



# Over-Raided, Under Siege

U.S. Immigration Laws and Enforcement  
Destroy the Rights of Immigrants

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# Over-Raided, Under Siege

U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants

A report on human rights violations perpetrated against immigrant  
and refugee families, workers and communities in the U.S.

From the Human Rights Immigrant Community Action Network  
An initiative of the National Network for Immigrant and Refugee Rights

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## ABOUT THIS REPORT

*Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants* provides a critical overview and analysis of the trends and patterns of human rights violations being perpetrated against immigrant and refugee communities by the U.S. government, local, county and state governments, employers and private citizen groups. It is the fourth report issued by the National Network for Immigrant and Refugee Rights (NNIRR) on immigration enforcement. The most recent report – Human Rights, Human Security at Risk – concludes that placing immigration services and enforcement under the new Department of Homeland Security (DHS) jeopardizes community safety and compromises access to services. The report was published in 2003, shortly after the formation of DHS.

*Over-Raided, Under Siege*, produced under the auspices of the Human Rights Immigrant Community Action Network (HURRICANE) a new initiative of NNIRR, documents over 100 stories of human rights violations from across the country between 2006 and 2007. They range from immigration raids and migrant deaths at the U.S.-Mexico border to mounting detentions and deportations. The report identifies five major trends of rights violations in immigration services and enforcement based on some 100 stories of abuse and 206 incidents of raids tracked through extensive documentation from newspaper articles, scholarly journals, reports, and interviews with affected persons and reporting by community groups. The report also provides a political and historical context to the stories (SEE PAGE 53).

*Over-Raided, Under Siege* concludes with a series of recommendations for Congress, state and local governments, the Social Security Administration, the Department of Homeland Security, and local law enforcement agencies to cease all policies, practices, measures and laws that violate international human rights norms and to protect and uphold the rights of all immigrant and refugee families, workers and communities and focus on addressing the root causes of migration.

## GUIDE TO ACRONYMS

AFL-CIO American Federation of Labor and Congress of Industrial Organizations

CIS U.S. Bureau of Citizenship and Immigration Services

CBP U.S. Bureau of Customs and Border Protection

DHS Department of Homeland Security

FEMA Federal Emergency Management Agency

HURRICANE Human Rights Immigrant Community Action Network

ICE U.S. Bureau of Immigration and Customs Enforcement

IIRIRA Illegal Immigration Reform and Immigrant Responsibility Act

IWFR Immigrant Workers Freedom Ride

LAPD Los Angeles Police Department

NNIRR National Network for Immigrant and Refugee Rights

NSL National Security Letter

PCMEO Pima County Medical Examiner's Office

SSA Social Security Administration

## Executive Summary

**O**ver-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants, the first annual report produced through NNIRR's Human Rights Immigrant Community Action Network (HURRICANE), finds that the Department of Homeland Security is leading a new type of assault on the rights, lives and wellbeing of immigrant families, workers and communities in the United States. The DHS is subjecting immigrant and refugee communities to a deliberate and distinct form of "collective punishment,"<sup>1</sup> resulting in widespread violations of basic constitutional and human rights. Over-Raided, Under Siege analyzed over 100 stories of human rights violations and 206 incidents of immigration raids<sup>2</sup> in 2006-2007 and interviewed community leaders and sifted through numerous reports and data to better understand the patterns of recent violations.

Over-Raided, Under Siege demonstrates how the U.S. government continues to build new programs, policies, strategies and laws that systematically violate the human rights of immigrant and refugee members of our communities. Working in tandem with local, county and state governments, law enforcement agencies, employers and private citizen groups, the U.S. government has advanced hundreds of new measures that deny immigrants and refugees due process rights, a living wage, housing, labor protections, and proper health and safety.

The U.S. government's strategies range from justifying immigration enforcement as a national security measure, to directing billions of dollars into private security firms. U.S. immigration services and enforcement policies are shaped by the drive to expand policing, prison building and to criminalize, detect, jail and deport immigrants with impunity.

As a result, U.S. immigration enforcement and border control policies and strategies are fueling a humanitarian crisis that disproportionately impacts immigrant communities. Instead of upholding the rights of immigrants or providing safe and legal means to immigrate, U.S. immigration and border control strategies deliberately force migrants to risk their lives, causing untold suffering and the death and disappearance of hundreds of migrants every year on the U.S.-Mexico border. This crisis follows migrants wherever they go on their journey to interior communities. They face escalating attacks fueled by the Department of Homeland Security's strategy of almost exclusive reliance on exclusion, detention and removal to "solve" the undocumented problem.

Over the last two years, immigrants have been increasingly marginalized and denied public services in a new way: they are being scapegoated and collectively punished for many of the U.S.'s social and economic ills. Immigrants, especially the undocumented, are blamed for the fiscal crisis. Then, under the guise of immigration control and national security, federal, state, county, and local governments propose and approve policies and ordinances to cut back and privatize public services and gut civil liberties.

With the DHS's ICE, CBP and other law enforcement agencies operating without accountability or effective oversight, immigrants have become especially vulnerable to abuse and violence. Whether

they are documented or undocumented, immigrants are now the almost exclusive scapegoat for the faltering economy, the threat of terrorism, the deterioration of services and the social problems afflicting the U.S. In this officially condoned anti-immigrant climate, racial profiling, exploitation in the workplace, hate violence and multiple public policies are being used to deliberately force immigrants to leave or exist in the shadows.

***Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants* concludes that:**

- 1) **The U.S. Department of Homeland Security (DHS) and its Bureau of Immigration and Customs Enforcement (ICE) have broadened its raids strategy and use immigration sweeps as a political response to immigrant rights efforts.**

ICE deliberately carries out high profile raids in workplaces, stores and other public spaces, in neighborhoods and homes to instill fear in communities and push back on policies and initiatives that protect rights. For example, in New Haven, Connecticut, immigration authorities swept up 31 undocumented immigrants just two days after the city approved a municipal identification card that will all allow city residents, regardless of their citizenship status, to access basic city services.<sup>3</sup>

These raids are often conducted without warrants or consent, trampling the constitutional rights of entire communities. In collaboration with other law enforcement officials, ICE carried out warrants and deliberately swept up additional people as “collateral” arrests and deportations. ICE raids have become deliberate actions meant to strike fear in families, disrupting workplaces and communities. And as ICE has launched more aggressive raids, an alarming number of children are being left behind without their parents.

Increasingly, the workplace has become the preferred raid location. ICE agents arrested 4,000 people in workplace raids between October 2006 and September 2007.<sup>4</sup>

- 2) **Immigrants are being incarcerated at increasing rates, becoming the fastest growing prison population.<sup>5</sup>**

Detentions have increased 400 percent from 5,532 in 1994 to 27,500 in 2006.<sup>6</sup> In October 2007, ICE was holding 14,764 immigrants in detention facilities throughout the nation.<sup>7</sup> The dramatic growth in immigrant prisons is rooted in the expansion of U.S. policies and strategies criminalizing immigration status and making jail mandatory for all immigrants while their cases are pending.

The DHS continues building more jail bed space exclusively for immigrants, in public facilities and those contracted out to private prisons corporations, like the Geo Group (formerly Wackenhut) and Halliburton, representing an alarming shift to the privatization of facilities in construction and operation. Furthermore, even government audits have found multiple instances of non-compliance with detention standards related to health care, environmental health and safety, general conditions of confinement, and the reporting of abuse.<sup>8</sup>



**3) DHS is intensifying workplace enforcement by using employers as enforcement agents through Social Security No-Match Letters and other measures, as legislators continue pushing for temporary worker programs reminiscent of failed past initiatives.**

The Department of Homeland Security's current effort to expand immigration law enforcement in the workplace by using SSA "no-match" letters further criminalizes immigrant workers and undermines labor protections and unions. Immigrant workers are now being charged with "identity theft," a felony crime that allows the DHS to jail them instead of citing them for being out of status, or working without authorization, which is a minor civil offense.

Simultaneously, DHS Secretary Michael Chertoff supports increasing guest worker programs as part of a program to invest more resources in enforcement as the solution. DHS's proposed expansion of using "no-match" letters as an immigration enforcement tool gives employers power over workers, particularly immigrant workers, who affirm their rights or seek to unionize.

Employers use the no-match letters, employer sanctions and other official policies and measures to harass and intimidate immigrant workers or indiscriminately fire them when they demand living wages or to stop union organizing.

**4) The humanitarian crisis at the border has reached new heights as migrant deaths hit record numbers and the federal government pours billions of dollars into further militarizing the region.**

The U.S.-Mexico border has become the epicenter of the humanitarian crisis impacting immigrant and refugee communities, resulting from official immigration services and enforcement policies and strategies.

To reduce and eventually stop unauthorized migration, in 1993, the U.S. government began implementing a militarization strategy called "prevention through deterrence" at the U.S.-Mexico border. This strategy deliberately forces migrants, who are seeking to reunite with their loved ones or work in the U.S., to risk their lives by crossing into the U.S. through the most dangerous and isolated desert and mountainous regions of the U.S.-Mexico border. Some 5,000 migrant bodies have been recovered since 1994 at the border.

While various non-partisan and research institutes have declared this strategy a failure at stopping unauthorized migration and to cause more migrant deaths, the U.S. has continued to expand the militarization of the border. In fact, by the end of 2008, DHS aims to increase the number of border patrol agents from 15,000 to 18,300 (this figure represents a doubling of border patrol agents under the Bush administration). DHS also plans to add 370 miles of "fencing," border walls; 300 vehicle barriers, 105 camera and radar towers and three unmanned aerial vehicles.<sup>9</sup>

- 5) **The dramatic growth in local and state police collaboration with ICE immigration law enforcement severely undermines community safety and further marginalizes immigrants. Local, county and state government collaboration with immigration enforcement further exposes immigrants to abuse at the hands of unscrupulous police, employers, hate groups and others who believe immigrants will not report crimes to avoid detection or deportation.**

As a result, immigrants, or anyone who “looks or sounds” foreign, are being subjected to new forms of racial, ethnic/nationality and religious profiling and “mapping.” For example, on November 9, 2007, the Los Angeles police department announced plans to map the city’s Muslim communities in order to identify which might become susceptible to extremism.<sup>10</sup> The LAPD discarded the plan a week later, after Muslim and civil rights groups denounced the measure, arguing it would do the opposite of its intent by making Muslims less willing to work with authorities.<sup>11</sup>

Across the nation, 597 officers in 34 state and local law enforcement agencies have joined the 287(g) program, which allows the Department of Homeland Security to enter into agreements with local law enforcement agencies. Of those 34, 26 joined the program in FY 2007.<sup>12</sup>



## Key Recommendations

### **In order to prevent further human rights violations against immigrant communities, families and workers, Over-Raided, Under Siege recommends that:**

- The U.S. Bureau of Immigration and Customs Enforcement (ICE) end immigration raids and collaboration with local, county and state police, as well as other government agencies.
- The Department of Homeland Security (DHS) end the practice of jailing persons for immigration status offenses and restore immigrants' full due process rights and access to the courts.
- The Social Security Administration stop sending Social Security no-match letters to employers. To get updated information, simply send letters to employees at their home addresses.
- The federal government ensure that labor laws protecting all workers, regardless of citizenship or immigration status, are enforced.
- DHS end and rollback border militarization policies and strategies that have caused thousands of migrant deaths and countless violations of the human and civil rights of migrants, workers, people of color, youth, communities and Indigenous peoples at the border.

### **In addition, Over-Raided, Under Siege also recommends that:**

- Congress pass an immigration reform bill to strengthen worker rights, expand civil rights, provide options and access to citizenship and legal permanent residency, clear the visa backlog, reunify families and stop the expansion of guest worker programs.
- The U.S. Bureau of Citizenship and Immigration Services increase options for legal immigration and issue sufficient visas so that migrants can enter safely into the U.S. with full rights protections.
- DHS re-direct and prioritize funding for immigration services to clear the backlog of pending applications for family reunification visas, green cards, citizenship and services for immigrant integration.
- Local law enforcement agencies end collaboration with ICE on enforcement operations.
- DHS, ICE, CBP and other local, county and state law enforcement agencies stop the practice of racial, religious, ethnic and nationality profiling, monitor their progress and end other discriminatory practices.
- Local, county and state governments identify the needs of their immigrant and refugee communities, and implement laws, policies, and procedures to integrate them as full participating members. A human rights framework and adequate budget should be part and parcel of these measures.



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■ *Over-Raided, Under Siege*  
*U.S. Immigration Laws and Enforcement*  
*Destroy the Rights of Immigrants*

## Overview of Trends

**A**nalyzing over 100 stories of abuse and 206 incidents of immigration raids during 2006-2007, *Over-Raided, Under Siege* found recurring patterns of rights violations perpetrated against immigrants and refugees by government entities, law enforcement agencies and employers. The most alarming trend, and by far the most prevalent in the last two years, is the increase in immigration sweeps by ICE at people's homes and in their workplaces. The raids, in turn, have led to a rising demand for detention facilities that house immigrants awaiting deportation orders. Recent reports point to dismal health and living conditions at these facilities, many of which are run by private prison firms.

**The 100 stories listed in this report also identified abuses at work, along the U.S.-Mexico border and in local communities. This includes:**

- Unscrupulous employers taking advantage of Social Security “no-match” letters and immigration status to exploit and intimidate workers;
- Local and state police unlawfully detaining persons solely to question their immigration status and jailing them to turn them over to ICE for deportation;
- Local, county and state governments implementing immigration control measures to deny public services and subjecting immigrants or anyone who “looks or sounds” foreign to racial, ethnic/nationality and religious profiling – all prohibited by current civil rights protections;
- DHS deliberately carrying out high profile raids, terrorizing communities and workers and undermining and violating the rights of immigrant families, workers and communities;
- The deepening humanitarian crisis at the border resulting from the ongoing militarization of U.S. immigration and border control, producing record numbers of deceased migrants being recovered on the border and widespread constitutional rights violations as immigrants are being subjected to a new strategy where all unauthorized entrants and others caught in immigration detentions and dragnets are being summarily imprisoned as part of the removal process.

