



NEWS RELEASE

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CONTACT: David Jackson, djackson@naco.org, 202.942.4271

NACo statement on recent sanctuary jurisdiction remarks by the U.S. attorney general

WASHINGTON — National Association of Counties Executive Director Matthew Chase issued the following statement on yesterday's remarks concerning sanctuary jurisdictions by Attorney General Jeff Sessions:

"County government leaders, including our policy boards and law enforcement officers, are 100 percent committed to the public safety of America's communities within the legal rights and protections outlined in the U.S. Constitution.

"The recent remarks by U.S. Attorney General Jeff Sessions raise serious legal issues for county governments. Based on various federal court rulings and our clear understanding of U.S. Constitutional provisions — including the Fourth, Fifth and 10th amendments — county leaders are already cooperating with federal immigration officials, including ICE [Immigration and Customs Enforcement], when appropriate."

"U.S. law 8 U.S.C. Section 1373 refers only to the exchange of information related to immigration status between local and federal officials. It does not require local governments to honor immigration detainers, which is a separate issue. No federal court or agency has made a formal determination to contradict this narrow and straightforward reading of 1373."

"ICE detainers are voluntary actions by local governments, clearly not mandatory. As stated repeatedly by county executives and sheriffs, counties routinely comply with ICE detainer requests with the required court warrants or orders. Otherwise, when ICE requests a detainer without a court order or warrant, our counties are hit with lawsuits and legal actions based on Fourth Amendment protections against warrantless arrest, which extend to all individuals in the United States, regardless of immigration status."

"NACo and our nation's county leaders are fully committed to working with the attorney general, secretary of Homeland Security and other federal officials to ensure the safety of our country and our local communities. County leaders, including our sheriffs, are steadfast in ensuring that all criminals, regardless of their immigration status, are held accountable. We look forward to sitting down with our federal partners and working through the

practical issues, such as legal and financial costs, associated with assisting in this federal responsibility.”

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The [National Association of Counties](http://www.naco.org) (NACo) unites America’s 3,069 county governments. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build new leadership skills, pursue transformational county solutions, enrich the public’s understanding of county government, and exercise exemplary leadership in public service. www.naco.org