**287(g) Agreements: An Overview of History and Impact**

Prepared by Members of the Migrant Support Group

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All studies and original articles are available by clicking the corresponding hyperlinked text (underlined and in blue)

**Summary**

The 1996 Illegal Immigration Reform and Immigrant Responsibility Act added 287(g) to the Immigration and Nationality Act. The law allows [ICE](https://www.immigrantdefenseproject.org/ice-ruses/) and local law enforcement to enter into voluntary agreements or memorandums of agreement. These agreements vary in the level and nature of cooperation, but there is no variance in their ineffectiveness and the disadvantages incurred by all in the communities who endure them.  287(g) agreements have increased under every administration since their first adoption in 2002.

Below you will find a summary of types of 287(g) memorandums of agreement, although specific agreements may be unique. We have also included a timeline of 287(g). The majority of this document outlines the ineffectiveness of 287(g) agreements and the negative impacts on communities.

| **Program model** | **Where the authority is exercised** | **What officers may do** |  |
| --- | --- | --- | --- |
| **Jail Enforcement Model (JEM)** | Inside the partner agency’s jail or correctional facility. | * Interview non-citizens booked into the jail. * Issue detainers and administrative warrants. * Enter data into ICE systems and begin the charging/processing paperwork that ICE officers normally prepare. * [Counties in Utah: Washington County and Sanpete County](https://www.fox13now.com/news/local-news/heres-how-ices-partnerships-with-local-sheriffs-offices-will-work?fbclid=IwY2xjawLt7glleHRuA2FlbQIxMQBicmlkETFJUm9Xemlzc2xqUHpmb1V1AR5HwnKlfEDXFBM4MFtTycEwaNSt2OErVKkiAp-MpleFW5FPgH38deiBQ7C52A_aem_RXt91rC5) |  |
| **Warrant Service Officer Model (WSO)** | Primarily in the jail, but officers may also serve ICE warrants on individuals who are already the agency’s prisoners or who have been released on state/local charges. | * Serve and execute ICE Form I-200 or I-205 (administrative arrest/removal warrants). * Maintain custody for up to 48 hours after state/local release so ICE can take custody. * [Counties in Utah: Tooele County, Utah County, Beaver County](https://www.fox13now.com/news/local-news/heres-how-ices-partnerships-with-local-sheriffs-offices-will-work?fbclid=IwY2xjawLt7glleHRuA2FlbQIxMQBicmlkETFJUm9Xemlzc2xqUHpmb1V1AR5HwnKlfEDXFBM4MFtTycEwaNSt2OErVKkiAp-MpleFW5FPgH38deiBQ7C52A_aem_RXt91rC5) |  |
| **Task-Force Officer Model (TFO)** *-* | In the field (traffic stops, criminal investigations, street patrols). | * Make immigration status inquiries during routine policing. * Issue detainers and arrest non-citizens encountered outside the jail setting. * Counties in Utah: [Washington County, Tooele County, Weber County, Utah County.](https://www.fox13now.com/news/local-news/heres-how-ices-partnerships-with-local-sheriffs-offices-will-work?fbclid=IwY2xjawLt7glleHRuA2FlbQIxMQBicmlkETFJUm9Xemlzc2xqUHpmb1V1AR5HwnKlfEDXFBM4MFtTycEwaNSt2OErVKkiAp-MpleFW5FPgH38deiBQ7C52A_aem_RXt91rC5) |  |

**Timeline**

**1996:** Congress authorized state and local governments to participate in federal immigration enforcement through amendment to the Immigration and Nationality Act. The Clinton administration required community consultation prior to signing agreements, leading to rejection of all partnerships by local law enforcement because police feared immigrants would turn against them

**2002**: First agreements signed in Florida, but the focus was narrow and related to terrorism, criminal organizations, and border security

**2009**: Peak of 77 active agreements in the Obama administration; the Task-Force Officer Model sunset in accordance with the 1996 law. A large number of 287(g) agreements expire.

**2017- Current Day**: Program expands fivefold, widened scope of immigrant enforcement priorities and explicit intimidation.

**2025-** The Federal Government Increases Funding for 287(g) agreements with local law enforcement.

**Impacts of 287(g) Agreements**

**287(g) Agreements Do Not Decrease Crime**

287(g) agreements do not reduce crime in counties that enter into them. Looking at North Carolina Counties with 287(g) agreements and those without, in 2020, r[esearchers at the Center of Growth and Opportunity](https://static1.squarespace.com/static/5b7ea2794cde7a79e7c00582/t/6402d89056faf913e93fb505/1677908114277/Do+Immigration+Enforcement+Programs.pdf-) found no decrease in crime related to the agreements regardless of the type or intensity. 287(g)’s did not deliver on public safety, regardless of MOA type. They also did not find evidence of spill-over crime increases within counties who did not adopt MOAs.

