

Trump denounces acquittal of California immigrant

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On Thursday, a San Francisco jury acquitted Jose Ines Garcia Zarate, an undocumented immigrant initially known as Juan Francisco Lopez-Sanchez, in the fatal shooting of Kate Steinle in 2015. President Donald Trump responded with a series of tweets denouncing the verdict and reiterating his plan to build a border wall with Mexico. Trump had made demonizing Zarate a centerpiece of his anti-immigrant rhetoric during the presidential campaign.

Officials told the *Washington Post* that Zarate would be deported and the government was considering filing unspecified federal charges against him.

In July 2015, Steinle was hit in the back by a bullet while walking along the Pier 14 in San Francisco. Before hitting Steinle, the bullet ricocheted off a concrete walkway. It was fired from a gun stolen from a Bureau of Land Management sports utility vehicle.

According to Zarate's defense in court, he had found the gun wrapped in cloth under a bench and it went off within seconds of him picking it up. The prosecution claimed that Zarate had brought the gun to the pier and intentionally shot Steinle, but could provide no motivation for the killing or any evidence linking Zarate to the gun before Steinle was shot. The prosecution relied on a confession the police had extracted from Zarate under dubious circumstances.

Zarate had no prior interaction with Steinle and by all appearances her death was the result of a freak accident. The jury weighed the evidence and after six days of deliberation found Zarate not guilty of first- or second-degree murder and the lesser charge of involuntary manslaughter. The jury found him guilty of unlawful possession of a firearm.

Steinle's death would likely not have made national news, except that Zarate was an undocumented immigrant with prior non-violent convictions and the

incident occurred during the presidential election campaign.

Zarate had been deported five times and had been convicted of seven non-violent felonies. In March 2015, a few months before the shooting, he had finished serving a federal sentence for illegally reentering the country. He was then sent to San Francisco to stand trial on a 20-year-old marijuana possession charge.

In April of that year, prosecutors decided that there was not enough evidence and dropped the drug charge. San Francisco operates under a "sanctuary city" law dating from 1989, meaning it can only carry out immigration enforcement as mandated by law. Since no court had ordered Zarate's detention, he was released from jail.

Then-presidential candidate Trump used the incident to launch a racist attack on immigrants and denounce sanctuary cities. He called Zarate "this animal" who killed "that wonderful, that beautiful woman in San Francisco." Trump was joined by Democratic contender Hillary Clinton in denouncing San Francisco's sanctuary city policy.

Clinton argued that local law enforcement should detain immigrants without a court order. She said at the time: "What should be done is any city should listen to the Department of Homeland Security, which, as I understand it, urged them to deport this man again after he got out of prison. So I have absolutely no support for a city that ignores the strong evidence that should be acted on."

Despite opposition from Kate Steinle's family, politicians continued to use her death as grist for the anti-immigrant mill. Months after the shooting, Steinle's mother, Liz Sullivan, told the *San Francisco Chronicle*, "For Donald Trump, we were just what he

needed--beautiful girl, San Francisco, illegal immigrant, arrested a million times, a violent crime and yadda, yadda, yadda. We were the perfect storm for that man.”

Following the shooting, Trump proposed ending federal funding for sanctuary cities and Republicans put forward “Kate’s Law” to drastically increase prison sentences for immigrants with criminal records. Kate’s Law was passed by the House of Representatives in July of this year with the support of 24 Democrats. It has not yet been voted on in the Senate.

In sharp contrast to the politicians of both major parties, Kate Steinle’s father, Jim Steinle, expressed humane sentiments in connection with the trial. In an interview with the *Chronicle* on Thursday he said: “We never had a moment of anger—not a moment. Frustration maybe, and sadness for sure, but no anger and no retaliation or vindictiveness or anything like that. We’re not that kind of people. Even if this guy gets 100 years in prison, it doesn’t solve anything, it doesn’t help anything. We would just like people to know... that’s the Steinles’ feelings.”

Right-wing politicians are already circling to try and push more draconian measures. The Senate co-sponsor of Kate’s Law, Chuck Grassley (Republican of Iowa), released a statement Friday declaring: “The death of Kate is a heartbreaking and preventable tragedy. She died in her father’s arms at the hand of someone who violated our nation’s laws and who never should have been in our country... The United States Senate should immediately pass Kate’s Law to improve community safety and prevent future tragedies.”

Trump is continuing to use the case to try to whip up anti-immigrant chauvinism and undermine democratic norms. Within a day of the verdict, he had tweeted that the acquittal was “a complete travesty of justice” and that the jury should have been told that Zarate was undocumented and had prior drug convictions. As a basic democratic measure, the court excluded Zarate’s immigration status and prior drug convictions so as to not bias the jury.



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