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Police, ICE, and Knox County: A Timeline of the 287(g) and Detention Bed Contracts from 2017-2021

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Police, ICE, and Knox County:

A Timeline of the 287(g) and Detention Bed Contracts from 2017-2021

A Thesis Presented for the Degree of

Bachelor of Arts in College Scholars with an Emphasis in Migration Studies

The University of Tennessee, Knoxville

Taylor Dempsey

May 2022

Abstract

The Knox County Sheriff's Office (KCSO) continues to heavily collaborate with Immigration and Customs Enforcement (ICE), in spite of the consistent community opposition and ongoing legal ramifications that have resulted from Knox County's 287(g) and detention bed contracts. Research on these programs and Knox County's immigration enforcement involvement has largely focused on the logistics of enforcement mechanisms, the racism and xenophobia that construct the programs, and the legal challenges Knox County has faced as a result of their execution of the contracts. This creative project accumulates this research and utilizes public records received from Public Records Act and Freedom of Information Act requests, minutes from city and county governmental meetings, legal documents, news articles, and social media posts to construct a digital timeline of Knox County's 287(g) and detention bed programs from 2017 to 2021. Assembled on an easy to use, publicly accessible website, it aims to increase public access to this information and centralize the information for those focused on getting involved with efforts to build opposition to the programs.

Project Link: <https://taylordempp.wixsite.com/knoxcounty287g>

Background

In high school, I taught English as a second language (ESL) and volunteered with the Refugee Empowerment Program in Memphis, TN. Throughout these experiences, I heard stories about how Immigration and Customs Enforcement (ICE) impacted the lives of my ESL students, supervisors, and friends, and how ICE had separated their families. These stories, and the fear associated with them, only increased during the 2016 presidential election cycle. I was 16 at the time and didn't know where I fit into this conversation, but I knew this wasn't the world I wanted to live in. I wanted to live in a world where everyone felt safe and where everyone received the care they needed. I saw how the existence of ICE and borders worked directly against these ideas, and I wanted to do something about it.

Therefore, I decided to study immigration in college. When I moved to Knoxville for my freshman year, I was still unsure of my role in this fight. I didn't want to co-opt a movement or stand in the way of those who were directly experiencing the violence of ICE, so I decided to seek out experiences where I could learn from these organizers and other folks in Knoxville. I got involved with the VOLBreaks Program, which sponsors alternative service learning trips focused on social justice. During winter break of 2019, I led a VOLBreaks trip to Austin, Texas focused on migrant justice. In Austin, our trip learned about 287(g) from the Refugee and Immigrant Center for Education and Legal Services (RAICES). The attorneys and organizers at RAICES shared stories of how 287(g) had resulted in the deportation and detention of their clients, friends, and families and explained to us how the program divides communities and

separates families. A participant on this trip, Luis Mata, then shared with us that Knox County was notorious for its 287(g) program.

After leaving RAICES, I got in the car with Luis and we talked more about 287(g), how it impacted people in Knoxville, and what was being done about it. Luis had been fighting against the 287(g) program for years, and he told me about all of the incredible people working to end the program across Knoxville. Together, we lamented how little some students knew about local police-ICE collaboration, despite living in an area where the relationship between local police and federal immigration enforcement is so strong. Pretty quickly into the conversation, we agreed that we needed to do something about that. Students for Migrant Justice was initiated the following January with a mission to educate students about the immigration system, mobilize on and off campus, and build power with migrant students. We wanted to connect UT students with others in the community and help strengthen the end 287(g) movement in Knox County.

We mentioned our idea to Fran Ansley, a local community leader and retired law professor in Knoxville, and she invited us to an Allies of Knoxville's Immigrant Neighbors (AKIN) meeting and later a strategy session on how to build a movement to end the program. At this strategy session, Fran, Dr. Meghan Conley, and other community leaders outlined the history of the 287(g) program in Knoxville—something each of them have continued to do for me throughout my involvement in the movement. They drew on white boards, shared stories, and discussed the work they had done in the past decade.

After this, I became much more involved in the greater Knoxville community. I interned with AKIN and Adelante Knoxville, a non-profit immigration law firm. I formed relationships with other non-profits in the area that served migrants and refugees, such as Centro Hispano de East TN and Bridge Refugee Services. I helped build campaigns on and off campus to oppose the

renewal of 287(g). I spoke to students, faculty, family, friends, and others about the 287(g) program and found myself cherishing all of the people who helped me understand the program and its history. These people helped me find my place in this work and have guided my decisions every step of the way.

