



February 16, 2011

Michael Hennessey, Sheriff
San Francisco County Sheriff's Office
425 7th Street
San Francisco, CA 94103

Dear Sheriff Hennessey:

I am writing to share our new report, *Costs and Consequences: The High Price of Policing Immigrant Communities*. This report highlights the many ways that police practices create a back door to immigration enforcement, even for police and sheriffs' departments who have made a policy choice not to target civil immigration violations. This "back door" enforcement comes at a high price. It can discourage witnesses and victims of crime from coming forward, undermine local peace officers' credibility with immigrant community members, and ultimately harm public safety for the whole community. In some jurisdictions, it also incentivizes racial profiling, and makes all residents with immigrant backgrounds – regardless of immigration status – targets of unnecessary law enforcement attention. Local agencies may also foot the bill for federal enforcement through immigration detainees, including the cost of extended detentions, food and medical services.

The report is accompanied by a detailed summary of recommendations to minimize the fiscal and public safety costs of incidental immigration enforcement borne by cities and counties in Northern California. Many of the proposals we have included in our report originate from and are already being implemented by law enforcement agencies in California.

Our report draws on many conversations the ACLU has had with law enforcement leaders over the last year and a half. As we learned about police practices that particularly impact immigrant communities – from checkpoints and impoundments to the federal "Secure Communities" program and confusion about immigration detainees – it became clear that some agencies have adopted practices to minimize costs associated with civil immigration enforcement and to enhance public safety. With this report we invite you to consider a full range of cost-saving and safety-enhancing practices.

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California's large undocumented population creates significant pressures and challenges for local peace officers and departments. We know that most law enforcement agencies in Northern California seek to serve and protect all residents and to avoid acting as immigration agents. We urge you to read our report and the recommendations provided. We hope you will work with your community to adopt practices that minimize costs – human, fiscal, and safety-related – that flow from incidental immigration enforcement by state and local peace officers.

Electronic copies of the report and recommendations are available at http://www.aclunc.org/docs/criminal_justice/police_practices/costs_and_consequences.pdf and http://www.aclunc.org/docs/criminal_justice/police_practices/costs_and_consequences_policy.pdf. I have included the summary of recommendations for your convenience. Please contact me if you would like hard copies of the report. I hope we can work together in the future to minimize costs and protect public safety for all the residents in your community.

Sincerely,



Julia Harumi Mass
Staff Attorney, ACLU Foundation of Northern California

Abdi Soltani
Executive Director, ACLU Foundation of Northern California

Enclosure