Meanwhile, Congress continues to inflate the DHS's ICE and CBP budgets for militarizing the southwest border region, linking it to the intensification of interior enforcement. This consists of laws, practices, policies and new proposals increasing policing, wall building and incarceration of immigrants and a growing reliance on private security corporations. The federal government's strategies and conduct have fueled the mounting number of local, county and state law enforcement agencies and governments that have jumped on the enforcement bandwagon – collaborating with immigration authorities – and are destabilizing communities and putting them under great risk.

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## RAIDS: The U.S. Bureau of

Immigration and Customs

Enforcement (ICE) has broadened its

raids strategy and used immigration

sweeps as a political response to

immigrant rights defense efforts.



The criminalization of immigrant workers reached new heights with two turning points, setting the stage for an aggressive attack on immigrants by the Department of Homeland Security. First, the U.S. House of Representatives passed the notorious Sensenbrenner bill (HR 4437) on December 16, 2005. This bill made it a felony to be undocumented and to assist, hire, minister to, or provide services to the undocumented.<sup>13</sup> In reaction to the Sensenbrenner bill, immigrant communities and allies organized unprecedented mass mobilizations to reject HR 4437 and call for socially just immigration reform.

As the size and frequency of the mobilizations grew, the Department of Homeland Security began unleashing a series of highly publicized ICE raids. In April 2006, ICE carried out wide-scale immigration raids against workers at IFCO Systems plants in forty locations across eight states that led to the deportation of over 1,100 people.<sup>14</sup>

#### ICE raids New Bedford, MA, March 6, 2007

“They took my father away. He has been working in the factory for years, working all the time, working so hard for me. I need my father back.”

– Testimony by 16-year-old who broke into tears during a meeting with the Massachusetts Congressional Delegation in the basement of Our Lady of Guadalupe Parish, March 11, 2007.<sup>1</sup>

Then on December 12, 2006, the Bureau of Immigration and Customs Enforcement (ICE) carried out the “Swift” raids, one of the largest immigration sweeps in history, clamping down on immigrant workers in meatpacking plants across six states. The Swift factories came to a standstill as some 12,000 Swift plant workers were rounded up, detained and questioned about their status on site. Despite this massive use of force, ICE charged only 65 workers, mostly on felony charges of identity theft and fraud for using false social security numbers. The United Food and Commercial Workers Union, which represents five of the six sites raided, has filed a lawsuit against ICE to protect Fourth Amendment rights and stop the U.S. government “from illegally arresting and detaining workers, including U.S. citizens and legal residents while at their workplace.”<sup>15</sup>

In FY 2006, these ICE raids and other immigration enforcement operations led to the deportation of 221,664 undocumented immigrants, a 20 percent increase from the previous year.<sup>16</sup> Despite protests from civil and human rights leaders, this modus operandi only continued in 2007. The stepped up raids strategy and corresponding increase in detentions, deportations and policing is at the center of Operation Endgame, a ten-year campaign laid out by the DHS in 2003 to track down and deport all immigrants, documented and undocumented, who can be deported.<sup>17</sup> The following are just three examples of how ICE has stepped up its raids strategy:

*On March 29, 2007, federal agents detained 69 undocumented immigrants hired by a Baltimore temporary employment agency.<sup>18</sup> That same month, ICE agents arrested 327 employees working for Michael Bianco, Inc, a leather goods manufacturer in New Bedford, Massachusetts. The raid left 140 children stranded. Most of the immigrants arrested were Guatemalans who had fled civil war in their home country in the 1980s.<sup>19</sup> During a two-week period in September 2007, ICE agents carried out the largest raid in the nation. They arrested more than 1,300 immigrants and deported 530 from five Southern California counties: Los Angeles (187), Orange (62), Riverside/San Bernardino (245), and Ventura (36). The majority of these were bystanders, “collateral” arrests, swept up by ICE as they executed orders of deportation for others. The deportees came to the U.S. from various nations, including Mexico, El Salvador, Honduras, Ireland and Russia.<sup>20</sup>*

The timing of ICE raids over the past few years raises many troubling questions about the DHS’s accountability and political motivations.<sup>21</sup> Just as ICE launched the IFCO raids shortly after the mass mobilizations of 2006, the bureau has continued to conduct raids following local and national efforts to promote immigrant rights. In New Haven, Connecticut, immigration authorities swept up 31 undocumented immigrants just two days after the city approved a municipal identification card that will all allow city residents, regardless of their citizenship status, to access basic city services. “We feel that this is too much to be a coincidence; this is a retaliation,” said Jessica Mayorga, spokeswoman for New Haven mayor John DeStefano Jr. “They are attacking us because they failed to integrate immigration reform that worked. That’s not our fault, and we’re doing everything we can to protect the immigrants of New Haven.”<sup>22</sup>

Increasingly, the workplace has become the preferred raid location. According to ICE, 4,000 people were arrested in workplace raids between October 2006 and September 2007. The previous fiscal year, the number reached 3,700. These figures represent an astounding 800 percent increase since 2003, when agents arrested fewer than 500 people.<sup>23</sup>

ICE agents increasingly have gone door-to-door looking for immigrants with deportation

### **ICE raids at New Bedford, MA, March 6, 2007**

During the raids at the Bianco factory, Ana explained to ICE agents that she had a baby at home, but they yelled back at her that they did not care. “I pleaded with them to listen to me, that I was worried for my baby. They finally released me after they replaced the shackles with this [electronic monitoring bracelet].”

—Ana is a former worker at the Bianco factory. She was detained from 8:30 a.m. on March 6 and released March 8, only after Governor Deval Patrick visited New Bedford and insisted to federal authorities to release mothers with young children.<sup>2</sup>



orders, using the pretext of a warrant for one undocumented immigrant to arrest many others. Often, they failed to find the person for whom they had issued a deportation order. In the case of the New Haven raids, federal immigration agents went searching for 16 undocumented immigrants with arrest warrants. Only four warrants were served, meaning that the majority of the people taken into custody were swept up in a dragnet. Marc Raimondi, an ICE

spokesperson, glossing over how ICE made these arrests, stated, “There is truly no safe haven for fugitive aliens.”<sup>24</sup>

As ICE launches more aggressive raids, an alarming number of children are being left behind without their parents. Studies estimate that between 3.1 million children and 5 million children – who are U.S. citizens – are living with at least one undocumented immigrant parent.<sup>25</sup> While these children cannot be deported, having their parents rounded up by immigration authorities leaves them vulnerable to family separation, economic hardship, and psychological trauma.<sup>26</sup>

### ICE agents abuse workers during Swift Raids

**December 12, 2006, Hyrum, UT:** “At approximately 7:30 am we were working at E.A. Miller Blue Ribbon Swift Co. when we noticed the supervisor was going around telling the employees to take off all of our equipment, knives, etc. Nobody knew what was going on until someone said immigration had surrounded the plant. A lot of people got nervous, and I started looking for my husbands' family and found them. They were three nieces, five nephews and one friend. The girls were crying and scared.

“The ICE agents were taking us up to their office by groups and checking us, but they were checking only the people that looked Latina or Latino; the white people would get a blue card and let go. After I was checked, I went to the locker room and my nieces were in there, crying with their hands tied. I was getting their jackets so they could take them. The immigration agent, who was Puerto Rican, yelled at me and said, ‘Do you think it is cold in Mexico! She will not need it where she is going!’ The white immigration lady said it was OK; she could take her personals. The same Puerto Rican lady [ICE agent] was pulling the women by the hair and pushing them around.

“Shortly after, I get a call from my son at home saying that la migra [ICE] was taking people out of the trailers. I went home. Children were left crying, at home alone without their parents. This is very hard to talk about, but I will never forget it” – A former worker at the Swift plant.<sup>3</sup>

### **ICE physically abuses woman during early morning raid**

**February 20th 2007, New York:** ICE agents stormed into the home of Nelly Amaya, entered her bedroom, and conducted a search through her home without identifying themselves. After she requested to see their warrant, ICE retaliated by roughing her up as they frisked and arrested her. The ICE agents did not have a warrant. During the arrest, the agents twisted Ms. Amaya's arm, aggravating an existing injury. Her arm was swollen and bruised after the handcuffs were put on. She was taken away in her pajamas.

Then on the way to the Wainscott police station, Ms. Amaya suffered an asthma attack, which went untreated. While in detention, Nelly was having difficulty breathing and was still in pain from the injury ICE inflicted. She was released 10 hours later, wearing only her pajamas, without money or even a coat to keep her warm as she hailed a cab in the winter cold of February. Nelly suffered tremendous physical and psychological pain and humiliation as a result of the raid, arrest, and detention.<sup>4</sup>

### **ICE forces way into home, arrests and chains immigrants**

**April 18th 2007, New York:** ICE agents pounded on the door of a house where Mario Patzán de León, Gonzalo Escalante, Yoni Revolorio, and Juan Jose Mijangos rented rooms. The agents rammed their way through the front door forcing themselves into the home without a court warrant or consent by the occupants. ICE then ordered all the men to come out of their rooms and escorted them to the kitchen. There, an ICE agent grabbed Mr. Mijangos by the neck, forcefully pushed and handcuffed him. The agents arrested and handcuffed all four men. ICE put Mr. DeLeón in chains. The four men were then transported to Manhattan where they were detained, questioned, and released later that evening. The agents never explained their rights to them and failed to produce any kind of warrant. The men now live in constant fear of ICE coming to their home again.<sup>5</sup>

### **ICE raids immigrant family's home; unlawfully detains residents**

**September 24, 2007:** At 5:30am, ICE agents pounded on the door of the Bonilla-Rodriguez home and forced their way in without a warrant or consent. When Mr. Bonilla opened the door, ICE agents pointed a gun at his chest, handcuffed him and pushed him toward the sofa. The agents then handcuffed Ms. Rodriguez and took her away from their two U.S. citizen children who were traumatized and left crying upstairs. The agents entered the home without a warrant or consent, conducted an unlawful search, damaged doors and walls, and illegally detained residents of the home. Six persons were arrested, including a 16 year old boy. Mr. Bonilla is a permanent resident and his fiancé Diana Rodriguez has temporary protected status.<sup>6</sup>

### **Local police arrest father for immigration status and leave child behind**

**Tuesday, July 30, 2007, Chesapeake, VA:** Angel de León was arrested in his Norfolk neighborhood, a few hours after coming back from DMV where he had attempted to register his new vehicle. After reviewing his identification documents, DMV refused to issue him license plates and declared them improper. Unknown to him, DMV had called the police on him for suspected immigration status.

While Mr. de León cared for his two-year-old son at his home, the Chesapeake police showed up, handcuffed and arrested him. The police took him away and left the child unattended and uncared for. Witnesses testified that the police was negligent in assuring the child was safe before taking Mr. Deleon into custody.

While in jail, Mr. de León was denied the right to contact his wife or an attorney. Jail officials lied about Mr. de León's whereabouts to advocates and community members who called inquiring about him. Jail personnel knowingly denied that he was being held there and refused to disclose their name and badge number.<sup>7</sup>

### **ICE places women under house arrest with electronic monitoring shackle**

**June 13, 2007, Portland, Oregon:** After the trauma and humiliation of living through an ICE raid at Fresh Del Monte plant in Portland, Oregon, ICE put electronic monitoring shackles on the ankles of 33 women who were released under house arrest. They are all mothers; the majority are the sole providers for their family. The women are not allowed to leave their homes. Because they cannot work, they are facing insurmountable barriers to provide for their families. They formed a support group, calling themselves Mujeres del Brazelete, and have worked alongside another grassroots group, Comite de Solidaridad y Apoyo Mutuo, to organize support for families affected by immigration policing. "Under intensive surveillance, they are required to report to an immigration agent at least twice a day. They are not allowed to go out, move around freely or work".<sup>8</sup>

### **ICE arrests Latino with TPS after not finding person they were looking for**

**June 19, 2007, Santa Fe, NM:** At 6 a.m., six ICE agents descended on the home of José César Guzmán and Adriana David, screaming "Police, police! Open the door!" ICE had an arrest warrant for a different person, José Carmelo Guzmán. Although they had a photograph of José Carmelo Guzmán, who looked nothing like José César, they arrested José César Guzmán anyway. When José César pulled out his documents to show that he had a Temporary Protected Status visa, which means

he cannot be deported, they refused to consider them and accused him of having false documents. ICE officials also arrested his nephew. Mr. Guzman had been working as a chef at the Inn of the Governors, a premier hotel in Santa Fe. Meanwhile, his common-law wife, Adriana was left without her partner and filled with worries. "All the bank accounts and everything are in his name. I don't have access to any money."<sup>9</sup>

### **ICE intimidates 12-year-old to enter home; arrests four persons**

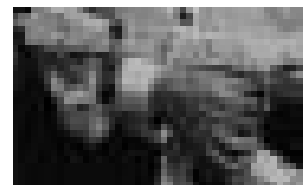
**September 24, 2007, New York:** At 5:30am, armed ICE agents pounded on the door of the Bonilla-Velasquez home, yelling "Police! Police!" At the time, Sonia Bonilla was on her way to take her husband to work and left their daughters – Beatriz, 12, and Dalia, 9 – sleeping at home. Beatriz, awakened by ICE agent's screams, came to the door. ICE intimidated her, began to ask her who lived in the house. ICE entered the house without a court warrant or consent, conducted an unlawful search and illegally detained and arrested four residents at the home were arrested. ICE never produced a warrant. Sonia Bonilla is a lawful permanent resident and both her daughters are U.S. citizens. The Bonilla-Velasquez family lives in constant fear that ICE agents will again return and try to unlawfully enter their home.<sup>10</sup>

