

JULIAN BRADLEY

WISCONSIN STATE SENATOR

Assembly Committee on Criminal Justice & Public Safety

Wednesday, February 26th, 2025

Assembly Bill 24

Thank you to Chairman Spiros and the members of the committee for hearing Assembly Bill 24 (AB 24). We all want to keep Wisconsin communities safe and this bill helps to achieve that.

I'd like to begin with a quote. "Although we may disagree on many issues, we should be able to agree that following the law is critically important."

That was a line from a recent letter sent by Governor Evers to President Trump. If the Governor is serious about those words, I'd welcome his support on this bill.

Those who commit crime must be held accountable. This bill simply ensures cooperation between sheriffs' offices here in Wisconsin and federal immigration enforcement officials so that individuals here illegally who commit felonies don't get the opportunity to hurt anyone else.

AB 24 requires law enforcement to ask all individuals detained for a felony if they are lawfully present here in the United States. The bill also requires sheriffs to comply with detainers and administrative warrants received from the federal Department of Homeland Security regarding individuals held in the county jail for a criminal offense. Finally, it requires the Wisconsin Department of Justice to report to the legislature on the crimes committed by those who aren't lawfully present.

Let's be clear here, this proposal will make it easier to remove dangerous criminals from our communities. It's shocking to think that a handful in law enforcement and in our government would rather protect felons than work with our federal partners to stop the flow of crime and drugs into our neighborhoods. Thankfully, I do believe there is room for bi-partisan cooperation on this bill. The Laken Riley Act passed with the support of forty-six Democrats in the House and twelve in the Senate – some coming from deep blue states like California, Connecticut, and Maryland.

Thank you for your attention to this matter. I ask that you'd join me in supporting this proposal.



ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

Testimony in Support of Assembly Bill 24

Assembly Committee on Criminal Justice and Public Safety

February 26, 2025

Thank you Chairman Spiros and members of the committee for holding a hearing on Assembly Bill 24 requiring county sheriffs to assist with federal immigration enforcement. This legislation will require every sheriff to cooperate with U.S. Immigration and Customs Enforcement (ICE) and protect our citizens from dangerous criminals.

We have all seen the reports from local law enforcement agencies declaring that they will not proactively notify ICE or honor a federal immigration detainer. A recent 2024 "Detainer Acceptance Tracker" produced by ICE confirmed these reports by naming both Milwaukee County and Dane County as "non-cooperative facilities." The report defines a "non-cooperative facility" as an institution failing to both notify federal authorities and adequately hold an individual awaiting Department of Homeland Security action.

I want to remind the committee that the notification and compliance requirement in this legislation applies only to individuals taken into custody for a felony charge. While sheriffs maintain their discretion to notify ICE for lesser crimes, this bill only requires notification and compliance in cases of sexual-assault, homicide, kidnapping, strangulation, illegal possession of a firearm, soliciting a child to participate in gang activity, and other serious crimes.

The vast majority of Americans support the intention of this legislation. A 2025 AP Poll found that 83% of adults support deporting immigrants who have committed a violent crime. Even polls conducted in deep blue states like New York find that nearly 8 in 10 residents support deportation of undocumented immigrants who commit a crime. This includes 70% of democrats and 86% of independents.

The failure of a few sheriffs to cooperate with ICE affects the safety of residents in neighboring communities. This was evident in the recent incident in Prairie Du Chien where Venezuelan migrant and known gang member Coronel Zarate was charged with sexual assault and child abuse. Prior to his arrest in Wisconsin, Colonel was arrested in Minneapolis on suspicion of vehicle theft. He was booked into Hennepin County Jail and soon released. Hennepin County is listed as a "non-cooperative facility" by ICE. Prompt ICE notification could have prevented this terrible crime from occurring here in Wisconsin.

To ensure compliance, the bill requires sheriffs to self-certify that they have taken the required actions when an individual is booked into jail or risk losing 15% of the County's shared revenue. The bill requires sheriffs to seek reimbursement from the federal government for services provided to inmates while being held on an immigration detainer under the State Criminal Alien Assistance Program (SCAAP). Finally, sheriffs must keep a record of the number of individuals who are verified as unlawfully present in the state. This report is then compiled by DOJ and provided to the legislature every 6 months.

This bill requires sheriffs to do what so many of them are already doing – notifying ICE and complying with federal immigration detainers. Thank you for your time today and I'm happy to answer any questions you may have.



JIM PIWOWARCZYK

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*Testimony before the Assembly Committee on Criminal Justice and Public Safety
Representative Jim Piwowarczyk
February 26, 2025*

Good morning, Chairperson Spiros, and members of the committee. I am here today to testify on Assembly Bill 24, which aims to improve cooperation between local law enforcement and U.S. Immigration and Customs Enforcement, or ICE, to enhance public safety and protect our communities.

As a former law enforcement officer, I have seen firsthand how important it is to keep dangerous individuals off our streets. This bill ensures we take every opportunity to hold individuals who threaten public safety pending federal action. Specifically, this bill requires sheriffs to verify the citizenship status of individuals arrested for felonies - I want to stress, for felonies - and, if the citizenship status is unclear, to inquire with ICE. If ICE issues a detainer and warrant, the sheriff must hold the individual for up to 48 hours to allow federal authorities to take necessary action.

In addition to improving cooperation between local law enforcement and ICE, this bill mandates that sheriffs track the number of persons unlawfully present in Wisconsin jails and their crimes.

This bill imposes financial penalties on local governments that choose not to cooperate with ICE.

Assembly Bill 24 focuses on accountability. We must ensure the safety of our communities, including holding jurisdictions accountable that may not be doing their part to cooperate with federal authorities. There is a human cost to their inaction, and there is a fiscal cost to taxpayers through recidivism. I am deeply concerned that some local jurisdictions, including Dane County and Milwaukee County, have severely limited their cooperation with ICE.

Many, if not most, Wisconsin sheriffs are already doing everything they can to identify illegal immigrants in their jails and cooperate with ICE holds. This bill won't affect them. It will affect those who refuse, imperiling the safety of all Wisconsin citizens.

In 2024, ICE issued nearly 150,000 detainees for noncitizens with criminal histories. By failing to cooperate with ICE, we risk allowing dangerous individuals to remain in our communities, putting the safety of Wisconsin residents in jeopardy.

More than 14,600 ICE detainees were issued in Wisconsin from 2006 through 2023, according to TRAC, a website run by Syracuse University.

In 2024 alone, The Dane County Sheriff's department declined to hold 44 of 49 ICE detainer requests. Many of the rejected holds involve serious felonies, including attempted homicide; child rape, carjacking; violence against women, including strangulation; stalking; and repeat drunk drivers, including one facing a 6th offense. Many of those, were later arrested for new crimes.

I find it particularly disappointing that Governor Evers is prioritizing political agendas over the safety of Wisconsin families. By refusing to support this common-sense legislation, he is allowing dangerous individuals to remain in our communities. As a result, I stand with law enforcement officers and the people of Wisconsin to ensure we are doing everything we can to protect our citizens.

Governor Evers announced last month that 2025 is the "Year of the Kid". Let's hold him to that and pass this legislation and put it on his desk.

There have been too many examples of Wisconsin residents losing their lives at the hands of illegal immigrants or being victimized by them. I challenge Gov. Evers to stand with them, not with illegal immigrants accused of felony crimes.

Thank you for the opportunity to testify on behalf of Assembly Bill 24. I urge the committee to consider its merits and pass it so we can work together to ensure the safety and security of all Wisconsinites.

I am happy to answer any questions at this time.

In a world facing ever-evolving criminal threats and challenges, successful collaboration among law enforcement agencies is not just a desirable option, it is a necessity. Breaking down the barriers that hinder effective cooperation requires a collective effort from **policymakers**, agency leaders, and law enforcement personnel. So let me thank you for taking the first step today as policy makers to tighten the net around undocumented, illegal aliens, who come to our country to do us harm.

The Bill that this committee is considering today, Assembly Bill 24, is necessary to addressing political and policy barriers between counties in Wisconsin. It will enable federal, state and local law enforcement agencies to work together to enhance national public safety and achieve what has to be a shared goal of a safer society.

Criminals have never recognized jurisdictional boundaries and technological development has highlighted this issue. We live in a world now where complex illegal enterprises can be conducted from anywhere in the world with nothing other than a smartphone. Global crime trends show rising organized crime, illicit trafficking, cybercrime, and other trans-state and trans-national criminal activities.

U.S. Immigration and Customs Enforcement (ICE) prioritizes its enforcement efforts on the arrest and removal of public safety and national security threats. Assembly Bill 24 targets undocumented illegal aliens who come here to engage in human trafficking, drug trafficking, and terrorism against the United States of America, the definition of threats to our Nation's security. The Bill relates only to newly arrested persons who have committed what would be a FELONY in Wisconsin.

Contrary to what you may hear from critics of The Bill, this change will in no way affect hard working undocumented people who may come to our jail for driving without a license. It will not even effect undocumented people who commit petty theft, lie to police about their identity, abuse their spouse with minor injuries, or drive

drunk or impaired up to the third offense. One could argue The Bill does not go far enough, but it is a good start.

As I read The Bill, there are three things that are required of Sheriffs.

First, For any individual confined in the jail for an offense punishable as a felony, the sheriff shall request proof from the individual of whether the individual is lawfully present in the United States. If the sheriff is unable to verify that an individual is lawfully present in the United States, the sheriff shall immediately inform the federal department of homeland security of the inability to make a verification.

The Sheriffs in Milwaukee County and Dane County, and other Police Chiefs in Wisconsin and around the Country who make public statements and assurances that they will not ask for proof of lawful status for individuals booked into their jail are just grandstanding about their political positions on this issue. **The Bill here today in actual practice, should not even be necessary.**

In 2008, and again in 2017, the Federal Government created a program called Secure Communities. It is a simple and common sense tool that helps ICE do its job. Utilizing a federal information-sharing partnership between ICE and the Federal Bureau of Investigation (FBI), Secure Communities helps to identify removable undocumented illegal aliens who have been arrested and booked for violations of criminal law. Secure Communities is the law of the land today.

