



Mecklenburg County Sheriff's Office

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Sheriff McFadden Responds to Gov. Cooper Veto of Senate Bill 101

“Once again, I applaud Governor Cooper on the veto of Senate Bill 101. Like its predecessor, House Bill 370; SB101 is unconstitutional and only encourages distrust. It would remove the authority of Sheriffs in North Carolina to make discretionary decisions that all Sheriffs are elected to make on behalf of their constituents.

It is not the responsibility of local law enforcement to do Immigration and Customs Enforcement’s (ICE) job. There are however federal laws in place such as 8 U.S.C. § 1325 and 8 U.S.C. § 1326 that can be utilized instead of forcing duly elected Sheriffs to honor *voluntary* ICE detainers. We are already cooperating and mandated by North Carolina General Statute § 162-62 to make a query and notify ICE regarding undocumented persons. It remains my belief that Mecklenburg County is a safer community when *all* members of our community are able to assist law enforcement with investigations and report criminal activity without fear of repercussions so severe as deportation. Contrary to what some may believe, policies do not conceal or shelter undocumented residents from detection. Nor do policies shield undocumented persons from deportation or prosecution for criminal activities. As a law enforcement agency, we will continue to enforce and uphold the law.

I look forward to the opportunity when all law enforcement agencies, state and federal prosecutors, and the judiciary can come to the table as a collective to establish effective measures and programs that will keep the community safe.”

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