### **ICE makes "collateral" arrests, sweeping up people without warrants during neighborhood raid**

**January 11, 2007, Richmond, CA:** "About five officers, who identified themselves as police, knocked on the door early in the morning while we were sleeping. When my younger daughter opened the door to see who was there, they entered right away. They showed us a picture of someone and asked us if that person lives here. When we said no, they asked us each to show our papers. They arrested us because we had nothing to show. They took me, my son-in-law and his father, and put us in a black van. Later that morning, they switched us to a larger vehicle carrying many others who were caught in the raids. Even though they only had a few warrants, it seems they were prepared to arrest many more. This was not an accident; it was part of their plan." – A mother who was arrested and detained during the Richmond ICE raids.<sup>11</sup>

### **ICE offers jail or deportation to husband, breaks up family**

**February 7, 2007, Florida:** Marta Oviedo and her family were caught in the ICE dragnets that hit Miami-Dade, Broward, and Palm Beach Counties, where 178 people were arrested. Years ago, Ovidio Cruz, Marta's husband, applied and was denied asylum for him and their three children. When ICE raided their home at 5:00 a.m., they gave



them the “option” of voluntary deportation or detention, accusing them of having ignored the deportation order after they were denied asylum. Mr. Cruz opted for voluntary departure, afraid of the conditions under which he might be detained. Forced to leave his wife behind and start over with their three children in Colombia, he departed after having only 30 days to wrap up his affairs in the U.S. Marta explained tearfully, “We had been living here for 10 years. We fled Colombia because the guerrillas were threatening us, but the judge did not believe our evidence.”<sup>12</sup>

### **Mother of three U.S. citizen children deported despite lawyers’ pleas**

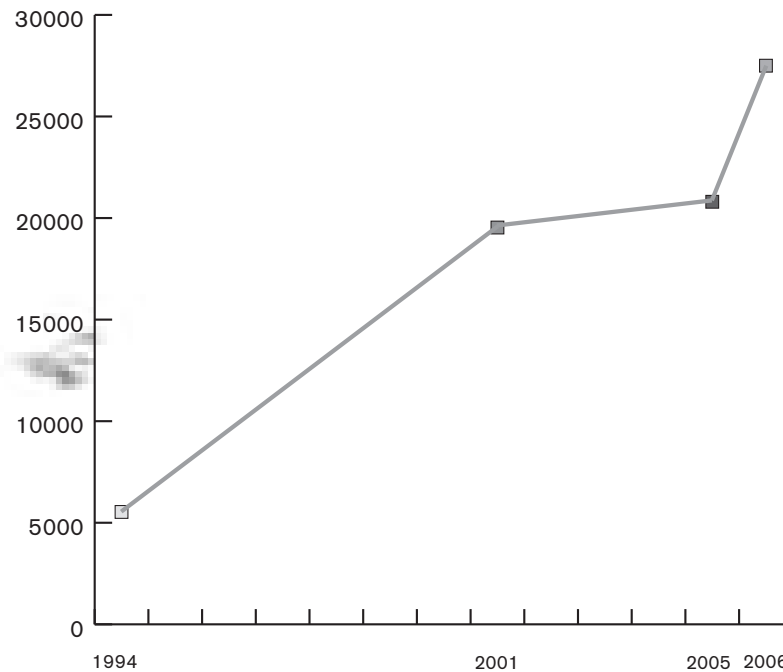
**December 2006, Phoenix, AZ:** Sylvia Haydee Uribe-Reyna, a mother of three U.S.-born children was stopped at the Mariposa Port of Entry near Nogales upon returning from a trip to Mexico to visit her 100-year old ailing grandmother. She was accused of presenting a fraudulent driver’s license and was ordered deported for allegedly making a false claim to U.S. citizenship. Having resided in the U.S. for 22 continuous years, Sylvia qualified for “cancellation of removal,” a type of relief available for people who can prove that deportation would place an “exceptional and extremely unusual hardship” on their U.S. citizen or lawful permanent resident family members. ICE officials deported Uribe, after her attorney filed an emergency stay request. She was transported in the middle of the night by bus from Florence, AZ to Nogales, Mexico where she arrived at 3am on February 6th.<sup>13</sup>





■ **DETENTIONS:** Immigrants are being detained at increasing rates and housed in detention facilities with inhumane living conditions.

In October 2007, ICE was holding 14,764 immigrants in detention facilities throughout the nation.<sup>27</sup> The practice of detaining undocumented immigrants and asylum seekers awaiting removal proceedings has skyrocketed in the past decade. The National Immigration Justice Center estimates that detentions have increased 400 percent from 5,532 in 1994 to 27,500 in 2006 {SEE FIGURE 1}.<sup>28</sup> On December 5, 2007, the Department of Justice



**Figure 1.** Immigrants in detention 1994 - 2006.

reported that last year immigration detention had the greatest growth rate of all U.S. federal and state prisons systems.<sup>29</sup>

Massive changes in immigration law in the mid-90's and increased enforcement after 9/11 fueled the surge. In 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which made sweeping changes to immigration law. It required mandatory detentions of undocumented immigrants and asylum seekers, and took away the discretion of INS agents and even judges to release people that posed no security threat or flight risk.<sup>30</sup> After September 11, the precarious link between immigration and terrorism accelerated the enforcement strategy to include more detentions. Since 9/11, the number of detainees has risen 40 percent.

One of the alarming shifts in immigration control has been the privatization of immigrant detention centers, both in the construction and operation of its facilities. Currently, ICE runs eight detention facilities known as Service Processing Centers and relies on state and local jails and federal prisons for additional bed space. Despite access to these facilities, ICE's increased detention figures have led to contracts with the nation's largest private prison operators to run eight additional detention facilities. The federal government pays these corporations roughly \$180 a day per person detained.<sup>31</sup> Corrections Corporation of America

and the Geo Group (formerly the Wackenhut Corrections Corporation) house almost 20 percent of the immigrants in detention. These and other companies are looking to corner the market as the detention business grows.<sup>32</sup>

Part of this lucrative business is the construction of detention centers. In February 2006, the Army Corps of Engineers awarded a \$385 million contract for constructing immigration detention centers to Kellogg Brown & Root, the Halliburton subsidiary that has been criticized for overcharging the Pentagon for its services in Iraq (e.g. cooking, construction, power generation and fuel transportation).<sup>33</sup>

As the apparent drive for profit has led detention facility managers to cut corners, conditions inside these facilities raise grave concerns. In 2006, the Office of the Inspector General conducted an audit of five detention facilities used by U.S. Immigration and Customs Enforcement (ICE). The federal government audit found multiple instances of non-compliance with detention standards related to health care, environmental health and safety, general conditions of confinement, and the reporting of abuse. Interviews with detainees revealed pest control problems (rats, insects and vermin), facilities with poor ventilation, rape and abusive search allegations, as well as inadequate procedures for reporting civil rights violations.<sup>34</sup> Recent reports of detainees dying while in federal immigration custody have also highlighted the severity of the problem. In August 2007, the Washington Post reported the death of three detainees – a pregnant Mexican woman, an AIDS patient, and a Brazilian with a history of epileptic seizures. Witnesses say that in two of these cases, ICE authorities refused to give detainees adequate medical treatment. Since 2004, at least 62 people have died in ICE custody.<sup>35</sup>

Another aspect of this trend will continue to deepen as DHS begins to extend a pilot project along the border; this project requires jailing all immigrants for periods ranging from 34 days to six months for a first-time unauthorized entry before deporting them. First implemented in the Del Rio sector of the Texas border with Mexico in 2006, “Operation Streamline” represents an immigration policing collaboration with state and local prosecutors. Second and repeat unauthorized entries can result in jail sentences of two or more years. Operation Streamline has had the effect of pushing migrants further west into Arizona’s most desolate and dangerous desert and mountainous region. More migrants will be jailed, labeled “criminals” subject to punitive imprisonment, and more migrants will die as a result of this “deterrent” to crossing without a visa.<sup>36</sup>

### **66 immigrants have died in ICE detention**

At an October 4th hearing, held by the House Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, ICE reported to Congress for the first time that some 66 detainees have died in their custody since 2004. Although some of these deaths may not have been preventable, others were undoubtedly the result of poor health care.<sup>14</sup>



### **ICE denies medical attention to transgender woman who dies in detention**

**July 20, 2007, San Pedro, CA:** Victoria Arellano, an undocumented transgender woman who suffered from HIV, was being held at the ICE detention center in San Pedro, CA, awaiting deportation. Her condition quickly deteriorated while at the detention center. Victoria was denied the necessary medication to prevent pulmonary infections from developing into pneumonia, despite the known consequences. Other detainees were left to care for her as she vomited blood. At one point, more than seventy detainees signed a petition demanding she receive immediate medical attention, but their call was ignored. By the time she was taken to a local area hospital, it was too late and she died after only a couple of days, her body wracked by pneumonia and meningitis. Her family contends that with the adequate medical attention, Victoria's death could have been prevented.

Witnesses were transferred to other ICE jails after Human Rights Watch and ACLU began arranging to interview them for an investigation into Victoria Arellano's death. Activists and community members are now demanding accountability for Victoria's death and ongoing mistreatment and abuse of countless detainees in ICE custody.<sup>15</sup>

### **Detainee dies after ICE officials deny access to medication**

**August 7, 2007, Providence, RI:** Less than an hour after he was taken into ICE custody, Edimar Alves Araujo, a 34 year-old Brazilian immigrant, died while having an epileptic seizure. When he was on his way to visit his sister in Woonsocket, he was arrested for a traffic violation. City police then turned Edimar over to federal agents after discovering he had a deportation order on his record from 2002. ICE spokesperson, Paula Grenier, said that he began showing signs of distress while he was being processed at the Office of Detention and Removal in Providence. His sister had been turned away by police, after she rushed to the station with Edimar's medication, pleading with them in vain that it was urgent for her brother to take his daily medication for epilepsy. He was declared dead at 4:18 p.m.<sup>16</sup>

### **Detention center denies healthcare to immigrant with cancer**

Shortly after Francisco Castañeda was diagnosed with terminal cancer while in ICE detention, ICE released him. Castañeda had been pleading for medical attention for over 10 months while detained in immigration jails. His worsening condition might have been prevented with proper treatment.

According to Castañeda's lawsuit, a doctor noticed a lump on his penis in December 2005 and referred him to a urologist for an examination. Castañeda was then held in custody from March 2006 until early February at detention centers in San Diego

and San Pedro. As multiple lesions developed and the pain increased he repeatedly sought help from medical personnel, who recommended examinations that never took place. A physician's assistant initially recommended a biopsy in April 2006, noting that Castaneda's mother had died of cancer at age 39. However, a supervising doctor said it was an optional procedure that did not have to be provided. Later recommendations for a biopsy and for surgery were also denied by physicians or officials at ICE headquarters. A doctor finally ordered a biopsy in late January 2007 and said Castañeda probably had cancer. Rather than getting him treatment, ICE released Castañeda 11 days later.<sup>17</sup>

### **ICE separates nursing mom from baby**

After Saida Umanzor was detained during a raid and jailed to await deportation, ICE agents took away her nine-month old daughter, Brittney, who is a U.S. citizen, and placed the baby in the care of social workers. Ms. Umanzor was not allowed to nurse Brittney, who had been only breast-fed up until her mother's arrest.

In all, ICE took six children away, including Ms. Umanzor's two children and her sister's three, who was at work the day of the ICE agents barged into her home. Four of the children were U.S. citizens. Ms. Umanzor was arrested on October 26 and released 11 days later, when she was put under house arrest with her baby and children.<sup>18</sup>

### **ICE punishes pregnant mother, her 8-year-old daughter alone in detention center**

**On October 18**, ICE forcibly separated an 8-year-old girl from her pregnant mother and left her alone for four days at the "T. Don Hutto Family Residential Facility." Hutto is used to jail entire immigrant families while their cases are processed. According to ICE, Hutto ensures "family unity."<sup>19</sup>

ICE guards and staff watched over the 8-year-old girl during this four day ordeal. ICE claimed the mother was potentially disruptive because she had refused to be deported back to Honduras.

According to the woman's sister, the mother and child cried inconsolably after they were awakened as the mother was taken away. The mother and child had fled Honduras earlier this year to escape an abusive relationship and growing gang violence in that country. The 28-year-old woman and her daughter were denied their petition for asylum. The mother and child were only reunited in Honduras after being deported.<sup>20</sup>

### **ICE deports mother, rips family apart**

ICE arrested Lilo Mancía and his wife, María Briselda Amaya, who were among 361 workers detained on March 6, 2007, during a major raid against the Michael Bianco Inc. factory in New Bedford, MA. Only Mr. Mancía was released to care for their sons, Jeffrey, two, and Kevin, five.

Ms. Amaya was jailed for over a month and her children were not allowed to visit her. Then without notice, at four in the morning of April 18, ICE agents roused Ms. Amaya from her sleep and put her on a plane, deported her to Honduras, where she has no house, property, or job. Ms. Amaya and her husband had fled Honduras fearing violence and had been appealing her case for asylum.

