

*Michael B. Hancock*  
Mayor



*City and County of Denver*

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April 6, 2017

Jeffrey D. Lynch  
Acting Field Office Director  
U.S. Immigration and Customs Enforcement  
12484 East Weaver Place  
Centennial, CO 80111

Mr. Lynch:

The undersigned officials for the City and County of Denver and Denver Public Schools strongly endorse the letter and the spirit of the policies adopted by Immigration and Customs Enforcement in the memorandum dated October 24, 2011 and titled "***Enforcement Actions at or Focused on Sensitive Locations.***" To the extent the current administration has announced its intention to increase and broaden immigration enforcement efforts throughout the United States, we believe it is going to be more important than ever for Immigration and Custom Enforcement (ICE) officers to respect "sensitive locations" when carrying out their duties, for all of the reasons set forth in the 2011 policy memorandum.

We especially appreciate the wisdom of these elements of your 2011 sensitive locations policy:

- The admonition to ICE officers and agents to "make substantial efforts to avoid unnecessarily alarming local communities" when carrying out enforcement actions.
- The direction to ICE supervisors to "take extra care when assessing whether a planned enforcement action could reasonably be viewed as causing a significant disruption to the normal operations of the sensitive location."
- The direction to all ICE employees to take "particular care" when taking enforcement actions that might affect any organization that assists victims of crime or abuse.

We are writing today to express our concerns about recent ICE enforcement actions in Denver which we believe may be inconsistent with the letter and the spirit of your sensitive locations policy.

***ICE enforcement actions in Denver Courthouses***

As you know, recent media accounts in Denver have called attention to the presence of ICE agents in the hallways of Lindsay-Flannigan Courthouse, deployed in the courthouse for the express purpose of arresting individuals going to or from a courtroom on a state or local criminal matter.

The sanctity of the courtroom has traditionally been recognized by law enforcement and judicial officers and the deference given to courthouses allows for the fair and effective administration of justice. We acknowledge that, even before the recent media accounts, ICE has used courthouses in Denver as staging areas for enforcement activities. However, we believe this practice has and will increasingly lead to an environment of fear for victims and witnesses. Already, we have victims of domestic violence refusing to come to court for fear of immigration consequences which results in violent criminals being released into the community. Unless ICE has a criminal warrant, we respectfully request you consider courthouses sensitive locations and follow your own directive which states that particular care should be given to organizations assisting victims of crime.

Denver officials are not alone in expressing this concern about the deleterious effect that immigration enforcement in or near courtrooms has on the administration of justice at the state and local level. For example, the statement issued by the chief justice of California Supreme Court on March 16, pleading with ICE agents in her state to refrain from enforcement actions within California court facilities, reflects the same concerns we are expressing in this letter.

### ***ICE enforcement actions at or near Denver schools***

On March 14, Denver officials were alerted by the principal of Colorado High School Charter of a possible ICE enforcement action at a residence directly adjacent to the school's campus during the traditional drop off time for the school, and in plain view of parents and children coming to and from the school. Colorado High School Charter is located in a Denver neighborhood that serves a large immigrant population. We investigated the incident and confirmed that ICE did in fact notify local dispatch and initiate an action near the school between 5:30am and 8:30am. We believe this enforcement action, particularly because it was scheduled to occur during the morning drop-off period, may have violated both the letter and the spirit of your sensitive location policy. The hour and location of this action potentially put children, staff and parents in danger should your agents have encountered resistance, and clearly caused alarm to the principal and the community served by the school. We are not aware of any exigency that would have required the enforcement action to occur at that location and at that hour. We strongly urge ICE to refrain from future enforcement actions near schools in Denver that do not comport with the sensitive locations policy.

The March 14 incident also raises a related concern. Video taken during the incident shows ICE agents wearing black uniforms with the word "POLICE" in large white block letters. The word "ICE" was much smaller and below the word "POLICE." These types of uniforms lead to confusion and fear within our community as many mistakenly assume that our local police are involved in immigration enforcement actions.

The Denver Police Department has worked tirelessly to reassure the immigrant community that they should feel comfortable calling the police and reporting crimes. Our local police rely on information and cooperation from our immigrant community to protect the entire city. Identifying yourselves as "police" confuses and erodes the trust between our local police and the immigrant community endangering the community at large. Again, Denver's concerns in this regard are being increasingly expressed by city leaders and local law enforcement officials elsewhere in the United State. Like our counterparts in other cities, we respectfully request that ICE agents carrying out their duties in Denver cease identifying themselves as police and clearly identify themselves as ICE in any official action where display of a law enforcement insignia is deemed operationally necessary.



We look forward to continuing to communicate about these and other issues. We all share the common goal of keeping our community safe from those that would do harm to our residents. Please do not hesitate to contact us regarding these or any other issues.

Respectfully,



Michael B. Hancock  
Mayor



Tom Boasberg  
Superintendent, Denver Public  
Schools



Judge Theresa Spahn  
Presiding Judge, Denver County  
Court



Beth McCann  
Denver District Attorney



Kristin Bronson  
City Attorney, City and County of  
Denver



Albus Brooks  
City Council President, District 9



Rafael G. Espinoza  
City Council, District 1



Kevin Flynn  
City Council, District 2

Paul D. López  
City Council, District 3



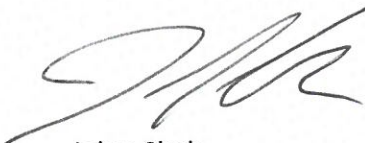
Kendra Black  
City Council, District 4



Mary Beth Susman  
City Council, District 5




Paul Kashmann  
City Council, District 6



Jolon Clark  
City Council, District 7



Christopher J. Herndon  
City Council, District 8



Wayne New  
City Council, District 10



Stacie Gilmore  
City Council, District 11



Robin Kniech  
City Council, At Large



Deborah "Debbie" Ortega  
City Council, At Large