Federal Law requires that every person booked into a jail in Wisconsin is fingerprinted. Those fingerprints are transmitted to the FBI who maintains the National Crime Information Center. This data is what we use to collect information all across the country to compile a criminal history for a person based on their fingerprints. This is what most of us call a background check. These background checks are essential for not just public safety so that those with a criminal history cannot travel from one state to another or one county to another free from their criminal past. Additionally, if you have been exonerated of a crime, it is your

criminal history that proves that. These records are critical for law enforcements and prosecutors to do their jobs.

Under Secure Communities, the FBI, as mandated by statute, sends these fingerprints to the Department of Homeland Security to check against its immigration databases. Information is shared in near real time and is based on biometrics - in this case, fingerprints, which are accurate, reliable, and virtually impossible to forge. If these checks reveal that an individual may be unlawfully present in the United States or otherwise removable due to a criminal conviction, ICE determines what, if any, enforcement action to take - prioritizing the removal of those individuals who present the most significant threats to public safety as determined by the severity of their crime, their criminal history, and other factors, as well as those who have violated immigration laws.

The information-sharing partnership between DHS and the FBI that is the cornerstone of Secure Communities is mandated by federal law, which means that state and local jurisdictions cannot prohibit information-sharing between agencies in this respect. The fingerprints state and local law enforcement submit to the FBI to be checked against the DOJ's biometric identification system for criminal history records are automatically sent to DHS's biometric system to check against its immigration and law enforcement records. The United States government has determined that a jurisdiction cannot choose to have the fingerprints it submits to the federal government processed only for criminal history checks. Further, jurisdictions cannot ask that the identifications that result from DHS's processing of the fingerprints not be shared with local ICE field offices in that jurisdiction.

DHS as a Federal Law Enforcement Agency, but the agents who work specifically for ICE cannot be everywhere. The collaboration between local, state, and federal law enforcement is critical to root out those who would do harm to Americans. This critical sharing of information is happening right now as I speak in every county in

Wisconsin. It actually makes the first part of The Bill here today a moot point. There is no discretion for Sheriffs to exercise here.

Second, The Bill requires that if sheriff receives a detainer and administrative warrant from the federal department of homeland security that reasonably appears to be for an individual who is confined in the jail for a criminal offense, the sheriff shall comply with the requests of the detainer.

In cases where ICE has probable cause of removability, ICE typically issues a detainer, requesting that the state or local jail facility hold the individual up to 48 hours (excluding weekends and holidays) to allow ICE to assume custody.

ICE's enforcement priorities include the identification and removal of criminal aliens, other aliens who pose a threat to public safety, and aliens who have violated our nation's immigration laws. The most effective way to identify such aliens is by checking the immigration status of individuals arrested and booked into custody for violations of criminal laws.

Under Secure Communities, DHS receives this information from the FBI, determines the individual's immigration status, and then makes a decision about what immigration enforcement action, if any, should be taken. By focusing on individuals who have been arrested and booked into custody for alleged violations of criminal laws, Secure Communities has proven to be one of ICE's most important tools for identifying and removing *criminal* undocumented illegal aliens as well as repeat immigration violators.

Secure Communities is designed to ensure that the responsibility of immigration enforcement remains with federal officials. **It does not authorize or permit state or local law enforcement to enforce federal immigration law.**

Sheriffs who refuse to recognize or enforce an ICE detainer are violating their sworn oath to uphold the law. As someone sworn to uphold the law, this is incomprehensible to me.

I watched a recent interview of Dane County Sherrif Calvin Barrett. He said: "With the return of the Trump Administration, we recognize that federal immigration policies will take a drastic turn — one that does not reflect the inclusive and welcoming community we strive to be."

Not to disrespect to Sheriff Barrett, but as a fellow law enforcement officer, he is way out of his lane. His job is to enforce the laws as written, not set social policy based on his personal views. An Attorney with the ACLU praised Barrett and said "Local law enforcement faces a choice: Refuse to cooperate with ICE, or be unnecessarily complicit in fearmongering and tearing apart families. We urge each department in Wisconsin to take seriously their charge of public safety and service to the community."

There is no choice here, but because of Sheriffs who fail to follow their sworn oath, we are here today talking about the necessity of this bill. This bill is needed so that when DHS needs the help of my county, Racine County to detain an inmate in the Racine County Jail who is a part of a terror group, is a cartel member, or is trafficking women and children, you had better bet Racine County is there to help. But how safe can we be if counties near by won't do the same? Why should people in Racine County have to fear the terrorists, drug dealers and human traffickers that and Dane County might push down I-94 our way?

While it should not be necessary, The Bill, like many others, can only force enforcement by connecting the action to State dollars. Sheriff Barrett has just rejected significant funding he has long received from the Federal Government to be a partner in reporting to DHS. \$634,000 during the first Trump administration. Now,

because he disagrees with the politics of the President of the United States he doesn't need his money? What other money is he prepared to return to the President?

He makes it clear that he and Dane County don't need the 15% reduction to revenue sharing that is the penalty for not complying with Assembly Bill 24, and that is his choice. I can assure this committee that there are other counties with significant financial needs for public safety who would be glad to comply and take the 15% Dane County does not need.

I also want to praise The Bill for its requirement to collect and share data. It is critical that there is collaboration between policymakers, agency leaders, and law enforcement personnel. This issue of illegal immigration needs to be brought out from the shadows so that we can get a handle what is or is not a problem in Wisconsin.



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February 26, 2025

Chair Spiros, Vice-Chair Piwowarczyk, and Honorable Members of the Assembly Committee on Criminal Justice and Public Safety:

The American Civil Liberties Union of Wisconsin appreciates the opportunity to provide testimony in opposition to Assembly Bill 24.

There are roughly 159,000 immigrants living in Wisconsin who are not yet U.S. citizens—many have been living here for years or even decades.¹ Their immigration status runs from permanent resident, DACA recipient, refugee, to holders of work and student visas, humanitarian parolee, Temporary Protected Status (TPS), U-visa and T-visa applicants, as well as others who are undocumented. They work in a wide variety of jobs, including being the backbone of the state's dairy and farming industry. They live in communities throughout Wisconsin and are our neighbors, friends, and family members. And all of them run the risk of being deported through some contact with the criminal legal system.

In addition to exacerbating Wisconsin's jail-to-deportation pipeline,² AB-24 forces local law enforcement into harmful roles they were never meant to play – tools of mass deportation – under threat of losing shared revenue funding for essential county services. When considering the sweeping impacts of this bill, it's important to keep in mind the dehumanizing practices employed by U.S. Immigration and Customs Enforcement (ICE) that implicate the Fourth Amendment's protection against unreasonable searches and seizures, the constitutional guarantee of due process, and the constitutional guarantee of equal protection and freedom from discrimination based on race, ethnicity, and national origin.

"If you don't have enough evidence to charge someone criminally but you think he's illegal, we can make him disappear."

**-Jim Pendergraph, Former Executive Director,
ICE's Office of State and Local Coordination**

¹ "Immigration Data Profile for State of Wisconsin," Migration Policy Institute, <https://www.migrationpolicy.org/data/state-profiles/state/demographics/WI/>; "Immigrants in Wisconsin," American Immigration Council, <https://map.americanimmigrationcouncil.org/locations/wisconsin/>.

² "Report: Wisconsin's Jail-to-Deportation Pipeline," ACLU of Wisconsin (August 25, 2022), <https://www.aclu-wi.org/en/publications/report-wisconsins-jail-deportation-pipeline>.

Specifically, Assembly Bill 24 mandates that county sheriffs:

1. Request proof of the citizenship status of anyone in jail alleged to have committed any felony, and report anyone to ICE who fails to have ready access to an acceptable form of proof or anyone who invokes their Fifth Amendment right to remain silent; and
2. Without a warrant signed by a judge, hold anyone in jail for 48 hours after they should have otherwise been released if ICE requests to pick them up, no matter what crime they are accused of committing.

Mandatory Investigation of Citizenship Status

For individuals booked into jail on felony allegations under the proposal, sheriffs “shall request proof...of whether the individual is lawfully present in the United States,” only accepting specific items enumerated in the bill’s proposed § 59.28(3)(a)1. This scheme functionally compels all people in the state of Wisconsin, citizens and non-citizens alike, to carry identification documents on them at all times to prove their citizenship or immigration status. Notably, a 2024 survey found that nearly one in 10 American citizens do not have proof of citizenship – a passport, birth certificate, or naturalization papers – readily available.³

Even if someone who was arrested had ready access to one of the acceptable forms of proof of status, law enforcement officers are not trained to identify the validity of these items. The bill also lacks any standard outlining the level of effort or timeline required for a sheriff to verify information provide. **Ultimately, for any person who fails to have access to the specific documents listed or any person who invokes their Fifth Amendment right to remain silent, sheriffs “shall immediately” report them to ICE.**

Mandatory Compliance with Detainer Requests Not Signed by a Judge

The bill language states, “If the sheriff receives a detainer and administrative warrant from the federal department of homeland security that *reasonably appears to be* for an individual who is confined in the jail for a criminal offense, the sheriff shall comply with the requests of the detainer.” [emphasis added]

To be clear—this means sheriffs must honor any detainer request not signed by a judge for *anyone* booked into jail (or anyone who “reasonably appears to be” a person confined in the jail), before conviction of a crime, regardless of the allegations, including minor violations. Federal immigration proceedings are civil—not criminal—matters. Rarely, if ever, are ICE detainer requests accompanied by a warrant signed by a neutral judicial official. Most often, detainers are simply signed by an ICE officer and lack the approval of a judicial authority reviewing the basis for a detention. ICE also admits that its detainers are only “requests” to local law enforcement, not mandatory.

³ “Millions of Americans Don’t Have Documents Proving Their Citizenship Readily Available,” Brennan Center for Justice, <https://www.brennancenter.org/our-work/analysis-opinion/millions-americans-dont-have-documents-proving-their-citizenship-readily>.