In their mother's absence, her sons, Jeffrey and Kevin, are suffering emotionally and physically. "He is refusing to eat and needs to be coaxed to take sustenance," Arthur Dutra, a teacher at the John Hannigan School, wrote in a March 15 letter about Kevin's condition. "He asks for his mother repeatedly." Jacqueline Arieta, a nurse at the Greater New Bedford Community Health Center, wrote in a separate letter that Jeffrey was having frequent earaches and losing his appetite due to "acute sadness."<sup>21</sup>

### **Abuse and negligence at T. Don Hutto Family Detention Facility**

A report published by the Women's Commission for Refugee Women & Children and the Lutheran Immigration and Refugee Service, "Locking Up Family Values: The Detention of Immigrant Families," documents multiple kinds of abuse and negligence practiced by Hutto staff and providers. The report's author, Michelle Brané, said the study addresses only the more severe documented incidents. For instance, in the medical wing, pregnant detainees were X-rayed with no lead screen; detainees received dental work without anesthesia; pregnant women were not allowed milk and were shackled when taken outside the facility for checkups. Further, the report reveals that overheated water sometimes scalded children. To punish children considered disruptive, guards "would turn up the air conditioning so that the room became very cold" and would turn off hot water for bathing, the report states. The worst offense, though, was that parents and their children, who were allegedly misbehaving, were threatened with separation.<sup>22</sup>



**WORKPLACE:** Employers continue to exploit workers using Social Security no-match letters while legislators introduce temporary worker programs reminiscent of past failed initiatives.

Just as raids have instilled fear in documented and undocumented immigrant workers, labor conditions and new administrative procedures have left immigrants more vulnerable to abuse. These include:

- The misuse of social security no-match letters by employers;
- Misguided temporary worker program proposals; and
- Administrative procedures that may lead to mass firings.

The Social Security Administration (SSA) sends letters to employers whose employee's social security numbers do not match those in the SSA's database, asking that they inform their employees to make corrections. Social Security numbers may not match due to a typing error, a marriage-related name change, or the use of a false Social Security number.

While DHS and the Bush Administration have made clear their intent to use the no-match letters to weed out unauthorized workers, unscrupulous employers use the no-match letters to intimidate undocumented immigrants into working overtime for little or no pay. They also scare employees from joining union efforts to improve working conditions by threatening to call immigration authorities. Last year in Tarheel, North Carolina, management at the Smithfield Foods pork slaughterhouse sent 300 SSA no-match warning letters to employees. The management's timing coincided with a contentious union organizing drive.<sup>37</sup>

Shortchanging immigrants at work has also spread to the legislative realm. In January 2004, President Bush had proposed a dramatically expanded temporary worker program, also known as a guest worker program. Under the plan, foreign workers – including the estimated 12 million undocumented immigrants living in the country, many for decades, could apply to work for three years. These workers, however, would not be eligible to apply for legal permanent status.<sup>38</sup> The proposed program was reminiscent of the Bracero program of the 1940's and 50's when 4 million Mexican nationals were recruited to work on U.S. farms. Although the Bracero program promised many of the same protections outlined by President Bush – a decent wage and labor rights – it left a legacy of stoop labor and stolen wages.

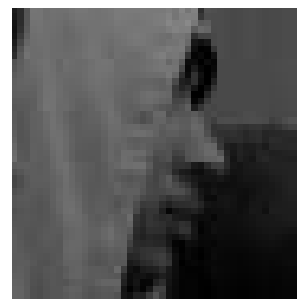
In 2005, Senators Kennedy and McCain introduced a temporary visa program for low-skilled workers. The program would have allowed some undocumented immigrants currently living in the U.S. to apply to become legal permanent residents, after working for a period of 6 years and paying taxes and fines, but was hampered by several significant grounds for disqualification or ineligibility. Senate Bill 2611, an amalgamation of immigration bills from 2006, proposed a similar three-year temporary visa program and included a series of aggressive enforcement measures as an offer towards a legislative compromise. Ultimately these and other bills failed to move through Congress, rejected by ultra-right conservatives who thought the measures were too generous, and by liberal policy makers who thought the proposals did not go far enough. None of the proposals offered genuine provisions for legalizing the undocumented, protecting worker and civil rights, and reunifying families.

Previous page: © Brian C. Long, 2006. Day laborers wait to be picked up by employers on opening day of the controversial Day Labor Center in Herndon, Virginia.



Despite intense debate around the compromise proposals, both conservatives and liberals ultimately agreed to continue the enforcement build-up. Between 2003 and 2007, they passed legislation and budgets that dramatically militarized the border, tripled the number of interior enforcement ICE agents and increased jail bed space exclusively for immigrants.<sup>39</sup>

When Congress did not pass broader immigration legislation in June 2007, the Department of Homeland Security stepped up its own efforts to destabilize immigrant communities and force their departure. In August 2007, Michael Chertoff announced that the Department of Homeland Security would require the Social Security Administration to send out letters in September 2007 instructing employers to fire employees whose Social Security numbers could not be verified within three months.<sup>40</sup> Judge Charles R. Breyer of the Northern District of California, however, put a stop to the mass mailing, citing concerns that the ruling would lead to the firing of lawfully employed workers. He granted a preliminary injunction that prevents DHS from implementing its enforcement operation until a trial is held.<sup>41</sup> DHS responded on December 4, 2007 by telling the 9<sup>th</sup> U.S. Circuit Court of Appeals that it plans to appeal the decision.<sup>42</sup>



### **Co-workers harass Indian immigrant, call him racist names**

"Go home, Middle-Eastern!" "All you lazy f\*\*\*ing Middle Easterners, go back where you all came from!" A public transportation employee in Downey, CA had to deal with racial insults like this from his co-workers and even his union representative for almost a year starting in early 2003. An immigrant from India, now a naturalized U.S. citizen, he found his name scribbled on cartoons of Osama Bin Laden and stuck up on the walls in the employees' lunchroom and in his mailbox. Although he passed his required exam, the promotion he had applied for was given to someone who had failed the same exam. His supervisor ignored his verbal complaints and his written complaints were taken out of his personnel file. Soon his supervisor began passing him up for extra-shifts and the verbal abuse became more blatant. His efforts to file a complaint were frustrated by union rules requiring him to file the complaint with his union representative because that was the very person who was most actively harassing and abusing him. When the union official threatened to call ICE on him, he finally filed a complaint with the Metropolitan Transportation Authority. All of this took great emotional toll on him and he was eventually transferred to another job site. In 2004, he sued the MTA for discrimination and won his case.<sup>23</sup>

### **Convenience store exploits immigrant workers**

For over six months in 2005-06, two recent immigrants from Nepal worked 58-62 hours a week, 10-14 hours a day in a 7-11 convenience store in Norwalk, CA. They



worked constantly and were not even allowed to take the 10-minute breaks required by law and they were not paid overtime. No time cards records were kept of their work hours. Their employer changed their work schedule every day. They alone were made to do the least desirable tasks like cleaning the bathroom. After they left this job, they wrote a letter to their former boss demanding their back wages. Their ex-boss called their new employer several times to denounce them and try to get them fired.<sup>24</sup>

### **Employers get ICE to investigate, threaten hotel workers during labor dispute**

**2005 to 2007, Emeryville, CA:** After voters approved Measure C in 2005, a living wage ordinance in Emeryville, California, workers at the Woodfin Hotel began protesting the hotel's violations of the ordinance. The hotel retaliated and fired twelve workers, setting off a protracted labor dispute. In February 2007, as the workers campaign increased the pressure on the Woodfin, hotel managers called on local Congressman Brian Bilbray to contact the national head of ICE to investigate the immigration status of the hotel workers affected by the ordinance. Later, ICE agents seized employee files of at least two hotels covered by Measure C, the Woodfin and the Hilton Garden Inn, despite immigration regulations that forbid interference in labor disputes.<sup>25</sup> ICE agents returned the Hilton's files and gave managers a list of twelve workers who could not keep working under their existing documentation. ICE also arrested a dishwasher who had been working at the hotel for 18 years. A week later, in an act of intimidation, the same agents visited a leader and spokesperson for the Woodfin workers. They brought a folder of news clippings about the campaign, said they had been sent by senior ICE officials in Washington to investigate Measure C, and explicitly told the worker that they were visiting her because she'd spoken publicly about the dispute.<sup>26</sup>

### **Hotel employer fires workers for no-match letter**

**October 3-5, 2007, Emeryville, CA:** After working for 10 years as a housekeeper at the Hilton Garden Inn in Emeryville, María was laid off when management received a letter from DHS with a list of 12 employees whose social security numbers did not match the SSA's records. DHS gave the employer three days to re-verify these employees' work authorization documents. Instead Hilton Garden Inn laid off the workers the day they received the letter, claiming they were giving the workers two days to clear up the problem or obtain the needed paperwork to verify work eligibility.

“More than anything what hurts is the tremendous shock of losing your job without any opportunity to fix your status. I have been a hard-worker. Would it kill them to act with a bit of humanity? From one day

to the next – in fact, from one instant to the next – everything came tumbling down. Since I was laid off, I have been working non-stop trying to fix my status. What do they want me to do? All my family is here. If I were to return to Mexico, there is no one there for me”<sup>27</sup>

María suffered a back injury from an accident on the job. She has no medical care and the injury poses a hazard to her health and restricts her mobility. Her condition makes future employment dim. At least three of the 12 workers were also injured on the job and, after being laid off, have even less recourse to medical care.

### **Employers harass and fire workers protesting no-match letters**

On Sept. 19th eight Latino workers were fired from the Ballco Manufacturing plant in Aurora, Illinois, over allegedly mismatched Social Security numbers. The next day a number of other workers walked off the job at Ballco and joined their fired co-workers on a picket line outside the plant. On Sept. 21, 15 of the workers who protested the firings were also fired. The same day more than 20 workers formed two picket lines outside Ballco. The protesters said they had been called individually into a supervisor’s office and told that the Social Security numbers they had provided did not match government records.

Marcos Samano, a supervisor at the plant, said he was initially told to stay at Ballco through the end of the year to train new employees, but he was fired after walking out to join other workers in the protest. Samano said he was confused about apparently being fired for not documenting his employment eligibility, although he had been working at the plant for eight years.<sup>28</sup>

### **ICE-led raid tramples workers’ rights**

**May 22, 2007, Butterfield, Missouri:** A combined force of armed ICE, Social Security Administration (SSA) and Office of Inspector General (OIG) agents raided George’s Processing Inc, a poultry-processing plant, the largest employer in Barry County, Missouri. 136 workers were arrested after every employee on the morning shift was checked one by one to verify work authorization. While ICE had only “two federal criminal search warrants” for identity theft and Social Security fraud, eight were charged. Most of the people arrested faced administrative immigration charges and not criminal charges. ICE transported them far from their families to detention facilities in Wichita, Kansas and Kansas City and St. Louis, Missouri.<sup>29</sup> Employees who were able to show proof of legitimate work authorization were not compensated for the hours of work they missed while being questioned.<sup>30</sup>

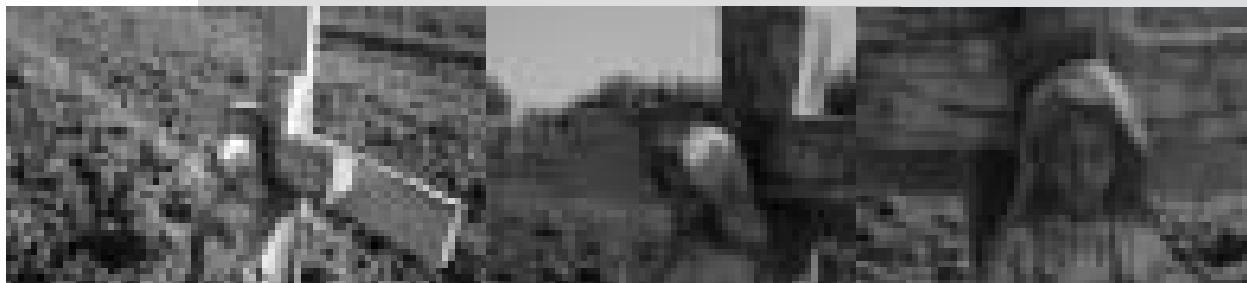
**ICE arrests workers during midnight raid at meatpacking plant and in local community**

**August 22, 2007, Bladen County, NC:** Approximately 28 workers were arrested during midnight raids against Smithfield Packing, the largest pork slaughterhouse in the country. The workers were accused of “identity theft.” ICE officials did not stop at arresting workers at the plant. ICE also went into the local communities of St. Paul and Lumberton, North Carolina, where they arrested at least another 20 people in their homes including one pregnant woman. Over half of those arrested were working mothers from Mexico, Guatemala, and Honduras. They were ruthlessly arrested in front of their traumatized children. ICE agents forced the mothers to leave their children behind. The children now face a life of separation from their family and primary caretakers.<sup>31</sup>

**ICE harasses South Asian community leader at work**

**October 30, 2007, Long Island, NY:** S,<sup>32</sup> a South Asian community leader was approached at her job in Dunkin’ Donuts by a man who identified himself as an ICE agent. The agent questioned her about her immigration status and proceeded to inquire with her manager about her eligibility for employment. After the manager assured him that his employees’ paperwork was in order, the agent continued to harass her. She told him that she does not carry it with her and leaves it at home. The agent then went as far as to ask her if she would be willing to help ICE by reporting undocumented immigrants to him. He left after she asserted that this was not her responsibility.<sup>33</sup>

That same week, another community organizer with DRUM<sup>34</sup> reported having been followed by police after distributing flyers and doing outreach work in the Hillside/Jamaica area. These incidents highlight some of the insidious ways in which the “War on Terror” plays out in the lives of South Asian, Arab, and Muslim communities, constantly subjecting them to harassment, discrimination, and racial/religious/ anti-immigrant profiling under the guise of ‘national security.’ South Asian and Muslim community members have reported being constantly under local law enforcement and ICE surveillance and harassment.





