

ALBUQUERQUE CRIMINAL LAWYER BLOG

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New Policies on Immigrant Detention Met With Customary Hysteria

Fox and others have grossly mischaracterized the new Department of Homeland Security policy regarding the removal of illegal immigrants. For political gain, these organization and individuals have portrayed the new policy as an amnesty program suggesting that the Obama administration is not serious about immigration enforcement. It is not surprising as no stone is left unturned to scare the daylights, and rationality, out of voters.

In fact, the new policy would simply release those immigrants from immigration detention facilities if and only if they have pending visa application and are likely to successfully achieve legal immigration status. These immigrants will likely achieve legal status so there is no reason to hold them in immigration detention facilities.

The reports from Fox and others are clearly dishonest, opportunistic, and grossly cynical. The reports are meant to garner Republican votes at any costs. The reports seem to appeal most to Tea Party supporters. Ironically, it is these voters who should be most offended by the reports.

The costs of these unnecessary detentions are huge. It is estimated there was a backlog in the federal courts of 247,922 cases as of June. Each of these represents an individual being held in immigration detention facilities at a cost per detainee that can exceed \$100 per day. This does not begin to address the costs affiliated with the Immigration and Customs Enforcement in the investigation, location and arrest of these individuals.

The reports fail to recognize the work of ICE over the past year. The reports suggest that immigrant criminals are being freed wholesale onto our streets. In reality, there have been a record number deportations of immigrants with criminal convictions over the past year. There were over 167,000 immigrants with criminal convictions deported in the 2009. This represents a 43 percent increase over the 2008, when Bush was still in office.

The reports fail also to recognize the realities of immigration removal for criminal offenses. Many who hear these reports imagine immigrants committing horrendous crimes against society. In fact, immigrants can be removed for pretty trivial criminal offenses such as shoplifting, minor possession of marijuana, possession of paraphernalia, even a hint of domestic violence, and many other offenses that for a citizen would be a minor bump in the road. In contrast to the portrayal of ICE as light on criminal immigrants, immigrants face removal for these offenses even if they are

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here legally, have been here for years, have worked and paid taxes, have raised families, bought homes, started businesses and contributed positively to our society in every possible way.

It is unfortunate that Fox and others would so badly distort the truth. These reports are harmful to American taxpayers who foot the bill for any delay in implementation of the new policy. It is disrespectful to the ICE officers in the field who daily make gains on the very serious problem of criminal immigrants. Most of all, it promotes an unjust and inhumane policy of imprisoning immigrants who pose absolutely no risk to our country, have committed no crimes and who in the end will attain legal status, and likely become fellow American citizens.

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