AN ACLU-NC ADVOCACY TOOLKIT

Opposing 287(g) Agreements Between ICE and North Carolina Law Enforcement

ACLU
North Carolina

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Background

The explosion of the 287(g) program: turning local law enforcement into tools of ICE to support mass deportation

A 287(g) agreement gives local law enforcement the power to enforce federal immigration law, something they normally cannot do. These agreements turn local officers into Immigration and Customs Enforcement (ICE) agents, fueling deportations, racial profiling, and fear in immigrant communities. As the Trump administration continues to supersize deportations and immigrant detention, Immigration and Customs Enforcement (ICE) has tapped state and local law enforcement to act as its force multiplier to a degree never seen before. While this program has long existed, it is taking new shape. The number of 287(g) partnerships has skyrocketed to over 1,200 across 40 states and continues to increase. We are even seeing the partnerships go beyond law enforcement agencies, including state National Guard and college campuses.

The program has long been problematic, serving as a vehicle for racist, anti-immigrant politicians and law enforcement agents with deeply troubling records.

A newly released report by the ACLU, *Deputized for Disaster*, details how the Trump administration is drastically expanding the federal 287(g) program to transform state and local law enforcement into a national deportation policing force — fueling racial profiling, civil rights violations, and widespread fear in communities across the country.

The 287(g) program has three models: **Jail Enforcement Model**, **Warrant Service Officer**, and **Task Force Model**.

Under the **Jail Enforcement Model**, ICE delegates certain immigration authorities to state and local law enforcement agencies to identify immigrants in state and local custody and place them into immigration proceedings. Corrections officers in local jails, under the supervision of ICE, are deputized by the federal government to interrogate people in their custody about their immigration status and funnel them into the deportation pipeline. Jail enforcement 287(g) agreements put immigration

enforcement at the center of local jails, giving corrections officers duties they are ill-equipped to perform and increasing the likelihood of errors and abuse. These agreements are commonly accompanied by contracts to rent jail space to detain immigrants in removal proceedings or awaiting deportation, allowing counties to profit from the cruelty of immigration detention.

The **Warrant Service Officer** allows ICE to train, certify, and authorize state and local law enforcement officers to serve and execute administrative immigration warrants on people already in custody in their agency's jail. The federal government created this version of the agreement in 2019 and it's sometimes referred to as "287(g)-lite," because it has required less training and delegated fewer responsibilities to local law enforcement.

The **Task Force Model**, described by ICE as "a force multiplier," allows state and local law enforcement agencies to make immigration arrests during routine police enforcement. This model is the broadest and deepest form of collusion with ICE, essentially turning police officers into ICE agents.

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North Carolina Landscape

Understanding how to combat 287(g) agreements in North Carolina

There is currently no federal mandate that state or local law enforcement agencies participate in the 287(g) program. While lawmakers in North Carolina have introduced a bill to attempt to mandate 287(g) agreements for some law enforcement agencies, that bill has not been passed into law as of January 2026, meaning that there is no requirement for any law enforcement agencies in the state to participate in the 287(g) program. Regardless, as of January 7, 2026 there are 28 active 287(g) agreements in North Carolina that law enforcement agencies have voluntarily entered. The North Carolina General Assembly has passed legislation (House Bill 10, passed in 2024 and House Bill 318, passed in 2025) to require that all Sheriffs' Offices in the state cooperate with ICE, but that cooperation is not in the form of a 287(g) agreement. As a result, Sheriffs can still comply with state law without forming a formal partnership with ICE.

The ability to prohibit any agency in North Carolina from adopting a 287(g) agreement is restricted by state law. Under North Carolina's anti-sanctuary law, no municipality can enact "any policy, ordinance, or procedure that limits or restricts the enforcement of federal immigration laws." (G.S. 160A-205.2) As a result, no local or county government can block the adoption of a 287(g) policy.

