Trump administration threatens widespread ICE raids in California

Patrick Martin
9 October 2017

The top immigration enforcement official in the Trump administration threatened Friday to carry out widespread raids targeting undocumented workers at their homes and jobs throughout California.

Immigration and Customs Enforcement Acting Director Tom Homan issued a thuggish statement in response to the state legislature's passage of a "sanctuary state" law that limits cooperation with the federal immigration agencies.

Homan made it clear that the federal immigration agency would make undocumented immigrants in California a special target in retaliation for the state legislation, SB54, signed into law by Governor Jerry Brown on Thursday.

The new state law does not restrict the operations of ICE, which is a federal agency, as Brown was at pains to declare as he signed the law. But SB54 does limit the cooperation of local and state police agencies with ICE in terms of sharing information.

It also bars local and state authorities from honoring "detainers," administrative orders issued by the federal agency to hold an arrested or jailed immigrant who is otherwise scheduled for release, requiring that ICE obtain a warrant or court order.

The language of the statement issued by Homan is extraordinary, treating legislation enacted by the California state government, approved by huge majorities in both the Assembly and the State Senate, and applying only to the activities of state and local government agencies, as though it were an assault on federal authority.

Homan threatens to penalize the undocumented population of the state, estimated at 2.3 million people, for the state government's action by carrying out far more sweeping enforcement actions against California residents.

"ICE will have no choice but to conduct at-large arrests in local neighborhoods and at worksites," he wrote, "which will inevitably result in additional collateral arrests," a reference to the arrest of undocumented residents or workers who are not the initial targets of the raid but are encountered when ICE agents begin rounding people up and demanding their papers.

In perhaps the cruelest passage in his statement, Homan wrote, "ICE will also likely have to detain individuals arrested in California in detention facilities outside of the state, far from any family they may have in California." This is blatant retaliation against the undocumented workers and their families, removing those detained to locations outside the state in order to make it more difficult for them to remain in contact with their families, lawyers and support groups.

Homan's statement is filled with the type of language demonizing immigrants that was the staple of Trump's presidential campaign and his many racist speeches on the subject, claiming that California would become "a sanctuary state for illegal aliens—including those who have committed crimes" and would benefit "dangerous criminal aliens and other immigration violators."

The reality is that SB54 is a largely cosmetic measure, enacted by the Democratic-controlled state legislature in response to lobbying by agribusiness, the garment industry, Silicon Valley, and other business groups that are large-scale exploiters of immigrant labor.

While accompanied by rhetoric aimed at currying favor with the state's large Hispanic and Asian population, the bill was heavily watered down in negotiations with Governor Brown, also a Democrat, who insisted that there be no limitation on ICE agents having access to prisoners held in state and local jails,

© World Socialist Web Site

or on cooperation with ICE by jail and prison officials.

The law permits local and state police to communicate with federal agents about the past felony criminal records of supposed undocumented immigrants, or about arrest records for those awaiting trial for felonies. It also permits them to cooperate in the transfer of such prisoners to federal custody.

Brown issued a statement upon signing SB54 into law. “This bill does not prevent or prohibit Immigration and Customs Enforcement or the Department of Homeland Security from doing their own work in any way,” Brown wrote. “They are free to use their own considerable resources to enforce federal immigration law in California.”

SB54 does effectively forbid state and local police from taking on any direct role in the enforcement of immigration law, which is a federal responsibility. They are barred from asking about an arrested person’s immigration status, arresting anyone based on a civil immigration warrant, or participating in any joint task force with federal agencies to enforce immigration laws.

Brown defended the law for its budgetary benefits, saying that state and local police should not be “commandeered” by the federal government, without reimbursement, to do work which is inherently federal, like the enforcement of immigration laws.

While California Democrats have sought to posture as sympathetic to undocumented immigrants, there is no fundamental difference between the two big business parties on carrying out mass repression of immigrants. The Obama administration deported nearly three million immigrants, more than any other administration in US history, while Obama used executive orders like the one establishing Deferred Action for Childhood Arrivals (DACA) to feign support for a section of the undocumented population.

Brown signed a total of ten bills into law Thursday that impact immigration enforcement in California, including AB450, which bars private and public employers from giving federal agents access to records or workplaces unless they have a judicial warrant. AB 291 bars landlords from using immigration status to discriminate in renting residential property.

SB29 restricts state and local government from contracting with ICE to provide detention facilities, effectively barring the use of local jails and state prisons for detained immigrants. It was this bill that provoked Homan’s threat that ICE would ship detained immigrants to other states.

While the Democratic Party has no such intentions, the passage of SB54 and its companion laws could yet spark a direct conflict between the largest US state and the federal government. The Trump administration seems determined to provoke such a conflict, in part to appeal to its fascistic base.

In a similar fashion, Republican-controlled state governments like that in Texas have deliberately provoked conflicts with Democratic-controlled local authorities, such as the city of Austin and its surrounding Travis County, over their reluctance to aggressively attack undocumented immigrants. The Texas state legislature recently passed SB4—the seeming opposite of SB54 in California—prohibiting local governments from declaring themselves sanctuary cities.

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site