



COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

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September 14, 2007

Ms. Julie Myers
Assistant Secretary
Immigration and Customs Enforcement
United States Department of Homeland Security
425 I Street NW, Room 700
Washington, DC 20536

RE: Request for participation in Section 287(g) program

Dear Assistant Secretary Myers:

As Governor of the Commonwealth of Kentucky, it is my responsibility to pursue all avenues to ensure the safety and security of the citizens of this state. Presently, there are over 460 foreign-born offenders either in the custody of the Kentucky Department of Corrections or under supervision in the community. All of these individuals are convicted felons and many are illegal aliens. Every one of these convicted felons is subject to deportation, but only 82 currently have an Immigration and Customs Enforcement (ICE) detainer lodged against them. As a result, without a change in policy, a significant number of illegal aliens who have been convicted of felonies will continue to be released from Kentucky state correctional facilities.

In response to this unacceptable public safety risk, I directed my staff to investigate how other similarly situated states have addressed this problem. I soon was made aware of Section 287(g) of the Immigration and Nationality Act and the ability of state and local governments to carry out certain immigration enforcement functions. Last week, staff from my office visited with Sheriff Daron Hall of Davidson County, Tennessee, who has implemented a very successful 287(g) program.

Based on this research, the Commonwealth of Kentucky, through its Justice and Public Safety Cabinet, Department of Corrections, respectfully requests to participate in the Section 287(g) program and any other applicable or appropriate program, such as the State Criminal Alien Assistance Program and the Institutional Removal Program. Specifically, I am proposing to enter into a written agreement with the United States Attorney General, pursuant to 8 U.S.C. § 1357(g), which would authorize and direct the following:

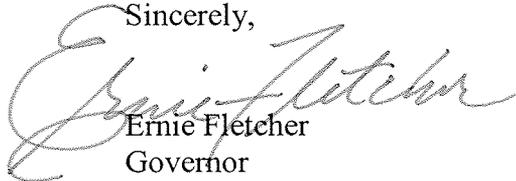
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- The establishment of a Section 287(g) alien identification program at the Roederer Correctional Complex Assessment Center or other centralized processing facility for all inmates sentenced and remanded to the Kentucky Department of Corrections
- The training of five (5) employees of the Kentucky Department of Corrections, who have a minimum of two years experience and received a security clearance acceptable to ICE, for the performance of immigration enforcement functions
- The provision of suitable training facilities by the Commonwealth for instruction of employees of the Kentucky Department of Corrections and any employees of other state or local authorities seeking regionalized 287(g) training

The proposed program, when implemented, will prevent foreign-born criminals and immigration violators, who pose a threat to national security or public safety, from being released back into the community. Such individuals will be identified and reported to ICE for processing. In addition, we are confident that this program will act as a force multiplier to enhance the capabilities of the ICE officers already in the Commonwealth.

We appreciate your expeditious attention to this matter and we look forward to a successful partnership.

Sincerely,



Ernie Fletcher
Governor

cc: Senator Mitch McConnell
Senator Jim Bunning
Congressman Hal Rogers
Congressman Ron Lewis
Congressman Ed Whitfield
Congressman Geoff Davis
Congressman Ben Chandler
Congressman John Yarmuth
Jerry Phillip, ICE Resident Agent in Charge for Kentucky