

## NEWS RELEASE

# Alabama Department of Public Safety

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### **State Troopers Complete Immigration Enforcement Training** *Alabama Implements Agreement with U.S. Immigration and Customs Enforcement*

ANNISTON — Twenty-one Alabama state troopers were authorized Friday to enforce federal immigration law following their completion of U.S. Immigration and Customs Enforcement training at the Center for Domestic Preparedness. The training and authorization allow the troopers — during the course of their regular duties — to question, detain and arrest an individual who is in this country unlawfully.

“Today’s graduation enhances the safety of all Alabamians by providing our state troopers with a valuable new tool to strengthen immigration enforcement,” said Gov. Bob Riley. “I congratulate these troopers and thank them for their service.”

Alabama is the second state to implement a Memorandum of Understanding with U.S. Immigration and Customs Enforcement, allowing the troopers to enforce immigration law as provided for by the Immigration and Nationality Act of 1996. Florida implemented an MOU in 2002.

U.S. Sen. Jeff Sessions, who earlier this year initiated discussions between the state and federal government to secure the agreement, called the memorandum “an important step.”

“I believe in what you’re doing,” Sessions said in a taped message to the 21 state trooper graduates. “The days when we ignored and discounted the contributions of our state and local law officers in the enforcement of immigration laws are over. As a result of this agreement we’ll also have three new federal immigration agents in the state, and together with the 21 of you, we can make a difference in the way we handle immigration enforcement.”

Attorney General Bill Pryor said the MOU “helps Alabama’s troopers better protect our state. Congress has enabled states the authority to enforce immigration law, and in exercising that authority, Alabama has strengthened the service and protection our troopers provide each day,” said Pryor.

The 21 troopers completed a five-week ICE course that included immigration law, civil rights, intercultural training, public complaint procedures, anti-racial profiling and other training designed to prepare them to properly enforce immigration law, according to Col. Mike Coppage, director of the Alabama Department of Public Safety.

Coppage said the troopers will engage in immigration enforcement actions only as needed during the course of their regular duties. “These are state troopers, not immigration agents,” he said, “and they will not take part in ‘sweep’ searches for illegal aliens.”

Coppage said troopers routinely encounter individuals who are in Alabama illegally. “Thanks to the MOU, these troopers now are authorized and trained to question, detain and arrest such individuals,” he said. Coppage said the 21 troopers also will serve as a resource for their fellow troopers, all of whom received basic training in immigration law earlier this year.

Oct. 3, 2003

*for more information contact:*

Public Information/Education • P.O. Box 1511 • Montgomery AL 36102-1511

(334) 242-4445 • <http://www.dps.state.al.us/>

## Alabama's MOU with U.S. Immigration and Customs Enforcement

### *Questions and Answers*

#### **Q.) Who can request the authority to enforce immigration law?**

A.) Any state or local law enforcement agency can request permission to enforce immigration law. After requesting permission, the state or local law enforcement agency then must reach a written Memorandum of Understanding with U.S. Immigration and Customs Enforcement. If an MOU is signed, ICE must provide appropriate training and supervision to any local officers engaged in immigration enforcement.

#### **Q.) Why are state and local agencies allowed to make this request?**

A.) In section 287g of the Immigration and Nationality Act that was passed in 1996, Congress granted local and state jurisdictions the ability to enforce immigration law with proper training and supervision by federal authorities.

#### **Q.) Is this initiative a part of the U.S. Patriot Act?**

A.) No. State and local jurisdictions are allowed to request this authority pursuant to the Immigration and Nationality Act of 1996. The Patriot Act, which was enacted in 2001, has no bearing on this authority.

#### **Q.) Is ICE recruiting state and local law enforcement agencies to enforce immigration law?**

A.) No. ICE is only responding to requests from state and local jurisdictions as allowed under section 287g of the Immigration and Nationality Act. ICE is not initiating that contact or recruiting in any manner.

#### **Q.) Does this section of immigration law require state and local law enforcement agencies to report immigration violations?**

A.) Under this agreement, the certified state troopers must report any immigration arrest they make in the course of their normal trooper duties to their local ICE supervisor within 24 hours. However, the law does not require non-certified troopers to report immigration violations.

#### **Q.) What is required before an agency may enforce immigration law?**

A.) Three things are required.

- ✓ First, the state or local agency must enter into a written agreement with ICE.
- ✓ Second, all participating officers must receive ICE training and certification in immigration law.
- ✓ Third, ICE agents must directly supervise those local or state officers certified to enforce immigration law.

#### **Q.) Why has the state of Alabama asked for this authority?**

A.) Through Section 287g of the Immigration and Nationality Act, Congress granted states the right to enforce immigration law. Alabama requested that right to enhance the safety of all Alabamians by strengthening immigration enforcement.

#### **Q.) How many state troopers have been trained?**

A.) ICE has trained 21 Alabama state troopers, who graduated Friday, Oct. 3, 2003.