For context, data from the Wisconsin DOJ Criminal History Repository indicates 55,030 felony arrests and 91,514 misdemeanor arrests were made by Wisconsin law enforcement agencies across the state in 2023.⁴

Civil Rights Concerns with Existing ICE/Sheriff Cooperation Programs

When local law enforcement plays the role of federal immigration agents, they have to make judgments about complex areas of federal law without the appropriate resources and training. Recent studies show the risk: **The more law enforcement officers are required to investigate and interpret complex federal immigration laws, the greater the risk of racial profiling.**

A 2022 ACLU report⁵ detailed the how existing voluntary ICE/sheriff cooperation programs—particularly the 287(g) program—have a long history as a vehicle for racism and targeting of immigrant communities, despite being advertised as public safety initiatives:

- At least 65% of 287(g)-participating agencies have records of a pattern of racial profiling and other civil rights violations, including excessive use of force;
- Numerous studies show that being in the business of immigration enforcement leads local law enforcement to target immigrants for minor violations and pretextual arrests, generating book-ins to local custody that can then lead to deportations;
- Local law enforcement use “foreign-sounding” last names, place of birth, or racial appearance as a reason for stops, investigation, and arrest;
- A 2021 Washington Post analysis found that 287(g)-participating sheriff’s departments “saw a major increase in low-level arrests per officer starting in 2016”;
- Studies of the 287(g) program have long shown that it undermines public safety by decreasing trust in local law enforcement and diverting resources away from investigation of serious crimes, and many law enforcement leaders have joined civil rights groups in calling for its termination.

Open records obtained by ACLU of Wisconsin have raised significant concerns about close relationships between Wisconsin law enforcement agencies and ICE. For example:

⁴ “Arrests Submitted to the Criminal History Repository,” Wisconsin Department of Justice, <https://www.doj.state.wi.us/dles/bjia/arrests-submitted-criminal-history-repository>.

⁵ “License to Abuse: How ICE’s 287(g) Program Empowers Racist Sheriffs and Civil Rights Violations,” ACLU, https://www.aclu.org/sites/default/files/field_document/2022-04-26-sheriffresearch.pdf.

Walworth County Jail employees frequently and proactively reached out to ICE. In dozens of emails, most with the subject line ‘foreign born,’ these employees notified a deportation officer working within ICE’s Criminal Alien Program that an immigrant had come into contact with the criminal justice system. The Walworth jail staff contacted ICE regarding people with a range of immigration statuses, including naturalized *U.S. citizens*, persons protected under the Deferred Action for Childhood Arrivals or “DACA” program, Lawful Permanent Residents, and individuals who were undocumented. The county employees proactively supplied ICE information regarding these individuals, facilitated the issuance of detainers for immigrants incarcerated in other counties, coordinated the pick-up of immigrants by ICE at jails and prisons, and helped ICE fill out its databases with people who legally could not be deported, including citizens.⁶

In addition to the specific mandatory provisions of the bill, AB-24 will exacerbate the routine practice of information sharing between local law enforcement and ICE that increases surveillance of immigrant communities and invites reliance on stereotypes, race, ethnicity, and language in law enforcement interactions with community members. Despite AB-24 including a provision to limit a law enforcement agency’s criminal or civil liability, this bill does not address the potential liability sheriffs will face due to constitutional violations occurring under this statutory scheme.

By removing local sheriffs’ discretion, AB-24 undermines community safety by diminishing trust in law enforcement by immigrants and others who may be presumed to be “foreign.” Everyone’s safety, including citizens’, is put in jeopardy when victims and witnesses don’t feel safe coming forward with critical information about crimes committed against them, their families, or members of the larger community. Increasing access to critical resources at the county level, especially for critical human services programs addressing mental health, children and families, aging and disability, and housing is what makes communities safer—not threats to cut this funding unless sheriffs do ICE’s bidding.

The ACLU of Wisconsin strongly urges committee members to vote against this proposal. Thank you.

⁶ “Report: Wisconsin’s Jail-to-Deportation Pipeline,” ACLU of Wisconsin (August 25, 2022), <https://www.aclu-wi.org/en/publications/report-wisconsins-jail-deportation-pipeline>.”

The Jail-to-Deportation Pipeline in Wisconsin

How Sheriff's Offices are Incentivized to Cooperate with the ICE Deportation Machine

August 2022 Report



The Jail-to-Deportation Pipeline in Wisconsin

Introduction

There are roughly 159,000 immigrants living in Wisconsin who are not yet U.S. citizens—many have been living here for years or even decades.¹ Their immigration status runs from permanent resident, DREAMER, refugee, to holders of work and student visas, as well as those who are undocumented. They work in a wide variety of jobs, including being the backbone of the state’s dairy industry. They live in communities throughout Wisconsin and are our neighbors, friends and family members. And all of them run the risk of being deported through some contact with the criminal justice system.

Being booked into a county jail in Wisconsin very often starts a process which can end in deportation, even for minor violations, and even before conviction of a crime. In the period 2006-2020, U.S. Immigration and Customs Enforcement (ICE) sought to deport more than 12,000 immigrants living in Wisconsin after picking them up from jails and prisons across the state.² For this reason, the ACLU of Wisconsin has paid close attention to cooperation between local law enforcement and ICE.

The current report is an update to our 2018 report, *Fixing Wisconsin Sheriff Policies on Immigration Enforcement*.³ That report described a system in which many sheriffs had no real policies in place regarding immigration enforcement. The years following that survey, during the Trump administration, saw a significant federal emphasis on immigration enforcement and removal operations without regard to the reasons persons had come to the attention of ICE. Although enforcement priorities have shifted under the Biden administration,⁴ this larger pipeline to deportations remains intact in Wisconsin for ICE to utilize local law enforcement as a partner for removing immigrants from local communities.

¹ Migration Policy Institute, Immigration Data Profile for State of Wisconsin, <https://www.migrationpolicy.org/data/state-profiles/state/demographics/WI>

² Syracuse Univ. TRAC Immigration Database, Detainers Issued dataset, <https://trac.syr.edu/phptools/immigration/detain/>

³ *Fixing Wisconsin Sheriff Policies on Immigration Enforcement*, ACLU of Wisconsin, July 2018, https://www.aclu-wi.org/sites/default/files/field_documents/aclu_sheriff_policies_immigration_july2018.pdf

⁴ [Despite SCOTUS Ruling, the Biden Administration Can Prevent a Reversion to Trump's Deportation Machine](#). ACLU, Aug. 4, 2022

In April 2022, the ACLU of Wisconsin sent open records requests to sheriffs in each county of the state. The requests sought a variety of information related to immigration enforcement policies and the sheriff’s interactions with ICE. 65 of the 72 county sheriffs responded in time for this report. We also drew on our other work in the past five years researching individual sheriff’s policies, especially with regard to the 287(g) program, which creates partnerships between sheriffs and ICE.

Executive Summary

Our research shows how over more than a decade the federal government, in cooperation with many local sheriffs in Wisconsin, has built a deportation pipeline for immigrants who come into contact with the criminal justice system. The pipeline includes formal elements like the 287(g) cooperation agreements signed by eight Wisconsin sheriffs and the millions of dollars in funding provided to law enforcement agencies under the State Criminal Alien Assistance Program (SCAAP)—as well as informal elements such as phone calls and emails from local jails to let ICE know of “foreign born” individuals in custody.

Under the Biden administration, enforcement priorities have changed, with a reduced emphasis on removal activity away from the border. So the jail-to-deportation pipeline is less active today, but it remains ready to be reactivated with a change in the political winds.

We call on sheriffs across the state of Wisconsin to take steps to dismantle the pipeline, by terminating agreements to collaborate with ICE and by ceasing to share with ICE information about the immigrant members of Wisconsin communities except where it is legally required. Only in this way will we build communities across the state which are welcoming and respectful of all people, regardless of where they were born.

The Growth of 287(g) Programs in Wisconsin

Since our report in 2018, there has been dramatic growth in the number of sheriffs in Wisconsin who have signed formal agreements with ICE to collaborate in immigration enforcement. These agreements—known as 287(g) agreements due to their creation by section 287(g) of the federal Immigration and Naturalization

Act—delegate certain immigration enforcement responsibilities to state and local law enforcement.⁵ Although no neighboring states have any of these arrangements, in Wisconsin, eight local sheriffs have signed 287(g) agreements.⁶ Their use was dramatically expanded during the Trump administration, with seven Wisconsin sheriffs signing them for the first time in 2020.⁷

ICE currently utilizes two forms of these agreements—jail model agreements and warrant service officer (WSO) agreements. The jail model of 287(g) agreements delegates certain immigration law enforcement responsibilities to local sheriff personnel within jails, such as interrogating people about their immigration status following their arrest on state or local charges, checking their information in the Department of Homeland Security (DHS) databases, issuing detainers to hold people on civil immigration charges, and issuing the charging document called a Notice to Appear that initiates a deportation.⁸

The Waukesha County Sheriff's Department was the first department in Wisconsin to enter a 287(g) agreement with ICE and is the only one to sign a jail model agreement. Particularly troubling was this statement by the sheriff in the cover letter to his 2017 application:

The Waukesha County Sheriff's Office is willing, prepared and committed to assist in [ICE's] effort to investigate, apprehend and detain aliens pursuant to the statutes...My office and staff will make this program a priority in our jail and welcome additional ICE partnerships.⁹

Although large swaths of the local community objected, Waukesha Sheriff Eric Severson signed a 287(g) agreement with ICE on February 16, 2018, and renewed it on July 1, 2020.¹⁰ According to ICE, there were 93 detainers issued to the Waukesha

⁵ [License To Abuse: How ICE's 287\(G\) Program Empowers Racist Sheriffs](#), ACLU, April 2022

⁶ <https://www.ice.gov/identify-and-arrest/287g>

⁷ A 2021 [report](#) from the U.S. Government Accountability Office reviews arrangements that ICE has made with local law enforcement agencies.

⁸ The federal government does not compensate local authorities for participating in these agreements other than travel expenses for training, and instead precious local resources are used for what is a federal enforcement task.

⁹ Letter from Waukesha Sheriff to ICE, May 15, 2017.

¹⁰ https://www.ice.gov/doclib/287gMOA/287gJEM_WaukeshaCoWI_06-10-2020.pdf

County Jail to take persons into immigration custody during a two-year period between 2019 and 2021 “attributed to our partnership with the Waukesha County Sheriff’s office.”¹¹ With a detainer, ICE asks local law enforcement to keep custody of a person for up to 48 hours after any state law basis to detain them ends.

