

## 287(g) Agreements in Arizona

Under Section 287(g) of the Immigration and Nationality Act, local law enforcement agencies can voluntarily enter an agreement with U.S. Immigration and Customs Enforcement (ICE) that gives officers the training and authorization to investigate someone's immigration status, access ICE databases, issue immigration detainers, assist with deportation proceedings, question people in local jails about immigration status, and [more](#).

### How 278(g) Agreements Impact Communities

Under a 287(g) agreement, local law enforcement officials make complex immigration decisions outside their normal duties. As a result, these programs:

- Reduce trust between immigrant communities and police
- Discourage victims and witnesses from reporting crimes
- Divert local resources away from public safety priorities
- Increase the risk of racial profiling and discrimination

Arizona's largest county offers a troubling case study for how 287(g) agreements can cause serious harm in communities. In 2012, all task force agreements were suspended nationwide after an investigation conducted by the Department of Justice found that the former Maricopa County Sheriff Joe Arpaio used "discriminatory policing practices including unlawful stops, detentions and arrests of Latinos." In 2013, a judge ruled that the Maricopa County Sheriff's Department's actions under the task force agreement model violated constitutional protections against unreasonable searches and seizures (under the Fourth Amendment) and denial of equal protection (under the Fourteenth Amendment). However, the Trump Administration has been working to revive and expand the Task Force Model across the country.

### Types of 287(g) Agreements

There are three types of 287(g) models: a jail enforcement model and a task force model. At this time, some local law enforcement agencies in Arizona ONLY maintain 278(g) agreements with Jail Enforcement Models and Warrant service Officer models. No state or local law enforcement officer in Arizona can enforce federal immigration law in communities under the 278(g) agreements currently in place.

| Jail Enforcement Model | Warrant Service Officer | Task Force Model |
|------------------------|-------------------------|------------------|
|------------------------|-------------------------|------------------|

|                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local law enforcement officers, like police and sheriffs, carry out immigration enforcement activities only within jails and detention facilities. They may check the immigration status of someone in custody, serve administrative warrants, and agree to hold people up to 48 hours extra in jail at ICE's request. | The Warrant Service Officer model is like the Jail Enforcement Model, but local law enforcement cannot investigate the immigration status of people in custody or issue charging documents and records. They can, however, serve administrative warrants and hold people up to 48 hours extra in jail at ICE's request. | Local law enforcement officers, like police and sheriffs, are given authority to question and arrest people for federal immigration violations during routine policing activities in the street, and in other public settings. |
| <b>Participating Agencies</b>                                                                                                                                                                                                                                                                                          | <b>Participating Agencies</b>                                                                                                                                                                                                                                                                                           | <b>Participating Agencies</b>                                                                                                                                                                                                  |
| Arizona Department of Corrections<br>Yuma County Sheriff's Office<br>Cochise County Sheriff's Office<br>Navajo County Sheriff's Office<br>Mesa Police Department                                                                                                                                                       | Cochise County Sheriff's Office<br>La Paz County Sheriff's Office<br>Navajo County Sheriff's Office<br>Yuma County Sheriff's Office                                                                                                                                                                                     | <b>NONE</b> – The Pinal County Attorney's Office recently attempted to enter an MOU with ICE without the Pinal County Board of Supervisors' approval, but a court recently ruled the agreement void.                           |

A local law enforcement agency can enter into a 287(g) agreement by submitting an application or after being recruited by ICE. If approved, ICE and the agency sign a memorandum of understanding (MOU) outlining each party's responsibilities, liabilities, and the specific immigration enforcement powers delegated to local officers.

ICE trains local officers in certain aspects of immigration law and provides them access to DHS databases for background checks and immigration-related searches. Agreements are periodically renewed, and either agency can terminate the agreement at any time. Because of this, application and renewal periods are often important moments for the public to provide input.