## BORDER:

The humanitarian crisis at the border has reached new heights as migrant deaths hit record numbers and the federal government continues pouring billions of dollars into further militarizing the region.



The United States-Mexico border stretches 2,000 miles long, from the Pacific Ocean to the Gulf of Mexico.<sup>43</sup> The remote terrain varies from mountainous peaks to expanses of brutal desert. Long an area where people, wildlife and livestock crossed freely, U.S. immigration control strategies have turned the border into the epicenter of a human rights crisis. They force migrants to risk their lives by crossing through the most desolate and hazardous terrain of the border region.

Despite continuing an enforcement strategy that has failed to curtail unauthorized migration, the U.S. government continues to invest billions of dollars every year in the border build-up that is deepening border militarization and extending it into interior enforcement. DHS plans include doubling the number of U.S. Border Patrol agents and tripling the number of interior ICE agents.<sup>44</sup> In February 2007, President Bush requested roughly \$13 billion for border controls and internal enforcement of immigration laws for FY 2008. His proposal represents a \$3 billion increase from FY 2007.<sup>45</sup> In August 2007, Homeland Security Secretary Michael Chertoff and Commerce Secretary Carlos Gutierrez announced a series of new border enforcement measures. By the end of 2008, DHS aims to increase the number of border patrol agents from 15,000 to 18,300 (this figure represents a doubling of border patrol agents under the Bush administration).<sup>46</sup> The initiative will also add 370 miles of fencing, 300 vehicle barriers, 105 camera and radar towers and 3 unmanned aerial vehicles.<sup>47</sup>

As the federal government increases the militarization of the border, authorities recover increasing numbers of deceased migrants each year. Human rights groups that monitor migrant deaths at the border believe that for every migrant body recovered at least ten others are missing or dead in the remote deserts and mountains.<sup>48</sup>

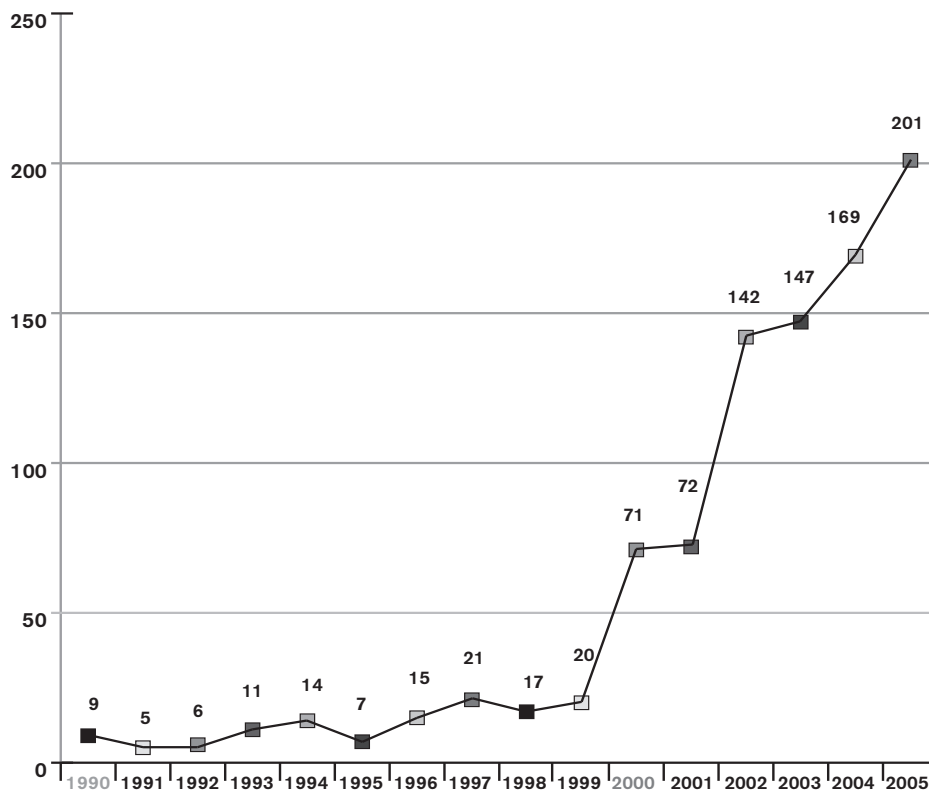
According to the US Border Patrol, 1,954 people died crossing the U.S.-Mexico border between the years 1998-2004.<sup>49</sup> In FY 2005, facing a summer of triple-digit heat, a record-breaking 473 migrants died at the border; 279 of these individuals died on the Arizona border.<sup>50</sup> Coalición de Derechos Humanos in Tucson has reported that 1,327 migrants perished crossing the Arizona, U.S./Mexico border between October of 2001 and September of 2007.<sup>50</sup> Most victims died from dehydration or hyperthermia. Others drowned in the strong currents of border canals and rivers as they tried bypassing the worst of the desert. A significant number died in motor vehicle accidents.<sup>52</sup>

In spite of the overwhelming evidence that the militarization of immigration and border control is failing to dissuade unauthorized crossings, the U.S. government continues expanding a strategy meant to deliberately cause suffering and the death of migrants who have no other option than risking their lives to reunite with loved ones and to work. On September 19, 1993 – just weeks before Congress ratified the North American Free Trade Agreement (NAFTA) – the Clinton Administration implemented “Operation Blockade” along the El Paso sector of the U.S.-Mexico border. The “prevention through deterrence” strategy consisted of placing one Border Patrol agent and vehicle every thousand yards over a 20-mile stretch between Ysleta, Texas and Sunland Park, New Mexico.<sup>53</sup>

In 1994, the U.S. government extended the “prevention through deterrence” strategy to the entire border, first launching “Operation Gatekeeper,” an initiative aimed at blocking traditional crossing routes along the California U.S.-Mexico border. Operation Gatekeeper was touted as a success, having reduced the number of apprehensions along the California border by 20 percent between 1994 and 2000.<sup>54</sup> But these figures only tell half the story.

The construction and continuing extension of the border “fence,” increased high-tech surveillance, and thousands of additional Border Patrol agents stationed along the southwest border have done nothing to stop the number of unauthorized migrants crossing into the United States. Rather, the almost 15 year old strategy of border controls has closed off traditional points of entry and funneled thousands of migrants through the deadliest stretches of border desert and mountains, where they risk their lives and are left at the mercy of unscrupulous smugglers and vigilantes. Between 1994 and 2000, immigrant apprehensions rose 55 percent in Texas and 351 percent in Arizona.<sup>55</sup> The Pima County Medical Examiner’s Office (PCMEO), which handles 90 percent of all unauthorized border-crossing bodies in the U.S. Border Patrol’s Tucson Sector, saw a sharp spike in deaths around the same period of time {SEE FIGURE 2}.<sup>56</sup>

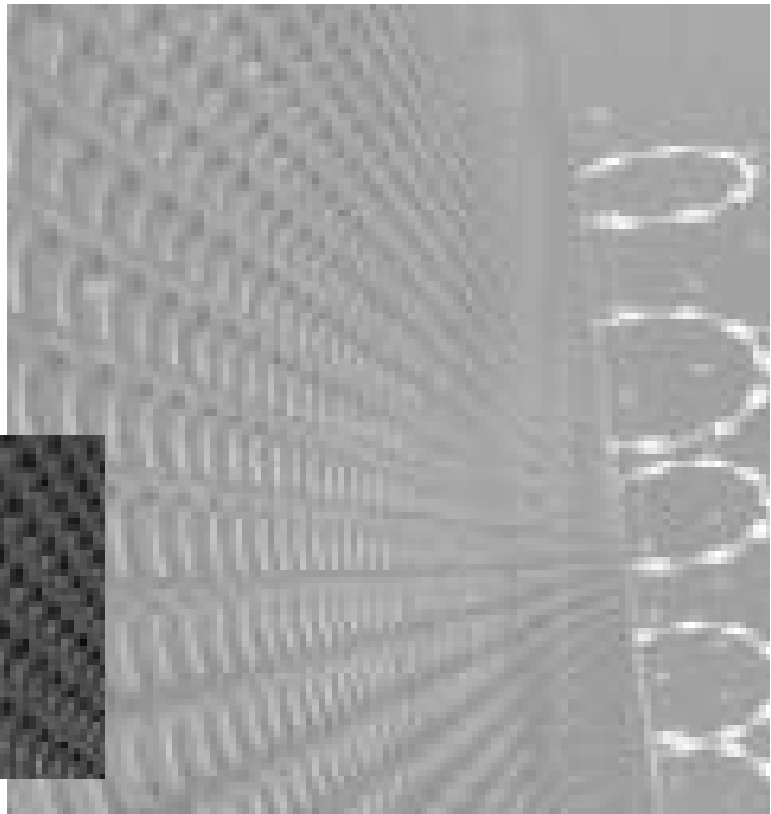
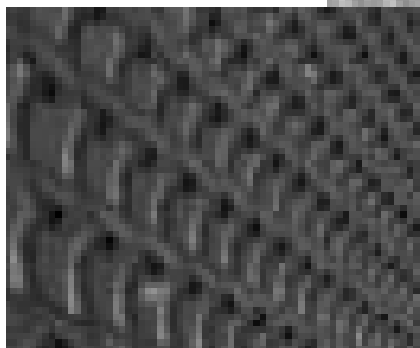
In December 2005, the Department of Homeland Security introduced another border control pilot project, “Operation Streamline,” in the Del Rio, Texas sector. Under Operation Streamline, every undocumented migrant detained will be automatically jailed and prosecuted.<sup>57</sup>



**Figure 2.** Bodies of Undocumented Border Crossers Examined by PCMEO, FY 1990-2005.

Since DHS launched Operation Streamline, over 23,000 migrants have been prosecuted and 22,000 have been convicted and deported. The courts typically charge first-time offenders with a misdemeanor, punishable by up to 180 days in jail and deportation. In Del Rio, the average jail time for first-time offenders has been 34 days. A second-time offense could mean up to two years in prison and deportation. Third time offenders face even harsher sentences and deportation. Like Operation Blockade, its 1993 precursor, Operation Streamline is pushing migrants deeper into mountainous areas where not even Border Patrol all-terrain vehicles can enter.<sup>58</sup>

As stepped-up enforcement increases the need for personnel, training, technology and transportation, border enforcement is turning private security firms into lucrative businesses. Blackwater USA, the private security firm that came under fire after its employees killed 17 civilians in Iraq in September 2007, is positioning itself for involvement in U.S. border security. The company has unveiled plans to construct a major complex for training active-duty military and law enforcement officials just eight miles from the U.S.-Mexico border. While contracts for U.S. war efforts overseas may no longer be a growth industry for the company, Blackwater executives see dollar signs in training and the potential deployment of private guards to patrol U.S. borders.<sup>59</sup>





**Border Patrol runs down father and daughter, killing the girl**

**March 2006:** A Border Patrol agent in his SUV vehicle ran down a 12-year-old girl and her father. 28 year-old Juan Cruz Torralva and his daughter Lourdes were hit after a Border Patrol Agent drove directly into the bush where she and her father had hidden in fear. Both were severely injured and the daughter died at the scene. The father and daughter were walking through the Yuma/Dateland border area on their way to reunite with his wife and 18-month-old daughter in Oxnard, CA. The Border Patrol arrested Juan, who was still suffering from his injuries, and charged him in Yuma County Court with felony endangerment of his daughter, for having crossed the desert with her. The Justice of the Peace hearing the case stated he believed this was evidence of endangerment and insulted him for his actions. A couple of weeks later, the charges were dropped and he was deported. The Border Patrol agent who injured Cruz-Torralva and killed his daughter was never charged.<sup>35</sup>

**Border Patrol charges mother with son's death in the desert**

**May 2006:** A three-year-old boy died from the desert heat as he traveled with his mother across the western Arizona desert into the U.S. Faced with the likelihood of also dying, the mother decided to leave her son to go find help. When she found Border Patrol agents, she told them about her son and where he was located. After searching, the Border Patrol agents found his body and then arrested her. They charged her with child abandonment, endangerment, and other crimes. News headlines made a spectacle of her loss and blamed the boy's death on his mother. Later, the charges against the mother were dismissed, but the agony of having lost her child and the ongoing separation of her family is not so easily forgotten or dismissed.

**Border Patrol shoots into truck cab, kills migrant and causes crash**

**May 14, 2005, Arizona border:** A Border Patrol agent shot into the cab of a truck and hit 16 year old Juan de Jesús Rivera Cota in the back of the head. The bullet entered through the back of his head and exited through his eye, killing Juan instantly. He had traveled from Sonora to the U.S. in a truck with six migrants seeking work to support his mother in Mexico. As they drove along, they noticed a vehicle up ahead which they assumed was the Border Patrol. So they decided to turn back and go back to Mexico. Approximately three miles from the U.S.-Mexico border, a Border Patrol jeep appeared and an agent blockaded the road with his vehicle. The agent exited his vehicle with a shotgun and stood a distance away. He then began firing his shotgun into the vehicle as it drove past. The truck carrying Juan was going too fast to stop or swerve, it crashed into the Border Patrol jeep. Juan was killed by a shotgun blast while another man was hit in the leg.<sup>36</sup>

### The first violation is calling people illegal aliens

– Excerpt from interview with Ofelia Rivas, O'odham Voice against the Wall, Alijegk (village on U.S. side)<sup>37</sup>

The thought of calling undocumented people “illegal aliens” is the first human rights violation that takes place. The U.S. government has to dehumanize people by calling them aliens. And then it goes on to the treatment they receive as “non-humans.” They're packed and transported in small vehicles held in cages until they're sent to a processing center. This is an outright, inexcusable treatment of humans.