During the Trump administration, ICE devised the warrant service officer (WSO) program, a new form of 287(g) agreement, to authorize local law enforcement agents to serve immigration detainers and retain custody of immigrants under those detainers. DHS described the WSO program as an attempt to shield local officers from liability when they violate people’s rights, and as a way to subvert state and local decisions not to participate in immigration enforcement.¹² It requires only a single day of training for law enforcement partners.¹³

WSO agreements have proved popular among Wisconsin sheriffs. The first sheriff in Wisconsin to sign a WSO agreement was in Sheboygan County, where the sheriff signed a new WSO agreement referring to it as a “partnership” with ICE.¹⁴ Documents disclosed to the ACLU of Wisconsin in response to open records requests showed that the Sheboygan sheriff then encouraged other sheriffs to sign such agreements.¹⁵

Other WSO contracts have come out of ICE participation in statewide conferences of Wisconsin sheriffs. During the course of 2020, sheriffs in Brown, Fond du Lac, Lafayette, Manitowoc, Marquette, and Waushara counties also signed WSO agreements.¹⁶ In many counties, the agreements were entered into without any input from the local community. In fact, none of these agreements were approved by county boards or publicly acknowledged by these sheriff’s departments until the ACLU of Wisconsin disclosed their existence.

¹¹ Nov. 29, 2021 email from ICE to Waukesha Jail Administrator, produced in response to open records requests.

¹² Debra Cassens Weiss, “ICE Offers Workaround to Allow Police in Sanctuary Cities to Temporarily Detain Immigrants,” *American Bar Association Journal*, May 10, 2019, <https://www.abajournal.com/news/article/ice-offers-workaround-to-allow-police-in-sanctuary-cities-to-temporarily-detain-immigrants>.

¹³ Immigration and Customs Enforcement, 287(g) Warrant Service Officer Model (November 1, 2020), <https://www.ice.gov/doclib/about/offices/ero/pdf/WSOPromo.pdf>.

¹⁴ Oct. 14, 2019 letter from Cory Roessler, Sheboygan County Sheriff, to ICE Field Officer.

¹⁵ Nov. 25, 2019 email from Cory Roessler, Sheboygan County Sheriff, to sheriffs of Manitowoc and Fond du Lac counties.

¹⁶ All active 287(g) agreements listed here: <https://www.ice.gov/identify-and-arrest/287g>.

The 287(g) agreements and other ICE collaboration programs can embolden police to engage in racial profiling. Local police in 287(g) jurisdictions may make stops and arrests as a pretext for engaging in immigration enforcement. For example, they might arrest a driver and take the driver to jail instead of simply issuing a ticket, based on the driver’s perceived race or immigration status. The cooperation agreements with ICE embolden racist and xenophobic law enforcement officers across the country to use immigration enforcement as a means of threatening and harassing people in immigrant communities.¹⁷

In none of Wisconsin’s neighboring states have sheriffs found 287(g) agreements with ICE to be justified. The ACLU of Wisconsin has urged local sheriffs not to enter into more 287(g) agreements and to pull out of existing agreements, which allow termination at any time.¹⁸ In January 2021, a coalition of 25 organizations in Wisconsin wrote to Secretary of DHS Alejandro Mayorkas, urging that he terminate 287(g) and WSO agreements in the state and nationwide.¹⁹ In February 2021, 60 members of Congress sent a letter to the Biden administration urging it to end the use of 287(g) agreements and immigration detainers.²⁰

Sheriffs Statewide Receive Money to Share Information With ICE: SCAAP

The State Criminal Alien Assistance Program (SCAAP) is a federal grant program that partially reimburses state and local governments for the costs of incarcerating certain non-citizens who have committed crimes.²¹ In FY 2020, the last year for

¹⁷ For more, see [License To Abuse: How Ice’s 287\(G\) Program Empowers Racist Sheriffs](#), ACLU, April 2022

¹⁸ ACLU of Wisconsin Denounces Sheboygan Sheriff’s Department Decision To Focus On Immigration Enforcement During Pandemic, ACLU of Wisconsin, April 1, 2020, <https://www.aclu-wi.org/en/press-releases/aclu-wisconsin-denounces-sheboygan-sheriffs-department-decision-focus-immigration>

¹⁹ Wisconsin Civil Rights And Immigrant And Social Justice Groups Urge Mayorkas To End ICE Collaboration Programs, ACLU of Wisconsin, Jan. 22, 2021, <https://www.aclu-wi.org/en/press-releases/wisconsin-civil-rights-and-immigrant-and-social-justice-groups-urge-mayorkas-end-ice>

²⁰ Over 60 Members Of Congress Push President Biden And DHS To End Programs That Conscript Local Police To Work As Federal Immigration Enforcement, Natl. Immig. Justice Ctr., Feb. 11, 2021, <https://immigrantjustice.org/press-releases/over-60-members-congress-push-president-biden-and-dhs-end-programs-conscript-local>

²¹ <https://bja.ojp.gov/program/state-criminal-alien-assistance-program-scaap/overview>

**Sheriffs across
Wisconsin and the
Department of
Corrections
received over
\$2 million through
SCAAP for FY 2020.**

which data is available, county sheriffs across Wisconsin and the Wisconsin Department of Corrections received over \$2 million through this program.

SCAAP funding works retroactively: states and local governments apply annually to be reimbursed for a portion of certain incarceration costs they incurred during a particular 12-month window. As part of this application process, states and localities submit information regarding people they have incarcerated for at least four consecutive days who are, or are believed to be, undocumented and who have been convicted of at

least one felony or two misdemeanors. States and local governments also submit information regarding their incarceration-related expenditures. The Office of Justice Programs (OJP), the U.S. Department of Justice agency that administers SCAAP, then shares the records of each person incarcerated with ICE. After ICE reviews these records and assesses the immigration status of each “criminal alien,” OJP reimburses each state or locality for a portion of the costs of incarcerating those people.

By providing local governments with a financial incentive to record and investigate immigration status and share that information with ICE, SCAAP contributes to the entanglement of local law enforcement with federal immigration and feeds the deportation machine. SCAAP also plays a key part in promoting collaboration between county governments and ICE.

In FY 2020, the most recent year for which data is available, 30 counties statewide received SCAAP funds, along with the State of Wisconsin, which recovered funds for persons housed in the state prison system. Dane County received the most SCAAP money of any Wisconsin county—more than \$150,000. Milwaukee County, in contrast, has opted out of the program since FY 2017.

The table below shows the 10 Wisconsin counties that have received the most SCAAP funding in the past five grant periods.

Top 10 Wisconsin Recipients of SCAAP Funding

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	SUM: FY16-20
WI Dept of Corrections	\$1,055,031	\$1,291,070	\$1,259,845	\$1,349,021	\$1,452,207	\$6,407,174
Dane	\$69,760	\$116,797	\$139,430	\$155,160	\$153,703	\$634,850
Walworth	\$49,455	\$32,624	\$70,273	\$48,311	\$53,282	\$253,945
Brown	\$50,179	\$38,812	\$44,251	\$54,423	\$50,235	\$237,900
Rock	\$33,818	\$34,319	\$25,046	\$27,852	\$29,595	\$150,630
Kenosha	\$37,099	\$34,284	\$29,237	\$26,483	\$20,298	\$147,401
Racine	\$19,551	\$20,788	\$23,810	\$21,146	\$44,311	\$129,606
Outagamie	\$22,019	\$13,161	\$23,347	\$33,778	\$35,133	\$127,438
Waukesha	\$26,147	\$21,373	\$23,026	\$21,723	\$26,422	\$118,691
Sheboygan	\$15,705	\$26,760	\$20,890	\$21,442	\$26,874	\$111,671

Most recent data available. Covers requests for undocumented persons held in jail through Sept. 2020.

Source: USDOJ Bureau of Justice Assistance, Funding & Awards database:

<https://bia.ojp.gov/funding/awards/list>

The total sum awarded statewide through SCAAP increased each year between FY 2016 to FY 2020. It grew by more than a third, from approximately \$1.59 million to approximately \$2.13 million. This growth rate outpaces the national growth rate in the size of SCAAP, which only grew from about \$189M to about \$210M (11%) during this interval.

Most Sheriffs Are Still Holding Immigrants on ICE Detainers

An immigration detainer is a request by ICE that a local jail hold an immigrant suspected of being in the country without authorization for up to 48 hours after that immigrant would otherwise be entitled to be released, so that ICE can take custody of the immigrant. Our survey of Wisconsin sheriffs revealed that the majority of law enforcement agencies across the state of Wisconsin continue to hold immigrants on ICE detainers, although several do not. In the period from October 1, 2016, through June 30, 2020, ICE sent more than 3,600 detainers to Wisconsin jails and prisons asking to take custody of persons detained in Wisconsin.²²

Federal deportation proceedings are civil—not criminal—matters. Rarely, if ever, are ICE detainers accompanied by a warrant signed by a neutral judicial official. Most often, detainers are simply signed by an ICE officer and thus lack the approval of a judicial authority reviewing the basis for a detention. ICE also admits that its detainers are only “requests” to local law enforcement, not mandatory.

We believe that county jails which hold persons for 48 hours after they should have been released pursuant to immigration detainers are in violation of Wisconsin law because Wisconsin statutes do not provide legal authority for law enforcement to act on civil immigration detainers. A detainer becomes a new “arrest” when a person is not released after

the state law basis for detention no longer exists, and in Wisconsin, “the power to arrest must be authorized by statute.” *City of Madison v. Two Crow*, 88 Wis. 2d 156, 159, 276 N.W.2d 359, 361 (Ct. App. 1979) (quoting *Wagner v. Lathers*, 26 Wis. 436 (1870)). In other words, if the authority for a law enforcement agency to hold someone under an immigration detainer is not found in Wisconsin statutes, then it does not exist. The general arrest authority for Wisconsin law enforcement, set out

Wisconsin law does not provide legal authority for law enforcement to act on civil immigration detainers.

