

ADJUSTED DRAFT 11/1/25

NEW HAMPSHIRE IMMIGRANT RIGHTS NETWORK

VIA ELECTRONIC DELIVERY

[Date]

Commissioner Stuart D. Trachy, Chair
Commissioner Stephen Shurtleff
Commissioner David M. Lovlien, Jr.
Merrimack County Commission
333 Daniel Webster Highway, Ste. 2
Boscawen, NH 03303

Superintendent Garrett A. Jewel
Merrimack County Department of Corrections
314 Daniel Webster Highway
Boscawen, NH 03303

RE: NHIRN Opposition to New Hampshire County Corrections Facilities' Participation in the ICE Detention Program

Dear Merrimack Commissioners Trachy, Shurtleff and Lovlien and Superintendent Jewel:

We are submitting this letter on behalf of the NH Immigrant Rights Network (NHIRN), a coalition of New Hampshire organizations and individuals working with and within immigrant communities to improve lives and ensure just treatment. NHIRN and its allies include residents of Merrimack County. We vehemently oppose county correctional facilities entering into contracts with the U.S. Department of Homeland Security to incarcerate people who have been seized and detained by ICE. We understand that there has been discussion within Merrimack County government about entering into a detention contract with ICE. We urge the Commission and Superintendent to reject any intention to participate.

The U.S. Department of Homeland Security (DHS) has launched a massive and largely unlawful civil incarceration machine, trampling on the rights and protections to which all persons within the United States are entitled. The current Administration has been seizing people and accusing them of being in the U.S. without authorization (either by remaining after their visa expired, entering the country without permission or other allegations).¹ Concurrently, there has been a dramatic increase in the detention rate of those seized, coupled with the use of expedited removals from the country thereby effectively denying people the right to a hearing and an opportunity to present a case against their removal from the U.S.

¹ It is important to note that being in the U.S. without authorization is a civil, not criminal, violation of law.

On any given day, news outlets publish horror stories of ICE raids, seizures and imprisonments. At least 20 people have died in ICE custody this year.² ICE detention operations are happening here in New England, including in New Hampshire.³

As of September 21, 2025, almost 60,000 people were in DHS civil custody.⁴ And currently, several hundred people who have been seized by ICE from all over the country are incarcerated in the Strafford County Jail in Dover and in the federal prison in Berlin. It is important to note that national statistics indicate that 71.5% of those detained have no criminal record and for those that do, most of the criminal violations were minor infractions and traffic offenses.⁵ People in detention are routinely and purposefully moved to incarceration facilities far from their homes and even outside of the U.S., thereby making it almost impossible for them to secure counsel, communicate with family or request release on bond.

While many of the people seized by DHS may have been in the U.S. without current permission, an alarming number of those who have been incarcerated have been U.S. citizens, legal permanent residents and noncitizens with permission to be in the country.⁶ To further this shameful and indiscriminate mass incarceration scheme, DHS seeks to use state and county correctional facilities to imprison people. We emphatically decry any New Hampshire governmental participation in such an unjust enterprise, including the participation of Merrimack County.

Allowing DHS to use our state and its resources to engage in this intentionally cruel incarceration enterprise makes all of us complicit. There is no amount of financial benefit that can overcome the immorality of participating in such cruelty. The Merrimack County Commission and Superintendent must soundly reject pursuing this course of action.

Sincerely,

² *It is the Deadliest Year for People in ICE Custody in Decades; Next Year Could be Worse*, All Things Considered, National Public Radio (Oct. 25, 2025) at <https://www.npr.org/2025/10/23/nx-s1-5538090/ice-detention-custody-immigration-arrest-enforcement-dhs-trump>.

³ *How Many Convicted Criminals has ICE Arrested in NH? The Numbers May Surprise You*, Seacoastonline (Aug. 29, 2025) at <https://www.seacoastonline.com/story/news/politics/2025/08/29/how-many-criminals-has-ice-arrested-in-nh-numbers-may-surprise-you/85862986007/>; *Apparent ICE Officers Detain Man Near Manchester Courthouse, Community Concerned*, New Hampshire Public Radio (July 22, 2025) at <https://www.nhpr.org/nh-news/2025-07-22/apparent-ice-detention-man-manchester-nh-courthouse-community-concerned>.

⁴ Transactional Records Access Clearinghouse, Syracuse University (Sept. 21, 2025) at tracreports.org/immigration/quickfacts/.

⁵ *Id.*

⁶ *We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They Have Been Kicked, Dragged and Detained for Days*, Pro Publica (Oct. 16, 2025) at <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>; George Will, *When ICE Came for a U.S. Citizen and Army Veteran*, Washington Post (Oct. 24, 2025) at <https://www.washingtonpost.com/opinions/2025/10/24/ice-immigration-unconstitutional-detention-veteran-citizen/>; *We are not Safe in America Today. These American Citizens Say They were Detained by ICE*, CNN (June 27, 2025) at <https://www.cnn.com/2025/06/27/us/american-citizens-detained-ice-immigration>; *Who has been Arrested by ICE under Trump?*, BBC (June 11, 2025) at <https://www.bbc.com/news/articles/c86p821p660o>.

