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Agents Sue Over Deportation Suspensions

By [JULIA PRESTON](#)

Claiming they are being forced to carry out an illegal policy, 10 [immigration](#) agents filed a federal lawsuit in Texas on Thursday against Homeland Security Secretary [Janet Napolitano](#), seeking to overturn an Obama administration program that suspends deportations for illegal immigrants who came here when they were children.

In the lawsuit, filed in Federal District Court in Dallas, the agents from Immigration and Customs Enforcement said the program prevented them from detaining illegal immigrants who were public safety risks. The suit contends that the program, which started on Aug. 15, violates a law requiring agents to arrest illegal immigrants and infringes on the powers of Congress.

The agents said they faced disciplinary action by officials at ICE, as the agency is called, for arrests that conflict with its directives.

“They are in the unusual and untenable situation where they are asked to choose between following an order that makes them break federal law or disobeying the order and facing discipline at the hands of superiors,” said [Kris Kobach](#), a lawyer for the agents.

Mr. Kobach, a Republican, is also the Kansas secretary of state, and this week he pushed to add several planks to the Republican Party platform calling for tough immigration enforcement.

The lawsuit was a new sign of turmoil inside the immigration agency as a result of an ambitious shift by the Obama administration in the focus of deportations. Since June 2011, agents have also been instructed to concentrate on deporting convicted criminals and to avoid detaining immigrants here illegally who have no criminal records.

The policy has brought many work changes for agents, requiring fast and complex decisions about which immigrants they should arrest.

The suit also has distinct political overtones. It is financed by [NumbersUSA](#), a group that seeks to reduce immigration and has strongly opposed the deferred deportations, saying they are a backdoor amnesty.

The lead plaintiff is Chris Crane, president of the [National ICE Council](#), the union representing more than 7,000 immigration agents. He said Thursday that he was participating as an individual, not on behalf of the union. He has been a persistent critic of senior agency officials.

The policy “is pretty much just let everyone go,” Mr. Crane said. “Our biggest concern is that safety has been just thrown out the window.” Two other plaintiffs said they were punished for making legitimate arrests.

A spokesman for Ms. Napolitano, Matt Chandler, said the Obama administration had deported record numbers of criminals. Deportation deferrals “ensure that responsible young people, who are Americans in every way but on paper, have an opportunity to remain in the country and make their fullest contribution,” he added.

Under the program, as many as 1.7 million illegal immigrants who came here before they were 16 will be eligible for two-year reprieves from deportation.

The A.F.L.-C.I.O., the labor federation that includes the ICE Council, opposed the agents’ lawsuit. “They do not represent the labor movement, which has strongly supported the president,” said Ana Avendaño, director of immigration for the federation. “It’s just a political maneuver by anti-immigrant forces.”

<http://www.nytimes.com/2012/08/24/us/agents-sue-over-deportation-suspensions.html>