Despite the anti-sanctuary law, there are steps that municipal and county governments can take to add process requirements to 287(g) participation and provide local oversight. While County Commissioners cannot dictate any Sheriff's Office policies or procedures, they can require certain reporting requirements from the Sheriff (G.S. 153A-104). Requiring reporting on department actions taken as part of their participation in the 287(g) program can help increase transparency and track what taxpayer resources are being used in service of federal actions.

At the municipal level, the City/Town Council has notable power over the local police departments. The City/Town Council has the power to appoint the Chief of Police and, as a result, can set certain department policies (G.S. 160A-281). The City/Town Council can require the

local police department to get pre-approval before entering a 287(g) program and mandate certain policies, procedures, and reporting requirements. By exercising this power, the City/Town Council can help prevent the town/city from suffering legal action due to their participation in a 287(g) program and ensure proper oversight of how the police department uses taxpayer funds.
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Goals

Even though a total prohibition is not legally feasible, important steps can be taken to slow down the adoption of 287(g) programs and increase government oversight and public transparency. When agencies enter into 287(g) agreements, they yield certain power to the federal government and assume additional legal liabilities. Additionally, the adoption of these agreements is often not publicized, meaning that residents are not necessarily aware that their local police or Sheriff have partnered with ICE. To increase good governance and public transparency, county and municipal governments should have oversight over any agreements between local law enforcement and the federal government. To do that, municipal and county governments can consider policies with administrative requirements that:

- Delay or slow down applications by imposing state or local pre-approval process and requirements;
- Impose "performance measurement" and other accountability requirements to participate in the program;
- Create liabilities for not meeting local requirements;
- Create a paper trail supporting public concern and potential litigation.

Advocacy Tactics

Direct advocacy tactics can be used to support the passage of policies at the county or municipal level but also can play an important role in attempting to dissuade elected officials and law enforcement leaders from pursuing 287(g) agreements. Since there is currently no requirement in North Carolina mandating that any agency enter into a 287(g) agreement, local leaders can still decide not to pursue participation in the program. As a result, direct advocacy to dissuade local leaders from entering into a 287(g) agreement can be effective even without formal policy change.

Many local leaders do not fully understand the ramifications of 287(g) agreements, particularly the liabilities they will open themselves up to and the potential diversion of resources

away from local priorities. Providing information to local leaders to help highlight the dangerous reality of what participation in the 287(g) program can mean for communities is essential.

Advocacy tactics with local leaders could include:

- Community sign on letter to local leaders stating community opposition to joining the 287(g) program;
- Organize calls or texts to local leaders asking them to refrain from participating in the 287(g) program
- Communications tactics: op-eds, storytelling, etc.

The below resources can be shared with local leaders and adapted as needed:

- Template letter to Sheriffs or Police Chiefs
- Liability Risks & Costs of 287(g) Program Participation

Policy Templates for County and Municipal Government

The linked templates provide model policy language for counties and municipalities either with or without existing 287(g) agreements. These templates can be adapted to best fit the needs of your county or town/city, so please edit as needed.

Please download the appropriate template and make sure to enter in the specific information for your resolution, such as the county/city/town and law enforcement agency name.

Not sure if your local law enforcement agencies have a 287(g) agreement? You can check here.

FOR ALL COUNTIES

FOR MUNICIPALITIES WITH NO LOCAL POLICE DEPARTMENT 287(G) AGREEMENT

FOR MUNICIPALITIES WITH AN EXISTING LOCAL POLICE DEPARTMENT 287(G) AGREEMENT

Messaging Guidance

The 287(g) program is a key and harmful federal immigration enforcement tool, **effectively turning state and local law enforcement into extensions of ICE to advance the federal administration's political deportation agenda with taxpayer-funded resources.** Rapid expansion of this program is happening in the context of a reckless federal overreach through a nationwide immigration crackdown, with a documented pattern of abuse across the country, including in Charlotte and communities throughout North Carolina in November 2025.

