Blame game: Trump casts immigrants as dangerous criminals, but the evidence shows otherwise

David Nakamura

March 24, 2017

The Trump administration is launching a series of steps aimed at publicly spotlighting the alleged dangers posed by illegal immigrants, as it seeks to bolster political support for the need for stricter enforcement.

This week the administration released a list of cities that have not fully cooperated with federal immigration authorities, and soon the Department of Homeland Security will unveil an office staffed by more than two dozen employees tasked with closely assisting families of Americans who were victims of violent crimes by undocumented foreigners.

DHS lawyers also are examining federal privacy laws to determine ways to more freely share potentially incriminating personal information on immigrants among government agencies and release it publicly, including the nationality, immigration status and criminal history of those swept up in enforcement raids.

And on Thursday, the Justice Department specifically highlighted immigration offenses and arrests during the release of its annual federal statistics report.

Administration officials said the strategy is intended to reframe the political debate over immigration reform from what they view as a misplaced emphasis on the well-being of the nation's estimated 11 million illegal immigrants to the negative impacts their presence can have on local communities.

At the White House, President Trump has on several occasions used the bully pulpit to highlight some of the most sensational crimes by immigrants, and he met in the Oval Office with family members of their victims.

"We are providing a voice to those who have been ignored," Trump said during his prime-time address to Congress last month before highlighting each of the families' stories.

"These brave men were viciously gunned down by an illegal immigrant with a criminal record and two prior deportations," Trump said to two widows of law enforcement officials killed in the line of duty. "Should have never been in our country."

But critics, including civil rights advocates and immigration lawyers, said the Trump administration is purposely inflating the dangers and scapegoating a wide swath of immigrants to manipulate public fears and create more political support for its hard-line policies.

Although federal data are limited, two reports released this month — by the Sentencing Project and the libertarian Cato Institute — confirmed past studies that immigrants, including those here illegally, commit crimes at lower rates than do native-born Americans.

"The big picture concern is that the administration's policies seem premised on the idea that immigration status is some kind of indicator for criminality, when in fact that is not at all the case," said Gregory Chen, advocacy director for the American Immigration Lawyers Association. "Why is this administration so hyper-focused on making the connection between crime and immigration?"

Trump has been making that connection from his first campaign speech in June 2015, when he referred to Mexican immigrants as rapists, criminals and drug dealers. He appeared at campaign events with "angel moms" whose children had been killed by undocumented immigrants.

Beyond illegal immigration, Trump has characterized legal immigrants as potential terrorist threats in his attempts to enact a ban on refugees and travelers from several majority-Muslim nations. Although his two travel-ban orders have been blocked in federal court, the most recent one included a provision mandating that the government begin publicizing information about acts of "gender-based violence against women," including "honor killings," in the United States by foreign nationals.

In a visit to DHS in January, during which he signed a pair of executive orders to ramp up deportations in the United States, Trump said, "Pundits talk about how enforcing immigration laws can separate illegal immigrant families, but the families they don't talk about are the families of Americans."

Trump's focus on those families, through the new office called Victims of Immigration Crime Engagement (VOICE), represents a sharp break in rhetoric from his predecessor. President Barack Obama emphasized a balance between upholding the law and showing empathy toward immigrants who had not committed crimes, particularly those known "dreamers" who arrived in the country illegally as children and were often depicted as hard-working strivers.

This week, White House press secretary Sean Spicer cited a rape case at a high school in Rockville, Md., in which the two alleged teenage perpetrators were in the country illegally as rationale for Trump's hard-line policies.

"Part of the reason that the president has made illegal immigration and a crackdown such a big deal is because of tragedies like this," Spicer said, in response to a question about the case. "This is why he's passionate about this, because people are victims of these crimes. . . . Immigration pays its toll on our people, if it's not done legally, and this is another example."

Trump's allies also have featured coverage of sensational crimes by immigrants. Breitbart, the conservative news site previously overseen by senior White House adviser Stephen K. Bannon, regularly devotes a section on its home page to such content.

Trump aims to shine the spotlight on the fact that "bad immigration policy has consequences for American families," said Mark Krikorian, executive director of the Center for Immigration Studies, which advocates for lower immigration levels. "When [the media] do sob stories about families that are separated because a drunk-driving father is deported, okay, but there are plenty of victim stories among Americans, too."

Inside DHS, career officials at Immigration and Customs Enforcement are said to be relieved by the Trump administration's new guidelines, said one career official who spoke on the condition of anonymity to discuss internal matters.

The official said the staff used to joke wryly that Obama's policies amounted to "prosecutorial discretion by news conference," meaning deportation proceedings against immigrants would be dropped based on the amount of negative publicity the cases got from advocacy groups.

"There was a great sense of frustration among agents and officers that even when we were clearly in the right we were not allowed to robustly defend ourselves at times we felt we should," the official said.

The number of deportations, which had peaked under Obama at the end of his first term, fell sharply during his second as the administration implemented policies targeting enforcement actions against hardened criminals and those who had recently arrived in the country.

This week, DHS took the first step toward a more robust public-relations strategy as mandated by Trump's executive orders, publishing a list of 206 local jurisdictions — to be updated weekly — that refused to detain jailed immigrants beyond their release dates so that the federal government could take them into custody and try to deport them.

The move to name and shame the jurisdictions is aimed at putting public pressure on them to cooperate — especially sanctuary cities that do not want immigrants to fear the police or be deported for minor traffic offenses. Trump has threatened to withhold some federal funds from such cities.

John Sandweg, former acting director of ICE, rejected the notion that the Obama administration was lenient on criminal immigrants. Rather, he said, the number that had committed serious offenses, such as murder, rape, being involved in drug deals or driving while intoxicated, was relatively small.

"When we had broader [enforcement] priorities, we were snatching up a lot of nonpublic safety threats but burning a lot of resources," Sandweg said. Trump is "trying to mislead the public into thinking that 11 million people are a threat. That's not true. It's a very small subset that are a threat. The way to enhance public safety the most is to keep ICE focused on that small percentage."

Instead, Trump's executive orders significantly expand the pool of immigrants that are considered priorities for removal, a strategy, critics said, to help the president more easily boost deportations and fulfill his campaign promises.

"We are going to get the bad ones out — the criminals and the drug dealers and gangs and gang members and cartel leaders," Trump said during his visit to DHS. But his critics predicted ICE will begin targeting those with outstanding removal orders based on relatively minor infractions or those checking in with parole officers.

"If the facts were aligned with what they say about the criminality of immigrants, they wouldn't have to play up these horrible anecdotes," said Alex Nowrasteh, a co-author of the Cato immigration crime report. "I see it as a political tactic to support a policy agenda. It's policymaking by fear, not fact."