All of this has brought me to this moment and to this project, my thesis. I knew I wanted to do something that would reflect everything I've learned in the past four years and support the movement in which I have become so intimately involved. After talking to my friends and mentors, I decided to accumulate the information and stories that have been shared with me into one centralized, publicly accessible website. I wanted others to have the same opportunity to visualize the history of 287(g) that I did in that end 287(g) strategy meeting, without having to rely on the labor of those who have been doing this work for years. The result is this interactive, digital timeline of Knox County's 287(g) and detention bed contracts, which shares information about the contracts and community opposition for those who are interested in getting involved.

Content Curation

In curating information for this website, I was guided by my overall project goal—to help people interested in getting involved in the end 287(g) movement develop a better understanding of the history of these contracts and how the Knoxville community has responded in the past. I relied heavily on my experience as a white, U.S. born citizen that was new to the end 287(g) movement, a participant in said movement, and as a leader in Students for Migrant Justice to decide what would be useful for someone beginning their involvement in this work.

I first started requesting public records from the Knox County Sheriff's Office, Knox County Mayor's Office, and Knox County Legal Director in the summer of 2021.

Tennessee Open Records Act for Contracts between U.S. Immigration and Customs Enforcement, United States Marshal Service, and the Knox County Sheriff's Office

17 messages

Taylor Dempsey [REDACTED]
To: publicrecords@knoxsheriff.org

Tue, May 11, 2021 at 8:00 AM

Dear Ms. Martin,

I am a Tennessee resident requesting access to records in your possession pursuant to the Tennessee Open Records Act, § 10-7-503.

I am seeking to inspect all contracts, memoranda, memoranda of understanding, or guidance documents between ICE and/or USMS and the Knox County Sheriff's Office from January 1, 2008 up to the time that this request is processed.

These include but are not limited to:

- a. 287(g) Needs Assessments
- b. 287(g) Agreements
- c. Detention Bed Intergovernmental Service Agreements
- d. Guidance documents relating to the Secure Communities Program
- e. Any guidance documents, memoranda, memoranda of understanding, and contracts indicating or relating to ICE agents having access to, or working with, KCSO.

If you claim that any of these documents are exempt from inspection under TCA § 10-7-504, please state the basis for exemption and identify the document or portion by date; by sender, recipient, or author; and by a description of the contents sufficiently detailed to enable an independent evaluation of the exemption.

I request a response within seven (7) days of this request, as pursuant to state law. I will therefore expect a response by May 19th, 2021. If you anticipate that the completion of this request will take longer than seven (7) days, please provide me an anticipated date of completion.

You will also find a copy of this request attached to this email.

Sincerely,
Taylor Dempsey

Photo 1: Dempsey Records Request to Knox County Sheriff's Office

I received a grant from the Chancellor's Honors Program to fund these requests and specifically requested the following information:

- Knox County immigration enforcement;
- The 287(g) contract including needs assessments, guidance documents, memoranda;
- The detention bed intergovernmental service agreement;
- Invoices and contract changes for the detention bed intergovernmental service agreement;
- Information related to the average cost of detention per person per day in the Knox County Jail and Roger D. Wilson Detention Center;
- Emails between the Knox County Sheriff's Office and Immigration and Customs Enforcement;

- Copies of the budget for the Knox County Jail for Fiscal Years 2018, 2019, 2020, and 2021.

I ran into numerous problems in requesting these records. For example, in response to the request featured in the photo above, I received this response:

Public Records <publicrecords@knoxsheriff.org>
To: Taylor Dempsey [REDACTED]

Thu, May 13, 2021 at 5:25 PM

Ms. Dempsey,

Please see the attached response. I was advised that we have nothing that responds to a., that we are unsure of what b. is or who might have it other than ICE, and that we do not believe we have anything that responds to d. You might want to check with DHS or the FBI for that.

Please let me know if you have any questions or if you need anything else. Thank you!
Hillary

Photo 2: KCSO Response to Dempsey Records Request

I was immediately confused, as I had previously seen the 287(g) Needs Assessment and was confident that KCSO knew about the 287(g) contract that they initiated. I asked for clarification and then received the following additional information:

Ms. Dempsey,

Please see the below (highlighted) responses to your questions.

KCSO does not have the 287(g) needs assessment?

