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Sheriff Garry McFadden Voices Concerns Over Passage of House Bill 10

Charlotte, N.C. - Although North Carolina Republican lawmakers have successfully overridden Governor Cooper's veto and passed House Bill 10, Mecklenburg County Sheriff Garry McFadden remains steadfast in his opposition to the legislation, in particular Section 9.1(a), which rewrites North Carolina General Statute 162-62 and now requires sheriffs to cooperate with U.S. Immigration and Customs Enforcement (ICE) in a very different way, honoring ICE detainers with no choice or discretion.

Sheriff McFadden, who fully cooperated with ICE in compliance with what is now the previous version of 162-62, despite local media claims suggesting otherwise, believes the new law undermines the authority of all sheriffs and prevents local communities from setting policies that reflect the will of the voters who elected them. He also believes the new requirements will place an unnecessary burden on local sheriffs and taxpayers, raising concern that the federal detainer and 48-hour hold authorized by a magistrate would cost Mecklenburg County taxpayers \$191 per day per detainee for custody and care, with no funding or support provided by the \$463 million bill.

While the North Carolina Sheriffs' Association (NCSA) supports the legislation, citing relief from previously proposed recordkeeping requirements on all 100 sheriffs and expanded Attorney General oversight, which Sheriff McFadden, a long-time member of the NCSA, agrees with, he argues that the bill doesn't do enough to address safety and fear among families in the community.

“There’s not one person who doesn’t value the safety and security of our citizens. Nobody wants a violent criminal out in our streets and neighborhoods, documented or undocumented,” Sheriff McFadden said. “But this bill will further erode trust not only between law enforcement and the Hispanic community, but any resident who is undocumented, especially as President-Elect Trump prepares to take office with talk of even harsher immigration policies to come. I will continue to encourage all people to come forward, report crimes and talk with law enforcement, but I fear HB 10 will make our immigrant community members much less likely to do so.”

Despite Sheriff McFadden’s disappointment, he and MCSO remain committed to adhering to all laws, including the new HB 10. Ahead of the law taking effect, MCSO will be working with the magistrate and creating new policies all while ensuring the safety and well-being of all residents and visitors to Mecklenburg County to the best of their abilities.

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