And as a O'odham living on the Tohono O'odham nation, I can't condone that type of behavior by my own people. So the organizing of O'odham Voice against the Wall is our first response. They're calling us traditional people, traditionalists. But we're just O'odham, which means people in our language. The O'odham Voice against the Wall was specifically formed to provide safer crossing for the elders and ceremony people.

We didn't consent to this boundary, which we choose to cross on our ancestral routes. We say that this is our right to do so and we continue to cross it, use those routes for gatherings or for visiting our people, our families and also to attend ceremony and make pilgrimages to sacred sites.

The militarization of the border has forever changed our way of life. A lot of people can't even begin to fathom the affect that it will have on our people. Seems like the politicians they only see tomorrow and they don't see 50, 100 years from now that our people will still be here.

All these years that the Border Patrol has been on our lands, in our communities, they still don't know we have ceremonies; they still don't know

that we do traditional ceremony hunts, where we hunt for a deer.

Last year a helicopter went right over the hunters and scared the deer. And the hunters weren't able to get a deer for the ceremony. In a different district, the hunters were surrounded by Border Patrol and were disarmed, because they carry rifles to hunt for a deer.

In all the years that they've been here the Border Patrol still have no respect for the land; there's a lot of environmental damage. Three days ago, there was a wind blowing and I could not even see the mountains right in front of me because the dust was so thick, from them driving around and making their own roads.

If you have brown skin and dark hair, the Border Patrol follows you even if you live in the community. They follow me all the time, right to my door, practically, and they always stop me and ask me for documents. And I have to that in my own land, in my own community, in my own yard!

So yes, it's a grave violation of the rights of O'odham people, when our people's language is dying, our children don't speak O'odham any more; health care is dwindling, if any at all. And especially for the people that are in Mexico, it is very limited help at all, from the tribe or from the government at all. It is very damaging.

And so many migrants die on our lands now and the O'odham people are still giving them food and water. It's become criminalized that we give them food and water. You have to give it to them secretly; provide them those things.

There's so much corruption on our land, from the deaths, from all these Border Patrol running around disturbing our sacred ground, not only our ceremony grounds, but also on our people's graves – information that they don't have and we know where the people are at, that are near the ancient people.

It was a precedent setting decision for the cultural authorities in this district that said that O'odham himadag, our way of life, we never dug up our people. We buried them. So, there's no right way to do it, until they gave them back to us. On August 30, we re-buried our people back.

One of the most hurtful things is immigrant rights

activists never acknowledge the original people of the land. And yet I've always said recognized immigrants, welcomed people to our land.

I ask the immigrant rights movement and immigrant communities to recognize the original people of the land. And that you use that in your statements, that you support the original people of the land and state that these are violations that are occurring against. Because we don't get that, you know.

Everybody's fighting on their own, and we're not united in our effort. We should be united in our effort. We're all people. We're all human beings.



Immigration detention center on Tohono O'odham land, known as "The Cage"

**Border Patrol deports teenager whose mother died in desert**

**July, 2005, Arizona-Sonora border desert:** Lucrecia Dominguez died in the desert in the arms of her 15-year-old son. Before he left his mother, he made a rough sketch of the surrounding desert so that he could find someone to come back and help him recover her body. However, the Border Patrol detained him and promptly deported him to Mexico through Nogales – even after he told them about his mother and that he was only 15 years old. The Border Patrol did not attempt to find any relatives or place him in proper care once he was in Mexico. Weeks later Lucrecia's father, Cesario Dominguez, traveled from Zacatecas, Mexico to Tucson and contacted the Coalición de Derechos Humanos to ask for help. He went into the desert various times to looking for his daughter. After two weeks of searching, Cesario finally found the remains of his daughter, but only after finding the remains of two other bodies and saving a woman he encountered lost in the desert. Refusing to give up, Cesario was able to identify her body only through the rings she wore.<sup>38</sup>

**Border Patrol agent brutally beats two brothers at port of entry**

**Summer 2007:** Arnulfo Bracamonte and his brother Mario were violently attacked by an abusive Border Patrol agent, as they returned to the U.S. through Nogales. They had gone to visit a dentist in Mexico and were standing at the crossing line when they were taken out by the agent and brutally beaten. Arnulfo repeatedly pleaded for medical attention, but the agents continuously beat him until they ruptured the row of stitches he had from a surgery three weeks earlier. Both men were then released and had to wait for family members to pick them up and transport them to the hospital, where they were treated for severe injuries from the agent's actions. The Border Patrol agents have not been held accountable for these actions and deny this ever happened. Arnulfo is planning to sue the agents.<sup>39</sup>

**Border Patrol shoots and kills migrant at close-range**

**January 12, 2007, Naco, AZ:** Francisco Javier Dominguez-Rivera, 22 years old, was shot and killed at close range by a Border Patrol agent after he crossed the border near Naco with three family members. Now U.S. Border Patrol Agent Nicholas Corbett faces charges of first-degree murder, second-degree murder, negligent homicide and manslaughter. The Border Patrol union is currently spending much political and economic capital trying to get the charges against the agents dismissed. They have even filed motions in attempt to keep the only witnesses from testifying at the trial, which is scheduled for February 2008.<sup>40</sup>

### **Tucson police hand over nursing mother to Border Patrol after accident**

**March 2007:** Tucson Police officers who arrived at the scene of a traffic accident involving Yasmine Flores, a nursing mother, and her three U.S. citizen children decided to report her to Border Patrol. The children were crying frantically as the Border Patrol took them into custody. At the Border Patrol station, Yasmine refused to sign away her rights and did not sign a voluntary departure document. Then the Border Patrol agents began pressuring her with threats and other psychological torture. First, they took her children away, one who was four months old and the other two six- and nine-year olds. They would not allow her to call relatives to pick them up.

She was forced to stop breastfeeding her infant daughter and the agents began making degrading insults at her. Meanwhile, her breasts had become engorged with milk and started leaking. Even as she suffered painfully from being unable to breast feed, the Border Patrol agents continued making more humiliating insults. To force her to sign her own deportation, the agents threatened her with the loss of her children. They told her that if she signed the voluntary departure, she could be with her children by night-time in Mexico.

Three days later, on a Friday, she and her children were taken to the Florence Detention Center, where she was finally released. As a result of the five-day separation from her infant child, Yasmine contracted a breast infection and was not able to continue breastfeeding her baby.

Her nine years old son was so traumatized by the entire experience that he began fearing going to school. His condition worsened because of his fear of la migra, the Border Patrol, and he began having thoughts of suicide, saying he did not want to live anymore. He was taken away by therapists and placed in a behavioral health hospital for seven days.

Initially, Yasmine reported that she thought there was no greater suffering than what she endured while in Border Patrol custody, but now the family continues to live through even greater pain as a direct result of being mistreated by the Border Patrol.<sup>41</sup>

### **Tucson police rough up pregnant mother, inducing labor, and turn her over with family to Border Patrol**

**December 9, 2007, Tucson, AZ:** On Sunday around 2:30 p.m., Miriam Aviles, who was pregnant, was out for a drive with her husband, who was driving. They were accompanied by their two U.S. citizen children, ages 3 and 4. The Aviles were pulled over by a Tucson police agent, who never told them why they were being stopped, asked them for identification. The TPD officer then called the Border Patrol, stating that he needed a translator. Within minutes, uniformed Border Patrol

agents arrived and began questioning Miriam and her family. Ms. Aviles had already called her sister, who had come to where they had been stopped to observe them. The TPD police officer was extremely rude, insulting and ridiculing them.

When Ms. Aviles refused to get into the Border Patrol vehicle, stating that she wanted to stay with her children who were in the car, the TPD police officer got behind her and started forcefully pushing her with his body. With all the commotion and stress caused by the TPD police and Border Patrol, she involuntarily urinated, fell to her knees and began having contractions. Instead of taking her to the hospital, the Border Patrol arrested her and her husband and, with the children, took them to the immigration detention center on the nearby air force base.

As she was going into labor, she told the officers to “stop, no push.” When she became ill, she told them that if something happened to her, she was going to place blame on them. One TPD officer left immediately. Although she was having contractions, she was able to take down the officers’ names except for the Border Patrol agent. When they were in detention, her four-year old daughter got on her knees, imitating her mother, to pray.

At 4:00 a.m. the next day, the Border Patrol finally allowed an aunt to pick up the children, who had become very ill in the cold, horrible conditions of the detention center. The two children were very upset and wanted to push the door open so that their parents could also come with them; they were extremely worried about their mother. Then the father was taken away and deported.

Ms. Aviles was finally taken to the clinic where she had had her nurse midwife service healthcare. When she was in labor, without anyone else at her side, a Border Patrol agent in the room kept badgering her, telling her to hurry up and have the baby.

A security guard and the Border Patrol agent attempted to question and arrest her sister and mother when they arrived. The nurses at the clinic finally stopped them, but only after the sister repeatedly refused to answer their questions. The Border Patrol and security guard finally left, scared off by the clinic personnel and family.

After Ms. Aviles had her baby, a Border Patrol agent was put on guard outside her door, declaring that they were going to deport her as soon as she had her child. By Tuesday late afternoon, Ms. Aviles had called for legal help and told them that the migra – the Border Patrol – had left 20 minutes earlier. The Mexican consul had apparently arranged for her to sign a voluntary departure to leave before December 31 and took custody of her, but only after guaranteeing that she would leave the country as promised. Ms. Aviles reported how the TPD police officer treated them like dogs, even calling to her children as if they were dogs. Ms. Aviles is fighting the deportation order.<sup>42</sup>

**Border Patrol attacks families on both sides of the U.S.-Mexico border**

**August-December 2007, San Ysidro, CA-Colonia Libertad, Tijuana, Mexico:** Mexican citizens whose homes and neighborhoods abut the U.S.-México border in Tijuana have been the unwitting targets of assaults by U.S. Border Patrol agents, who have been escalating their use of violent force against migrants. Witnesses have reported Border Patrol agents pelting residents with pepper spray bombs, tear gas, and rock throwers on the Mexican side of the border. Since August, Border Patrol agents have gassed the home of Robis Guadalupe Argumeo and her two children three times. Argumeo recounts her son having nosebleeds for a week after one gassing incident. 19-year-old Marisela Arias fainted when gas from a canister exploded on the roof of her house. She was four months pregnant. Her husband began vomiting from the gas after taking her to the hospital. The effect of the damaging chemicals from the gassing forced the evacuation of all the members of their household until the gas cleared.<sup>43</sup>





## ICE-LOCAL LAW ENFORCEMENT COLLABORATION:

Local law enforcement agents threaten public safety and community policing efforts by collaborating with federal immigration agents.



In an attempt to broaden its enforcement reach, the Department of Homeland Security has turned to local law enforcement agencies for assistance. Critics say involving local police in immigration enforcement leads to less cooperation from immigrants in solving crimes and heightens the risk of racial profiling. Despite these concerns, DHS encourages local law enforcement agents to help identify “foreign-born criminals and immigration violators who pose a threat to national security or public safety.”<sup>60</sup>

Multi-agency collaborations on immigration enforcement have grown since the passage of IIRIRA in 1996. Section 287(g) of the Act allows the Department of Homeland Security to enter into agreements with local law enforcement agencies to have them serve as immigration agents, under the condition that DHS provides relevant training. The lure of funding for assisting federal agents, as well as a growing anti-immigrant sentiment, fuels such collaboration efforts. Across the nation, 597 officers in 34 state and local law enforcement agencies have joined the 287(g) program. Of those 34, 26 joined the program in FY 2007.<sup>61</sup>

Immigration-police collaboration has been driven by the explosive growth of local, county and state governments advocating for policies, ordinances and other laws to curtail or altogether prohibit public services to immigrants. Official government stances reinforce new and different forms of collaboration with immigration law enforcement in services and safety, undermining community safety and stability. In addition, under cover of official practices, policies, and laws, hate groups use immigration concerns as a pretext to foment racist views and scapegoat immigrants.

Immigration and Customs Enforcement has also expanded its Criminal Alien Program to identify undocumented immigrants incarcerated on criminal charges. In FY 2007 ICE identified for removal 164,296 undocumented immigrants who were incarcerated in federal, state and local facilities.<sup>62</sup>

Some local law enforcement agents have taken on immigration enforcement with troubling zeal. In Arizona's Maricopa County, Sheriff Joe Arpaio is using routine traffic stops to catch undocumented immigrants. He is also arresting day laborers who seek work in front of furniture stores and whom his staff assumes are undocumented. While United Nations observers in Maricopa County have questioned Arpaio's aggressive tactics, the Sheriff has continued to intimidate immigrant communities and deny people the fundamental right to work. lxi In Prince William County, Virginia, the County Board of Supervisors passed a resolution on October 17, 2007 giving police officers the power to check immigration status during traffic stops.<sup>64</sup>

As a result of collaboration, immigrants, or anyone who “looks or sounds” foreign, are being subjected to new forms of racial, ethnic/nationality and religious profiling and “mapping.” For example, on November 9, 2007, the Los Angeles police department announced plans to map the city's Muslim communities in order to identify which might become susceptible to extremism.<sup>65</sup> The LAPD discarded the proposal a week later, after Muslim and civil rights

groups denounced the measure, arguing it would accomplish the opposite of its intent by making Muslims less willing to cooperate with authorities.<sup>66</sup>

Local law enforcement agents who promote community policing see major problems with ICE collaboration. Community policing is a crime-fighting strategy that relies on communication and trust between police officers and community residents. When that trust is broken because immigrants fear their local police will turn them over to immigration officials, immigrants stop approaching local and state police for assistance or to provide valuable crime-solving information.<sup>67</sup>

Contrary to popular belief, immigrants do not live in the shadows. They are integral members of our communities. Therefore, when immigrants fear coming forward about crimes, immigration policing silences them and puts entire communities at risk.