#### **Q.) How were the 21 Alabama state troopers selected?**

A.) The Department of Public Safety selected the participating state troopers statewide from among the ranks of its seasoned officers who applied for this additional duty assignment. ICE then completed background checks on each candidate.

**Q.) Are there plans for ICE to train any more than 21 state troopers in Alabama?**

A.) Alabama has requested that a second class of 25 troopers receive training to enforce immigration law and hopes that the training will take place early in FY06.

**Q.) Realistically, can 21 additional people make much of a difference in stemming the flow of illegal aliens into Alabama?**

A.) Yes. The cooperative work of ICE and Alabama's state troopers will provide enhanced immigration enforcement in the state. In addition, these 21 troopers will serve as a resource for their fellow state troopers, all of whom have received basic training in immigration law.

**Q.) How long is the training for those in this program?**

A.) The troopers completed a five-week training course. Classes began Sept. 3, 2003, and concluded Oct. 3, 2003.

**Q.) What information was covered during the training?**

A.) The five-week course mirrors the immigration training that ICE agents receive. It is specific instruction that stresses immigration and nationality law. The training also emphasizes cultural sensitivity and civil rights instruction.

**Q.) What wasn't covered during the training?**

A.) The state troopers did not receive general law enforcement training (such as firearms instruction) in this particular program, because they already have received extensive training in these matters as part of their state trooper training. Instead, the ICE course focuses exclusively on issues dealing with the enforcement of U.S. immigration law.

**Q.) What about language training? How are troopers going to communicate with foreign nationals who don't speak English?**

A.) The ICE training does not include foreign language instruction. The state troopers will use the same interpreters and translator services that are currently used by the state of Alabama.

**Q.) Who pays for this training?**

A.) The state of Alabama pays for the salaries and any travel costs incurred by troopers participating in the training. ICE is responsible for paying the cost of the instructors, the training materials, etc.

**Q.) Is this the first time a state or local jurisdiction has been granted the authority to enforce immigration law?**

A.) No. The Florida Department of Law Enforcement received authority to enforce immigration law in September 2002.

**Q.) What authority are Alabama state troopers able to exercise?**

A.) After completing training, the 21 state troopers are able to enforce immigration law while in the course of performing their normal state trooper duties. These troopers **will NOT be conducting immigration-related raids** on businesses or workplaces. They will only enforce immigration law in connection with individuals they encounter while performing their normal duties as state troopers.

**Q.) Are the Alabama officers exclusively dedicated to immigration enforcement?**

A.) No. The officers will continue to conduct their normal state trooper duties. However, in the course of performing these duties, they will have the authority to enforce federal immigration laws.

**Q.) Who will supervise the state troopers participating in the program?**

A.) One of the conditions for local law enforcement to participate in this program is that ICE officers must supervise the state troopers who have been certified to enforce immigration law. ICE supervisory special agents located in Alabama are responsible for managing the program in Alabama.

**Q.) What safeguards are in place to prevent Alabama officers from engaging in racial profiling?**

A.) The Department of Public Safety's written policy strictly forbids bias-based enforcement, and all Alabama state troopers have received training regarding bias-based enforcement. These 21 troopers also have received ICE training related to the Department of Justice prohibition on racial profiling. Further, the Department of Homeland Security has policies prohibiting such practices. ICE supervisors will strictly follow the prohibitions against racial profiling. If any trooper is found to engage in racial profiling, he/she will be decertified immediately.

**Q.) Will ICE be directing the state troopers to conduct immigration raids or round-ups in Alabama? For example, will troopers conduct worksite enforcement raids?**

A.) No. The state troopers can exercise immigration authority only while in the course of performing their normal state trooper duties. They will not be proactively conducting immigration raids.

**Q.) How does the Alabama agreement differ from the agreement reached with Florida?**

A.) Florida officers are only allowed to enforce immigration law in conjunction with an on-going domestic security investigation. The Alabama agreement is different in that the state will assist ICE in locating immigration violators that the certified troopers encounter during their routine duties. The training and supervision requirements of both agreements are similar.

**Q.) How many troopers are participating in the Florida agreement?**

A.) The Florida agreement currently allows 35 officers from the state's Department of Law Enforcement to enforce immigration law in conjunction with domestic security investigations.

**Q.) If I have a complaint about the conduct of an Alabama trooper who is enforcing immigration law as part of this agreement, where do I submit my complaint?**

A.) We welcome feedback from the public. Any complaints can be filed either with the state of Alabama, the Department of Homeland Security, or both. The point of contact in Alabama is:

Capt. MacArthur Crittenden  
Standards and Integrity Unit  
Alabama Department of Public Safety  
P.O. Box 1511,  
Montgomery, Alabama 36102  
(334) 242-4448

The point of contact at the Department of Homeland Security is:

Office of Internal Audit  
Internal Investigations Branch  
Department of Homeland Security/ U.S. Immigration and Customs Enforcement  
Washington, D.C. 20536  
(202) 514-7244

or



# **CITY OF COSTA MESA**

CALIFORNIA 92628-1200

P.O. BOX 1200

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