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Sheriff McFadden Responds to ICE's Deployment of Misleading Billboards

(Charlotte, NC) - As Sheriff of Mecklenburg County I remain deeply disappointed in the tactics that ICE employs, not to mention the misinformation regarding the role of the Sheriff which ICE puts out to the public in an effort to undermine my authority while overstating my responsibility. I do not employ "sanctuary policies" as ICE's website suggests. Rather, I employ PUBLIC SAFETY policies that I believe are in the best interest of everyone in Mecklenburg County based upon my decades of experience in law enforcement. I do not release individuals from custody as ICE's billboards suggest. Rather, when a Judge or Magistrate ORDERS that an individual SHALL BE RELEASED upon fulfilling certain terms and conditions including payment of a bond, I abide by that Court Order as I am REQUIRED to do so by law and by my oath of office. I am not required to honor ICE's detainer requests nor will I – for reasons that I have stated repeatedly now for several years: I do not believe it is in the best interest of the community for the local Sheriff to do ICE's job for them. I believe it is important for local law enforcement to have a more productive, cooperative and trustworthy relationship with everyone who lives in Mecklenburg County, so that victims of and witnesses to crime can feel encouraged to come forward without fear of repercussion including the potential of deportation.

ICE labels the individuals on their billboards as public safety threats, based primarily if not exclusively upon recent charges which have yet to be proven in a court of law. One individual is charged with second degree rape and violating a domestic violence protective order. Those are very, very serious charges. Shouldn't he be brought to justice? Shouldn't he be allowed to confront his accusers? Shouldn't his victims have their day in court? Shouldn't our criminal justice system be allowed to show the community that it works? ICE doesn't think so. Rather, ICE would just deport this defendant as soon as he makes bond – sweeping him under the rug (or back to his home country). Where is the justice for those victims? Where is the deterrent value to that defendant or others who might consider such crimes but who are here illegally? What does it say to those individuals when the only ramification for being charged with a serious felony is a free ticket home? Another individual featured on ICE's billboards appears to have been convicted of illegally entering the United States in 2012. If that's the case, ICE

should be able to prosecute him for the federal felony of illegally RE-entering the United States – a charge that would bring with it a Criminal Arrest Warrant and no bond, requiring that he be held in custody presumably until he is deported again. Ask ICE why they don't bring illegal re-entry charges when they can. I have. They say they're too busy, that it's too much work, or that the U.S. Attorney's Office cannot process those charges quickly enough. These individuals are so dangerous that ICE feels compelled to put them on billboards because of the public threat ICE says they pose, yet ICE can't figure out how to get obvious charges on them that would hold them in custody? And then they point Uncle Sam's finger at me for not exercising my discretion and doing their job for them? Isn't that more than a little hypocritical? Or disingenuous?

I am hopeful that last week's elections will soon bring much needed reform to our immigration system, and that ICE will receive more thoughtful directives from their new leadership. Meanwhile, I will continue to act in what I believe to be the best interest of everyone who lives in Mecklenburg County.

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