

States Take New Tack on Illegal Immigration

With local demand for tougher immigration enforcement growing, police departments from coast to coast are tackling the issue on their own.

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MILTON, Fla. — Three months after the local police inspected more than a dozen businesses searching for illegal immigrants using stolen Social Security numbers, this community in the Florida Panhandle has become more law-abiding, emptier and whiter. Many of the Hispanic immigrants who came in 2004 to help rebuild after Hurricane Ivan have either fled or gone into hiding. Churches with services in Spanish are half-empty. Businesses are struggling to find workers. And for Hispanic citizens with roots here — the foremen and entrepreneurs who received visits from the police — the losses are especially profound. “It was very hard because the community is very small, and to see people who came to eat here all the time then come and close the business,” said Geronimo Barragan, who owns two branches of La Hacienda, Mexican restaurants where the police arrested 10 employees. “I don’t blame them,” Mr. Barragan added. “It’s just that it hurts.” Sheriff Wendell Hall of Santa Rosa County, who led the effort, said the arrests were for violations of state identity theft laws. But he also seemed proud to have found a way around rules allowing only the federal government to enforce immigration laws. In his office, the sheriff displayed a framed editorial cartoon that showed Daniel Boone admiring his arrest of at least 27 illegal workers. His approach is increasingly common. Last month, 260 illegal immigrants in Iowa were sentenced to five months in prison for violations of federal identity theft laws. At the same time, in the last year, local police departments from coast to coast have rounded up hundreds of immigrants for nonviolent, often minor, crimes, like fishing without a license in Georgia, with the end result being deportation. In some cases, the police received training and a measure of jurisdiction from the federal Immigration and Customs Enforcement, under a program that lets officers investigate and detain people they suspect to be illegal immigrants. But with local demand for tougher immigration enforcement growing, 95 departments are waiting to join the 47 in the program. And in a number of places, including Arkansas, Florida, Georgia, Iowa, New Mexico, Oklahoma and Texas, police officers or entire departments are choosing to tackle the issue on their own. State lawmakers, in response to Congressional inaction on immigration law, are giving local authorities a wider berth. In 2007, 1,562 bills related to illegal immigration were introduced nationwide and 240 were enacted in 46 states, triple the number that passed in 2006, according to the National Conference of State Legislatures. A new law in Mississippi makes it a felony for an

illegal immigrant to hold a job. In Oklahoma, sheltering or transporting illegal immigrants is also a felony. It remains unclear how the new laws will be enforced. Yet at the very least, say both advocates and critics, they are likely to lead to more of what occurred here: more local police officers demanding immigrants' documents; more arrests for identity theft; more accusations of racial profiling; and more movement of immigrants, with some fleeing and others being sent to jail. "It is a way to address illegal immigration without calling it that," said Jessica Vaughan, a senior policy analyst at the Center for Immigration Studies, which supports intensified local enforcement. She added, "They don't just have to sit and wait for Washington." Community Complaints Police officers here in a handful of Gulf Coast counties from Pensacola to Tallahassee said they started hearing complaints about illegal immigrants last year. With the national debate raging and the local economy sagging, many residents began to question whether illegal immigrants were taking Americans' jobs. It did not show up in statistics — the unemployment rate in Santa Rosa County was 3.6 percent in 2007, below state and national averages — so the arguments focused in part on unfair competition. Donna Tucker, executive director of the Santa Rosa County Chamber of Commerce, said illegal immigration "creates havoc within the system" because businesses that used illegal labor often did not pay into workers' compensation funds and paid workers less. "Those businesses can survive a lot longer than the ones that are trying to do things right," Ms. Tucker said. Some of the frustrations also veered into prejudice. George S. Collins, an inspector in charge of the illegal trafficking task force in Okaloosa County, said many people wanted to know "why we weren't going to Wal-Mart and rounding up the Mexicans" — a comment Mr. Collins said was racist and offensive. Usually though, the complaints were cultural and legal. Interviews with more than 25 residents and police officers suggest that the views of Harry T. Buckles, 68, a retired Navy corpsman, are common. Outside his home in Gulf Breeze, Mr. Buckles said the main problem with today's Hispanic immigrants was that they did not assimilate. Even after hundreds flowed in to rebuild Santa Rosa County, Mr. Buckles said: "They didn't become part of the community. They didn't speak the language." Echoing the comments of others, he said he became irritated when he heard Spanish at the Winn-Dixie and saw a line of immigrants sending money home at the Western Union. Mr. Buckles said he feared his community would lose its character and become like Miami, with its foreign-born majority and common use of Spanish. "We see things nationwide and we know that we could be overwhelmed," he said. In fact, only about 3 percent of the population of Santa Rosa County is Hispanic, according to census figures compiled in 2006. As a proportion of its population, the Hispanic community here is less than half the size of what is in Omaha or Des Moines — mostly white cities where the Hispanic population is still below the national average. Santa Rosa is hardly the only place to use a tough approach against a small immigrant population. In Mississippi, where strict laws on false documentation recently passed, only about 1.7 percent of the state's 2.9 million people were born abroad and more than half of them are in the United States legally, according to estimates from the Federation for American Immigration Reform, which favors tightening restrictions on immigration. But here, the result is a divide often marked by a lack of in-depth interaction. On one side are longtime residents like Sheriff Hall, who said immigrant laborers were not involved in fixing his office or home after the hurricanes, and Mr. Buckles, who said his relationship with Hispanics was based mainly on seeing them at

