

March 30, 2026

[REDACTED]

*Sent via email to* [REDACTED]

**Re: Participation in ICE’s 287(g) Agreements and Detention Contracts Hurts Those You Serve**



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Dear [REDACTED]

We write to urge you to reconsider your partnership with Immigration and Customs Enforcement (ICE) in its dangerous, indiscriminate deportation drive. If you are receiving this letter, it is because the [REDACTED] has at least one type of active 287(g) agreement, jail bed space or jail transport services contract with ICE and/ or the US Marshals Service (USMS), which poses serious risks to your community and municipality.

287(g) agreements create partnerships between Department of Homeland Security and state and local governments—allowing for some level of immigration enforcement by local law enforcement. Additionally, there are other means of cooperating with ICE—contracts with the U.S. Marshals Service increasingly include riders for jail space and transportation of ICE detainees. These riders allow ICE to have access to at least 1,272 jail beds across Ohio, as well as, a variety of transportation services—diverting local resources to benefit ICE.

Participating in ICE’s 287(g) program or entering into other agreements that benefit ICE is **harmful to public safety, community trust and your agency’s mission**. It has also never been more dangerous from the perspective of **legal liability and potential cost to taxpayers**. We write to share the risks and ask that you reconsider your agency’s current level of cooperation with ICE.

### **I. Partnering with ICE Undermines Public Safety and Community Trust**

Across the country, masked ICE agents are forcing people into unmarked cars and refusing to identify themselves, leading to the appearance of kidnappings in

communities.<sup>56</sup> Federal agents have used explosives to blow the door off a home with children inside, shoot pepper spray at toddlers and infants, and zip-tied children.<sup>57</sup> They are arresting parents and teachers in front of children, entering daycares armed, and even deploying tear gas near elementary schools.<sup>58</sup> These abuses are happening in front of grocery stores, Home Depots, and suburban streets — where agents inspire fear and traumatize children and others who witness their actions. Right here in Ohio, there have been reports of ICE agents pepper spraying individuals while in their vehicles.<sup>59</sup>

Additionally, there has been nationwide concern about properly vetting ICE agents during the hiring process and ensuring appropriate employee conduct. Recently uncovered ICE emails highlighted stalled background checks nationwide.<sup>60</sup> In December 2025, an ICE agent in Cincinnati was arrested on criminal and federal charges. Allegedly, the Cincinnati Police Department had been called to his two residences over twenty times in under two years.<sup>61</sup>

**Joining ICE’s 287(g) program and/or cooperating via shared jail space and transportation services associates the Butler County Commissioners with these unprofessional and abusive tactics,** which have inspired fear and concern among Americans of many political stripes.

Through our research, we found that the number of counties with immigration-related contracts and 287(g) agreements in Ohio has increased exponentially. At the end of 2025, 1,618,470 people (13.7% of the population) lived in an Ohio county where the sheriff and/or police department(s) had a 287(g) agreement. Similarly, from 2024 to the end of 2025, the number of jail bed space and/or transportation agreements rose from two to six.

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<sup>56</sup> See J. David McSwane and Hannah Allam, “Unfettered and Unaccountable: How Trump Is Building a Violent, Shadowy Federal Police Force,” ProPublica, Oct. 23, 2025, <https://www.propublica.org/article/trump-dhs-ice-secret-police-civil-rights-unaccountable>.

<sup>57</sup> See Bianca Serbin, “Masked and Unidentifiable: The Risks of Federal Law Enforcement Operating Without Identification,” Center for American Progress, Aug. 28, 2025, <https://www.americanprogress.org/article/masked-and-unidentifiable-the-risks-of-federal-law-enforcement-operating-without-identification/>; Mack Liederman, Colin Boyle, and Kelly Bauer, “Feds Detained 4 Children Who Are US Citizens During Controversial ICE Raid,” Block Club Chicago, Oct. 3, 2025, <https://blockclubchicago.org/2025/10/03/feds-detained-4-children-who-are-us-citizens-during-controversial-ice-raid/>; “Dad Says He and His Toddler Were Pepper Sprayed by Federal Immigration Agents,” NBC News, Nov. 10, 2025, <https://www.nbcnews.com/news/us-news/chicago-family-pepper-spray-allegations-ice-immigration-cicero-rcna242536>.

<sup>58</sup> See Tara Goodarzi and Zack Kligler, “ICE Raided My Son’s Daycare to Abduct a Teacher. This Kind of Trauma Lasts,” Truthout, Nov. 19, 2025, <https://truthout.org/articles/ice-raided-my-sons-daycare-to-abduct-a-teacher-this-kind-of-trauma-lasts/>.