²² Syracuse Univ. TRAC Immigration Database, Detainers Issued dataset, <https://trac.syr.edu/phptools/immigration/detain/>

in Wisconsin Statutes section 968.07(1)(a)-(d), contains no authorization to make arrests for civil immigration detainees.

Despite these provisions of Wisconsin law, only five local sheriffs in Wisconsin—in Milwaukee, Dane, Door, Oconto and Shawano counties—have express policies prohibiting holding a person on the basis of an immigration detainee.

Almost half of the departments in the state use problematic boilerplate policies acquired from the private company Lexipol.²³ The Lexipol policy on encounters with immigrants has the following language:

IMMIGRATION DETAINEES

No individual should be held based solely on a federal immigration detainee under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainee is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainee should be made prior to the release.

The language in this section is deceptive. While the first sentence states that persons should not be held based on detainees, it goes on to indicate that holding is permissible when the detainee is accompanied by a “warrant, affidavit of probable cause, or removal order.” The problem with this language is that ICE always accompanies its detainees with forms labeled “warrant” or “affidavit of probable cause,” but those boilerplate form documents are normally only signed by immigration officers and rarely, if ever, signed by a judicial officer. The title of the form does not turn it into a “warrant”—the signature of a judicial officer does.

²³ Lexipol LLC is a private company which develops and markets policy manuals to law enforcement agencies across the country. See I. Eagly and J. Schwartz, *Lexipol: The Privatization of Police Policymaking*, Texas L. Rev., Vol 96:891 (2018). More Wisconsin sheriffs have adopted written policies related to immigration enforcement than in our prior report, but the policies they have adopted in general are not appropriate to Wisconsin. Since our 2018 report, there has been a marked increase in the number of sheriffs’ departments which have adopted the immigration policy written by Lexipol. We discussed our concerns with the Lexipol immigration policy in our 2018 report at pages 6-9 and all of those concerns remain in place. In addition to the problematic language in that policy concerning detainees, the Lexipol policy gives wide latitude to law enforcement officers who want to involve themselves in immigration enforcement.

Lexipol drafted these policies for its national customer base of law enforcement agencies, allowing them to detain people using unauthorized ICE detainers. The policy fails to take into account the absence of authority to hold someone on this basis under state law, as in Wisconsin.

Other than the five counties with express prohibitions on honoring detainers, our investigation revealed that the remaining sheriffs who have not adopted the LexiPol policy are simply honoring detainers when they arrive at the jail without having a formal policy in place.

With half of Wisconsin's sheriff's departments using this policy and the majority detaining immigrants based on bogus "warrants" provided by ICE, Wisconsin law enforcement is aiding and abetting the jail-to-deportation pipeline.

A Tale of Three Sheriff's Departments

The policies and practices adopted by local county sheriffs have demonstrable impacts on immigrant communities around the state of Wisconsin. A look at three county sheriff departments, in Milwaukee, Dane and Walworth counties, illustrates the wide disparity of practices currently being followed. The Walworth Sheriff, in particular, appears to contact federal immigration authorities regarding every foreign-born person who is detained, regardless of whether they are now U.S. citizens or have legal permanent residence in the country.

Milwaukee County

Because it is the most populous county in the state with the highest immigrant population, the policies of the Milwaukee County Sheriff's Office are particularly important. In connection with the advocacy of the ACLU of Wisconsin and others opposing detainers in 2017 and 2018, the Milwaukee Sheriff announced that the county jail would no longer hold persons on ICE detainers:

Effective immediately, the Milwaukee County Jail shall not hold any inmate in custody solely based upon an ICE detainer.²⁴

²⁴ Milw. Cty Sher. Off., Directive J2018-2, August 21, 2018

Although this policy stopped the practice of acting on detainers, it originally required that the jail notify ICE that someone was being freed, in case ICE chose to arrange a pickup prior to the actual moment of release. That important caveat led immigrant justice advocates to push to remove that provision. The effort, led by Voces de la Frontera, produced a change in policy. A February 26, 2019, press release from the MCSO stated:

*Sheriff Lucas has established a policy ensuring that, absent a valid judicial warrant, the Milwaukee County Sheriff's Office is not sharing information with ICE regarding persons detained in the Milwaukee County Jail.*²⁵

However, a few months later, that statement was softened to eliminate the prohibition. This third version of the directive, issued in April 2019, neither requires nor prohibits notification to ICE and reserves the right to contact other “law enforcement agencies”:

*The Milwaukee County Jail shall not hold any inmate in custody based upon an ICE detainer request, absent a valid judicial warrant. Once an inmate is scheduled for release, if there is no legally valid basis under state law to hold the inmate in custody, the inmate will be released from our facility in the usual course of business. The Milwaukee County Sheriff's Office may communicate with law enforcement agencies in response to requests for information regarding inmates. Nothing in this directive restricts the Milwaukee County Sheriff's Office from complying with the requirements of federal law or valid court orders. This directive supersedes and overrides any previously issued written or oral policies, practices or statements to the contrary.*²⁶

In keeping with its policy of reducing information sharing with ICE, the Milwaukee County Sheriff's Office has not received SCAAP funding since 2017.

²⁵ https://county.milwaukee.gov/files/county/sherriffs-department/News/2019/Honoring_Our_Pledge.pdf

²⁶ Milw. Cty Sher. Off., Directive J2019-03, April 8, 2019

Dane County

Like Milwaukee County, the Dane County Sheriff's Office does not hold persons on immigration detainers. This policy led to criticism of the Dane County Sheriff from ICE officials and former President Donald Trump.²⁷ But unlike Milwaukee County, until the second half of 2021 the Dane County Sheriff actively shared information with ICE about the foreign-born persons within the jail.

The consequence of that now-repealed policy was that ICE sent Dane County 451 detainers between October 2015 and June 2020 for persons housed in its jail, only two fewer detainers than Milwaukee despite a much smaller foreign-born population. While Dane County does not extend to ICE the extra 48 hours it requests to pick people up from the jail on detainers, the jail had been affirmatively sharing with ICE the identities of hundreds of immigrants being booked into the jail.

The Dane County Jail's information-sharing approach was reflected in its receipt of SCAAP funds from the federal government. In recent periods Dane County received more money than any other county in Wisconsin for reporting its incarceration of undocumented persons.

Walworth County

Though Walworth County is not one of the ten most populous counties in the state, the Walworth County Sheriff's Department receives more SCAAP funding than any other county in Wisconsin except Dane County. The Walworth County Sheriff's treatment of immigrants who come into contact with the criminal justice system demonstrates the perils of close relationships between local law enforcement and ICE.

In hundreds of pages of records obtained by the ACLU of Wisconsin, Walworth County Jail employees frequently and proactively reached out to ICE. In dozens of emails, most with the subject line "foreign born," these employees notified a deportation officer working within ICE's Criminal Alien Program that an immigrant had come into contact with the criminal justice system. The Walworth

²⁷ [Trump claim that Madison, Milwaukee are sanctuary cities has some merit but goes too far](#), PolitiFact, April 16, 2020.

jail staff contacted ICE regarding people with a range of immigration statuses, including naturalized *U.S. citizens*, persons protected under the Deferred Action for Childhood Arrivals or “DACA” program, Lawful Permanent Residents, and individuals who were undocumented. The county employees proactively supplied ICE information regarding these individuals, facilitated the issuance of detainers for immigrants incarcerated in other counties, coordinated the pick-up of immigrants by ICE at jails and prisons, and helped ICE fill out its databases with people who legally could not be deported, including citizens.

Emails received by the ACLU reflect a casual familiarity between Walworth’s local jail employees and this ICE officer. In one email, the ICE officer wrote “Hey...thought I’d beat you on this guy lol” before requesting information about someone—whom ICE thought was probably a U.S. citizen—who had committed a second OWI offense. In other emails, a local employee arranged multiple pickups of immigrants by ICE from jail at “the usual time.”

Money Speaks

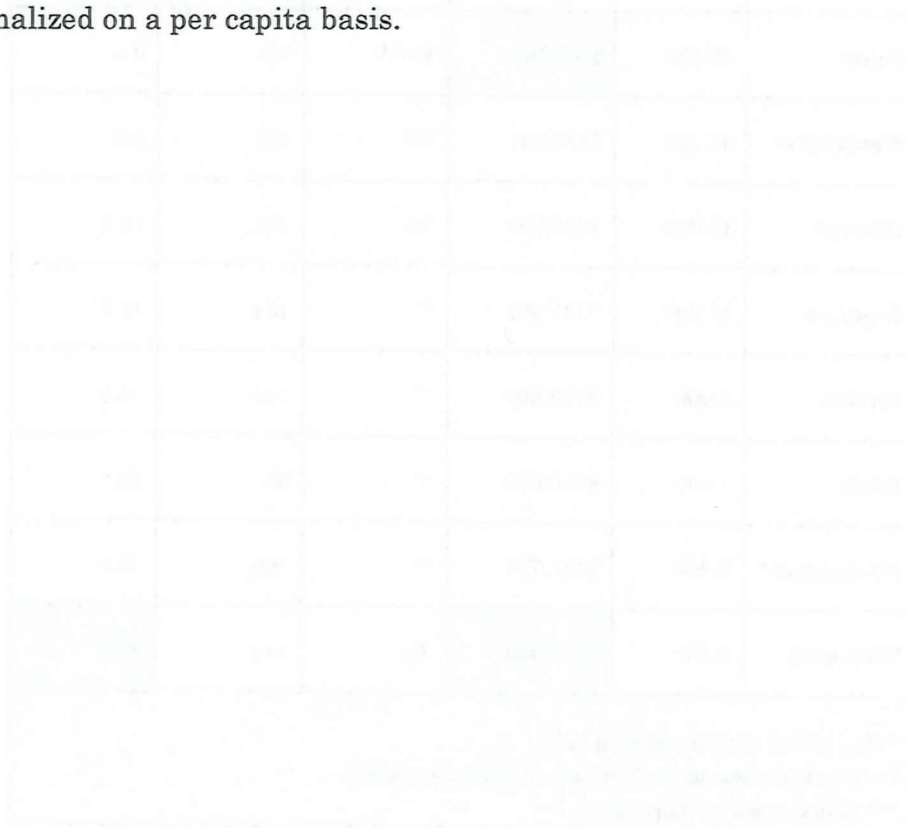
Our investigation of local sheriff records and SCAAP funding shows that federal money has a demonstrable impact. In general, counties which seek and receive greater levels of SCAAP funding are those counties which have deportation proceedings commenced at a higher rate against members of the local immigrant community, than those counties which do not. Thus Dane County has a higher rate than Milwaukee County, and Walworth County has the highest rate of all. Similarly, counties which have 287(g) agreements (with the exception of Waukesha County) tend to have higher rates than those which do not.

