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Despite Opposition, Immigration Agency to Expand Fingerprint Program

By [JULIA PRESTON](#)

Obama administration officials have announced that a contentious fingerprinting program to identify illegal immigrants will be extended across Massachusetts and New York next week, expanding federal enforcement efforts despite opposition from the governors and immigrant groups in those states.

In blunt e-mails sent Tuesday to officials and the police in the two states, [Immigration and Customs Enforcement](#) officials said the program, Secure Communities, would be activated “in all remaining jurisdictions” this Tuesday.

Last June, Gov. [Deval Patrick](#) of Massachusetts declined to sign an agreement with the [immigration](#) agency to expand Secure Communities beyond a pilot program in the Boston area since 2006. Gov. [Andrew Cuomo](#) of New York said he wanted to suspend the program, which had already been initiated in a number of counties.

Opponents argued that it was an overly wide dragnet that was deporting many illegal immigrants with no criminal histories who were arrested for minor offenses and that it encouraged racial profiling and eroded trust in law enforcement among immigrants.

Governors Patrick and Cuomo are Democrats and close allies of [President Obama](#). They made the uncomfortable choice to challenge him on a centerpiece of his immigration policy because of pressure from immigrant and Latino organizations and some local law enforcement officials. The mayor of Boston, [Thomas Menino](#), also a Democrat, became an especially outspoken critic.

The governors were caught in a tangle of confusion about states' role in the program that officials from the immigration agency, known as ICE, have since acknowledged they created. After Secure Communities was formally started in 2008, ICE officials gave many states the understanding that participation was voluntary.

Last year, officials at the agency said they had determined that they did not require consent from states to start the program. Citing antiterrorism legislation that Congress passed in 2002, the officials canceled agreements they had signed in 40 states and said they would extend the program nationwide by 2013.

Under Secure Communities, fingerprints of anyone booked by the local or state police are sent through the F.B.I. to be checked in databases of the Department of Homeland Security which include immigration records. If there is a match, officials at the immigration agency decide whether to issue a detainer, asking the police to hold the person to be picked up by federal agents.

ICE officials said that they made changes to respond to state officials' concerns and to focus the program on deporting serious criminals.

They said they revised the detainers to clarify that suspected illegal immigrants could be held for only 48 hours. They provided civil rights training for the police in places where the program was started, officials said.

A recent change in arrest procedures would decrease detentions of illegal immigrants stopped for speeding or driving without a license, the officials said.

"Secure Communities has proven to be the single most valuable tool in allowing the agency to eliminate the ad hoc approach of the past and focus on criminal aliens and repeat immigration law violators," Barbara Gonzalez, a spokeswoman for ICE, said Friday.

ICE officials said they had spoken with officials in New York and Massachusetts, but did not consult on when to expand the program.

"At the end of the day, this is a federal program," a Department of Homeland Security official said. "We have to make our own decisions based on our law enforcement operational needs."

Both governors had measured reactions to the news that the administration had taken a politically fraught decision off their hands.

In New York, a spokesman for Mr. Cuomo said he remained opposed to the program. "We are monitoring the situation," the spokesman said.

In Massachusetts, after a young motorcyclist was killed last fall in an accident that the police said was caused by an illegal immigrant driving drunk, Governor Patrick came under fire from county sheriffs and state lawmakers for blocking the program.

On Thursday, Mr. Patrick minimized the practical effect of the program's expansion, saying the state already shares arrest information with federal authorities. He said changes in the program had addressed some of his concerns.

But, he added, "It is very important to me that people not see this as a license to profile."

In an interview Friday, Mayor Menino said he remained staunchly opposed. "It's dangerous to target immigrants when you are trying to build a community," he said. "The information gets put into a computer and sent to Washington and the wrong person gets deported.

"I want to make this city work," he said, "and to have the feds come in and tell me you have to do this or to do that is just wrong."

http://www.nytimes.com/2012/05/12/us/ice-to-expand-secure-communities-program-in-mass-and-ny.html?_r=1