



Mecklenburg County Sheriff's Office

700 East Fourth Street
Charlotte, NC 28202

T (704) 336-2543 • F (704) 336-6118

www.mecksheriff.com

GARRY L. MCFADDEN
SHERIFF

RODNEY M. COLLINS
CHIEF DEPUTY SHERIFF

TELISA E. WHITE
CHIEF OF DETENTION

MEDIA ADVISORY FOR IMMEDIATE RELEASE

June 12, 2019

CONTACT: Tonya Rivens
Public Information Manager
tonya.rivens@mecklenburgcountync.gov
(980) 314-5170
(704) 564-3234 ©

Mecklenburg County Sheriff Garry McFadden Response to Revised HB370

(CHARLOTTE, NC)- As the Sheriff of our state's largest county, I wrote to the North Carolina Sheriff's Association in March and again in May 2019, expressing my opposition to the original and revised versions of HB370, which threaten to undermine the trust between law enforcement and our immigrant communities. This is a dangerous experiment in playing politics with our public safety.

The most recently revised version of HB370 still mandates that each Sheriff's Office detain individuals for Immigration and Customs Enforcement (ICE), setting the priorities for public safety in direct defiance of my constituents' demands. In November 2018, I was elected by the citizens of Mecklenburg County with a clear mandate to stop honoring voluntary ICE detainers and to end the 287(g) program. My career record in law enforcement consistently demonstrates a commitment to making our communities safer, not dividing them.

To be clear, I recognize that other Sheriffs and communities may have differing views and policies about immigration. However, we all can agree that HB370 usurps the power of every Sheriff and local community to set their own policies. Just last month, I supported our colleagues at the North Carolina Sheriffs' Association when they wrote: "The people of each county, as reflected by the decision of their elected sheriff, should retain the ability to decide which lawful method they will utilize in complying with existing federal and state law." The implications of the revised HB370 go far beyond immigration. It is a move by the General Assembly to chip away at the Sheriff's authority over how we operate our jails and instruct our deputies. At this moment, it is critical for public safety that law enforcement has the trust of all residents. In the revised HB370, community members living in mixed status families who are victims of crime, have witnessed crimes or otherwise would wish to access law enforcement services are likely to be less willing to interact with our departments.

I fear that HB370 will result in our communities becoming less safe. The revised bill could result in costly requirements and lawsuits for our departments. It does not fix the Fourth Amendment concerns raised by voluntary ICE detainees. New provisions in the most recent version of the bill, which include doubling the detention time of ICE detainees and involving state judges/magistrates in determinations of federal immigration matters have the potential to invite additional litigation. For the record, I do not endorse the support of HB370 by the North Carolina Sheriffs' Association.