

# Feds OK Morristown cops as agents

BY MINHAJ HASSAN • STAFF WRITER • JULY 11, 2009

MORRISTOWN -- The federal Department of Homeland Security approved Morristown's application to join a program that will allow local police officers to be trained as de facto immigration agents — although it was unclear Friday when or if the program will be implemented.

Morristown's police department is one of 11 law enforcement agencies whose applications were approved Friday for the controversial 287(g) program, which deputizes local police officers to enforce federal immigration laws, Homeland Security Secretary Janet Napolitano announced Friday.

Immigration advocate Diana Mejia called the decision "a sad day for Morristown." Mejia is the founder of Wind of the Spirit, a Morristown-based immigration resource center.

"This new agreement supports local efforts to protect public safety by giving law enforcement the tools to identify and remove dangerous criminal aliens," Napolitano said. "It also promotes consistency across the board to ensure that all of our state and local law enforcement partners are using the same standards in implementing the 287(g) program."

Under 287(g), local police who undergo federal training may detain suspects in immigration matters, as well as for local violations. But critics say the program has been misapplied in some places, leading overzealous police to target minorities for minor infractions.

It wasn't immediately clear Friday when, if ever, the program might take effect in Morristown.

Under the 287(g) program, approximately 10 police officers would be trained for five weeks by federal officials, enabling them to enforce immigration law. No training has yet been scheduled for Morristown officers, a DHS spokeswoman said.

Morristown Mayor Donald Cresitello, who spearheaded the town's application to join the program, said Friday he was pleased with the development, but wasn't sure when it would take effect.

Cresitello, who championed the 287(g) application in spite of opposition from immigrant advocates and other local officials, lost his bid for re-election in the June Democratic primary. His current term expires at the end of 2009 and it's unclear whether the new mayor will be as strong an advocate for the program.

Tim Dougherty, the Democrat who defeated Cresitello in the mayoral primary, could not be reached for comment Friday. However, during the primary campaign, Dougherty said he doubted whether the federal program would work in Morristown.

The Republican mayoral candidate, Jimmy Gervasio, also has expressed reservations about 287(g), saying the program could make Morristown a target for lawsuits accusing the police department of racial profiling.

"It puts them in a very precarious situation," Gervasio said. "It could cost us a lot in legal fees."

Immigrant advocates did not welcome the federal announcement.

Mejia said she was shocked to hear about the approval.

"It's terrible for the community," Mejia said Friday. "We're concerned it will affect a lot of people."

The New Jersey Immigration Policy Network also criticized the program, saying it leads to racial profiling, places barriers between police and the community and "generally erodes our system of justice."

"It is bad law enforcement that puts the emphasis on issues of status, not evidence of criminal activity," said Shai Goldstein, the network's executive director. "The job of local police is to prevent and investigate crimes, not enforce federal immigration policy."

Cresitello's efforts to implement the 287(g) program in Morristown largely came to a standstill in early 2008, when Morris County officials, including Sheriff Ed Rochford, refused to support the plan, citing the large costs associated with expanding the county jail to hold detainees that would later be picked up by ICE — one of the early requirements for joining the program.

However, that requirement has since been removed by the federal government, allowing Morristown's application to move forward.

Morris County Sheriff's Office Spokeswoman Stacy Santucci would not comment on 287(g), saying neither she nor Sheriff Ed Rochford had seen the Friday's memorandum of agreement.

Morristown Police Chief Peter Demnitz said he learned about the decision through Mejia. He was still awaiting word from Cresitello, as well as local, county, state and national officials Friday afternoon on what the program specifically means for the town and how soon it will go into effect.

The program was previously criticized in March by the Government Accountability Office for being misapplied by several law enforcement agencies.

Since its inception, ICE has trained more than 1,000 officers under 66 287(g) agreements with various law enforcement agencies nationwide, according to DHS.

The other agencies who agreements were approved to incorporate 287(g) were: Gwinnett County, Ga., Sheriff's Department; the Monmouth County Sheriff's Office; the Rhode Island Department of Corrections; the Delaware Department of Corrections' Sussex Correctional Institution; the Houston Police Department; the City of Mesquite, Nev., Police Department; The Mesa, Ariz., Police Department; the Florence, Ariz., Police Department; the Guilford County, N.C., Sheriff's Office; and the Charleston County, S.C., Sheriff's Office.