

Executive Summary

In 1996, the US Congress amended the Immigration and Nationality Act (INA) to include section 287(g), authorizing the federal agency U.S. Immigration and Customs Enforcement (ICE) to enter into agreements with local law enforcement agencies, thereby deputizing officers to act as immigration officers in the course of their daily activities. These individual agreements are commonly known as Memoranda of Agreement or MOAs. It is estimated that over sixty law enforcement agencies have entered into such agreements, with eight MOAs currently in North Carolina.

The 287(g) program was originally intended to target and remove undocumented immigrants convicted of “violent crimes, human smuggling, gang/organized crime activity, sexual-related offenses, narcotics smuggling and money laundering.” However, MOAs are in actuality being used to purge towns and cities of “unwelcome” immigrants and thereby having detrimental effects on North Carolina’s communities. Such effects include:

- The marginalization of an already vulnerable population, as 287(g) encourages, or at the very least tolerates, racial profiling and baseless stereotyping, resulting in the harassment of citizens and isolation of the Hispanic community.
- A fear of law enforcement that causes immigrant communities to refrain from reporting crimes, thereby compromising public safety for immigrants and citizens alike.