### Anti-Terrorist Profiling: “Mapping Radicalization” from New York to Los Angeles

**In August 2007**, an unprecedented report was released by the New York Police Department entitled, “Radicalization in the West: The Homegrown Threat,” to identify potential “terrorists” while they are in a process of “radicalization” and before they have even been involved in any activities. The report profiles Muslims who frequent mosques, neighborhood restaurants, cafes, cab driver hangouts, flophouses, prisons, student associations, hookah (water pipe) bars, butcher shops, book stores, and community organizations as potential “terrorists” to be apprehended. On October 23, 2007, the House passed the similar proposed federal legislation called the “Violent Radicalization and Homegrown Terrorism Prevention Act of 2007” which now goes to the Senate floor for debate.<sup>44</sup>

Then in November 2007, the Los Angeles Police Department’s anti-terrorism bureau launched an initiative to “map” Arab, Muslim, and South Asian communities as part of its anti-terrorism program. Hussam Ayloush, head of Los Angeles chapter of the Council on American-Islamic Relations, said the mapping “basically turns the LAPD officers into religious political analysts, while their role is to fight crime and enforce the laws.”

Los Angeles Police Department’s Counter-Terrorism and Criminal Intelligence Bureau, Michael P. Downing, during Oct. 30 testimony before Congress, described the program as an attempt to “mitigate radicalization.”<sup>45</sup>

“The mapping of Muslim communities as part of counter-terrorism efforts seems premised on the faulty notion that Muslims are more likely to commit violent acts than people of other faiths. Singling out individuals for investigation, surveillance, and data-gathering based on their religion constitutes religious profiling that is just as unlawful, ill-advised, and deeply offensive as racial profiling.”<sup>46</sup>

The South Asian Network has documented and assisted over 150 community members who have been targets of hate crimes, racial discrimination, police abuse, harassment and surveillance in their places of worship, residence, employment, and schools.<sup>47</sup> SAN also reports that the Los Angeles County Commission on Human Relations documented a total of 188 anti-Middle Eastern, Muslim and South Asian related hate crimes.<sup>48</sup>

**Arizona's Maricopa County Prosecutes Migrants as Smugglers**

— Interview with Peter Schey, Center for Human Rights and Constitutional Law, Los Angeles, CA.<sup>49</sup>

Probably the most egregious example we have seen of local involvement in anti-immigrant initiatives is the Maricopa County policy that takes an Arizona anti-coyote law to prosecute migrants for smuggling themselves. Fifteen other states have also enacted laws making it a state crime to transport an undocumented person for gain.

Maricopa County has interpreted the Arizona law as permitting the criminal prosecution of migrants being transported on the theory that, since the state law allows the felony prosecution of a smuggler, the migrant being smuggled can also be charged with a felony because they conspired with the smuggler and can be charged with a felony conspiracy to smuggle themselves.

Over 1,000 migrants have been criminally charged by this policy and incarcerated in Maricopa County. And no deals to plead guilty to misdemeanors have been offered; the only offer is to plead guilty to a felony. And most of these migrants have pleaded guilty to felonies because if they don't, they're not being released on bail.

Migrants face eight months on average in jail before they even go to trial. And they are told that if they plead guilty, Maricopa County will not give them a jail term or fine. In other words, the choices are to wait in jail for eight months and wait for a trial, then probably be found guilty and turned over to ICE. Or plead guilty immediately and be turned over immediately to ICE with no jail time.

So, of course, the vast majority of immigrants faced with these options, simply after a few weeks in custody, agree to plead guilty to a felony so that they can move on with their lives, get deported and out of Maricopa County custody.

The Maricopa Sheriff Joe Arpaio proudly announces that he is the toughest sheriff in the United States. And the jails in Maricopa County are notorious for their oppressive conditions. This is where Arpaio forces prisoners to wear pink underwear to humiliate them and they are given green baloney to eat.

We are challenging this policy and have a case pending in federal court in Maricopa County. It's fairly clear that they're trying to regulate immigration through this policy and so we have challenged it on federal preemption grounds.

### **Local Sheriff seeks power to deport immigrants held in county jail**

**December 4, 2007, Waukegan, IL:** Immigrants who are residents of Lake County in Illinois are facing new policies that will force them to choose between harassment and unfair policing or leaving the area. Lake County Sheriff announced that he applied for 287(g) authorization to screen detainees at local jails based on immigration status and begin deportation proceedings for those who are serving time for serious offenses. Once their time is served, they will be deported.<sup>50</sup>

After hearing the announcement, Ricardo Rosas declared, "This is like a big slap in the face for the community in Waukegan, especially after ongoing attacks against the livelihood of immigrant families and workers here. This year there have been numerous cases of families that have had to leave Waukegan due to city policies that make it impossible for them to live here. A city ordinance focused on ensuring all residents have valid drivers' licenses and auto insurance targets immigrant residents who may not have the necessary documentation to obtain a valid drivers' license. They are then subjected to unreasonable fines; in addition, their car is impounded and they must appear in court to pay off the ticket and the storage fee for the number of days the car is left at the junkyard. This easily adds up to about \$3000 dollars."<sup>51</sup>

### **Local police harass and arrest car crash victim, turn him over to ICE**

**September 2007, City of Pacific, Washington:** When Gustavo spoke with the police after his car was hit by another driver, the last thing he imagined was that he would be the one to get arrested and jailed. After the city police arrived at the scene and reported the crash, they issued a traffic violation ticket to the other driver who was at fault. Gustavo, on the other hand, was harassed and questioned about his immigration status. After the police officers asked him for identification, he showed them his Mexican driver's license. In Washington State, it is legal to drive with a foreign driver's license for up to one year. A community activist involved with the new sanctuary movement pointed out, "Canadians do it all the time and never deal with these problems."<sup>52</sup>

When Gustavo proceeded to show them his visa, the police refused to accept it, claiming it was invalid. He was arrested and, later that evening, the police contacted ICE. They were told to detain him at the jail until the next morning, when ICE could verify his status. While in jail, he was unnecessarily fingerprinted and charged a fee for the process! With a visa, there is no need for additional fingerprinting. The next morning, he was released. Gustavo's uncle, who came to get him, had to pay a \$250 fee for the cost of the fingerprinting.

Since January 1<sup>st</sup>, 27 people have been pulled over by city police in Pacific, for incredibly small traffic violations, such as supposedly not having enough air in their

tires. Under the guise of a traffic stop, Pacific police are using racial profiling to question and harass people about their immigration status.

In August, community and faith leaders organized a delegation to speak with the Mayor about these rights violations. Even after he gave a public order to the police department to stop inquiring about immigration status, six additional people were detained for “immigration violations.” Several residents spoke out at a city council meeting exposing the failure of police officers to follow their own protocol for interrogating people for minor violations. Rather than ask to see driver’s license, proof of insurance, and registration, police inquire about nationality, asking drivers instead, “Where were you born?”

When Jeremías, a community leader, spoke out on behalf of the immigrant community’s experience with police, a city council member grilled him with the following questions: “So, are you illegal?” He stood calmly and responded, “What does that have to do with anything I am saying?”

According to City of Pacific police records, the highest police activity between August 12<sup>th</sup>-30<sup>th</sup> consisted of transporting people to immigration detention centers. While Latinos comprise only 1% of the population in the Pacific, they are among the highest percentage of detainees during this period, all detained for minor immigration-related violations.<sup>53</sup>

### **ICE and local police use ‘citizen tips’ on the immigration status of residents**

**August 29, 2007, St. Joseph, Missouri:** In St. Joseph, ICE and local police began collaborating in “knock-and-talks,” where they literally go up to a house or apartment to extract information about the supposed immigration status of residents. As a result, six persons were arrested at their homes in the South Side and Midtown areas of St. Joseph who now face accusations of violating immigration laws.

The detainees were hauled away from Buchanan County Jail to Kansas City where they were held while waiting for their deportation hearings. Four people were from Guatemala and two were from Mexico; three of them worked at Triumph Foods, a food manufacturing company in Kansas City. The governor of Missouri, Matt Blunt, issued a directive that same day to law enforcement about getting tougher on illegal immigration.

According to Sgt. Shawn Collie of the Sheriff’s Dept Investigations Division, these “knock-and-talks” allow local law enforcement and immigration officials to share information derived from traffic stops and detective or citizen tips about the possible immigration status of residents.

This year alone, the Buchanan County Sheriff Department has participated in ten operations with ICE, resulting in the arrest and deportation of several residents for minor immigration violations.<sup>54</sup>

### **Students protest police collaboration with Border Patrol arrest and deportation of student from high school campus**

**November 6, 2007, Tucson, AZ:** After the Border Patrol arrested and deported a Catalina Magnet High School student and his family, hundreds of fellow students marched downtown to the Federal Building and then to Tucson police headquarters to protest the raid. The high school officials had called police, who notified the Border Patrol after learning that the boy's family was undocumented. The family's younger son was also taken from class and deported.

After the student demonstration protesting the process that allowed US Border Patrol agents onto their campus, the Tucson PD and the Tucson Unified School District will no longer call Border Patrol officials or immigration authorities to school grounds.

One student, Lizeth Grijalva, explained, "Some students aren't going to school because they don't feel safe. We can't have this at schools."<sup>55</sup>

### **Roswell police arrests pregnant student, ICE picks her up and deports her**

**December 5, 2007, Roswell, NM:** A school-based police officer went into a Roswell High School classroom and arrested an 18-year old student, Karina Acosta, who was five months pregnant. The officer, RHS Student Resource Officer Charlie Corn, a 10-year RPD veteran, held her until ICE came to the high school to take her away. ICE deported her to Mexico. Ms. Acosta had been cited for a parking violation and not having a license three days before.<sup>56</sup>

### **U.S. deports mentally disabled U.S. Citizen**

**ICE deported Pedro Guzmán of Lancaster, CA,** who is a U.S. citizen and has a mental disability that impairs his ability to process information. According to the ACLU, he has a birth certificate showing that he was born in the Los Angeles County-USC Medical Center and had served jail time for drug possession, so his record could have been easily cross checked before officials decided to deport him. As a result of his mental disability, Guzmán cannot read or write, which would make it possible that he signed a voluntary departure form.

Guzmán was jailed for a misdemeanor trespassing violation and then deported to Tijuana, Mexico, on May 11, 2007. He went missing for nearly three months. Guzmán was picked up at the Calexico border crossing and released to his family on Tuesday August 7th. Guzmán was shaking, stuttering and appeared traumatized, his family said at a news conference. Guzmán told them that he had tried to return to the U.S. several times but was turned away. He walked more than 100 miles to Calexico, the family said.<sup>57</sup>

#### **ICE deports permanent resident for minor offense committed as a youth**

Carlos, a permanent resident, was detained by ICE agents on September 26th for a minor drug offense he had committed years before. He was deported to Colombia, the country of his birth. Carlos had left Colombia as a child and does not remember it. In New York, he and his sister supported their disabled mother and 12 year old brother. His deportation means that his 21 year old sister is left to support the household by herself.<sup>58</sup>

#### **Nation's Longest Deportation Case Dropped after 20 years**

After a 20 year legal battle, the Board of Immigration Appeals finally ended the nation's longest deportation case. Khader Hanide and Michel Shehadeh were two of eight people arrested in January 1987 by immigration officials on charges of being affiliated with the Popular Front for the Liberation of Palestine (PFLP). At the time, the government charged that any association with the PFLP was grounds for deportation under the McCarran-Walter Act, legislation written during the McCarthy era that deporting individuals for associating with any organization that "advocated the doctrines of world Communism." The U.S. government alleged that Hamide and Shehadeh had given talks and handed out magazines in support of the creation of a Palestinian state. In 1989, a Federal Judge declared the charges under the McCarran-Walter Act unconstitutional; the Government chose to pursue deportation by other means, some of which were retroactive applications of new laws, which were successfully challenged in many different courts throughout the years.<sup>59</sup>

#### **Police detain Punjabi high school student for religious practice**

In March 2007, this young Punjabi high school student was casually standing around in a parking lot in Burbank, CA enjoying a sandwich with his cousin when they were approached by a patrol car. The officers asked him if he was carrying a weapon and he voluntarily handed over his Kirpan, explaining that he carried it under his jacket for religious reasons. Despite this explanation, he found himself in jail until 4 am the next morning, arrested for possessing a concealed weapon. The charges were eventually dropped but he was required to do community service.<sup>60</sup>



**Police enter home of Pakistani single mother, physically abuse her**

A Pakistani immigrant, who is a survivor of domestic violence and single mother of two small children and shares custody of them with her ex-husband. One afternoon in July of 2005, she and her children were in her apartment bedroom, watching a movie. Suddenly, and without warning, she saw two police officers entering her bedroom through the balcony door. They did not show a warrant or explain why they were there or even ask permission to enter her home. They began questioning her about the joint custody court order, and accusing her of not meeting her obligations. They informed her that her ex-husband was downstairs, and it became clear they were there in response to her ex-husband's complaints, without hearing her side of the story. When she persisted in trying to defend herself against their accusations, one officer, in front of her frightened and crying children, grabbed and twisted both her arms and held them behind her back, causing her to scream in pain. Later that day, she went to the police station to file a complaint against the officer's physical assault. She was again subjected to abuse and mistreatment when, spite of being in an arm sling and providing a medical treatment report, the Watch Commander accused her of faking her injuries and making false accusations against the officers.

