



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**  
ALBANY 12224

**ANDREW M. CUOMO**  
GOVERNOR

**MYLAN L. DENERSTEIN**  
COUNSEL TO THE GOVERNOR

June 1, 2011

John Sandweg  
Counselor to the Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

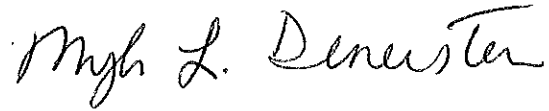
Dear Mr. Sandweg:

Since the commencement of Governor Andrew M. Cuomo's administration in January of this year, we have received numerous complaints and questions about the purpose and implementation of the Secure Communities Program to which the prior administration committed New York State. The heart of concern is that the program, conceived of as a method of targeting those who pose the greatest threat to our communities, is in fact having the opposite effect and compromising public safety by deterring witnesses to crime and others from working with law enforcement. Compounding these concerns, the Department of Homeland Security ("DHS") Inspector General recently announced that he will investigate whether the program is meeting its stated goals, whether it is being applied equitably and whether prior representations to the states, including New York, regarding the program's purpose, intent and impact are accurate. As you know, we have been examining these concerns and have discussed them with you and your staff.

This administration takes very seriously its obligations not only to keep New Yorkers safe but to maintain their confidence in the integrity of government. Protecting the community from harm and facilitating an effective and efficient administration of the criminal justice system is the cornerstone of this administration's public safety goals. Accordingly, until the numerous questions and controversies regarding the program can be resolved, we have determined that New York is best served by relying on existing tools to ensure the safety of its residents, especially given our overriding concern that the current mechanism is actually undermining law enforcement. As a result, we are suspending New York's participation in this program.

We appreciate your cooperation and look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "Mylan L. Denerstein". The signature is written in black ink and is positioned above the printed name.

MYLAN L. DENERSTEIN