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Exclusive: What is 287(g) and Why Should Illegals be Worried About It?

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Many Americans are up in arms, rightly, over the lunacy of “sanctuary cities.” But are we really helpless to fight these sanctuaries for illegal aliens? FSM Contributing Editor Peter Gadiel, president of 9/11 Families for a Secure America, has the encouraging answer.

What Is 287(g) and Why Should Illegals Be Worried about It?

By Peter Gadiel

Many Americans, even those who are immensely concerned about illegal alien crime against U.S. citizens, have no idea what 287(g) is. They do not know how it can greatly benefit our country and law enforcement professionals, nor how it can counter the corrosive and dangerous effects of sanctuary cities. For those of us who care, however, it is a dream come true.

According to James Carafano, Ph.D. and a leading expert in defense affairs, intelligence, military operations/strategy, and homeland security at the Heritage Foundation (emphases mine):

Section 287(g) of the Immigration and Nationality Act (INA) provides the legal authority for state and local enforcement to investigate, detain, and arrest aliens on civil and criminal grounds. Any comprehensive border and immigration security legislation by Congress should include provisions for strengthening and expanding programs authorized under §287(g).

Dr. Carafano **goes on to say:**

Any effective solution for reducing illegal border crossings and the unlawful population in the United States must address all three aspects of the problem: internal enforcement of immigration laws, international cooperation, and border security. Internal enforcement and international cooperation are essential to reducing and deterring the flood of illegal entrants into the United States, making the challenge of securing America’s borders affordable and achievable. Nothing less than a comprehensive reform will do. This reform must include restoring the integrity of U.S. immigration laws.

Fortunately, for us, a program that can meet all of these essential requirements already exists. It is known as 287(g).

Section 287(g) of the INA allows the DHS and state and local governments to enter into assistance compacts. Both sides must agree on the scope and intent of the program before it is implemented, which gives states and local communities the flexibility to shape the programs to meet their needs. State and local law officers governed by a §287(g) agreement must receive adequate training and operate under the direction of federal authorities. In return, they receive full federal authority to enforce immigration law, thereby shifting liability to the federal government and providing the officers with additional immunity when enforcing federal laws.

Brewster, New York, is a community at the forefront of protecting its citizens, as it is the first in the State of New York to adapt 2987(g). Mayor John Degnan has announced that his town will become the first

jurisdiction in the New York State to apply for federal authority to enforce immigration laws. Brewster's police will be empowered to question and arrest suspected illegal aliens, and to pass them on to federal authorities for deportation. Makes you want to move to Brewster, doesn't it?

With him, as he made the announcement, were Ed Kowalski and Bruce DeCell, board members of 9/11 Families for a Secure America. Mayor Degnan gave Mr. Kowalski full credit for educating him on the need for state and local police across the country to become involved fully in enforcing immigration law.

In 2005, Mr. Kowalski's 17-year-old niece, Elizabeth Butler, was stalked, raped and stabbed to death by Ariel Menendez, an illegal alien from Guatemala, with four prior convictions. After the murder, Menendez, attempted to flee to sanctuary in Guatemala with the help of his father and sister, also illegal aliens. Menendez is now serving life in prison without possibility of parole. His father and sister were never prosecuted for aiding his attempt to escape, and the federal government has taken no action to deport them despite their status as illegal aliens.

In his statement Mr. Kowalski noted that "Rape, violent assault, control of neighborhoods by violent gangs and drug manufacture and distribution are committed by illegal aliens at a far higher rate in the US than by citizens and legal immigrants." He also cited the 9/11 Commission Report which stated: "There is a growing role for state and local law enforcement agencies [for the enforcement of immigration law]. They need more training and work with federal agencies so that they can cooperate more effectively with those federal authorities in identifying terrorist suspects as well as criminals"

Kowalski added that "Government at all levels must make the prosecution and deportation of law-breaking illegal aliens a top priority...That includes drunk driving as well as theft, rape and murder." Terrorism and criminal activity are most effectively combated through a multi-agency/multi-authority approach that encompasses federal, state and local resources, skills and expertise. State and local law enforcement play a critical role in protecting our homeland because they are the first responders when there is an incident."

In July, Morristown, N.J., became the first town in that state to apply for immigration enforcement authority. 9/11 FSA board member Bruce DeCell said that: "The decisions by Morristown and Brewster to become the first in their states to apply for immigration enforcement authority show that Americans will no longer tolerate becoming victims of illegal aliens just so that big corporations can have cheaper labor or any political party callously can hope for new voters."

He warned Charles Schumer and Hillary Clinton "that New Yorkers now realize that their senators are partly to blame for the flood of illegal aliens in the U.S. They have on their hands the blood of people like Elizabeth Butler who have been the murder victims of illegal aliens."

So, there is hope for law abiding citizens and legal immigrants to live in peace without the threat of crimes committed against us by people who should not even be here. This abomination, illegal alien crime against Americans, is abetted through the existence of sanctuary cities which, as defined by Amanda Carpenter in [Human Events](#), "protect illegal aliens through local resolutions, executive orders or city ordinances. City police departments may also issue their own special orders, policies and general orders to the similar effect."

But the very existence of sanctuary cities runs counter to the recommendation of the 9/11 Commission which stated: "There is a growing role for state and local law enforcement agencies [for the enforcement of immigration law]. They need more training and work with federal agencies so that they can cooperate more effectively with those federal authorities in identifying terrorist suspects." Listen up America: 287(g) is the answer.

Let's all follow Brewster's lead and make sure our communities adapt this extremely important provision.

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FamilySecurityMatters.org Contributing Editor Peter Gadiel is the president of 9/11 Families for a Secure America, an organization dedicated to educating the American people about the 9/11 Commission's conclusion "...that terrorists [and common criminal aliens] cannot plan and carry out attacks in the United States if they are unable to enter the country." Its members lobby for securing America's borders and for measures that will encourage illegals to return to their home countries.

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