stores or construction sites. On the other side are a smaller number of immigrants and employers who use immigrant labor. Some of the immigrants are newly arrived, sticking mostly to themselves. But the group also includes Antonio Tejada, 38, a roofer and naturalized American citizen from Mexico who wears an N.F.L. jersey to church and speaks English with a slight drawl; and Ruben Barragan, 19, one of the workers arrested in one of the La Hacienda restaurant raids who, though illegal, spoke English and called his infant son Eric because he wanted him to have an American name. When told about such men, Mr. Buckles said perhaps the government could find ways to create exceptions. But he was not convinced they deserved to stay. "They got here illegally," Mr. Buckles said. "They broke the law as soon as they came." The Raids

The half-dozen officers involved in the Santa Rosa operations did not announce their arrival. They detained 13 workers at Panhandle Growers. At the two branches of La Hacienda the police quietly detained 10 workers without resistance. And at Emerald Coast Interiors, a boat-cushion factory, the police arrested a handful more. Sheriff Hall said that his department received tips that led him to all the locations he visited and that he was responding to a steep rise in complaints about illegal immigration. He said he had been frustrated a year ago by a lack of response from Immigration and Customs Enforcement. And this time, customs officials said, he did not contact the agency for input before forming a multicounty task force that led to the February operation. Sheriff Hall said his men were focused on identity theft and did not need special training because "it's the same thing we do every day." He insisted that the officers treated everyone fairly. Unlike Bay County officers, who surrounded construction sites last year and arrested immigrants who ran, "we didn't chase anyone," he said. And at many locations witnesses said the police treated all workers equally. Managers at the restaurants Okki, El Rodeo, China Sea and La Hacienda said police officers checked all employees' documents, regardless of their ethnicity. But other business owners, employees and residents said the police focused disproportionately on Hispanics or the foreign born and seemed determined to scare immigrants out of the area. In many cases, employers said, the officers did not even mention identity theft, narrowing their scope to immigrants. "They were targeting all the places with Hispanic workers," said Elvin Garcia, 26, a waiter at El Rodeo. At Red Barn Barbecue, witnesses said that skin color clearly influenced police procedure. When several officers visited and saw no one who was Hispanic in the kitchen, they moved on. "We offered to give them records, and they said, 'No, it's not necessary,'" said Randy Brochu, whose family owns the business. Meanwhile, at Emerald Coast Interiors, three employees — one black, one white, one Hispanic — independently said the police did, in fact, chase a handful of Hispanic employees who ran. Three women, they said, were caught in a ditch behind the main building. Luis Ramirez, the plant's operations manager, said the officers asked to see documentation only for the workers who fled. "It was racial profiling," Mr. Ramirez said. His company has not filed a lawsuit, so his accusations have not been tested. But Florida courts have repeatedly held that flight alone is not enough to justify a suspicion of criminal activity or arrest. In Bay County, officials said they tried to avoid chasing people now because prosecutors have warned that it undermines their cases. Even without a chase, immigrant advocates say that local efforts to track down illegal immigrants undermine community safety by scaring immigrants from reporting violent crimes. "It's a dangerous route to take," said David Urias, a staff lawyer with the Mexican American Legal Defense Fund, which sued Otero County in New Mexico this

