John Sandweg  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12th Street SW, Mail Stop 5003  
Washington, DC 20536-5003

Dear Acting Director Sandweg,

I am writing you today regarding measures your New Orleans Field Office has been persistently using to detain and remove undocumented individuals within the City of New Orleans and throughout Jefferson Parish. I have reason to believe that the aggressive tactics employed by ICE officials in my district are inconsistent with the national policy of the Obama administration and are based on troubling criteria, such as the ethnic makeup of targeted persons. I have had numerous discussions with many of my constituents that have either witnessed or been victims of overly aggressive and troubling immigration enforcement tactics. These activities include targeting individuals for biometric identification simply based on outward physical appearance and aggressive approaches in community or family settings, without regard to the impact of these interactions on children or loved ones. I also have grave concerns about the fact that in the execution of these tactics, American citizens have been targeted and detained.

As noted in a June 17, 2011 ICE memo regarding the exercise of prosecutorial discretion, “ICE must prioritize the use of its enforcement personnel, detention space, and removal assists to ensure that the aliens it removes represent, as much as reasonably possible, the agency’s enforcement priorities, namely the promotion of national security, border security, public safety, and the integrity of the immigration system.” It is critical that you exercise all enforcement actions in a way that recognizes the human dignity of those that your officials encounter in order to be consistent with the spirit and letter of the 2011 memo.
Improper detention, indiscriminate enforcement measures and overly aggressive removal proceedings are intolerable. The strategy to detain individuals who are priority must remain your priority but the administration of these discretionary activities should be performed with more care and with less of an arbitrary and harmful approach. Conducting random sweeps and raids coupled with targeting ultimately innocent individuals must cease. I believe there is a better way to remove any criminal lawfully.

Profiling any race is not the American way and no one should be subject to unethical pursuit; especially not while accompanying your son at his school bus stop, while attending weekly bible study meetings or while purchasing food for your family at the local supermarket. It should not be the policy of ICE to target individuals based on immutable characteristics such as race or physical appearance. This is unacceptable, and as applied to some U.S. citizens that have been detained simply because of their physical appearance, likely an unconstitutional policing practice.

Your office must continue to be governed by fair and effective policies, should prioritize apprehension based on fair investigative techniques and ensure at all times that it uses appropriate prosecutorial discretion with all detentions and deportations. The discussions I have had with my constituents lead me to conclude that the status quo simply does not secure public safety in an equitable fashion. It is not too late to reverse the course of the troubling administration of detention and removal policies. I look forward to learning of progress in this area expeditiously.

Respectfully,

Cedric L. Richmond
Member of Congress

Cc: Trey Lund, Field Office Director