

# Immigrant arrests up 33 percent since Trump inauguration

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18 April 2017

Arrests of immigrants have jumped by nearly one-third since President Donald Trump took office, compared to the same period a year ago. The Immigration and Customs Enforcement unit of the Department of Homeland Security arrested 21,362 allegedly undocumented immigrants from January 20 through mid-March, according to statistics released to the *Washington Post*, compared to 16,104 in the same period of 2016.

Despite Trump's claim that he is targeting "criminals" among the undocumented immigrant population, the largest increase in arrests is among immigrants with no criminal record of any kind, more than doubling to 5,441. Arrests of immigrants with some type of criminal record—which could include a drunk driving charge from 20 years ago—rose from 13,404 to 15,921, an increase of 18.7 percent.

The *Post* wrote of "newly empowered federal agents intensifying their pursuit of not just undocumented immigrants with criminal records, but also thousands of illegal immigrants who have been otherwise law-abiding." Some regional ICE offices reported much greater increases in arrests for immigrants with no criminal record: Philadelphia was up 500 percent to a total of 356, Atlanta was up 300 percent to nearly 700.

There was also a 75 percent increase in immigration detainers, requests from ICE to local police agencies and prisons asking that they hold prisoners beyond their scheduled release date for transfer to federal custody and deportation. The total since Trump's inauguration through mid-March was 22,161, greater than the number of ICE arrests.

Despite the increase in arrests and detainers, actual deportations fell by 1.2 percent, to 54,741 in January, February and March, compared to the same months in 2016. That is because the greater number of recent arrests is putting more prisoners into already clogged immigration courts, where caseloads have soared and the time required to process cases has lengthened.

There is also resistance from many countries to taking back citizens targeted by the US authorities for removal,

particularly China, which has no reason to do any favors for a government that has accused it of "raping" the United States through its trade practices, and which is beating the drums for war against North Korea.

The total number of ICE arrests is still below the peak levels of 2014, when the Obama administration had 29,238 immigrants arrested during the first months of the year. This corresponded to a surge of refugees, mostly mothers and unaccompanied children, who fled the Central American countries of Guatemala, El Salvador and Honduras fearing violence from gangs and right-wing US-backed regimes.

In November 2014, DHS began to curb arrests of immigrants systematically, limiting detentions to those with violent criminal records and recent border-crossers. Under Trump, however, the DHS has greatly expanded the categories of immigrants targeted for arrest.

DHS Secretary Robert Kelly, a former Marine general, told the NBC program "Meet the Press" that the Trump administration was expanding policies already in place under the Obama administration. "It is fair to say that the definition of criminal has not changed," he said, "but where on the spectrum of criminality we operate has changed." Even a single DUI conviction, no matter how remote, can now be grounds for prioritizing an undocumented immigrant for deportation, he said.

Kelly boasted that Trump's anti-immigrant rhetoric, as well as the recent visit to the border zone by Attorney General Jeff Sessions, had played a role in reducing the number of people crossing the US-Mexico border, mainly from Central America. "It's injected enough confusion in their minds, I think, and they're just waiting to see what actually does happen," he concluded.

Local newspaper and television reports across the country, collected by immigrants' rights groups, are filled with accounts of undocumented workers with no criminal records, well-established lives in the United States and US citizen children being picked up by ICE and deported.

One report from Naples, Florida, noted, "For undocumented immigrants in Collier County, a traffic

offense is now enough to end up at Krome, where they face deportation, according to recent arrest records. In the month after Trump's order, at least 35 people and as many as 48 arrested by Collier deputies were transferred to ICE, according to hundreds of arrest records and court documents reviewed by the *Naples Daily News*."

The newspaper found, "Three-fourths of those cases alleged only misdemeanor traffic offenses, such as driving with no valid license, driving with an expired license or driving with a suspended license, according to arrest records. Only three were for alleged felonies, and charges in two of those cases were dropped, and reduced to a misdemeanor in the third, court records show."

An undocumented worker married to a US citizen and father to three US citizen children, who has lived in Indiana for two decades, crossed into Canada on a vacation to Niagara Falls and was arrested when he returned across the border. He was deported to Mexico. An Ohio woman is fighting deportation after she became a victim of domestic violence and had to go to court as a witness against her abuser.

Those who are arrested and detained disappear into an increasingly overloaded court and prison system. The number of backlogged cases has soared from 236,415 in 2010 to 508,036 this year, about 1,700 cases for each of the 301 immigration judges. The processing time is extended because under Trump's immigration directives, set down in executive orders just after his inauguration, prosecutors are going forward with every possible immigration case, rather than setting aside those involving immigrants with long US residence and no criminal record.

The Trump administration is pushing ahead with plans for another 30,000 beds in detention facilities. GEO Group, one of the big contractors operating detention centers, announced Monday it would build a \$110 million prison in Conroe, Texas, outside of Houston, to hold as many as 1,000 detainees.

The deteriorating conditions in the Immigration and Customs Enforcement gulag were underscored by the death April 13 of a Mexican immigrant, Sergio Alonso Lopez, who had been held at the Adelanto Detention Facility in California. He was transferred to Victor Valley Global Medical Center in Victorville on April 1 when he began vomiting blood, but he died 12 days later from internal bleeding. He had a history of alcohol abuse leading to hypertension and cirrhosis of the liver, which could not be properly treated in a prison.

Lopez, age 55, was the sixth detainee to die in ICE custody during the current fiscal year, which began last October 1. He was arrested February 7 in the Los Angeles area, where he had lived for nearly two decades.

Meanwhile, on Friday, a federal judge in California began hearing the suit filed by two large metropolitan counties, San Francisco and Santa Clara (San Jose), against Trump's executive order to withhold federal funds from cities and counties which decline to turn their local police forces into branches of the ICE and DHS (so-called sanctuary cities).

The two counties are seeking a nationwide preliminary injunction against Trump's executive order, describing it as a "weapon to cancel all funding to jurisdictions" that violated the 10th Amendment to the US Constitution, which upholds the division of powers between the federal government and state and local jurisdictions.

Chad Readler, a Justice Department attorney, said the executive order was limited to grants provided by the Justice Department and the Department of Homeland Security, not all federal funds, sharply curtailing the scope of Trump's decree. He said that as little as \$1 million out of the \$1 billion in federal funds received by Santa Clara County, and perhaps none of the \$1.2 billion going to San Francisco would be affected.

He also claimed, "There is no actual enforcement action on the table or that has been formally threatened," and that the two counties were giving "the broadest possible reading" to the executive order.

The sanctuary city issue has also become a major legislative question in Washington, after Trump's budget director, Mick Mulvaney, sought to insert language restricting federal funds to cities that resist federal immigration policies in legislation that must pass by the end of April to raise the federal debt ceiling and extend funding for federal agencies through the end of the current fiscal year.

Mulvaney said that Trump would veto any budget legislation that did not shut off funds to sanctuary cities and provide the initial funding to build a wall along the US-Mexico border.

*The author also recommends:*

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[14 April 2017]

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