

Dear Representatives and Senators:

As Sheriffs of North Carolina, elected by our constituents to provide for the public safety of our counties, we write to ask that you oppose HB 10 and SB 50. For the third time in four years, these bills have been filed in the NC General Assembly to require that elected sheriffs enforce federal immigration laws. The role of the sheriff has historically focused on enforcing local laws in our jurisdictions, maintaining and operating jails, properly serving civil process papers, and providing security for North Carolina's courtrooms. However, these bills set a precedent requiring that we prioritize voluntary immigration enforcement at the expense of local law enforcement priorities.

Specifically, we, the undersigned sheriffs, are concerned about the following:

These bills add substantial administrative burdens to our jail staff, as well as our court system. Overstrapped local law enforcement should not have a required extra burden of enforcing federal law with no compensation.

These bills will make our counties less safe. Multiple studies show that mandatory immigration enforcement makes people less likely to trust government authorities without improving public safety.

These bills raise significant Fourth Amendment concerns by requiring sheriffs and jails to comply with all immigration detainer requests made by the U.S. Department of Homeland Security (DHS). They also prohibit jails from releasing individuals on bail—even if they are eligible for release under North Carolina law—on the basis of a "request, approval, or other instruction" from the federal government. Despite including a provision limiting state and civil liability, these bills do not address the potential liability sheriffs will face due to constitutional violations.

As Sheriffs, we take seriously our duties and our responsibilities to the people of North Carolina and we must be permitted to set local law enforcement priorities. We respectfully ask that you let us do just that.

Sincerely,

Willie Rowe, Wake County Sheriff
Garry McFadden, Mecklenburg County Sheriff
Quentin Miller, Buncombe County Sheriff
Calvin L. Woodard Jr., Wilson County Sheriff
Charles Blackwood, Orange County Sheriff
Clarence F. Birkhead, Durham County Sheriff
Curtis Brame, Vance County Sheriff
Paula Dance, Pitt County Sheriff

Danny Rogers, Guilford County Sheriff
Ennis W. Wright, Cumberland County Sheriff
Robert D. Fountain Jr., Granville County Sheriff