

Federal immigration raids: 'These are shameful' Cathedral hosts hearing on national commission's investigation of alleged abuse by ICE agents at worksites.

By R. W. Dellinger

Friday, July 4, 2008

Addressing members of a federal commission investigating allegations of abuse and misconduct by federal agents against immigrants at worksites, Cardinal Roger Mahony "strongly recommitted" the Catholic Church in the United States to defending the rights of every immigrant.

"To proclaim and defend the dignity and rights of all people - especially our workers - and to point out their wonderful contributions that made this country great is part of our heritage," he told the eight members of the National Commission on ICE (Immigration and Customs Enforcement Agency) Misconduct and Violations of 4th Amendment Rights and more than 500 workers and activists at the Cathedral of Our Lady of the Angels' Conference Center on June 24.

"It's an irony that these raids are taking place at locations where people are working," the cardinal noted. "They're not having raids on banks because there are no banks being robbed. These are people working, contributing to their own welfare, that of their families, the companies they work for, the community. They're paying taxes and helping make this country strong.

"This is really ironic and such a tragedy for our county," he stressed. "And so we must all work together to lift up our voices to protest this."

Cardinal Mahony said the ICE raids on worksites - which have ranged from large meatpacking plants in the Midwest to textile companies in Massachusetts to printing businesses in California during the last two years - "illustrate like nothing else our broken immigration system."

He noted the imbalance between jobs that need to be performed and American workers available to do them, saying the current system is incapable of closing that divide. Moreover, he said the raids "do nothing" to ensure national security; on the contrary, they create enormous human and family suffering.

The cardinal urged the national commission, composed of labor leaders, politicians, academics and civil rights advocates, to enlist the help of businessmen, industries and commercial leaders, who are not only feeling the economic impact of raids but also fearing arrest themselves. And he said the new president and Congress must pass a

reform immigration bill that is truly comprehensive. (Both Senators John McCain and Barack Obama recently promised to enact comprehensive immigration measures if elected president.)

Finally, Cardinal Mahony noted that the current cover of Time magazine was devoted to the immigration debate, displaying an image of "The Great Wall of America."

"It is really a sad commentary that in this great country we have found it necessary to build walls that separate us from people," he said. "This is just really almost a sin on our national heritage. So just count on my help in any way that I can, and count on the Catholic Church in this country walking with you every step of the way."

4th Amendment rights

The United Food and Commercial Workers International Union organized the national commission that has held hearings in Washington, Boston, Des Moines, Iowa, and Atlanta, besides Los Angeles, after ICE agents raided and arrested 1,297 workers and detained 12,000 in six Swift meatpacking plants in December 2006.

The non-governmental hearings have investigated allegations that the federal agency, which was formed by the Homeland Security Act after the terrorist attacks on September 11, 2001, have violated the 4th Amendment rights of workers by conducting unreasonable searches and seizures across the nation.

According to its website, fiscal year 2007 was a "break-out" year for the agency, which set new enforcement records. ICE not only deported 276,912 illegal aliens, but arrested nearly 5,000 individuals at worksites, the vast majority being employees not employers for allegedly possession or sale of fraudulent documents, identity theft, Social Security fraud and re-entry after deportation. This is a tenfold increase from just five years before.

Victims of ICE raids in California who testified at the nearly three-hour hearing reported they were not only intimidated and mocked by agents, but never informed of their rights. Magdalena, who like other workers only gave her first name, said that when the heavily armed agents showed up February 7 at Micro Solutions Enterprises (MSE) in Van Nuys they locked all the doors and wouldn't let anyone leave, even legal permanent residents.

"They never told us about any rights or any opportunity we had to consult with an attorney," the mother stated in Spanish, which was translated into English by an interpreter. "They took some of us in a room, and an ICE agent literally was dancing and mocking us. She made fun of us, and I felt extremely offended by the actions of this ICE agent. And I'd like to ask the president and the Congress to please reform our immigration laws in this country."

Flora, who also worked at MSE, testified that nearly 200 federal agents came shouting and screaming into the computer printer cartridge manufacturing plant at about 4 p.m. After separating men from women, agents briefly interrogated them in the company's

cafeteria. She refused to answer any questions or give her name until she talked to an attorney.

"They said, 'No!' she recalled. "My interview was very short. They just wrapped my hands with plastic handcuffs, and they loaded us on a bus, pushing and pulling us. Then they unloaded us, took our pictures and reloaded us back in the bus. They took us to the [government building], where they continued to harass us, to offend us. They would call us names and insult us all the way around.