Counties which seek and receive greater levels of SCAAP funding are those counties which have deportation proceedings commenced at a higher rate against the local immigrant community.

The number of detainers sent by ICE to Wisconsin county jails is a useful proxy for the amount of information sharing between a given jail and ICE. ICE needs to know that an immigrant is housed within a jail before it can have a detainer served at the jail. That knowledge can come from electronic databases shared by local, state and federal law

enforcement agencies,²⁸ but it also can come from direct telephone and email contact by persons working in the jails. The chart below illustrates how Walworth County, the second highest recipient of SCAAP funding, receives detainers at the highest rate per capita of county immigrant population. And Milwaukee County, which currently receives no SCAAP funding and limits contacts with ICE, has the lowest per capita rate of detainers among large counties.

The chart on the next page includes data on nine selected Wisconsin sheriff's departments looking at the level of SCAAP funding and the level of detainers received, normalized on a per capita basis.



²⁸ See [From Data Criminalization to Prison Abolition](#), Community Justice Exchange, 2022 (detailing the gathering and use of data to surveil immigrant communities).

Rate of Receipt of Immigration Detainers for Selected Wisconsin Sheriffs					
County	Est. Foreign-Born Pop. ²⁹	SCAAP Funding FY 2016-20	Explicit Policy to Inform ICE?	Detainers Received 10/2015-6/2020 ³⁰	Detainers per 1,000 Foreign-Born Pop.
Milwaukee	86,000	\$51,093	No	453	5.2
Dane	48,000	\$634,850	Yes***	451	9.4
Waukesha*	21,700	\$118,691	Yes	122	5.6
Brown*	15,600	\$237,900	Yes	242	15.5
Kenosha	12,300	\$147,401	**	144	11.7
Racine	9,600	\$129,606	**	144	14.9
Rock	7,400	\$150,630	**	93	12.6
Sheboygan*	6,900	\$111,671	**	109	15.6
Walworth	6,100	\$253,945	Yes	144	23.6

* Has 287(g) agreement with ICE
 ** Unable to determine from open records responses
 *** Policy repealed Aug. 2021.

²⁹ Population estimates: U.S. Census Bureau:
<https://www.census.gov/quickfacts/fact/table/US/PST045221>

³⁰ Detainer Data (most recent available): Syracuse University TRAC Immigration database:
<https://trac.syr.edu/phptools/immigration/detain/>

Informal Cooperation Between County Sheriffs and ICE Also Results in Removals and Tracking of Immigrants

Whether a local sheriff's department honors detainers or not determines whether ICE has an additional 48-hour window in which to arrange to pick up an immigrant who would otherwise be free to leave the jail. But ICE still manages to pick up immigrants at the time of release if there is sufficient communication between local ICE enforcement and removal officers and the jail. ICE also uses information from local law enforcement to build its databases on foreign-born individuals.

Our open records requests revealed many instances of informal cooperation between ICE and local sheriffs outside of the structures of detainers and 287(g) agreements. For example, we received copies of emails from an ICE enforcement officer based in Milwaukee contacting jails around the state and asking if they would send him daily rosters of the persons currently held in the jail. For example, in the following email to Clark County, the officer said this would help ICE "identify foreign born individuals (removable or not)."

From: Nimitz, Anthony M <[REDACTED]@ice.dhs.gov>
Sent: Tuesday, March 02, 2021 9:39 AM
To: A [REDACTED], H [REDACTED] <[REDACTED]@co.clark.wi.us>
Subject: Clark County Jail Intake Roster

Good morning,

I wanted to reach out and to inquire about the possibility of receiving a daily intake report from Clark County Jail of individuals arrested and booked into the jail. If it could be sent every morning I would screen these individuals for immigration violators and if possible lodge detainers or at least create informational reports so that we can track them for future convictions/arrests. We are in the process of receiving new systems to effectively screen our jails and this would assist in our ability to identify foreign born individuals (removable or not) until those systems go online. If you have any questions please let me know I'm available via cell phone or email. Thank you for your time.

Respectfully,

ANTHONY M. NIMTZ
DEPORTATION OFFICER, CRIMINAL ALIEN PROGRAM
CHICAGO FIELD OFFICE, MILWAUKEE, WI SUB-OFFICE
ENFORCEMENT AND REMOVAL OPERATIONS

The Clark County Jail agreed to send the jail population report daily. Then the ICE Deportation Officer began to ask to be sent information on immigrants in the jail, even ones he stated were not priorities for removal from the country.

Date: 7/19/2021 3:22 PM
From: "Nimtz, Anthony M" <[REDACTED]@ice.dhs.gov>
To: "M [REDACTED] L [REDACTED]" <[REDACTED]@co.clark.wi.us>
Cc: "sheriffcorrections@co.clark.wi.us" <sheriffcorrections@co.clark.wi.us>

Good afternoon,

Thanks for your help earlier today with [REDACTED]. We were able to issue an ICE Detainer for him. I'm also looking at another individual in the jail, [REDACTED]. He is **not** an enforcement priority but I want to make sure I do a report on him and track his last known status. Could I get a booking photo of him and any other documents that he may have had in his possession at the time of his arrest?

Thank you,

ANTHONY M. NIMTZ
DEPORTATION OFFICER, CRIMINAL ALIEN PROGRAM
CHICAGO FIELD OFFICE, MILWAUKEE, WI SUB-OFFICE
ENFORCEMENT AND REMOVAL OPERATIONS
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

The same deportation officer told his friendly contact in Walworth County that he will monitor "every foreign born case" coming into Walworth County and "write up reports identifying them as criminal aliens."

From: Nimitz, Anthony M <[REDACTED]>
Sent: Tuesday, February 9, 2021 11:14 AM
To: Powers, Tracy <[REDACTED]>
Subject: RE: foreign born

Hey Tracey...yeah I saw him. So we keep flip-flopping on who we can and can't arrest now. OWI's are now not within our enforcement priorities. Unfortunately I can't take enforcement action. I have written up his case as he has no legal status in the US but unfortunately I can't lodge a detainer. I will still monitor every foreign born case that comes in to Walworth County and write up reports identifying them as criminal aliens. Hopefully our enforcement priorities will relax and we'll be able to arrest some of these guys. If you have any further cases to refer please keep sending them I'll look into all cases. Thanks again!

Sincerely,

Anthony M. Nimitz
Deportation Officer, Criminal Alien Program
Milwaukee, WI Sub-Office
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement

Comments and Conclusions

The business of immigration enforcement is a federal, not a local law enforcement, priority. Local sheriffs who prioritize collaborating with ICE place a wedge between themselves and the immigrant members of their community. Victims and witnesses become fearful to report crimes or talk to law enforcement agents who view themselves as partners to immigration authorities.

Every decision to reach out to ICE about immigrants who interact with the criminal justice system, to honor a detainer, or to continue with the 287(g) program increases the number of families which are broken up and separated through the deportation and removal process.

As such, the ACLU of Wisconsin calls on all county sheriffs in the state to work to dismantle the jail-to-deportation pipeline by doing the following:

1. End the illegal honoring of 48-hour holds of immigrants under ICE detainers.
2. Terminate all existing 287(g) agreements.
3. Enact policies which prohibit the automatic reporting of all foreign-born individuals to ICE.
4. End participation in SCAAP.
5. End informal programs of information sharing with ICE.
6. Enact immigrant-friendly policies like the model policy developed by the ACLU of Wisconsin in the Appendix to this report.

APPENDIX

- 1. Model Policy for Law Enforcement Agencies**
- 2. Questions you can ask your local sheriff regarding their policies affecting foreign-born persons.**

APPENDIX 1

MODEL Guidance Regarding Due Process and Immigration Enforcement

I. DUE PROCESS AND IMMIGRATION ENFORCEMENT

A. Building trust between police and all residents is vital to the public safety mission of [Agency]. Policing in a fair and impartial manner is essential to building such trust. Therefore, [Agency members] shall not use an individual's personal characteristics as a reason to ask about, or investigate, a person's immigration status. [Agency members] may inquire about immigration status only when it is necessary to the ongoing investigation of a criminal offense.

B. Immigration is a federal policy issue between the United States government and other countries, not local or state entities and other countries. Federal law does not grant local and state agencies authority to enforce civil immigration law. Similarly, state law does not grant local and state agencies authority to enforce civil immigration laws. [Agency members] shall not dedicate [agency] time or resources to the enforcement of federal immigration law where the only violation of law is presence in the United States without authorization or documentation.

C. The Constitution's Fourth Amendment protection against unreasonable search and seizure applies equally to all individuals residing in the United States. Therefore, [agency members] shall not initiate or prolong stops based on civil immigration matters, such as suspicion of undocumented status. Similarly, [agency members] shall not facilitate the detention of undocumented individuals or individuals suspected of being undocumented by federal immigration authorities for suspected civil immigration violations.

D. "Administrative warrants" and "immigration detainers" issued by Immigration and Customs Enforcement (ICE) have not been reviewed by a neutral magistrate and do not have the authority of a judicial warrant. Therefore, [agency members] shall not comply with such requests.

