

Criminal Charges Filed Against Immigrants at Unprecedented Rate

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Criminal immigration violation charges are being filed by the federal government at unprecedented levels this year, a report by Syracuse University's Transactional Records Access Clearinghouse (TRAC) reveals.

The study released in June reports there were 9,350 immigration prosecutions in March, representing a 50 percent surge from the month before, based on official records obtained by the group. When compared to a year ago, the increase was 73 percent.

The independent, nonpartisan group attributes the rise to intensified federal policies under the so-called "Operation Streamline" initiative which launched as a pilot project in Del Rio, Texas, in December 2005.

There were 8,104 immigration convictions in March, representing a 24.4 percent increase from February.

The vast majority of cases referred for prosecution, 99 percent, were charged by U.S. attorneys. The median sentence was about a month, the report indicates.

The Labor Council for Latin American Advancement notes that immigration violations are normally civil offenses prosecuted by immigration judges, adding that under Operation Streamline, the federal government has criminalized these offenses, barring immigrants from future legalization.

"Undocumented workers are a voiceless group of people who live in fear and today they are much more exploitable," stated LCLAA president Milton Rosado. "The administration's current policies and the criminalization of this group of people only exacerbate this situation. Immigrants are not criminals."

The report states the vast majority of the cases were prosecuted in southwest border districts.

In the Western District of Texas, for instance, prosecutions increased from 626 in January to 3,555 in March. All but 142 were in U.S.-Mexico border districts.

The main charges brought against immigrants in March were for illegal re-entry, bringing in or harboring certain immigrants, entry at improper time or place, visa and document fraud, and misuse and conspiracy to commit offense or defraud the United States.

Other charges included fraudulent statements or entries, false personification as a U.S. citizen, false statement in application and use of passport, and forgery.

The largest increase in prosecution from a year ago (96.2 percent) was for conspiracy to commit offense or defraud the United States. Document falsification and related activities has seen the largest surge over the past five years (74.4 percent).

The LCLAA said it is “extremely concerned about the implications that higher incarceration rates of immigrants will have on the overall Latino community and its image in the eyes of the American public.”

The organization maintained that criminalizing immigrants will strengthen the myth that ties immigrants to crime even if research has claimed that they tend to commit less crime than other groups.

Rosado attributed the large flow of immigrants to harmful economic policies that have affected workers throughout the hemisphere “causing dislocation and displacement.”

“We need to address the root causes of migration and understand that this is a regional problem that requires a combination of domestic policy as well as comprehensive, humane and commonsense international solutions,” he added.