizens and non-citizens, humanely and afford them the basic right of protecting their families from forced separations. As the new Senator from New York, I have had the opportunity to listen and learn from the individuals that have come face to face with our immigration system. I have been appalled by some of the practices that I have heard about and I would like to work with your Department to end the practice of allowing immigration officers to forcefully enter people's homes with nothing more than an administrative warrant, and incarcerate anyone that can not immediately produce their immigration papers.

While meeting with victims of these illegal home raids, I have learned the destructive effect this has on families. Children, who are often American citizens by birth, have come home from school to find that their parents have been hauled away. Male breadwinners have been taken from their homes in the middle of the night leaving their families afraid and without income. Agents have entered homes and taken the sole caregiver of small children, leaving them alone and scared. These types of practices are not only inhumane, they are illegal, and must be stopped.

As you well know, this country was built on the richness of our immigrant communities and we must find ways to uphold our immigration laws, while also treating people with dignity and respecting their responsibilities to their families. Therefore, I formally request that you direct the Immigration and Customs Enforcement division to immediately cease the practice of unwarranted raids on people's homes. In addition, I ask that your agency cease deporting any immigrants that have been forcefully taken from their homes, especially those that would be separated from their children.

Thank you for your immediate attention to this matter and I look forward to working with the Department of Homeland Security to ensure that the civil rights of all people, not just citizens, are respected.

Sincerely,



Kirsten Gillibrand  
US Senator

Executive Secretariat  
U.S. Department of Homeland  
Security  
Washington, DC 20528



**Homeland  
Security**

## Facsimile Transmission

To: The Honorable Kirsten Gillibrand

Fax: (202) 228-0282

Date: April 7, 2009

From: Corie Mullen

Phone: (202) 282-8268

Urgent

Action

Concurrence

Number of pages  
including cover: 2

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### Comments:

Attached please find correspondence regarding immigration enforcement operations conducted by the Department of Homeland Security's Immigration and Customs Enforcement.

If further assistance is needed, please contact Corie Mullen at (202) 282-8268.

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04/07/2009 12:11PM

*Secretary*U.S. Department of Homeland Security  
Washington, DC 20528**Homeland  
Security**

April 7, 2009

The Honorable Kirsten Gillibrand  
United States Senate  
Washington, DC 20510

Dear Senator Gillibrand:

Thank you for your February 5, 2009 letter expressing your concerns about immigration enforcement operations conducted by the U.S. Department of Homeland Security's (DHS) Immigration and Customs Enforcement (ICE).

As a former Federal and state prosecutor and Governor of a border state, I share your concern that the enforcement of Federal law must be evenhanded. I recently issued a wide-ranging action directive on immigration and border security. The directive requires DHS Components to work together and with state and local partners to review and assess our plans and policies to address arrests of criminal, fugitive, and other aliens through the Secure Communities Program, the Institutional Removal Program, Fugitive Operations Teams, and the 287(g) program. This includes an assessment of facilities and community-based alternatives to detention. This review is underway, and I assure you it will be comprehensive and encompass metrics for success and suggestions for reform.

In addition, last month I appointed Dr. Dora Schriro as Special Advisor on Immigration and Customs Enforcement and Detention and Removal. This position is newly created to focus exclusively on the significant growth in immigration detention over the last five years and arrest priorities at ICE. Dr. Schriro served previously as Director of two state correctional systems and Commissioner of a jail system. She is actively involved in the execution of the action directive on immigration and border security, including a top-to-bottom assessment of the removal process involving the methods and the means by which detention and community supervision occur. Dr. Schriro will contact your office this week to ensure that we are responsive to your concerns as we move forward with this work.

Thank you again for your letter. I welcome your interest in these important matters and look forward to working with you. If I may be of further assistance, please do not hesitate to contact me at (202) 282-8203.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Napolitano", with a long horizontal flourish extending to the right.

Janet Napolitano

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