II. VICTIM AND WITNESS INTERACTION

The following guidelines are based on best practices and offer guidance on how to best support crime victims/witnesses and to ensure procedural justice and enhance trust between the police and community.

a. Federal law does not require law enforcement agencies to ask about the immigration status of crime victims/witnesses. It is essential to the mission of the [agency] that victims report crimes and fully cooperate in investigations; that witnesses come forward and provide testimonial evidence; that persons report suspicious activity and other information to reduce crime and disorder; and that help is summoned when needed. These activities must be undertaken without hesitation and without fear that the victim, witness, or reporting person will be subject to prosecution or deportation for no reason other than immigration status.

b. To effectively serve immigrant communities and to ensure trust and cooperation of all victims/witnesses, [agency members] will not ask about, or investigate, immigration status of crime victims/witnesses unless the victim/witness is also a crime suspect and immigration status is necessary to the criminal investigation. [Agency members] will ensure that individual immigrants and immigrant communities understand that full victim services are available to documented and undocumented victims/witnesses. [Agency members] should communicate that they are there to provide assistance and to ensure safety, and not to deport victims/witnesses and that [agency members] do not ask victims/witnesses about their immigration status.

c. Therefore, [Agency members] will act first and foremost in the best interests of our community and our mission when dealing with undocumented foreign nationals who come to the agency/department for help or to make reports, giving full priority to public safety and justice concerns.

d. This policy is to be interpreted to comply with 8 U.S.C. § 1373 which provides:

Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official

from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

III. IMMIGRATION STATUS:

a. [Agency member's] suspicion about any person's civil immigration status shall not be used as a basis to initiate contact, detain, or arrest that person.

b. [Agency members] may not inquire about a person's civil immigration status unless civil immigration status is necessary to the ongoing investigation of a criminal offense. It is important to emphasize that [Agency] should not use a person's characteristics as a reason to ask about civil immigration status.

c. [Agency members] shall not make warrantless arrests or detain individuals on suspicion of "unlawful entry," unless the suspect is apprehended in the process of entering the United States without inspection. Arrest for "unlawful entry" after a person is already within the United States is outside the arrest authority of Wisconsin officers.

IV. ESTABLISHING IDENTITY:

a. [Agency members] may make attempts to identify any person they detain, arrest, or who come into the custody of the [Agency].

b. [Agency members] shall not request passports, visas, "green cards," or other documents relating to one's immigration status in lieu of, or in addition to, standard forms of identification such as a driver's license, state identification card, etc. Immigration related documents shall only be requested when standard forms of identification are unavailable.

V. CIVIL IMMIGRATION WARRANTS AND DETAINERS:

a. [Agency members] shall not arrest or detain any individual based on a civil immigration warrant, including DHS Forms I-200, I-203, I-205, and any administrative warrants listed in the National Crime Information Center Database (NCIC). These federal administrative warrants are not valid warrants for Fourth Amendment purposes because they are not

reviewed by a judge or any neutral magistrate. Moreover, federal regulations direct that only federal immigration officers can execute said warrants. Finally, Wisconsin law enforcement agencies do not have any authority to enforce civil immigration law.

VI. INTERACTIONS WITH FEDERAL IMMIGRATION OFFICERS:

- a. [Agency members] shall not contact Customs and Border Patrol (CBP) or ICE for assistance on the basis of a suspect's or arrestee's race, ethnicity, national origin, or actual or suspected immigration status.
- b. [Agency members] shall not prolong any stop in order to investigate immigration status or to allow CBP or ICE to investigate immigration status.
- c. Sweeps intended solely to locate and detain undocumented immigrants shall not be conducted unless acting in partnership with a Federal agency as part of a formal partnership. [Agency members] are not permitted to accept requests by ICE or other agencies to support or assist in operations that are primarily for immigration enforcement.

VII. USE OF RESOURCES:

- a. [Agency members] shall not hold for or transfer people to federal immigration agents unless the federal agents provide a judicial warrant for arrest. An immigration detainer (Form I-247, I-247D, I-247N, or I-247X) is not a warrant and is not reviewed by a judge, and therefore not a lawful basis to arrest or detain anyone. Valid criminal warrants of arrest, regardless of crime, shall not be confused with immigration detainers. This does not affect the proper handling of arrests and detentions associated with criminal arrest warrants.
- b. Unless ICE or CBP agents have a criminal warrant, or [Agency members] have a legitimate law enforcement purpose exclusive to the enforcement of immigration laws, ICE or CBP agents shall not be given access to individuals in [Agency's] custody.
- c. Citizenship, immigration status, national origin, race, and ethnicity should have no bearing on an individual's treatment in [Agency's] custody. Immigration status or perceived immigration status, including

the existence of an immigration detainer, shall not affect the detainee's ability to participate in pre-charge or police-initiated pre-court processes. Furthermore, immigration status or perceived immigration status shall not be used as a criteria for citation, arrest, or continued custody.

APPENDIX 2

Questions to Ask Your Local Sheriff or Police Chief

We have a real opportunity to demand change from local sheriffs and police departments.

When meeting with a sheriff or police chief, it is important to know how each directs their departments to interact with immigrants in our community. Ask of them:

- 1) When questioned, stopped, pulled over, or arrested, are people questioned about their immigration status? They should not be unless directly relevant to an investigation of a state or local charge.
- 2) Are stops conducted or prolonged for purposes of contacting federal immigration authorities?
- 3) Does the Sheriff's Department honor detainer requests issued by ICE? They should not unless the detainer is accompanied by a warrant signed by a judge or magistrate - not just signed by an ICE officer.
- 4) Do you agree that every person, regardless of country of origin, is entitled to equal respect by personnel of the Department?
- 5) Does the Sheriff's Department have a written policy with regard to its interactions with immigrant members of the community?
- 6) Does the Sheriff's Department contact ICE when it books foreign born persons into the jail?
- 7) Has the Sheriff's Department had a chance to review the ACLU of Wisconsin's 2018 and 2022 reports surveying the policies of sheriffs across the state for interacting with the immigrant community?
- 8) Does the Sheriff's Department have any current agreements to collaborate with ICE?



WISCONSIN COUNCIL
OF CHURCHES
COURAGE. JUSTICE. HOLY IMAGINATION.

To: Members of the Assembly Committee on Criminal Justice and Public Safety
From: Rev. Breanna Illéné, Director of Ecumenical Innovation and Justice Initiatives, Wisconsin Council of Churches
Date: February 26, 2025
Re: Testimony in opposition to AB 24

The Wisconsin Council of Churches (WCC) is a network of Christian churches and faith-based organizations committed to working together across our many differences to promote collective good. We connect 23 Christian traditions, which have within them approximately 2,000 congregations and over one million church members. Exercising holy imagination, we help one another make courageous choices that lead toward peacemaking, social and economic justice for Wisconsin's most vulnerable residents, the vitality of the church, and the well-being of our neighbors.

We are here today to speak against AB 24. As a Council, our policy statement on nonviolence calls us to work for the *dignity and civil rights of all persons*; this includes immigrant members of our community. Our immigration policy statements “call for public policy and legislation that work to reduce racial disparities in all aspects of institutional life, including...sentencing and incarceration...” and to “expose work against policies that profile people of color...” We are here because of the Bible's call to care for our immigrant neighbors (Leviticus 19:33-34).

We are here to raise concerns that AB 24 will create avenues to target black, brown, immigrant and indigenous residents of and visitors to our state. Studies have found when local law enforcement officers are required to investigate and interpret complex federal immigration laws, something that is beyond their training and ordinary duties, there is a greater risk of racial profiling.¹ We also have concerns that not everyone has access to documents required by this law because of the financial burden of acquiring them, because they are survivors of violence or disasters, or because tribal documents are not considered acceptable documentation.² This legislation presumes that someone's inability to immediately document their status means they are unworthy to be among us, and only worthy of removal. By contacting immigration enforcement, law enforcement is presuming guilt which is an assault on the dignity and worth of this person as a member of the community.

Rather than appropriate acts of maintaining order, these proposals are instead indictments of *us* and our choices to act without care or caution. If we enact this legislation, we are deciding that it is important to leap to conclusions about someone's worth and belonging and take hasty actions that destroy families and communities, actions that are not easily reversed. We can do better.

Please vote no on AB 24.
Thank you for your time.

¹ 2022 ACLU report—“License to Abuse: How ICE's 287(g) Program Empowers Racist Sheriffs and Civil Rights Violations”.
https://assets.aclu.org/live/uploads/publications/2022-06-02-sheriffresearch_1.pdf

² A 2024 survey conducted by the Center for Democracy and Civic Engagement at the University of Maryland in conjunction with the Brennan Center for Justice found that more than 9% of American citizens of voting age don't have documents — including a passport, birth certificate, or naturalization papers — to serve as proof of citizenship readily available.
<https://cdce.umd.edu/sites/cdce.umd.edu/files/pubs/Voter%20ID%20survey%20Key%20Results%20June%202024.pdf>

TESTIMONY ON AB-24 REQUIRING WI COUNTY SHERIFFS TO PROVIDE NOTICE OF ALL UNDOCUMENTED PERSONS TO FEDERAL ICE OFFICIALS BEING HELD IN COUNTY JAILS

Submitted by Daniel Elsass, retiree and concerned church member First United Methodist, Madison.

Good day Members of the Committee:

I am here testifying in opposition to AB-24.

I have three major concerns about the current version of the bill:

- A. The current wording of the bill requires that each of the 71 county sheriffs in the State determine the legal status of individuals "held" or "confined" in the county jail and if, in the sheriff's opinion they can not produce a sufficient document to justify their "legal status," this information must be turned over to federal Immigration Control and Enforcement officials who then can act to have them turned over to their custody and after a perfunctory hearing, have them deported. The problem I have is with the term "held" or "confined" rather than using the term being "held post-conviction." I am assuming that some of these immigrants are presently being held in County jails pending a court hearing because they are merely "charged" with a felony. If AB-24 were to pass, and the Sheriffs turn them over to ICE before having a trial in a county in which a crime is alleged to be committed, which might actually lead to exoneration, these individuals would be denied due process they are guaranteed in this country, even as aliens.
- B. I am also quite concerned about requiring sheriffs being forced to be arbiters of what is a federal determination of legal status. Sheriffs are local law enforcement specialists and crime investigators, not immigration experts. Letting them judge who they need to report to a federal agency could lead to discrimination against people based on skin color and ability to speak English. In this state, is a sheriff more likely to demand status from either a Spanish speaking dairy worker or a Somali turkey processor, or a white Polish theme park worker in the Dells, who speaks perfect English? I think we all know the answer to that question.
- C. As a former assistant county Administrator in Rock County, I have real qualms with the punishment this bill assigns to counties in which the sheriff is deemed to have not complied sufficiently with the reporting requirements of the legislation. In Wisconsin, Sheriffs are independently elected officers of the county. I can

testify that neither the county boards, nor the appointed administrators or elected county executives of larger counties, have much leverage over a sheriff's department policies or procedures. Yet, this bill would impose a 15 percent reduction in the following year's State Shared Revenue to the entire county government. This would include cuts to county mandated services in the areas of Public Health, Social Services, Mental Health, Roads and Bridges, Parks, and Senior Citizens. This is unfair and arbitrary.

