



National Network for Immigrant and Refugee Rights

310 8th Street, Suite 310, Oakland, CA 94607, USA

+1.510.465.1984 ph +1.510.465.1885 fax

NNIRR Blog

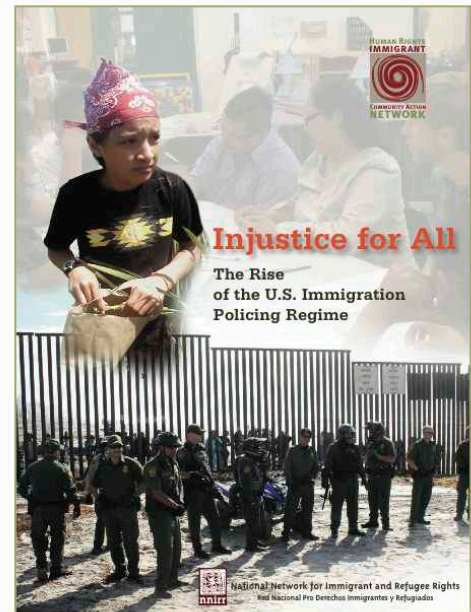
July 6, 2018

The problem is bigger than ICE

As amazing as it is to see #AbolishICE and "Abolish ICE" signs at protests -- and even to hear members of Congress echo the call -- our "problem" is more than abolishing this agency. ICE -- the Immigration and Customs Enforcement agency -- IS cruel and inhumane. ***It is the instrument that carries out decades of cruel and inhumane policies forged under successive administrations and by Congress*** (and it actually consists of two subagencies: Homeland Security Investigations, and Enforcement and Removals Operations). Established under the post-9/11 Department of Homeland Security (DHS), ICE -- and Customs and Border Protection (CBP) **are authorized and heavily funded to do the dirty work of implementing policy based on the criminalization of undocumented immigration.**

ICE could be abolished -- but another agency under another name could take its place and do the same thing -- without a change in the policy and laws. For more than 30 years, a long list of laws have contributed to the **criminalization of undocumented immigrants**, whether they have lived and worked in the U.S. for many years, or if they are now attempting to enter as border crossers and asylum seekers. From the criminalization of undocumented work under IRCA in 1986, through an escalation of immigrant criminalization post-9/11, to the criminal prosecution of border crossers under **Operation Streamline** -- these policies have separated families, contributed to migrant deaths at the border, and have heightened a racist, hate-filled and divisive narrative now led by no less than the White House.

Members of both parties -- in the White House and in Congress -- have promoted and endorsed this immigration enforcement program. **Every "comprehensive immigration reform" proposal that came up in Congress included further support for this immigration enforcement regime.** Typically, concerns for human rights abuses and violations were "thrown under the bus" during the business of "trade-offs" for potential "positive" reforms. And we have continued to see this trade-off scenario presented in recent weeks and months as Republican legislators attempted to move immigration bills that traded a future for DACA recipients for Trump's



costly immigration control agenda. Will Congressional members now voicing criticism of ICE stick to their positions down the road?

During the Obama period, NNIRR wrote in the report, "[Injustice for All: The Rise of the U.S. Policing Regime](#)" about the dangerous consolidation of the U.S. "immigration policing regime" that had evolved post-9/11 -- **a marriage of racist, punitive, inhumane laws, and a comprehensive infrastructure**. The continued criminalization of immigration, arrests, detentions and deportations -- including of asylum seekers -- is purposeful and is an extension of this monstrous system. (Read the [Executive Summary](#) of *Injustice for All*.) Clearly, babies and children must also experience this cruelty.

Under DHS, immigrants are identified as a threat to national security and they are subject to all of the tools of surveillance, profiling and intrusive policing within this massive infrastructure. Access to due process, to justice is not in the DHS vocabulary.

This is an important moment to expand a movement for immigration justice and for the human rights of all migrants, regardless of immigration status. All around the country, momentum to limit ICE's reach had been growing, especially evident in the creation of "sanctuary" cities and even sanctuary school districts. Nationally, many have rallied behind the campaign to #DefundHate, an initiative to cut the billions of tax dollars budgeted to support the repressive enforcement machinery and personnel, including ICE and the Border Patrol.

The challenge to #DefundHate is an immediate challenge: \$47.5 billion is being requested for border security and immigration enforcement in the Department of Homeland Security Fiscal Year 2019 budget. This funding includes \$1.6 billion for 65 miles of new border walls; \$164 million to hire an additional 750 new Border Patrol Agents and 153 support personnel. For ICE, the budget would include \$5.1 billion for enforcement and removal operations and \$571 million for 2,000 more ICE agents and 1,312 support personnel. Additional funding would go for the expansion of the E-Verify program and other enforcement operations.

As members of [Detention Watch Network](#), NNIRR is part of a national grassroots movement to defund the immigration enforcement apparatus. This funding, approved by Congress, is obviously a critical target towards the dismantling of this cruel and punitive enforcement system. But it is only part of the battle ahead. #DefundHate provides us with a great tool to raise awareness, expand the movement, and bring elected officials to account for their role in supporting—or defeating—a hateful agenda. [Click here](#) to find out more information about the #DefundHate initiative.

Read the blog, "[It's Time to Decriminalize Immigration](#)" to better understand the laws and policies behind ICE and the current enforcement practices. And [this recent CNN interview](#) with Boston College Law School professor Kari Hong provides a good background to current enforcement policies.

#