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VIA ELECTRONIC TRANSMISSION

September 29, 2020

The Honorable Chad F. Wolf
Acting Secretary
United States Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20528

Dear Acting Secretary Wolf,

Yesterday, Immigration and Customs Enforcement (ICE) announced the results of its most recent operation to target criminal aliens in North Carolina. The ICE Fugitive Operations Teams in Mecklenburg County successfully apprehended twelve criminal aliens last week, six of whom had been released despite having an active ICE detainer. I applaud the work of ICE and of the Department of Homeland Security (DHS) to get these dangerous criminal aliens off the streets, and to protect public safety.

The circumstances of this operation are a reminder that, despite the best efforts of your agency, there are states and municipalities across the nation interfering with your ability to defend public safety. These sanctuary cities serve as magnets for dangerous criminal aliens who wish to escape justice. In defiance of law and logic, sanctuary jurisdictions like Mecklenburg County refuse to honor ICE detainees, refuse to share information about criminal aliens in custody, and will release these dangerous individuals back out onto the streets.

The sanctuary sheriffs in these counties claim that compliance with detainees is not necessary, and hampers their ability to protect public safety. This is simply wrong. For example, ICE highlighted the following cases in its announcement:

- A Guatemalan national who was charged with assault on a female and with driving while intoxicated. He was arrested on August 23 and a detainer was issued the same day. On August 27 he was released back into the community.
- A Nicaraguan national charged with breaking and entering, and with larceny. A ICE detainer was issued on July 21, the date of his arrested. Despite the detainer, he was still released that same day.
- Another Nicaraguan national was arrested for assault with a deadly weapon inflicting serious bodily injury. He was arrested on June 15. ICE issued a detainer on June 16, but he was still released that same day back onto the streets.

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These arrests of dangerous criminal aliens are just three of twelve which occurred in Mecklenburg County last week. As you may know, I introduced two bills which would put an end to sanctuary city policies. The *Justice for Victims of Sanctuary Cities Act* would allow victims and families to sue sanctuary cities as a result of a violent crime committed by an illegal immigrant. I also introduced the *Immigration Detainer Enforcement Act* which would clarify DHS detainer authority, clearly establish the authority of states and localities to maintain custody of criminal aliens, and incentivize cooperation between local law enforcement and DHS.

The Department under your leadership has shown a clear commitment to combatting dangerous criminal aliens and to protecting hard-working American citizens. Despite the work you have done to keep the public safe, and our efforts in Congress to end sanctuary policies, we remain at a stalemate in this fight. When I have brought this legislation to the Senate floor, Democrats have caved to their radical leftist base and blocked it. This is an unreasonable position given the dangers posed by criminal aliens.

In order to continue our work to end sanctuary policies, I ask that you provide additional information regarding the following concerns no later than October 29, 2020:

- (1) Can you provide a detailed list of all declined detainer requests in CY 2019 and CY 2020? Please provide both national numbers and North Carolina numbers.
- (2) When providing the numbers requested in question one, will you please also provide a detailed list of all crimes which these criminal immigrants committed?
- (3) Please provide an update to me more broadly on the efforts taken by DHS to identify and remove criminal aliens during your leadership of the Department.
- (4) Please provide information about the Warrant Service Officer Program, by which smaller communities have committed to working with ICE to detain and deport criminal aliens. This should include information about the number of municipalities participating in the program, and the number of criminal aliens apprehended as a result.
- (5) Please provide information about the ongoing efforts to extend sanctuary policies across the country, and how that continues to impact your ability to protect public safety and enforce the law.

Thank you for your attention to this important issue. I applaud the work done by ICE to make Mecklenburg County safer, and hope you will continue to make sure North Carolina is kept safe from dangerous criminal aliens. I welcome the opportunity to continue working with your Department, and to continue making the public case for why we need to end these dangerous sanctuary city policies.

Sincerely,

A handwritten signature in blue ink that reads "Thom Tillis". The signature is written in a cursive style with a large, sweeping initial "T".

Thom Tillis
United States Senator