



Feds arrest man in North Charleston who had been previously deported after sex crime

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NORTH CHARLESTON — A Mexican citizen deported last year after being convicted in a Charleston court of a sexual assault has been arrested here on an illegal reentry charge as part of a coordinated law enforcement sweep led by the U.S. Department of Homeland Security.

The federal operation is focused on removing unauthorized immigrants throughout the country who have been convicted of a sex crime.

U.S. Immigration and Customs Enforcement officers located Carlos Bartolo Rios early this month in North Charleston, according to a criminal complaint filed Oct. 25 on behalf of the federal agency in U.S. District Court. Rios was arrested two days later and booked into the Charleston County jail after appearing in downtown Charleston's federal courthouse.

ICE officials made contact with Rios at the scene of his previous crimes.

The 32-year-old man was arrested in December 2019 by Charleston County sheriff's deputies on allegations he raped a girl under the age of 11 on multiple occasions at his home, according to court records. A magistrate judge denied him bail.

Rios, then 29, was working in construction in North Charleston, where he had lived for the past 15 years, per a pretrial services report. At the time, he was married with three children and did not have authorization to be in the country.

Details of Rios's criminal sexual conduct surfaced in October 2019 when a girl first reported the assaults to her school counselor, according to an arrest warrant affidavit.

The child later told a forensic interviewer graphic details about the sexual assaults, which occurred over the course of several months at Rios' residence, per the affidavit.

Rios, the affidavit states, told the girl "not to tell anyone."

The Mexican citizen was indicted in June 2020 by a grand jury in Charleston County on the charge of first-degree criminal sexual conduct with a minor younger than 11. The charge carries a minimum sentence of 25 years in state prison.

But the next year, Rios struck a deal with the 9th Circuit Solicitor's Office.

He pleaded guilty in February 2021 to third-degree criminal sexual conduct and dissemination of obscene material to a minor, court records show. Rios was sentenced to time served: 417 days in the county jail.

Solicitor Scarlett Wilson said evidential issues and concerns for the victim's well-being led the prosecutor in the case to make a deal to avoid a trial. She added that the defendant's status as an undocumented immigrant did not influence the plea offer.

Homeland Security took Rios into custody and deported him to Mexico in March 2021, according to the federal complaint. The same ICE officer who had detained Rios prior to his deportation spotted the man on Oct. 4 leaving his original residence in North Charleston.

Rios told investigators after he was arrested Oct. 27 that he reentered the U.S. sometime in 2021 without inspection or approval, a source close to the investigation but not authorized to speak told The Post and Courier. The source said ICE is unaware of any crimes Rios committed since his reentry. He is not listed on any state or national sex offender registries.

How the 32-year-old man with an aggravated felony conviction entered the country was not immediately clear.

ICE launched Operation Sex Offender Arrest and Removal as early as 2012 to prioritize the removal of noncitizens who have "demonstrated predatory behavior."

"Our officers have prioritized the arrest of noncitizens who pose the greatest threat to the security and safety of our communities," said ICE Acting Director Tae Johnson in a press release last year.

An ICE spokeswoman declined to provide information on the scale of the current operation, but the agency periodically publishes information on its website touting successful sweeps.

The criminality of undocumented immigrants is a hot button political issue in the U.S. and abroad. But of the 11.4 million unauthorized immigrants that the Department of Homeland Security estimates were living in the U.S. as of 2018, only a small percentage have been convicted of a felony, studies show.

Researchers at the Cato Institute found in a 2017 study that immigrants are under-represented in U.S. prisons. Out of the 2014 U.S. prison population, unauthorized immigrants and legal immigrants had lower incarceration rates than native-born Americans. The American Immigration Council documented an inverse relationship between crime and unauthorized immigrants in a 2015 study.

Between 1990 and 2013, the foreign-born share of the U.S. population increased from 7.9 percent to 13.1 percent and the number of unauthorized immigrants more than tripled from 3.5 million to 11.2 million. At the same time, FBI data indicates, the violent crime rate declined 48 percent.

The Migration Policy Institute, a nonpartisan think tank, **analyzed** the criminal convictions of noncitizens removed by ICE throughout a 10-year period. It estimated that approximately 3 percent of unauthorized immigrants — or 300,000 — had been convicted of a felony.

Muzaffar Chishti, the director of the institute's office at the NYU School of Law, said legal immigrants and unauthorized immigrants are less likely to commit crime due to fears of deportation.

“Crime among immigrant communities is lower than others because they know the consequences are so severe,” he said. “There’s an inherent restraint in the immigrant community against crime because of the immigration consequences of their actions.”

The institute estimates using census data that as of 2019 there were 88,000 foreign-born people living in South Carolina without authorization.

Chishti said that Homeland Security is not capable of removing all undocumented immigrants from the country. ICE agents prioritize deporting those who come into contact with local law enforcement.

“Most people in our country — almost all — get deported because of their connection to the criminal justice system,” he said.