year after the police raided Hispanics' homes for minor violations like an unleashed dog. "What you're going to see," Mr. Urias said, "is more people pushed into the shadows." The Aftermath Indeed, three months after the sweeps, nearly everyone agrees that the fabric of this community has changed. Hundreds of Hispanic families, both legal and illegal, seem to have disappeared. John Davy, a co-owner of Panhandle Growers, said some employers "treated their guys humanely" by helping them flee to other areas. "What we're victims of is a system that's broken," he said. Many residents said they felt torn between competing loyalties to compassion and the law. "On one hand, I'm sitting here thinking when Ivan was here, you could not get enough people to do the thing that needed to get done," said Mrs. Tucker at the Chamber of Commerce. "And these illegal aliens, people welcomed them with open arms because they were working hard, they were helping our community. But from a chamber standpoint, you're operating on the side of the law. It's a hard thing." In the immigrant community, fears now cloud the most basic routines. Many Hispanics said they avoided being seen or heard speaking Spanish in Wal-Mart, even if they live here legally. Others detailed their habit of meticulously checking their cars' headlights, blinkers and registration to avoid being pulled over. The message many Hispanics have taken from the raids is simple. "We're Mexican — they don't want us here," said Erika Barragan, 20, whose husband, Ruben, came here illegally roughly six years ago and was one of 23 people scheduled to be deported after the February raids. She said she would go back to Mexico this summer. Her husband's employers, Geronimo Barragan (no relation) and his wife, Guilla, are trying to remain positive. They are citizens and parents of four American-born children, ages 2 to 16. They have lived in Santa Rosa County for more than a decade, founding a Baptist church here and working 16-hour days, six days a week to build two restaurants known for their affordable food and Christian atmosphere, which extends to a ban on alcohol. They said the raids came as a shock. "We love the community, and we always tried to do our best," Mr. Barragan said. Mrs. Barragan put it more bluntly. "This," she said, "is like our promised land." The Barragans said they did not know their workers were illegal because they provided Social Security numbers and other information that was required. Like most employers, they asked for nothing more. They have not publicly opposed the sheriff's actions, and in their effort to move on, they have distanced themselves from his critics. Mr. Barragan even visited Sheriff Hall at his office to tell him he had no hard feelings and would do everything he could to comply in the future. And yet, the cost has been significant. Both of the restaurants were closed for more than two months. Only one has recently reopened. Unable to find people in the area who can cook Mexican food, Mr. Barragan, 41, has been scouring the nation, recruiting in Houston, Chicago and Baton Rouge. He has yet to find all the workers he needs, relying on a handful of new hires with work visas that expire in November. He said he wished that Congress could find a way to bring more foreign workers to America legally. For Mrs. Barragan, 39, a warm, thin woman with hair to her waist, the consequences have been more personal. On a recent Wednesday night, her church's prayer service was half-empty. Many of her friends have left. And many of the employees that her family mentored in the ways of America are gone, taken away by the police. "That's what had the most effect on our lives," Mrs. Barragan said, speaking in Spanish so she could be more specific. "Not closing La Hacienda, or 'we're not going to make money,' or 'how are we going to pay our bills?' I personally didn't think about that. It hurt me more to see them there — handcuffed. The

way they went out.” Her husband agreed, explaining between bouts of tears that some of the deported workers’ families had become victims of more violent crime. “One of them has a small daughter and someone robbed their house while he was in jail,” Mr. Barragan said. “Twice.”