<sup>59</sup> See Katie Millard, “Ice agents pepper-spray Columbus mom, three kids inside moving vehicle,” NBC4, Feb. 26, 2026, <https://www.nbc4i.com/news/investigates/ice-agents-pepper-spray-columbus-mom-three-kids-inside-moving-vehicle/>.

<sup>60</sup> See Ted Hesson and Kristina Cooke, “ICE struggles to vet recruits amid US immigration enforcement push, internal email shows,” Reuters, Feb. 26, 2026, <https://www.reuters.com/world/ice-struggles-vet-recruits-amid-us-immigration-enforcement-push-internal-email-2026-02-26/>.

<sup>61</sup> See Nick Swartsell, “Cincinnati ICE agent charged with strangulation now faces federal charge,” WVXU, Dec. 18, 2025, <https://www.wvxu.org/local-news/2025-12-18/cincinnati-ice-agent-charged-with-strangulation-now-faces-federal-charge>.

## II. Partnering with ICE Exposes Your Agency to Legal Violations and Lawsuits

Entering into any partnership with ICE exposes you to serious risk of lawsuits and money damages. As the attorney general of New Mexico’s guidance warns, “[c]hoosing to enforce federal law can expose local law enforcement departments and officers to civil liability.”<sup>62</sup> When agencies agree to participate in 287(g) contracts, there is a false sense of total immunity imparted on local law enforcement officers. This can have direct financial consequences for your community and municipality. **When local police become embroiled in lawsuits pertaining to use of excessive force, racial profiling, and other civil rights violations, it is not the federal government who is held responsible for monetary damages—it is the local participating agency.**

Localities have faced lawsuits and reached settlement agreements costing them thousands and even millions — for example, \$92.5 million in a class action settlement in New York for people held unlawfully based on ICE detainers.<sup>63</sup> It is true that the Immigration and Nationality Act provides that 287(g)-designated officers are treated the same as federal officers for purposes of liability and immunity.<sup>65</sup> While the existence of a 287(g) agreement may change some of the dynamics of potential litigation, the bottom line remains the same: **If a state or local officer acts as an arm of ICE, they expose their agency to costly litigation.** A city or county remains vulnerable to money damages claims under the federal Civil Rights Act of 1871, 8 U.S.C. § 1983 for violations of constitutional rights that can be traced to the municipality’s actions, policy, custom, or failure to train or supervise.<sup>66</sup>

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The proliferation of ICE’s programs and partnerships does nothing to improve public safety or protect your community, and they betray the best of this nation’s values. **We urge you and your legal counsel to review this letter and to rescind or choose to not renew any and all current contractual engagements with ICE.**

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<sup>62</sup> New Mexico Department of Justice, Guidance for Law Enforcement Concerning Civil Immigration Enforcement Action, Jan. 22, 2025, <https://nm DOJ.gov/get-help/guidance-on-immigration-enforcement>.

<sup>63</sup> See Luis Ferré-Sadurní, “New York City to Pay \$92.5 Million to Improperly Detained Immigrants,” The New York Times, Dec. 18, 2024, <https://www.nytimes.com/2024/12/18/nyregion/migrants-detention-settlement-deportation.html>.

<sup>64</sup> See Spencer Amdur, “Florida Sheriff Worked With ICE to Illegally Jail and Nearly Deport US Citizen,” American Civil Liberties Union, Dec. 3, 2018, <https://www.aclu.org/blog/immigrants-rights/ice-and-border-patrol-abuses/florida-sheriffworked-ice-illegally-jail-and>; David J. Bier, “U.S. Citizens Targeted by ICE,” CATO Institute, Aug. 29, 2019, <https://www.cato.org/sites/cato.org/files/pubs/pdf/irpb-8.pdf>; *Uroza v. Salt Lake Cnty.*, No. 2:11CV713DAK, 2014 WL 4457300, at \*5 (D. Utah Sept. 10, 2014) (“Between 2008 and 2012, ICE issued detainers against more than 800 U.S. citizens and 28,000 legal permanent residents.”). 16 Appendix A, Class Action Settlement.

<sup>65</sup> 8 U.S.C. § 287(g)(8).

<sup>66</sup> See *Monell v. Department of Social Services*, 436 U.S. 658, 690 (1978); see 8 U.S.C. § 1357(g)(8) (addressing only the “liability, and immunity from suit, of the *officer or employee*,” not the municipality).

We appreciate your careful consideration regarding this matter. We implore you to reconsider your current level of partnership with ICE.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Rosnick', written in a cursive style.

Jocelyn Rosnick, Esq.  
Chief Policy & Advocacy Officer  
ACLU of Ohio