

Senate Passes Bill Requiring Sheriffs To Honor Some ICE Detainers

By Administrator

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The North Carolina Senate today passed Senate Bill 101, "Require Cooperation with ICE 2.0," on a party line vote.

The measure requires North Carolina sheriffs to cooperate with federal immigration authorities when dealing with suspected illegal immigrants already in jail for committing a violent crime who have detainer requests from U.S. Immigration and Customs Enforcement (ICE).

Two years ago, the legislature passed a broader measure to require sanctuary cities to honor ICE detainer requests for all offenders. Gov. Roy Cooper vetoed that bill, preventing it from becoming law.

The bill that passed today is more limited, only requiring sanctuary cities to cooperate with ICE for violent offenders in jail for murder, rape and other sexual offenses, gang-related crimes, human trafficking, drug trafficking, or assault.

Even so, all Democrats voted against the bill.

Senator Wiley Nickel of Wake County who voted no, said, "I opposed this legislation in 2019 in large part because it would create fear and distrust between immigrant communities and local police. When local police carry out immigration enforcement, immigrant communities are very hesitant to report crimes for fear of being deported or having loved ones deported. That's one of the main reasons that Wake County Sheriff Gerald Baker and other large county sheriffs oppose this bill.

"This bill is harmful to our immigrant communities. It will erode trust between immigrant communities and local law enforcement. SB 101 will discourage immigrant communities from contacting law enforcement when they need help, leading to less safe communities."

Sen. Chuck Edwards (R-Henderson) said, "I cannot fathom how anybody could support shielding an illegal immigrant who rapes or murders a North Carolinian. Removing violent

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criminals who are here illegally should be a unanimous priority."

Sen. Norm Sanderson (R-Pamlico) said, "Reasonable immigration laws like this used to be a shared priority among Republicans and Democrats. It wasn't too long ago that now-President Biden opposed sanctuary cities and U.S. Sen. Chuck Schumer voted to build a wall on the southern border. Now, the Democratic Party's agenda supports shielding murderers and rapists from deportation."

Sen. Danny Britt (R-Robeson) said, "There are very recent examples right here in North Carolina of the danger sanctuary city policies pose. For example, ICE had to chase down a child sex offender here illegally after the Mecklenburg County sheriff rejected an ICE detainer request and released the offender from custody."

Sanctuary cities in North Carolina have argued that ICE detainers are not legitimate warrants and local officers are not required to enforce federal laws. Senate Bill 101 resolves those concerns by requiring arrestees with an outstanding ICE detainer to appear before a magistrate judge, who could then issue a warrant. This alleviates the concerns of sanctuary cities because local law enforcement must follow a magistrate judge's determination.