

Senators talk immigration policy

By [Paul Hammel](#)

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LINCOLN — A federal effort to step up deportation of illegal immigrants who commit violent crimes is discouraging immigrants from reporting crimes or otherwise cooperating with police, a state legislative committee was told Monday.

Implementation of the federal Secure Communities program also has led to the deportations of some immigrants arrested for minor offenses, advocates said.

“An interaction with a police officer may be the first step for an immigrant into what can be a years-long nightmare of jail, immigration court appearances, prolonged detention, finally resulting in deportation,” said Kathleen Grant, who works with immigrants through Omaha Together One Community.

Grant was among several advocates to testify before the Legislature's Judiciary Committee. The committee is studying how Nebraska law enforcement agencies are interacting with immigrants they encounter.

Representatives of the Nebraska State Patrol and the Omaha, Lincoln and Schuyler, Neb., police departments all testified that they do not, as a general rule, check the immigration status of those they encounter or arrest.

Omaha Deputy Police Chief Todd Schmaderer said he could think of only two examples of the department participating in cases that involved deportations, and both of those, he said, involved drug gangs.

Schmaderer said the police department has limited resources, and if officers started checking immigrant status — as called for in get-tough immigration laws in Arizona and Alabama — it would chill information gathering in immigrant neighborhoods.

But though Nebraska authorities aren't personally checking immigration status, that happens automatically in some parts of the state through the federal Secure Communities program, run by the U.S. Department of Homeland Security.

Under the program, fingerprints made when a person is arrested are forwarded to federal immigration officials. Immigration and Customs Enforcement officials have said their priority is to deport those with repeat immigration offenses, such as illegally re-entering the United States, and the most dangerous and violent criminal offenders.

Thirteen of the largest counties in Nebraska, including Douglas, Sarpy and Lancaster, are now activated in the program. Col. David Sankey, superintendent of the Nebraska State Patrol, said

that 28,492 fingerprints this year have been forwarded to federal authorities, resulting in 196 deportations.

Lincoln Public Safety Director Tom Casady said only about 20 percent of those who are arrested are screened through the federal program, because most people arrested by police — those for traffic offenses and most misdemeanors — are not fingerprinted.

But advocates for immigrants said that not just violent and dangerous offenders are being deported.

The Rev. Neal Jose Wilkinson, associate pastor of three Catholic parishes in South Omaha, said that a 23-year-old Latino was deported after he was detained by police investigating an illegally parked car.

Wilkinson said the man's pregnant wife was left behind in a hospital to make some difficult medical decisions on her own. Her infant died in childbirth and her husband has illegally sneaked back into the country.

Monday's hearing is unlikely to inspire any state legislation, but the committee's chairman, State Sen. Brad Ashford of Omaha, said the inconsistent application of the Secure Communities program illustrates the need for a federal immigration overhaul.

“We're in limbo, and being in limbo is not good for this country,” Ashford said.

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