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Trump administration uses fear-mongering and secrecy to target immigrants

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The Trump administration has yet to break ground for its promised border wall to keep the undocumented out of the United States, but by embarking on a campaign of misinformation and secrecy, it is rapidly moving forward with efforts to target and deport immigrants already here.

To advance the false narrative that the undocumented community includes an outsized and particularly dangerous set of criminals, the administration ignores data that shows that high rates of immigration actually coincide with reduced crime rates, and that immigrants are less likely to commit crimes than those born in the United States. As Alex Nowrasteh of the libertarian Cato Institute noted, "It is absurd to highlight the crimes committed by a small group of people without reporting on the crimes committed by everybody." The misleading use of crime data not only results in questionable policy decisions, but also could lead to unwarranted fear of immigrants and an uptick in hate-crimes against them.

Such fear-mongering appears to be behind the new office for Victims of Immigration Crime Engagement recently launched by Immigration and Customs Enforcement. VOICE (as it's called) will share selective data about alleged criminals' immigration and custody status, but will omit information on other crimes, including crimes in which immigrants are victims. VOICE stems from the president's executive order on internal safety and immigration enforcement, which also decreed that Privacy Act protections do not apply to the undocumented. The result is that when VOICE shares information about immigrants, their right to legally challenge potentially erroneous disclosures may be curtailed. The implications could be devastating for individuals who are wrongly targeted, especially given the administration's track record with the facts.

The launch of the VOICE office comes on the heels of other efforts by the administration to manipulate facts to support misleading conclusions about immigration enforcement. In an apparent effort to name and shame, the White House ordered ICE to release weekly reports highlighting jurisdictions it claimed did not comply with requests to keep undocumented individuals in custody for up to 48 hours beyond their scheduled release—so-called "detainer requests." Law enforcement officials in counties nationwide described the data as "unfair and misleading" and openly disputed ICE's claims. Because complying with detainer requests has been held to be unconstitutional, jurisdictions also objected to the reports' mischaracterization that they were not complying with federal law. Responding to pressure, ICE has temporarily

suspended publication of its misleading weekly reports, but is now concealing data about its own immigration investigations and enforcement with its illegitimate decision to withhold information previously released under Freedom of Information Act requests.

To be sure, the immigration enforcement and deportation machine grew to new levels under a cloak of secrecy during the Obama administration, with serious policy consequences that resonate today. Rights groups litigated with ICE for years to obtain information about its controversial deportation and fingerprint program, known as Secure Communities, which required local law enforcement to forward the digital fingerprints of everyone they booked, regardless of citizenship. ICE then used the information to determine who could be deported. To this day, the FBI continues to expand the massive biometrics database that grew dramatically under the Secure Communities program, and ICE's ability to issue detainer requests continues because local law enforcement still forwards biometric information about suspects in custody.

Still, the disinformation efforts linked to expanding criminalization of immigrants under Trump contribute to the conclusion that immigrants are being targeted and deported arbitrarily: immigrants like DREAMer Daniela Vargas, who was detained after speaking publicly about her father's detention; Maribel Trujillo Diaz, a mother whose children are U.S. citizens, whose only crime was being undocumented; Guadalupe Garcia de Rayos, who was brought to the United States when she was a teen and, despite knowing her use of a fake Social Security card to work in the U.S. could put her at risk, went to her eighth annual check-in with immigration officials and was deported; and Juan Manuel Montes-Bojorquez, deported despite his status under the Deferred Action for Childhood Arrivals program.

This administration has a choice. It can continue its disinformation campaign around immigration, exacerbating mistrust of government, and allowing the skepticism that surrounds immigration to bleed into other arenas of federal law enforcement. Or it can respond to public demands for information with accurate and timely data, resulting in stronger public policy, safer communities, and respect for the rule of law.