

# Fingerprints to go to feds to flag illegal immigrants

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New Hampshire quietly fell under the realm of Secure Communities last week, the federal program looking for potential immigration violations that checks the fingerprints of anyone who has been arrested.

According to the website of the U.S. Department of Homeland Security, Secure Communities was activated throughout New Hampshire on May 8. On Tuesday, the program went into effect in Massachusetts and New York, where some political leaders have said it is not needed and unwanted.

Maine and Vermont have yet to be included in Secure Communities, but the program is expected to be in place nationwide by next year.

Critics of Secure Communities say it creates fear in the immigrant community, will lead to deportations of innocent people and will encourage illegal immigrants to shy away from police.

“This is going to erode the relationship between police and the (immigrant) community that we have worked so hard at building,” said Eva Castillo, coordinator of New Hampshire Alliance for Immigrants and Refugees.

Gov. John Lynch has said he supports the program, a key aspect of President Obama’s immigration policy.

The Democratic President claims his administration’s priority is immigration enforcement against violent criminals in the United States illegally.

Under Secure Communities, fingerprints that local and state police forward to the FBI as a matter of course are subsequently shared with Immigration and Customs Enforcement.

If the fingerprint gets a hit on the Homeland Security database, ICE can order local jailers to detain the suspect for up to 48 hours.

Homeland Security databases include previous deportations, aliens in the country on a visa, fugitives from immigration courts, and aliens who have been previously caught trying to cross the border.

### Fingerprint sharing

It’s questionable how quickly ICE will get fingerprints from some New Hampshire jurisdictions. At the largest jail in the state — the Valley Street jail in Hillsborough County — authorities only share fingerprints with the FBI upon request, said Superintendent David Dionne.

And it can be days, if not weeks, before fingerprints taken during arrests in towns get to the FBI. By then, the suspect could be bailed from jail.

Homeland Security has stressed its priority is to remove violent criminals who are in the country illegally.

But according to a November 2011 compilation of the Immigration Policy Center, only 26 percent of Secure Communities deportations in 2011 involved serious, violent crimes. About half — 48 percent — involved less serious crimes. The remainder involved no violations of criminal law.

“What we’ve seen nationally is this becomes a dragnet for deporting immigrants,” said Maggie Fogarty, economic justice project coordinator for the American Friends Service Committee. She helped organize a vigil Tuesday in downtown Manchester to protest Secure Communities.

On its website, Homeland Security said ICE considers a number of factors in deciding deportation, such as criminal history, immigration history, family ties, duration of stay in the United States and significant medical issues.

A telephone message left with the Homeland Security press department on Tuesday was not returned.

### **Illegal alien policy**

Among New Hampshire police, the approach to illegal immigration varies with the demographic makeup of the state. In the past, small-town chiefs have said federal authorities haven’t done enough to apprehend and remove illegal aliens.

But other chiefs say their job is to fight crime, not enforce immigration laws.

Manchester Police Chief David Mara has been most outspoken, implementing a policy that says officers won’t contact ICE unless a suspect is arrested for a felony or a misdemeanor involving violence or a threat to public safety.

He was out of state Tuesday and not available for comment.

New Hampshire State Police, and police in Laconia and Nashua, said Tuesday that Secure Communities would have no effect on them.

“It doesn’t change the way we do business,” said State Police Col. Robert Quinn, who said he found out about Secure Communities the day after it was implemented.

Homeland Security said local police can choose not to receive information about hits in the Homeland Security database.

### **Inmates flagged**

At the local jail, ICE will ask officials to hold someone who is flagged in the fingerprint review.

Hillsborough County Corrections Superintendent Dionne said he would hold someone if ICE provides the proper paperwork. On Tuesday, about 20 of his 513 inmates had ICE holds on them, he said.

They were all being held on other crimes or criminal charges too, he stressed.

Dionne said he’s more concerned about fingerprinting. He fingerprints every first-time inmate who is sent to the jail. But because of the cost, the county has never acquired electronic fingerprinting equipment, so he cannot forward the prints to the FBI.

He keeps them on file and only provides them to the FBI when asked.

“It’s going to make the booking process longer,” Dionne said of Secure Communities. “No one spoke to me about it yet and what it consists of. What’s the cost?”

Quinn said state police have digital readers for fingerprints, and when troopers arrest someone, the fingerprint is instantaneously forwarded to the FBI.

Larger communities have similar equipment, Quinn said.

But smaller communities send ink-recorded fingerprints to state police, who scan them and forward

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them to the FBI. Quinn said that process can be lengthy.

A message left for Attorney General Michael Delaney was not returned.

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