I was told that we do not have any documents that respond to this request.

KCSO is unsure of what the 287(g) agreement is?

I apologize, but we translated the lettering wrongly as we were working on your request. I've attached a copy of the response to b.

And KCSO does not have any documents relating to the Secure Communities Program?

I was told that we do not have any documents that respond to this request.

I also do not see a response to e. Do you have any information regarding this?

We are unable to decipher this request, but believe that the MOA is the closest document we have that might respond to it. I've attached a copy of it.

I hope this helps. Thank you!
Hillary

Photo 3: KCSO Clarification to Dempsey Records Request

This exchange is representative of my overall experience requesting public records from the Knox County Sheriff's Office. With the help of my mentor, Dr. Meghan Conley, I learned to be as specific and persistent as possible. KCSO needed the exact name of the contracts (for example, instead of referring to the detention bed contract as such, I needed to refer to it as contract #74-13-0015) as well as consistent follow up emails. I had to use the documents they were releasing to me to find the exact verbiage I needed to request additional information. While I did not receive everything I'd hoped for, I received over 1,000 documents from these requests and searched through them for information related to the signing and initiation of the contracts, the funding of the contracts, and response to the end 287(g) mobilization in Knoxville. I separated each piece of information that I deemed important for the website and organized them in folders. If you would like access to the public records I received that are not included on this website, feel free to email me at 2021287gthesis@gmail.com.

I then searched for news articles about the contracts, the Sheriffs' commentary about the contracts, and community opposition. I wanted articles that specifically discussed Knox County's 287(g) and detention bed contracts, rather than the contracts more generally. I therefore used Google and the following search terms: "287g Knoxville," "287g Knox County," "287g Knoxville 2017," "287g Knox County 2018," "287g Knox County 2019," "287 Knox County 2020," "287g Knox County 2021," "Spangler 287g Knoxville," "Spangler immigration Knoxville," "Jones 287g Knoxville," "Jones immigration Knoxville." I also searched for anything related to 287(g) on local news sites, such as *Knox News Sentinel*, *WBIR*, and *Wate 6*.

Finally, I used social media—specifically Facebook and Instagram—to accumulate additional information on community mobilization efforts. I started by searching through the Allies of Knoxville's Immigrant Neighbors Facebook and Instagram. I then searched through the

Students for Migrant Justice and ICE Out of East TN Instagrams. I searched specifically for information regarding direct action strategies, protests, and end 287(g) campaign work. I also searched the #end287g hashtag on both Facebook and Instagram for anything related to Knox County.

Any remaining information came from leads I gathered from the searches mentioned above or other people involved in this work. For example, Students for Migrant Justice posted about speaking at Knox County Commission and Knoxville City Council Meetings about 287(g). Therefore, I searched through City and County Commission minutes and recordings to find said speeches. The Allies of Knoxville's Immigrant Neighbors frequently posted about their website, which led me to numerous additional articles about community response to the contracts.

Conclusions and What's Next

Constructing this website showed me the importance of sharing stories and information, illuminated how progress and organizing are not linear experiences, and proved to me that relationships are an essential part of achieving migrant justice.

In 2020, I took a class on Immigration Politics and Policy Class with Dr. Meghan Conley. She shared the following quote during the first week of class:

“The supreme and most insidious exercise of power [is] to prevent people, to whatever degree, from having grievances by shaping their perceptions, cognitions and preferences in such a way that they accept their role in the existing order of things, either because they can see or imagine no alternative to it, or because they see it as natural and unchangeable, or because they value it as divinely ordained and beneficial.”

(Steven Lukes, *Power: A Radical View*, 2005)

Since that class, I've kept this quote written on a sticky note beside my desk. It's become an essential part of my personal ideology and how I view my future work in creating a world in which everyone is cared for and can feel safe. Moving forward, I hope this website helps people challenge their understanding of the collaboration between police and immigration enforcement and how the two work against the community in Knox County. I hope the website shows people what organizers and community members have already achieved in Knox County and encourages them to believe that more is possible. I hope it helps prove that what's going on here is not unchangeable and encourages them to get involved with the fight to make those changes.

I plan on sharing this website with organizers and organizations that are working towards migrant justice here in Knox County. While editing access will remain with me, I hope that this access will eventually belong to Students for Migrant Justice and the website will be updated with new information as this fight continues. If not, I plan on returning to Knoxville after graduating from law school and can hopefully continue expanding this website myself.