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Immigration Bait and Switch

Secure Communities, an immigration enforcement program created under President George W. Bush and now being greatly expanded by President Obama, is billed as an effort to catch and deport "the worst of the worst," the violent criminals, drug and gun smugglers, gang members and other dangerous aliens. That would be excellent, if true. It doesn't seem to be.

The Benjamin N. Cardozo School of Law, the Center for Constitutional Rights, a public-interest legal organization, and the National Day Laborer Organizing Network analyzed arrest and deportation statistics and other data on Secure Communities they obtained through the Freedom of Information Act. The records, covering the program from its inception in October 2008 through June 2010, lend disturbing credence to fears voiced by immigrant advocates and some law-enforcement officials.

The program requires agencies to automatically run fingerprints through federal immigration databases for anyone they arrest. Critics warned that it would be an indiscriminate dragnet — ensnaring illegal immigrants without criminal records, and encouraging racial profiling. Sheriff Michael Hennessey of San Francisco objected to Secure Communities, saying it targeted too many noncriminals and would have a dangerous "chilling effect" on the willingness of communities to work with local law enforcement.

It turns out the critics were right.

The Immigration and Customs Enforcement records show that a vast majority, 79 percent, of people deported under Secure Communities had no criminal records or had been picked up for low-level offenses, like traffic violations and juvenile mischief. Of the approximately 47,000 people deported in that period only about 20 percent had been charged with or convicted of serious "Level 1" crimes, like assault and drug dealing.

The national average of Secure Communities deportees with no criminal records was about 26 percent, but that figure also varied wildly around the country. It was 54 percent in Maricopa County, Ariz., whose sheriff is notorious for staging indiscriminate immigration raids. In Travis County, Tex., it was 82 percent.

The Obama administration has deployed Secure Communities in 544 jurisdictions in 27 states, including every county along the southern border. It plans to have the entire country participating by 2013. Secure Communities "focuses our resources on identifying and removing the most serious criminal offenders first and foremost," said John Morton, the director of Immigration and Customs Enforcement.

The program now appears to be quite different from that: an effort to yoke local police into a broad campaign of civil immigration enforcement, maximizing the detention and deportation of the people whom Mr. Obama says he wants to give a chance to pay their debt to society and earn their right to become Americans.

Secure Communities won't make the country more secure, not the way it is working. Police departments that don't want to participate should be able to opt out. The Obama administration needs to fix it or jettison it.