Chicago police to be deputized as federal immigration agents

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Homeland Security Investigations (HSI) announced that it will be collaborating with the Chicago Police Department (CPD) in a memorandum of understanding (MOU) signed between the federal and city agencies last April. HSI, a branch of Immigration and Customs Enforcement (ICE), grants CPD officials the legal authority to enforce laws ranging from drug and sex trafficking, cybercrimes, gang activity and immigration.

The document was signed by former CPD Superintendent Eddie T. Johnson and James M. Gibbons of HSI. The MOU states that HSI will now have the ability to deputize Chicago police officers as "customs officials" who will be "authorized to enforce the full range of federal offenses" but are not authorized to "enforce administrative violations of immigration law."

The agreement between ICE and CPD was not made public until the *Chicago Sun-Times* published the MOU in an article on January 14, after it was obtained by Freddy Martinez, a policy analyst at Open the Government. The publication of the agreement contradicts the narrative of Chicago officials who claim that CPD does not cooperate with federal immigration officials.

Chicago Mayor Lori Lightfoot in particular has been attempting to whitewash the agreement. On January 15 the Chicago city council passed an Accountability on Communication and Transparency (ACT) ordinance that promises to restrict federal access to CPD's massive databases. ACT also states that CPD officers will not participate in "cooperating and aiding in any civil immigration enforcement operations." However, the new ACT ordinance does not override the MOU between ICE and CPD.

At a press conference the same day, Lightfoot attempted to defend the previously secret MOU, claiming, "The agreement is around Homeland Security, which is a distinct and separate activity. It specifically states that they may not participate in immigration enforcement activities." Lightfoot's statement contradicts the MOU's main point: that Chicago cops will have the authority to enforce the "full range of federal offenses," which includes illegal immigration.

The specific powers granted to Chicago police officials who have been deputized under the agreement are defined in ICE form 73-001 and 19 U.S. Code § 1589a. The documents show that a deputized officer will be tasked to "Execute and serve orders in accordance with laws administered and/or enforced by HIS," this will include the power to "conduct customs border searches" and carry out other actions that are virtually identical to the duties of ICE agents.

It is possible that areas like Chicago, which have sanctuary city laws that block local police from assisting in the detention of immigrants and other ICE operations, could have these rules overridden if officers are ordered deputized by the federal agency. The legality is murky, as it is unclear if a CPD officer who has been deputized by HSI is still bound by the Chicago city ordinance or if they will act fully as a federal agent.

It's certain that the collaboration will foster more ICE raids with CPD officials working with ICE or acting directly to find and detain undocumented immigrants in Chicago. According to vera.org, 1.7 million immigrants reside in Chicago with an estimated 900,000 of them at risk of deportation.

The agreement between the two parties came during a time of abundant ICE raids taking place throughout the country. According to statistics from ice.gov, in 2019

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ICE arrested 143,000 undocumented immigrants and deported almost 300,000. Although this statistic is a 10 percent drop from the total number of immigrants arrested the previous year, the number of individuals apprehended at the border increased by 68 percent from 2018. In Chicago alone, ICE arrested 8,427 individuals.

While there has been an increase in sanctuary city legislation being passed in the recent years due to pressure from popular opposition to attacks on immigrants, the federal government is looking for ways to bypass local orders and collaborate with police forces to bolster their anti-immigrant arrests and deportations.

ICE has already carried out mass raids nationally with several large raids in the Chicago area. As the WSWS reported in May 2018, ICE arrested 156 workers in Chicago whose nations of origin included Mexico, Poland, Guatemala, El Salvador, Honduras, the Philippines, Ecuador, Jamaica, Jordan, Lithuania and New Zealand. In 2019 alone, ICE arrested 8,427 immigrants in the Chicago area.

The passage of the ACT ordinance and the empty statements of Lightfoot and other Chicago officials should be viewed with extreme caution by immigrants and workers. While city officials make endless phony pledges to support Chicago's immigrant communities, at the same time they have made backdoor agreements like that between HIS and CPD.

The Democratic Party cannot be relied upon to provide any kind of immigration reform. Instead, there must be a turn to the working class in the US and internationally, the only force capable of defending immigrants and refugees from the threat of deportation and persecution.

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