

Immigration and Customs Enforcement feuds with California police over sanctuary cities

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As part of President Trump's recent executive order on immigration, the Trump administration is taking several measures to put pressure on so-called sanctuary cities, those that allow undocumented immigrants to reside and avoid deportation. In addition to threatening to withhold federal funding from sanctuary jurisdictions, the Trump administration had Immigration and Customs Enforcement (ICE) compile and publish a list of jurisdictions that limit cooperation with ICE.

ICE's published report has information on which jails have denied ICE "detainer requests"—essentially requests to hold suspected undocumented immigrants in jail pending a transfer to ICE custody—and which jurisdictions have had any restrictive policy whatsoever regarding cooperation with ICE.

The ICE report carries the warning: "ICE field offices have been instructed to resume issuing detainers on all removable aliens in a LEA's [Law Enforcement Agency] custody regardless of prior non-cooperation. *As a result, the number of issued detainers will increase over the next several reporting periods*" (emphasis in original).

In parallel with the growing rift within the establishment, centered over questions of foreign policy, a division is emerging between different sections of police forces and is crystalizing over the question of sanctuary cities. In California this is coming to a head over a proposed state bill called the "California Values Act." If passed, it would essentially make California a "sanctuary state."

Since 1979, a rule called Special Order 40, written by then police chief Daryl Gates, has been the cornerstone of Los Angeles police policy on undocumented immigrants. The rule prohibits officers from asking about the immigration status of detainees, and forbids

LAPD from making arrests based solely on immigration status. It does not forbid the Los Angeles Police Department (LAPD) from working with federal police altogether, which they regularly do. The order has been pointed to as a microcosm of how the California Values Act might function.

Special Order 40's self-declared intent is to improve police relations with the immigrant community to make it easier for them to report crimes. The *Los Angeles Times* recently described the bill as a "policing tool, not an immigration policy." LAPD chief Charlie Beck has claimed that reports of sexual assault from Latinos has dropped 25 percent since the ICE raids last month because immigrants are less willing to go to the police for help. Through the pretext of building police trust, the driving concern among the elite is the economic disruption that would come from a significant deportation of its workforce.

According to the Public Policy Institute of California, about 10 percent of the state's workforce—or 1.75 million workers—consists of undocumented immigrants. In certain sectors, such as textiles and agriculture, this number is considerably higher. Especially in these areas, police collaboration with ICE and a subsequent massive escalation of deportations would disrupt the otherwise regular operations of capitalist exploitation. Other major cities have adopted similar policies for largely the same considerations.

LA Mayor Eric Garcetti has defended both Special Order 40 and the California Values Act on the grounds that the ICE raids since Trump's inauguration have already begun to have an impact on economic life. He voiced concern over a drop in participation in civic life in the immigrant community and added that there may be an economic impact from immigrants less willing to work.

At the same time, there are real fears that stirring up social discontent among the working class could provoke genuine opposition. Unions such as the National Day Laborer Organizing Network (NDLON) are attempting to contain and, if needed, suppress working class opposition, while presenting themselves as friends to immigrants. At a Thursday demonstration held in tandem with the Service Employees International Union in support of the California Values Act, NDLON director Pablo Alvarado said that the point of their protest was to appeal to the LA County Sheriff for support, saying, “I think we will be able to touch his heart and mind.”

While the ICE spokespersons have opposed the California Values Act, some California police, most prominently LAPD chief Charlie Beck, have supported it. Other California police officials, such as LA County Sheriff Jim McDonnell and Orange County Sheriff Sandra Hutchens, have objected to this approach, calling for closer work with ICE. Sheriffs are in charge of county prisons, meaning they receive federal funding that was recently threatened by the Trump administration’s executive orders. That is, if their jurisdictions are declared to be sanctuary jurisdictions, they may lose their funding.

Hutchens took a particularly reactionary position opposing the legislation, saying, “What, in effect, this would do is say we could not talk to ICE about who is in our custody, and we cannot tell them when someone is going to be released. Then, they get released to the street, and I am talking about violent, convicted felons.”

The attitude of ICE toward non-cooperative jurisdictions has taken on more and more hostile language. Claude Arnold, the previous head of the ICE branch in Los Angeles, recently implied that the bill “forces sheriffs and police departments to harbor aliens—a federal crime.” In other words, if the bill were passed, then those departments complying with it could be criminally charged.

Whether it’s the unions, the police, or the Democratic Party calling for sanctuary city legislation, the one commonality of their defense is that it is justified by economic or security issues. They are all opposed to making an appeal for the basic democratic rights of the working class, as that stands in the way of their class interests. For them, sanctuary cities are the mechanism

through which capitalist relations can best be maintained, and through which the working class can be best exploited.

Neither ICE nor state or local police are concerned about the fate of immigrants, much less the democratic and social rights of the working class as a whole. While ICE has been more infamous in recent news, police departments around the country have been militarizing for the better part of the last two decades. A confrontation with the working class is being prepared at the highest levels of the establishment. On this question, there is no fundamental disagreement between various police forces. Should such a confrontation become imminent, they would rapidly settle their differences.



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