

The trouble with ICE

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Six years ago, long before #AbolishICE, and long before Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) touched off an international uproar by separating undocumented families at the border, federal immigration agents had already stirred up outrage in North Carolina.

I was in the midst of reporting on a pending federal investigation of Alamance County Sheriff Terry Johnson: staunch conservative, lifetime lawman, and race-baiting imitation of cartoonish Arizona sheriff Joe Arpaio, an immigration hard-liner fetishized by the likes of President Donald Trump.

Like Arpaio, Johnson was accused of racial profiling by the U.S. Department of Justice. Although [a judge ruled in 2015](#) that the feds failed to prove their case against Johnson, the brash sheriff had never been subtle about his intentions.

“Go out there and get me some of those taco eaters,” Johnson allegedly told his deputies prior to a 2011 traffic checkpoint, according to Department of Justice officials, although the sheriff denied ever saying those words.

The Alamance sheriff, never one for mincing words, once offered this appalling description of Mexican culture in a 2007 *News & Observer* profile:

Their values are a lot different, their morals, than what we have here. In Mexico, there’s nothing wrong with having sex with a 12-,13-year-old girl ... They do a lot of drinking down in Mexico.”

The sheriff once boasted that he would go door-to-door, checking immigration papers, to root out illegal voters in Alamance County.

But perhaps Johnson’s most lasting legacy will be his promise, which he eventually delivered on, to partner with ICE in its much-maligned 287(g) program, which allows local law enforcement to kick start deportation proceedings following an arrest. Finally, he argued, Alamance County had the tools to remove some of its most dangerous offenders, never mind that the types of undocumented immigrants wrangled by the Alamance sheriff weren’t the hardened criminals that supposedly preyed on locals.

More often than not, advocates said, Johnson and other law enforcement agencies used the program to boot immigrants accused of minor infractions.

The program relies on arrests in order to spur deportations, and an examination of Alamance County traffic records in 2012 revealed the county's deputies were twice as likely to arrest Latino drivers during traffic stops than non-Latino drivers. The practice sped deportations for minor offenses—driving without a license, expired tags—that would produce a warning for non-Latino drivers.

[Disclosure: This writer conducted that examination while serving as an investigative reporter for Indy Week.]

The data seemed to confirm what immigration attorneys and advocates had warned time and again: that in some locales, ICE's program had been used by local police to aggressively remove undocumented immigrants, regardless of criminal history. These were no gun-toting scofflaws. They were mothers, fathers, grandparents, sons and daughters stopped while driving to the grocery store for a carton of milk.

Ultimately, these types of programs were used to isolate, intimidate and eventually eject a segment of the community that attended local schools, worked local jobs and, yes, paid taxes.

Johnson's still there, still animated, and still splashing about in a bog of controversy. After all, this type of anti-immigrant fervor, no new phenomenon in America, is particularly en vogue these days under President Trump, a man who spitefully bloviates on building a mythical border wall and blockading travelers from Muslim countries.

ICE is still around too, having its moment to shine in Trump's ghastly orbit. If Trump's anti-immigrant provocations have done anything—other than further isolating Americans and humiliating immigrants—they've shone a light on the badly flawed federal agency, which pilots a booming deportation operation that's removed more than 2.1 million undocumented immigrants from the country since 2011, an agency that, without any trace of irony, has pledged to remove undocumented immigrants “without prejudice.”

The #AbsolishICE tag swept through social media in recent days. And North Carolina political leaders have caught on as well, with leaders in progressive communities and some state lawmakers joining in the fray. Often times, the anti-ICE fury was spurred by the wrenching images of sobbing immigrant children at the border ripped away from their parents, even though it's ICE's Department of Homeland Security sibling, the CBP, that's overseen the appalling display at the border.

Meanwhile, North Carolina news reports told stories this year of ICE raids that shook immigrant communities in places like Asheville and the Triangle.

In recent days, Trump's excoriated liberals for their “soft” positions on immigration and ICE, even though the majority of progressives seem unsure what to feel about the besieged federal agency.

Liberal positions, he claims, will make America a more frightening place. It's no accident that Trump uses demeaning, subhuman terms like “infestation” to cultivate fears of roving, immigrant gangs in America, rhetoric that lines up squarely with the type of hateful spew that's dominated his political rallies and executive orders.

Yet if we're to take Trump and other hard-liners for their word—that this is about making America a safer place—they've yet to produce a shred of evidence to back up their assertions.

A study this year by the Libertarian Cato Institute found no corresponding drop in crime in North Carolina counties, like Alamance, that had plunged into ICE's ill-advised 287(g) program. Other studies found that immigrants are less likely to commit crimes than people born in the United States.

Those who have taken up the call to dismantle ICE or CBP surely recognize their failures. Yet any discussion of torpedoing such agencies should likewise consider the intractable immigration framework behind it, and the failure of national political leaders of all stripes to raise public discourse on this subject.

Trump is often viewed the nation's leading advocate for deportation, even though ICE removals spiked to an unprecedented 400,000 in 2012 under then-President Obama, many of them immigrants who had not been convicted of any major crimes, proof again that the country faces a decidedly bipartisan mess.

By no means is ICE a "straw man." Its leaders deserve heaps of criticism for their failure to stick to their own professed priorities of targeting dangerous criminals. But Americans and North Carolinians should scorn too those political leaders who obstruct the nation's path to a more humane, more decent immigration structure, one that doesn't sink to deporting victims of domestic violence, Dreamers, veterans and parents of American children.

These types of activities, Trump believes, will send a stiff warning to any who consider crossing the border illegally. It has sent a message of course.

The message is that the nation's immigration policies, which have invariably favored the hard-liners even under liberal leaders, have done more to ostracize and humiliate a community than they have to plug a leaky border. These policies have failed Americans and they have failed those who want to be Americans in the worst way, turning them into fodder for red meat-chomping conservatives like Trump, Arpaio and Johnson.

Politicians, Republicans and Democrats, who've supported a path to citizenship have been cowed by such hard-liners, even as they recognize the moral and practical absurdity of sweeping out more than 11 million people.

Indeed, Americans and North Carolinians should reject the instinctual bile that masquerades as policy under leaders like Trump and the Alamance County sheriff. They should dismiss these proposals for their practical failures, as well as their moral turpitude. And they should demand that policymakers and politicians find the political will to wholly remake immigration policy—and its enforcers, ICE, CPB—sooner rather than later.

"I hate politics," Sheriff Johnson once told me, as federal investigators began swarming his agency in 2012. If that still holds true, leaders like Johnson should forget the politics altogether. After all, this is about the people, the immigrants—either documented or undocumented—who deserve better.