For these reasons and more, I urge you to vote NO on AB-24. Thank you.

Demo 4 – Script tool

Scenario 1:

Let's see how we can create a tool from the script we just wrote. This provides it with a user interface and allows you to use it just like you would use any other tool. This makes it easier to share with people who don't know how to run Python.

Demo steps 1:

- 1) In Pro, right click the toolbox and go to Add->Script.
- 2) Name it BestRouteScriptTool, use relative paths
- 3) Add two input parameters, Home and Claim Locations, as type Feature Layer
 - a. Feature Layer allows you to use a catalog path to a feature class or use a map layer.
- 4) Add two output parameters, Output Stops and Output Routes, as type Feature Class
 - a. Feature class is like feature layer but more commonly used for output parameters
- 5) Hook it up to the .py file. (BestRouteScript_forTool.py.)
- 6) Save and close the script tool properties
- 7) Run the tool and show that it adds the route to the display.
 - a. Note: It picks up the symbology from the first input for some reason, so all the output stops have the house icon. Note that the users can configure the tool's output symbology if they want to, but we don't have time to get into that today.
- 8) Open BestRouteScript_forTool.py and show changes.
 - a. Instead of static paths to data, use GetParameterAsText() to get input as parameters.
 - b. Replace print with AddError



To: Assembly Committee on Criminal Justice and Public Safety
From: Badger State Sheriffs' Association (BSSA)
Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA)
Date: February 26, 2025
RE: Statement on AB 24 - relating to: county sheriff assistance with certain federal immigration functions

The Badger State Sheriffs' Association represents all 72 elected county sheriffs in Wisconsin, and the Wisconsin Sheriffs and Deputy Sheriffs Association is a professional organization with over 1,000 members, including sheriffs, deputies, and jail officers. Together, our organizations maintain a joint legislative committee and work collaboratively on public safety issues affecting our members and the communities we serve.

We appreciate the policy intent behind this legislation and engaged in discussions on early bill drafts to ensure it aligns with the current processes and responsibilities of Sheriffs and U.S. Immigration and Customs Enforcement (ICE) officials. Our organizations support the broader goal of ensuring that ICE is notified when individuals who have been charged with felonies and are in the country unlawfully are identified in our jails. Above all, we remain committed to protecting our communities and upholding public safety.

At the same time, we firmly believe that immigration enforcement is fundamentally a federal issue that should be addressed at the federal level. Additionally, while we represent all 72 Sheriffs across Wisconsin, we acknowledge that each Sheriff is an independent, duly elected constitutional officer whose authority derives from Article VI, Section 4 of the Wisconsin Constitution. It is important to clarify that supporting the intent of this policy does not diminish the Sheriff's authority in managing public safety within their respective counties.

We also recognize the challenges that certain provisions of this bill may pose, particularly the mandated reporting requirements. Many county law enforcement agencies are already operating with limited resources, and additional mandates could place further strain on their staffing and budgets.

Additionally, we are concerned about the financial implications of the shared revenue penalty provisions, which could have unintended consequences for county budgets and, ultimately, local public safety efforts.

As with any proposed public policy, our organizations carefully evaluate both the benefits and potential challenges. While we have reservations about certain provisions, we support the overarching goal of ensuring cooperation with ICE in cases involving serious criminal charges. Public safety remains our top priority, and we will continue working toward policies that enhance security while considering the practical realities faced by local law enforcement and the communities they serve.



WISCONSIN STATE PUBLIC DEFENDERS

Mission driven. Client centered.

Assembly Committee on Criminal Justice and Public Safety
February 26, 2025

Chair Spiros and committee members,

Thank you for the opportunity to share our perspective on Assembly Bill 24. As Wisconsin State Public Defenders, we work tirelessly to safeguard individuals' constitutional rights and build public trust in the criminal legal system. We have serious concerns that Assembly Bill 24 threatens individuals' constitutional rights and damages the already fragile trust people have in our criminal legal system.

The people that this legislation targets are entitled to the same level of constitutional protection as U.S.-born citizens, and AB 24 raises serious Fourth Amendment concerns by requiring sheriffs to detain people after they should have otherwise been released. ICE detainer requests are rarely accompanied by a warrant signed by a judicial official that has reviewed the basis for detention. Forcing local sheriffs to comply with all ICE detainer requests – irrespective of judicial review – not only strips sheriffs of their authority, but it also infringes on the individual liberties of thousands of Wisconsin residents who have chosen to pursue a better life and make this state their home.

We are also concerned the mere introduction of this proposal will diminish trust in local government and negatively impact public safety. Research¹ shows policies like AB 24² that require local law enforcement to participate in federal immigration enforcement create additional distrust in the legal system. When community members are concerned about the possible immigration consequences of contacting police or interacting with government officials, more crimes go unreported and people grow more unwilling to participate in the legal process. We cannot afford additional tension placed on our already strained court system.

Again, we appreciate the opportunity to voice our concerns about this legislation. If you have any questions about the issues raised, please feel free to reach out to our Government & Public Affairs Specialist, Elena Kruse (krusee@opd.wi.gov).

¹<https://www.americanprogress.org/article/negative-consequences-entangling-local-policing-immigration-enforcement/>

² <https://triad-city-beat.com/wp-content/uploads/2023/04/Letter-from-NC-Sheriffs-Opposing-HB10.pdf>



East Central Synod of Wisconsin
Evangelical Lutheran Church in America

2/26/2025

I am writing this to speak out against AB-24. As a faith leader in Wisconsin, I am concerned that this bill will erode trust built between local law enforcement and the communities they serve and put already vulnerable populations at further risk.

I live in Appleton and serve as one of the six ELCA Lutheran bishops in Wisconsin. Before I was elected bishop, I served as a pastor in Iowa, where a similar bill requiring cooperation between ICE and sheriff's departments became law. The sheriff that serves Decorah, my previous hometown, has made national news for the risks he's taken to oppose and protest this law as a form of federal overreach. Care to maintain the integrity and jurisdiction of local authorities is important.

Before I started my work as a pastor, I was a high school teacher in Houston, Texas. The students at our school came to the US from 80 different countries and spoke 40 different languages: many of them were refugees and asylum seekers. Their families had made incredibly difficult decisions and sacrifices to get them to safety in the US, but once they were in the US, the difficult decisions didn't end. As they waited for years for their asylum hearings, they were undocumented, and that made them vulnerable. All of the service providers of our neighborhood came together—places of worship, healthcare providers, law enforcement and schools—to build relationships of trust and care with all of our neighbors.

Families should be able to go to worship without fear. A parent should be able to take a sick child to the emergency room without fear. Kids should be able to go to school without fear. And anyone who is a victim of or a witness to a crime should be able to report that crime without fear.

An essential element of public safety is building relationships across communities, especially with vulnerable communities where that relationship requires extensive trust-building work on the part of institutions. Where that work is taking place, it is vital to the safety of all Wisconsin residents. I ask our lawmakers not to put the safety of the people of Wisconsin at risk by undermining the work of law enforcement in our communities.

Respectfully submitted,

Bishop Anne Edison-Albright

East Central Synod of Wisconsin

February 26, 2025

Members of the Assembly Committee on Criminal Justice and Public Safety,

Because I am unable to attend today's hearing on AB-24, this written testimony will serve to register my strong opposition to this bill.

My opposition is not personal; it is unlikely that I, or anyone in my immediate family, will be directly affected by the passage of this bill. I believe that the language AB-24 seeks to add to our statutes is both unnecessary and inhumane. If enacted, AB-24 will make life harder and more precarious for people for whom life is already difficult, especially the families of people who are jailed. It will drive a deeper wedge between law enforcement and communities of color, especially immigrant communities, because it is clear that the people who will be affected—the people who are being targeted by this bill—will be primarily Black and brown, not white.

How will the provisions of this bill make our counties safer? How will adding layers of paperwork, bureaucratic identification-verification, and data and report compiling, to the work of county sheriffs and their deputies—not to mention the additional work load for the state departments of revenue and justice—make our counties safer?

It seems to me, a taxpaying resident of Dane County, that the main job of county law enforcement officials should be working to maintain public safety, in other words, working to keep our counties as safe as possible for everyone who lives in them. I do not think that assisting with “federal immigration functions” is, or should be, part of that work.

Thank you for this opportunity to share my testimony.

Sincerely,

Ann Lacy, 4118 Meyer Ave., Madison, WI 53711
annwilsonlacy@gmail.com; 608-213-4469

February 26, 2025

My name is Ann Wingate, I am a resident of Madison WI. I am here today to oppose Bill 24 requiring cooperation of county sheriffs with ICE detainment of Latinx/Hispanic people in our community. These people are owners, operators and employees of WI businesses. We need them. They have come to our country just like the ancestors of every one of you, to escape violence and economic despair in their countries of origins.

Many of these people along with contributing to the WI workforce are PARENTS!! As a retired psychotherapist I can tell you that there will be significant trauma effects on all children whose parents are detained and deported. These trauma effects will create significant mental health issues. These children are your children's friends and classmates. Whole schools will be traumatized.

If you don't have the heart to care for the well-being of these children then consider the economic impact on WI. The courts and human services systems in our counties will be flooded with the needs of these children who may become Children in Need of Protective Services (CPS) –not because their parents were bad but because their parents were taken away. Children in CPS have their health needs funded by Medicaid –which the US Congress is working to cut. These children will need foster and adoptive care –those also rely on federal funding which is likely going to be cut.

Our justice system already works to deport dangerous criminals who are undocumented immigrants in our community. These criminals were already being sent out of our country by the Biden administration. We do not need our justice system to cooperate with ICE in removing functioning members of our communities in WI.