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Raids Are Not the Solution

Immigration Law Must Protect Due Process and Human Rights

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The U.S. Immigration and Customs Enforcement (ICE) agency must treat immigrants humanely, allow detainees to access legal counsel, and place immigrants in facilities close to their families and legal assistance.

- ▶ The current system amounts to deprivation of due process for immigrants who are entitled—under the law—the right to counsel (but not at government expense).
- ▶ Legal service providers should be able to gain access to detainees.
- ▶ ICE should exercise its discretion to release immigrants who do not pose a threat.
- ▶ Rushing to deport individuals leads to errors.
 - ◆ One Salvadoran woman unknowingly signed a statement admitting that she was deportable to Mexico.
 - ◆ Often, immigrants who have a legal claim to remain in the United States are deported before they can find a lawyer to help win their case.

The recent and frequent raids throughout the U.S. demonstrate the need for comprehensive reform of our nation's immigration laws.

- ▶ We must create legal opportunities for employers to meet the demands for labor to stem or end unauthorized immigrant employment in the U.S. Much of the unauthorized immigrant employment in the U.S. is the result of basic economics.
 - ◆ The American economy demands approximately 500,000 immigrant jobs each year, but only a tiny fraction of visas are available to meet this demand.
- ▶ Comprehensive immigration reform can serve our economic needs and restore humanity to our immigration laws.

The vast majority of those arrested in raids came to America for a better life and to contribute to society.

- ▶ We are a nation of immigrants and we have always welcomed immigrants.
 - ◆ Immigrants have made significant contributions to American society.
- ▶ Our values and traditions provide for the just treatment of individuals, not the arrest and deportation of hard-working people who have built lives and raised families in America.

These raids have grave consequences for immigrant families.

- ▶ Detainees are frequently moved to jails in remote locations, tearing children from their parents.
- ▶ Because immigrants are arrested without warning, they are unable to make arrangements for the care of children and dependents.
- ▶ Women arrested in Massachusetts in early March were sent to jails in Texas, far from their families and without access to legal providers.

Call to Action

- ▶ **Request that Immigration and Customs Enforcement (ICE) treat immigrants humanely, allow detainees access to legal counsel, and place immigrants in facilities close to their families and legal assistance.**
- ▶ **Call on ICE to exercise its discretion to release immigrants who are not a threat to the community or a flight risk.**
- ▶ **Support comprehensive reform that creates legal opportunities for immigrants to live and work in the United States and remain with their families.**

The National Immigrant Justice Center provides direct legal services to and advocates for immigrants, refugees, and asylum seekers through policy reform, impact litigation, and public education. Contact Mary Meg McCarthy at mmccarthy@heartlandalliance.org or (312) 660-1351. www.immigrantjustice.org



A Troubling Trend: **Raids Across the United States** **Separate Families, Endanger Due Process**

The first workplace raid to gain national attention happened December 12, 2006, at six Swift & Company meatpacking plants in Colorado, Texas, Nebraska, Iowa, Minnesota and Utah. More than 1,200 workers were arrested and many parents were forced to abandon their children. Attorneys seeking to offer pro bono individual legal services to detainees were denied access in many instances. Since December, workplace raids have occurred with an increasing frequency, and immigrant rights advocates have continued to see problems with family separation and deprivation of due process rights:

- ▶ The March 6, 2007, raid in New Bedford, Massachusetts, gained national attention because of the number of children who were left behind and families that were torn apart. Social service providers, relatives, and babysitters struggled to care for infants and sick children when families' primary caregivers were detained and transferred to immigration detention in Texas.

- ▶ On March 7, 2007, a raid near South Bend, Indiana, led to the arrest of approximately 34 immigrants who were taken to the Chicago area and held in detention pending deportation. Before lawyers gained access to the detention centers to conduct "Know Your Rights" presentations, detainees from the raid were pressured to sign statements admitting to their own deportability. One man who was arrested reported that officers told him that if he signed a deportation order, he would have 30 days to withdraw it if he changed his mind. The officers did not tell him that he would likely be placed on a plane and deported within a few days. More than half of the workers who were arrested were women, and many were forced to leave their children behind.

- ▶ After ICE officers made a series of arrests in the Canal area of San Rafael and Novato, California, on March 7, 2007, many children reportedly were afraid to go to class. One week after the raids, parents who were arrested were still unable to communicate with their families. "The way in which they go about doing their business causes unnecessary community damage," Marin County Board of Supervisors President Steve Kinsey told local radio station KCBS about ICE's workplace raids operations.

The National Immigrant Justice Center provides direct legal services to and advocates for immigrants, refugees, and asylum seekers through policy reform, impact litigation, and public education. For more information about local responses to immigration raids, contact Mary Meg McCarthy at mmccarthy@heartlandalliance.org or (312) 660-1351. www.immigrantjustice.org