

Immigration, Outsourced

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Editorial

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Not content to botch immigration policy all by itself, Congress has handed large parts of the job to others to mishandle. It gave the homeland security czar the czarist powers to overturn any law and ignore any court to seal the border. Now Michael Chertoff is clear-cutting a forest of regulations to wall out Mexico by the end of the year. And through the program known as 287(g), his agency is parceling out duties to a growing number of local police and sheriff's departments, raising an army of junior deputies in the war on illegal immigrants.

To see how unhinged things have become, it pays to zero in on the squalid doings in Maricopa County, Ariz. It is home to Phoenix, the country's fifth-largest city, and the largest 287(g) program anywhere.

It is run by the county sheriff, Joe Arpaio, who has built a national reputation for toughness through years of cruelty to prison inmates and an insatiable appetite for publicity. Where most departments have only handfuls of officers trained to enforce federal immigration laws, Sheriff Joe, as he is known, has 160. Their efforts are supplemented by what the sheriff says, without apology, is a 3,000-member "posse."

For months now, Sheriff Joe has been sending squads of officers through Latino neighborhoods, pulling cars over for broken taillights or turn-signal violations, checking drivers' and passengers' papers and arresting illegal immigrants by the dozen.

Because he sends out press releases beforehand, the sweeps are accompanied by TV crews and protesters — deport-'em-all hard-liners facing off against immigrant advocates. Being Arizona, many of those shouting and jeering are also packing guns. Sheriff Joe, seemingly addicted to the buzz, has been filmed marching down the street shaking hands with adoring Minutemen.

If this doesn't look to you like a carefully regulated, federally supervised effort to catch dangerous criminals, that's because it isn't. It is a series of stunts focused mostly on day laborers, as Sheriff Joe bulldozes his way toward re-election.

The sheriff says he is keeping the peace, but it seems as if he is doing just the opposite — a useless, reckless churning of fear and unrest. Mayor Phil Gordon of Phoenix has denounced him, saying the raids are interfering with undercover city police officers and federal agents. The mayor of Guadalupe implored him to leave her community alone. State and county officials have pointed out that Sheriff Joe has ignored tens of thousands of outstanding criminal warrants while chasing day laborers and headlines. They say he

has grossly violated the terms of his 287(g) agreement — which calls for federal oversight of local police — and have called on Washington to rein him in.

“Do you think I’m going to report to the federal government?” he said. “I don’t report to them. If they don’t like the contract, they can close it up. That’s all.”

“By the way,” he said, “we do have a 3,000-person posse — and about 500 have guns. They have their own airplanes, jeeps, motorcycles, everything. They can only operate under the sheriff. I swear ’em in. I can put up 30 airplanes tomorrow if I wanted.”

The federal government so far seems unconcerned.

“He has stayed within the bounds of the agreement,” Matthew Allen, special agent in charge of immigration and customs enforcement in Arizona, told *The Arizona Republic*. Jim Pendergraph, an I.C.E. official from Washington, told the paper that after driving to Guadalupe to watch Sheriff Joe in action: “I saw nothing that gave me heartburn.”

It’s past time for Congress to hold hearings on these agreements, starting with a subpoena for Sheriff Joe.