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Siena College Summer Legal Fellows

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Siena Summer Legal Fellows was a very rewarding and interesting experience. When I applied in February I imagined myself walking the hallways of a law school campus and immersing myself in as much of the legal environment as possible. However, instead, I got an inside look at the adaptability of the field and the work that goes into it.

My experience started June 1 with many meetings and introductions with members of the Albany Law Government Law Center (GLC) staff including the dean of Albany Law, Dean Ouellette. Speaking to Dean Ouellette reassured me that everyone's path to law school is their own and that I should use the eight weeks to explore the field of law to the best of my abilities. One aspect of the program that I greatly appreciated was the chance given to speak to lawyers frankly and get their insight on the career. A second aspect of the program that I found to be insightful was the live-streamed Court of Appeals Arguments and the Second Circuit court arguments. I was able to observe how judges and lawyers interact with one another and the skillset needed to do so. I was also able to firsthand observe how the law profession adapts to ensure that cases continue to be heard and decisions made.

As a consequence of the summer going remote much of the work I completed was individualized research. I chose immigration law as my focus as it is the field that I envision myself practicing in and worked closely with the director of the center Ava Ayers, an

immigration lawyer. Legal research, I learned is the backbone of law and lawyers spend hours pouring over prior cases, secondary research, and more. One of the most important skills that I learned was how to utilize the basics of the legal databases, Westlaw, and Lexis Nexis. I spent the majority of my time going through cases and secondary research. This was not the most exciting thing to do but I think the hours spent researching has improved my abilities to find relevant and useful source material.

I was able to write and completely edit two memos, on Intergovernmental Services Agreements and 287(g) Agreements. Intergovernmental services agreements or IGSA's are contractual agreements that local governments and law enforcement agencies enter into with ICE. A central part of the agreements is that localities rent bed-space in their jails to ICE and are paid a "detainee day rate" which is a significant source of payment from those agreements. I was surprised to find out that millions of dollars could be made from these agreements and looking back I think it's an even larger surprise that these agreements are not more commonly known in the general public if it is this profitable. The aim of the memo centered on a central issue with IGSA's, which is that they can conflict with State policies that restrict the ability of local governments and law enforcement to participate with federal immigration agencies. From there I continued to ask the question "are local counties while servicing IGSA's able to bypass the State and act as federal employees?". I came to the conclusion that they were not by looking at cases aimed at settling fee disputes and the allocation of funds from IGSA's in which the courts determined that the sheriff and jails involved were not federal entities. I concluded that because localities are not federal authorities then it can be reasoned that any participation with ICE if legally restricted by states is a violation of state policies.

The next memo focused on the liabilities of 287(g) agreements, a tool that many localities use to curb the influx of illegal immigration and safeguard the communities and their interests from them by partnering with ICE to assist in the detention of illegal immigrants that enter into their jail and prison systems. In my research, I discovered that there are several consequences for a county and state by entering into the agreements which are: The decreased ability for law enforcement to be effective, Lawsuits and the expenses from the implementation of these programs pose financial strains on the localities and that there is the decreased quality of life for the children impacted. I discovered that several counties have discounted their agreements as the costs and risk was too extensive for them to continue. I found this agreement to be very interesting to research because of its complexity and controversial nature and the fact that there are often used in conjunction with other similar policies.

Both of these two agreements are just two of the many methods that localities and ICE use to promote federal immigration policies but both have issues that may in the future impact their effectiveness and implementation.

Overall I would say that the eight weeks spent working with the GLC were informative and eyeopening. Despite being unable to physically be on the campus I think that the remote research strengthened my research skills and also my ability to effectively communicate my research to others. I believe that being on my own other than the regular 15 to 30 minutes a day Scrum meeting pushed me to keep myself accountable and strengthened my time management skills. Despite the less than ideal situation, I think both myself and the GLC staff made the best of it.