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Morristown deputizing plan differs from 1st town

Suburb of Washington will not crack down on stacking, contractors

**BY MINHAJ HASSAN
DAILY RECORD**

The first town in the country to get permission to deputize its local police officers as immigration agents is a Virginia suburb of Washington with several similarities to Morristown.

Herndon, Va., is comparable to Morristown in that it is a relatively small (4 square miles), diverse community with a large immigrant population -- about 26 percent of its 22,000 residents are Hispanic.

Herndon on March 13 adopted the 287G program, which enables the Immigration and Customs Enforcement (ICE) officials to train local police so they can enforce immigration laws. The town has received word from the federal government that they have been approved for the program, but training of officers has not started yet. Morristown has applied for the program but has not learned yet if its application will be approved.

Herndon's interpretation of how the law can be used, however, differs from Morristown in at least two ways.

Mayor Donald Cresitello has told the Daily Record on several occasions that 287G is intended to go after illegal immigrants who have committed crimes, as well as to combat the problem of overcrowding in homes and contractors who hire illegal aliens and don't pay them fair wages.

Local officials in Herndon agree that 287G is intended to be used for criminal aliens, but disagree that it gives local police the authority to crack down on stacking and contractors hiring illegal aliens.

"That is an improper use," said Anne Curtis, Herndon's public information officer. "That is not what it's intended to do. It is not a random street sweep."

The town's Web site also states 287G is intended to be used only to deal with individuals who pose a significant threat.

"It is not designed to impact issues such as excessive occupancy and day worker activities," the Web site says. "In outlining the program, ICE representatives have repeatedly emphasized that it is designed to identify individuals who pose a significant threat to public safety for potential deportation, to include individuals convicted of state or felony offenses."

A call to Cresitello Wednesday was not returned.

Curtis said seven of the police department's 58 officers are scheduled to undergo ICE training and that a key issue will be teaching them how to conduct checks without profiling.

Center for workers

While the town has had issues with day laborers, most of whom are illegal immigrants, Curtis said the town of Herndon chose to address the issue in another way --through the creation of a day workers' site.

While several local ministers support the idea of a workers'center, Cresitello has rejected the idea and repeated that stance last week.

Herndon's governing body had supported the idea and a nonprofit organization called Project Hope & Harmony has been running the center since it opened in late 2005.

Bill Threlkeld, director of the day laborer center in Herndon, said the center is opened from 7 a.m. to noon, Monday through Friday, and 6 to 11 a.m. on weekends.

The center was created as a way to prevent as many as 200 men being spread out in the business district, which Threlkeld said created some "safety hazards and nuisances."

The jobs the day laborers, who are mostly Hispanic, wind up doing include landscaping, moving, digging, carpentry, fencing and cleaning buildings, the director said.

The center has a lottery system. Of the 100 or so people who show up each day and get a ticket, Threlkeld said about 25 percent get work for the day. Threlkeld said the center doesn't ask workers for documents showing their immigration status.

"It's been working well," he said. "Previously, they were accustomed to a free-for-all on the street."

Herndon also has overcrowded apartments, but the town's Community Development department hired an inspector to look for violations.

Program risks

Threlkeld said there are risks to 287G.

"It could freeze relationships and create difficulty with community policing," he said. "The proof will be in the practice."

In a March 22 memo to Cresitello, Morristown Police Chief Peter Demnitz expressed concerns about 287G.

"Such a plan will have a huge impact on the police agency and its resources," Demnitz wrote. "Therefore, I am respectfully requesting that dialogue be initiated as soon as possible between this agency and your office for the purpose of developing a comprehensive plan that will best accommodate the needs of the mayor's office, the police bureau, and the people we serve."

Demnitz did not return a phone call Wednesday.

Minhaj Hassan can be reached at (973) 267-9038 or mhassan@gannett.com.