"We weren't processed until 10 o'clock. We were put in cells, 25 to 30 apiece, and we stayed up all night long. In the middle of the night, they started to interrogate all of us again. I was interrogated several times."

Flora added, "I'm sorry that I don't have more time [today] to talk about the suffering that me and my coworkers experienced for months and months afterwards. But I also ask that you ask Congress and the government to pass laws that will treat workers and immigrants more fairly.

"We are workers, not criminals," she said, "and we need your help."

Heavy-handed enforcement

Others who testified included immigrant advocates, attorneys, relatives of deported undocumented workers and mental health professionals. All decried ICE's enforcement tactics as not only inhumane, but also as illegal violations of the 4th Amendment.

Lawyer Rosie Cho defended immigrants taken into custody and arrested during ICE raids on small businesses in Northern California last year. She testified that agents didn't identify themselves and kept detainees in custody for up to 14 hours.

"Most of the workers were told they didn't have a right to counsel," she said. "Most were interrogated in isolation. They didn't know there were volunteer attorneys just outside their holding area waiting to assist them. Many of these workers were interviewed and threatened, coerced. Many of them signed forms waiving their right to an attorney."

Angelica Salas, executive director of the Coalition for Humane Immigration Rights of Los Angeles (CHIRLA), noted that Los Angeles has the largest number of immigrants impacted by ICE raids. Every day agents are going into people's worksites, homes and communities, she asserted, and every night thousands of men and women are locked away in immigration jails.

Salas reported that 84 percent of Angeleno families have at least one member who's an immigrant, while 63 percent of local children have an immigrant parent, although 87 percent of these girls and boys are U.S. citizens.

"We have seen that the inaction certainly by Congress and the brazen abuse by ICE

agents have often given a green light to other law enforcement agencies in the state," said Salas. "So local police inside and outside Los Angeles feel that they can abuse these workers and their families and detain them, and not believe that their rights be protected.

"These raids are shameful, and they're contrary to our nation's values of justice and freedom," she declared. "For all of immigration there's only one solution - stop the raids and enact just and humane immigration reform. A day laborer in Chicago said it best: 'Working hands do not deserve handcuffs.' None of these workers deserve handcuffs. They deserve the protections of our constitution and to be treated with fairness and dignity."

Joseph Cervantes, chair of the American Psychological Association's Committee on Ethnic Minority Affairs, said the APA has been concerned about the impact of immigration raids on children and families. In treating Latino families and children for three decades, the professor of counseling at California State University, Fullerton, has seen firsthand the "increasing common emotional difficult experience that ICE raids are having on undocumented families."

He testified that the raids have four specific psychological consequences. When fathers are taken away in immigration sweeps, there's a direct impact on the financial insecurity of women and children. And because of increased fear, families often don't participate in normal community activities such as school or civic events.

Cervantes also pointed out the raids can cause a decreasing distrust of neighbors. And, finally, he said there's a "generalization of trauma" for kids present when agents break into their home and they witness a parent being taken away.

"Some of the more specific psychological outcomes for children include eating and sleeping problems, generalized anxiety, separation anxiety problems," he said. "In addition, the experience of a traumatic episode often results in significant psychiatric problems that can be long lasting.

"It is time that we stop these situations where our children are caused unneeded trauma - not only in their lives, but also the lives of the families from where they're from. APA is dedicated to the documentation, research and advocacy and policy development relative to the wellbeing of children and families as a result of the trauma and injustice caused by ICE raids."

'Tremendous cost'

In his closing remarks, Joe Hansen, chair of the national commission and president of the United Food and Commercial Workers International Union, said in hearing after hearing in Washington, Boston, Des Moines, Atlanta and now Los Angeles, "We have learned of the tragic consequences and the violation of rights that come from an ill conceived immigration enforcement-only policy."

He called the abuse and misconduct by ICE violations of human rights that have a "tremendous cost" to individuals, families, communities and American society. He was particularly outraged by the misuse of Section 287 (g) of the Immigration and Nationality Act, which authorizes local police officers who have gone through ICE training to enforce federal immigration laws. He maintained that the so-called cross-training of local police has led to racial profiling and has been used to terrorize communities.

"Workers are not criminals," Hansen said. "A broken immigration system is no excuse for ICE agents to break the law or to violate the Constitution. It is time for our government to bring that immigration policy into the 21st century.

"We have to decide as a society if we want an immigration system that promotes participation in American society or one that encourages companies to game the system and exploit workers. Our country works, our democracy works because it's inclusive. If America's about anything, it is about hope, it is about opportunity - and, especially, hope to achieve the American dream.

"We must have an immigration system that helps turn that hope and those dreams into reality for all workers," he said, "native born and new immigrants alike."