[Another study found that](https://onlinelibrary.wiley.com/doi/pdfdirect/10.1111/1745-9133.12619), “Secure Communities program and 287(g) task force agreements did not reduce crime, but instead eroded security in U.S. communities by increasing the likelihood that Latinos experienced violent victimization.” (Baumer & Xie, 2023)

**287(g) Agreements Harm Communities**

* [They decrease student engagement and increase chronic absenteeism.](https://files.eric.ed.gov/fulltext/ED671826.pdf) Comparing nine North Carolina (linked to the left) counties who entered into 287(g) agreements with fifteen others demonstrated that 287(g) agreements decrease student engagement. The policies also increase student absences.
* [They lead to labor disruption in agricultural industries](https://www.sciencedirect.com/science/article/abs/pii/S092753712200094X). Another study (linked to the left) found that 287(g) agreements decrease labor supply in many counties where adopted. This led to an increase in farm labor costs and fuel expense, and a decline in farmland acreage. Machines and other labor pools did not substitute for these loses.
* [The increase distrust in local law enforcement among immigrants (regardless of documentation status) and compromised public safety and security.](https://journals.sagepub.com/doi/pdf/10.1177/0042098014563029?casa_token=Z0ii5AEfscsAAAAA:46CyWo0IVTpADv9ehhyJMN1xKnzSjJ3-T84h4RAkXRxQzK4Dzi-CwdG76ztI1jr0uCcI514v63xEtg) A 2016 study found that among the unintended negative consequences of 287(g) agreements is the decline of community-law enforcement relationships. “A number of key informants we interviewed described how immigrants - regardless of legal status - became reluctant to leave their houses or drive anywhere due to the fear of encountering police,” (Nguyen & Gill, 2016, p. 315). Members of these communities (again regardless of documentation status) explained that they would hesitate in reporting crimes to authorities out of fear “that a friend, neighbor or family member might be placed in danger of deportation,” (Nguyen & Gill, 2016, 316). They referred to a case where a Hispanic gunshot victim was deported after calling 911. They also referenced the arrest of a Hispanic minor in school for a minor prank. One interviewee commented, “I am afraid to report crime because I am afraid of police. I don’t know what they will do to me or my family”
* [They decrease economic activity.](https://journals.sagepub.com/doi/pdf/10.1177/0042098014563029?casa_token=Z0ii5AEfscsAAAAA:46CyWo0IVTpADv9ehhyJMN1xKnzSjJ3-T84h4RAkXRxQzK4Dzi-CwdG76ztI1jr0uCcI514v63xEtg)  Interviewed business owners reported a loss of revenue, decreasing consumer activity, even WalMart reported lower sales.
* [They harm health.](https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2014.302218) One study found that Hispanic mothers were likely to delay prenatal care reporting a profound mistrust of health services because of 287(g) agreements.

**Cases of Wrongful Detention that Could Increase with 287(g) Agreements**

*(click on hyperlinks for original articles)*

**Junior Dios**- Customs and Border Protection detained [Junior Dios a green card holder and Utah resident](https://www.newsweek.com/green-card-holder-detained-ice-immigration-2094727) of twenty-three years. Dios’s attorney explained that the six-year-old misdemeanors that CPB claimed were the reasons for deportation proceedings had already been cleared by the state of Utah, “You've got an immigration prosecutor who has filed deportation charges against Junior for charges which in his very state have already been vetted, already been determined to not be crimes involving moral turpitude.”

* Will our local law enforcements now cooperate with federal prosecutors in this way?
* Dios was released after 50 days of detention in Texas where he was held in a room with 90 other men. Those 50 days are gone, he will never get them back. Time is not a renewable resource.

**Caroline Dias Goncalves**- [A 19-year old student at the University of Utah](https://www.sltrib.com/news/education/2025/06/23/university-utah-student-arrested/), Goncalves is pursuing her asylum case through the US court system having fled with her family from their home country due to violence. She was arrested when a police officer asked her where she was born during a routine traffic stop. She was held for 15 days before being released.

* She was kept in a room with 17 other women for 15 days
* She reported being treated better once the workers knew she spoke English
* Would she be subject to arrest again in UT?

**April 2025**—[Harriet Steele](https://www.latimes.com/politics/story/2025-04-23/homeland-security-immigration-termination-notices-deportation), a US-born citizen received a notice that her case was terminated and that it “time for [her] to leave the United States.” The same happened to a doctor in Connecticut.

* Would our local law enforcement enforce these mistakes?
* Where can Cache Valley residents turn if our local law enforcement works with the very people breaking our laws and violating our constitutions?