This harmful program **diverts local taxpayer resources to federal deportation efforts**, **erodes trust in law enforcement**, and **fuels racial profiling and civil rights violations without improving public safety**. Disrupting 287(g) is a potentially powerful point of intervention for advocates because the program is voluntary, vulnerable to public pressure, and central to the administration's plan to scale up deportations — **without them, ICE loses a key tool for carrying out widespread rights-violating enforcement.**

These talking points aim to provide advocates in North Carolina with **clear, compelling, and impact-centered messaging to support coordinated and consistent communications on 287(g)**, with the goal of moving targets to oppose the program and advancing pro-civil rights and civil liberties policies that support immigrants, ensure transparency and accountability, and strengthen trust between the public and government.

CORE VALUES

- Community safety and protection
- Trust between communities and government/law enforcement
- Government accountability and transparency
- Civil rights, racial justice, and human dignity

SUGGESTED MESSAGING STRUCTURE:
VALUE → PROBLEM → SOLUTION → ACTION (VPSA)

- ***Value (V)*** | Lead with shared values to overcome compassion fatigue. Show what's at stake so the audience feels personally connected.
- ***Problem (P)*** | Explain how the issue violates those shared values. Use only essential facts tied to your solution, avoid myth-busting, and frame the problem systemically to steer people toward collective, not individual, fixes.
- ***Solution (S)*** | Move quickly to clear, motivating solutions. Name who has the power to act and show how your proposal directly addresses the problem you described.
- ***Action (A)*** | Give your audience a concrete way to participate. Involvement builds ownership and keeps people engaged in the movement.

TOPLINE MESSAGES

Community Safety & Trust:

- **(V)** Safe communities depend on trust between residents and local law enforcement.
- **(P)** The 287(g) program essentially turns local officers into federal immigration agents, eroding trust and discouraging immigrant families from reporting crimes or seeking help — making communities less safe and diverting resources from serious crime.
- **(S)** Local governments and law enforcement should reject or terminate participation in 287(g) and invest resources in proven community safety efforts.
- **[Tailor the ACTION (A) to the situation]**

Proven Civil Rights Violations:

- **(V)** Civil rights and equal protection under the law are fundamental to our democracy — and they apply to everyone, regardless of immigration status.
- **(P)** 287(g) agreements force local officers to interpret complex federal immigration laws outside their training, increasing racial profiling and unconstitutional policing. Data and past investigations show the program fuels discrimination and civil rights violations.
- **(S)** Local governments and law enforcement should reject or terminate participation in 287(g) to ensure law enforcement policies protect constitutional rights and prevent racial profiling and other unlawful tactics.
- **[Tailor the ACTION (A) to the situation]**

Potential Legal & Financial Risk:

- **(V)** Taxpayer dollars should be used to benefit communities — not fund costly lawsuits.
- **(P)** 287(g) agreements expose local governments and law enforcement to significant legal liability. Civil rights violations tied to the program have resulted in millions of dollars in settlements.
- **(S)** Local governments and law enforcement should reject or terminate participation in 287(g) to protect public funds and reduce legal risk
- **[Tailor the ACTION (A) to the situation]**

Local Control, Resources & Political Accountability:

- **(V)** Local communities deserve control over how their public resources are used and how public safety is achieved.
- **(P)** 287(g) agreements place local law enforcement under federal direction, diverting local resources to advance a federal agenda instead of addressing community needs.
- **(S)** Local governments and law enforcement should reject or terminate participation in 287(g) so police can focus on local priorities and advance programs proven to keep communities safe.
- **[Tailor the ACTION (A) to the situation]**

MESSAGING DOS & DON'TS

Do

- Center community safety, rights, and accountability.
- Name systemic harm (racial profiling, federal overreach).
- Highlight lack of transparency and oversight.

Don't

- Don't engage in myth-busting about crime or stats.
- Don't rely on economic arguments to justify the worth of immigrants' lives and humanity ("immigrants contribute to the economy"). These appeals have proven to be ineffective and inadvertently dehumanize people who are immigrants by linking their worth and dignity solely to economic value.
- Don't frame safety as an individual feeling ("everyone deserves to feel safe"). Instead, frame it as collective community safety.

ADDITIONAL MESSAGING GUIDANCE

Additional messaging materials, including audience-specific guidance, can be found here.

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