



We Need More Sanctuary Cities

Julissa Arce

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It's not news that immigration authorities have detained U.S. Latino citizens because of their last names and brown skin, though they usually hide their racist motives behind thin pretexts. When Francisco Erwin Galicia, a Dallas born teenager, was detained by Customs and Border Protection (CBP) and held in Immigration and Customs Enforcement (ICE) custody for three weeks, the agencies suggested they needed time to inspect his documents to verify his U.S. citizenship. Galicia had presented Texas state identification, his social security card, and a wallet-sized birth certificate at the time of his detention. In March, a nine-year old U.S. citizen, Julia Isabel Amparo Medina, was held for 36 hours by CBP because, according to the officers, she didn't look like her picture.

But local authorities in Louisiana didn't even attempt to conceal their policy of racial profiling. They pulled over and arrested Ramon Torres earlier this month on suspicion of driving while intoxicated. He was booked at the Ascension Parish Jail, and the next day the Parish Court ordered him to be released. But the sheriff's office placed Torres on an "immigration hold" for four days on suspicion that he might be in the country illegally. At the time of his arrest Torres was carrying a Louisiana driver's license, which is only given to people lawfully in the country. He later presented a U.S. passport, and his social security card. But according to an ACLU lawsuit, Ramos was told that the Ascension Parish Sheriff's office had "a policy of detaining all Latinx people for immigration review."

This type of racist local policy isn't anything new. It wasn't long ago that disgraced Maricopa County, AZ, Sheriff Joe Arpaio was held in contempt of court for racially profiling and detaining Latinos he "suspected" of being undocumented. But Trump normalized this anti-immigrant, anti-Latino ideology when he pardoned Arpaio two years ago and spared him from a potential two year sentence.

While we fight back against Trump fanning xenophobia across the land, we can also demand more of local politicians who can do more to protect Latino citizens like Mr. Torres, and undocumented people too.

The ACLU has sued on Mr. Torres's behalf so that the courts might recognize these types of actions as racial profiling, which is already illegal and unconstitutional. But Torres's terrible saga demands us to examine what happens to undocumented people when they are detained by local authorities. Had Mr. Torres been in the country illegally, the Ascension Sheriff's Office would have turned him over to ICE and he'd likely be sitting in a crowded detention camp right now, if he were not already deported.

ICE has a long history of using local authorities to channel immigrants into its detention and deportation machine with programs such as Criminal Alien Program (CAP), Secure Communities, and 287 (g), which in various forms allow ICE agents to review records of people in jail, and run inmate fingerprints regardless of whether they have been convicted, or of the types of crimes for which they stand charged. And while ICE goes to great lengths to portray its work as necessary to keep America safe from “criminal aliens,” the reality is that only about half of the people who are deported have committed crimes at all. Moreover, according to the Cato Institute those crimes are generally minor—immigration violations like crossing the border without authorization, traffic infractions, and nonviolent crimes like drug possession are the most common offenses.

But in places like Texas, the possibility of Latino undocumented immigrants being detained by local authorities and then turned over to immigration officials is much greater because of laws like SB4. The original version of that state law allowed officers to pull drivers over for the sole purpose of asking them about their immigration status. The courts struck down that part of the statute, but police officers are still allowed to ask drivers about their immigration status during routine traffic stops. Let’s be honest and clear about the type of people who might be asked about their immigration status during routine traffic stops—brown people with Latino last names.

Today more than ever, it is imperative that state and local authorities protect brown and immigrant communities from the deportation machine the Trump administration has fine-tuned. A record 52,000 people sit in ICE detention camps across the country, and a record number of them do not have any criminal history at all.

We might not be able to make any positive progress on federal immigration law at the moment, and the prospects for comprehensive immigration reform are particularly bleak with Trump in office. But there is something decent leaders can do to protect both citizens and non-citizens who get caught up in the Trump-inspired immigration dragnet: They can declare their municipalities “Safe Cities,” commonly referred to as Sanctuary Cities.

That term has become politically charged and controversial. While there isn’t a single definition for a sanctuary city, according to America’s Voice it generally refers to a city, county, or state that “limits its cooperation with federal immigration enforcement agents in order to protect low-priority immigrants.”

At a basic level, in other words sanctuary cities protect undocumented immigrants in the custody of local authorities for infractions like driving without a license from being turned over to ICE for detention and deportation. More broadly, sanctuary cities can protect all people of color from being racially profiled.

Right now large cities like Los Angeles, Denver, Chicago, and New York City are considered Safe Cities, but that leaves scores of populous parts of the United States that could be doing more. What happened to Ramon Torres reminds us we should be doing more even, and especially, while Trump remains in office.