**Mosque vandalized in hate crime**

Shortly after 9/11, the Muslim Community Services Mosque, established in the La Mirada/Long Beach, CA community in early 2001, began receiving hate mail that called the Muslim religion a cult and Mohammad a terrorist. In March 2006, the mosque received a letter that said there was "no future for Muslims in the USA." The letter called Allah the devil and told the Mosque to leave the community.

A few months later, vandals sprayed the mosque with BB gun pellets, destroying two of its glass windows. A few days later, vandals again fired BB gun pellets at the mosque, this time destroying its glass door. The police denied that this was a hate crime, saying that the mosque attacks were part of a spate of random vandalisms in the area. However, the President of the mosque believes that the vandals intentionally targeted the mosque because none of the other storefronts in the center where the mosque is located were hit. In addition, the pellets were shot at the windows and door in almost exactly the same place: near the word "Muslim" and Islamic symbols. The President of the mosque verbalized the fears and apprehensions of the Muslim community when he said "this morning, when we went there, everyone felt like someone is trying to scare us out of this place ..."<sup>61</sup>

**Pakistani family racially harassed and assaulted in apartment complex**

A recent immigrant from Pakistan and her family, including her three young children, lived in an apartment complex in Downey, CA where all the tenants shared a common outdoor area. When her children became old enough, they began to attend religious school at their local mosque. The neighbors' children began to taunt and verbally harass her children, cursing and calling them "Saddam Hussein, Osama", until one day in August, 2005, it turned into physical attacks, including threats and a physical assault against her by one of the tenants. One of her children called the police. Based solely on the tenant's false accusation, the police cited her for assault and ordered her to appear in court. No citation was issued against the other tenant.<sup>62</sup>

**Passengers verbally assault taxi driver with anti-Muslim slurs**

On September 29th, 2006, this thirty nine year old Sri Lankan taxi cab driver picked up four Latino men from a restaurant in Gardena, CA. After giving him directions, one of the men began harassing him: "Where are you from?" "Sri Lanka." "Where the f\*\*\* is Sri Lanka? The taxi driver did not respond to the taunts, and as he approached the freeway, this man asked him what religion he was. When he told him he was Buddhist, the man responded "You're a f\*\*\*ing Muslim, you are a terrorist, you Islamic, f\*\*\*ing Muslim." He repeated this several times while another passenger tried to calm him down. After they were on the freeway, a second passenger started accusing the taxi driver of being Muslim and began berating him: "You f\*\*\*ing Muslim, you f\*\*\*ing terrorist! Whatever we're bombing over there, we need to destroy the Muslims of the world!" One of the men started pulling on the taxi driver's shirt. When they exited the freeway, one passenger kept telling the taxi driver to turn onto a small street in an industrial area while another told him to drive straight. By now, the taxi driver was very frightened. He dropped the men off on the corner and let them out. One man told his friend "don't pay the f\*\*\*ing terrorist." The friend did pay but as they were getting out of the taxi, the first man punched the taxi driver in his face. He was in a lot of pain and blood was coming down his shirt but he drove up a bit and stopped to calm himself. But then he saw that the men were coming back towards him so he drove a few blocks and then got out of his cab to call an ambulance. At the hospital, the police took his statement but refused to list it as a possible hate crime. A short time later, the taxi driver decided not to pursue the case because he was afraid of a backlash from the perpetrators and discouraged by the police's failure to resolve similar incidents suffered by others he knew.

### Hate crime against South Asian goes unresolved, continues to suffer

A Bangladeshi immigrant who lives in Los Angeles, CA with his wife and two children was a business owner, running both a Bangladeshi newspaper and a grocery store. On November 11, 2001, two men walked into his grocery store. One asked for cigarettes and the other for change. As the two men walked to the side of the cash register, one man pulled out a gun and the terrified storeowner told them to take all the money. While the first perpetrator pulled cash from the register, the other held a gun to his stomach, berating him the entire time: "Bloody F\*\*\*ing Arab, I'm going to kill you." On the way out, one of the men yelled "you f\*\*\*ing stupid Muslims, you make a lot of money and give us nothing. Have more ready the next time when we come back."

The storeowner was emotionally traumatized, and eventually diagnosed with post-traumatic stress syndrome. This prevented him from working and he was forced to sell his grocery store at a significant loss. After selling his grocery business, he did not have the funds to keep his newspaper running and had to shut down production. Eventually, he applied to the State Victim Compensation Board for the losses he suffered as a result of this crime. But instead, he was victimized a second time by this government agency responsible for assisting him. First, the application he submitted to the local office was not forwarded to the State Board until eight months later. While he did receive some compensation, it was about one-tenth of his total income loss. He had to resubmit documents lost by the local Victim Compensation office, and the lack of communication from the State Board caused further delays.

In 2007, more than six years after the robbery and after five years of fighting for his right to compensation, the former business owner was paid the maximum allowed by the state. The crime against him was never categorized as a hate crime and remains unresolved.<sup>63</sup>





■ CONCLUSION AND RECOMMENDATIONS

The Human Rights Immigrant Community Action Network (HURRICANE) has documented consistent patterns of abuse and human rights violations by the U.S. government, local, county and state governments, employers and private citizen groups. The escalation of raids, detentions and deportations, worker exploitation, an increasingly militarized border, and mounting collaboration between ICE and local law enforcement agencies have wreaked havoc on immigrant and refugee communities.

Unless public officials begin to reverse and make deep changes to U.S. immigration policies, laws and strategies, we will continue to witness an out-of-control humanitarian crisis within our borders. Migrant deaths and disappearances will continue to rise at the border. Undocumented workers will be left with few choices but to continue working for less than a living wage and be subjected to abhorrent conditions. Communities will feel less secure as immigrants and refugees avoid approaching police officers with crime-solving information for fear of detection and deportation. In addition, families will continue to be forced apart as immigration policies criminalize and deport people whose only offense was not having the proper documents.

Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants exposes the scapegoating of immigrants as a new type of collective punishment, rooted in the further militarization of immigration and border control and the unprecedented criminalization of immigrants. Leading the way, the Department of Homeland Security has relentlessly curtailed the rights of immigrants, especially the undocumented, subjecting them to detention and deportation with impunity. Combining immigration control and national security, federal, state, county and local governments are imposing anti-immigrant measures as part of social and economic policies to privatize and cutback public services. They undermine community health and safety, marginalize and make immigrants more vulnerable to abuse and gut civil liberties.

The U.S. government's insistence on framing issues of migration as law enforcement and national security matters has prevented acknowledging and addressing the negative displacement impacts and involuntary migration of workers caused by economic restructuring, particularly the North American Free Trade Agreement (NAFTA). As long as the root causes of migration are denied and ignored, the U.S. will continue to block economically sustainable development for communities in sending countries, which would ameliorate and eventually decrease migration.

Over-Raided, Under Siege urges the restoration and expansion of rights to stop and overturn this growing catastrophic state of affairs. Additionally, the U.S. government must address the root causes of migration by upholding and protecting human rights and implementing sustainable economic development.

In order to prevent further human rights violations against immigrant communities, families, and workers, Over-Raided, Under Siege recommends that:

- The U.S. Bureau of Immigration and Customs Enforcement (ICE) end immigration raids and collaboration with local, county and state police, as well as other government agencies.
- The Department of Homeland Security (DHS) end the practice of jailing persons for immigration status offenses and restore immigrants' full due process rights and access to the courts.
- The Social Security Administration stop sending Social Security no-match letters to employers. To get updated information, simply send letters to employees at their home addresses.
- The federal government ensure that labor laws protecting all workers, regardless of citizenship or immigration status, are enforced.
- DHS stop and rollback border militarization policies and strategies that have caused thousands of migrant deaths and countless violations of the human and civil rights of migrants, workers, people of color, youth, communities and Indigenous peoples at the border.



In addition, *Over-Raided, Under Siege* also recommends that:

- Congress pass an immigration reform bill to strengthen worker rights, expand civil rights, provide options and access to citizenship and legal permanent residency, clear the visa backlog, reunify families and stop the expansion of guest worker programs.
- The U.S. Bureau of Citizenship and Immigration Services increase options for legal immigration and issue sufficient visas so that migrants can enter safely into the U.S. with full rights protections.
- DHS re-direct and prioritize funding for immigration services to clear the backlog of pending applications for family reunification visas, green cards, citizenship and services for immigrant integration.
- Local law enforcement agencies end collaboration with ICE on enforcement operations.
- Law enforcement agencies stop the practice of racial, religious and nationality profiling, monitor their progress and end other discriminatory practices.
- Local, county and state governments identify the needs of their immigrant and refugee communities, and implement laws, policies, and procedures to integrate them as full participating members. A human rights framework and adequate budget should be part and parcel of these measures.





POLITICAL AND HISTORICAL CONTEXT



### **Scapegoating Without Borders**

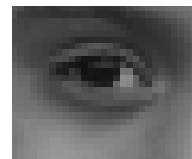
Over the last decade, the diverse proposals and the most recent attempts at immigration reform by Republican and Democratic members of the U.S. Congress and the current Bush Administration have revealed that they agreed only on one thing: getting rid of immigrants – or at least making their lives more miserable. Especially with regards to the undocumented, policy makers seem unified in physically and politically scapegoating them, passing laws, policies and measures that relentlessly build up immigration enforcement controls and border militarization, and increase and merge the budgets for immigration control and national security at the expense of services and rights. These steps commonly appear as the most politically expedient actions to convince the electorate they were addressing or solving the economic, social and political misfortunes vexing the country by bashing immigrants across the borders and back.<sup>68</sup>

While blaming the “failure” of the federal government to pass “comprehensive immigration reform” as their rationale, local, county and state governments and agencies are taking their cues from Congress to pass immigration ordinances and policies to solve their own fiscal crises on the backs of immigrant families, workers and communities. Over 27 years of “Reaganomics” policies of economic restructuring and social engineering were let off the hook. The toll of Reaganomics on our health care, the deterioration of our educational system and other public infrastructure and investments was pinned on immigrants, working people and communities of color.

### **The Roots of Immigrant Scapegoating**

Originally christened “Reaganomics,” after President Ronald Reagan who took office in 1980, these deep structural and political changes effectively dismantled the gains made by the civil rights movement. These sets of policies and initiatives took various forms and underwent adaptations and iterations under the first Bush senior Administration and the Clinton years. Reaganomics has since undergone a radicalization under the current Bush Administration, where the norm includes even more blatant privatization and cutbacks in public spending accompanied by political cronyism, and the de-regulation and re-regulation of how investments, profits and wealth are created and accumulated. Coupled with the severest attack against civil liberties and civil rights and the gutting of labor and environmental protections, immigrants are blamed and punished for the downturn. And the public has been convinced that immigration is the leading cause of the deterioration of the country.

Under the guise of immigration reform, a series of policies and laws are increasingly being substituted for and merged to advance national security and business interests.<sup>69</sup> Immigration law and policy-making by local, county, state and federal institutions and governments have also become a political shield allowing them to continuously place the burden of the multilayered and growing fiscal crises attending public budgets on the backs working people, communities of color and immigrants.



In the period 1993-1996, the U.S. government made anti-immigrant scapegoating a permanent aspect of policymaking. Immigration control and reforms were used to promote privatization and other measures strip labor and civil rights and eliminate and cutback social, environmental and economic development programs and protections. These significant actions have devastated the health and rights of communities of color, working people and immigrants. In 1996, Congress passed three laws focused on terrorism, immigration and welfare, which have collectively had a more detrimental effect on immigrants than any other laws passed in the previous 70 years.<sup>70</sup>

In April 1996, policy makers commemorated the one-year anniversary of the Oklahoma City bombing by signing into law the first anti-terrorist legislation. While the bombing was a domestic attack launched by white male U.S. citizens, the legislation targeted foreign nationals. It permitted evidence from secret sources to charge immigrants with terrorist involvement during deportation proceedings. It also introduced new sanctions for immigrants that overstayed their visas.<sup>71</sup> In August, the Clinton administration ushered in welfare reform that greatly reduced the eligibility of legal permanent residents to receive welfare during their first five years of residency and raised the income requirements for sponsors of new immigrants to levels beyond the reach of many.<sup>72</sup> Then in September 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) which expanded the grounds for detentions and deportations and set off a new immigration raid strategy; further militarized the border and criminalized immigrants and refugees. The nation had last seen such sweeping immigration changes in 1986.

### **Grassroots Movement for Legalization Develops in Fight against Raids**

In response to these oppressive measures, community groups organized a forceful and coordinated response. Tens of thousands of Latinos from California, Texas, Michigan, Illinois and New York traveled cross-country to Washington, D.C. in October 1996 to protest IIRIRA and call for legalization.<sup>73</sup> Soon after, community groups launched the Fix '96 campaign to right the wrongs of the three draconian laws passed that year. The National Network for Immigrant and Refugee Rights also formed the National INS Raids Task Force to put an end to the inhumane practice of raids that the INS was aggressively began using in 1997. And by 1999, U.S. immigration raids were being blocked and a new national grassroots movement demanding legalization for the undocumented began taking shape.

By 2000, the human and civil rights climate for immigrants had changed dramatically. In 2000 and 2001, local community groups were elevating debates about legalization and immigration reform to the national level. Groups and policy makers once seen as dismissive of immigrants became part of the debate. On February 16, 2000, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) repealed its long-time support of employer sanctions, and placed the union movement on the side of immigrant workers.<sup>74</sup> Members of Congress also began discussing the possibility of a legalization program. And

in September 2001, just days before the September 11<sup>th</sup> attacks, President Bush met with Mexican President Vicente Fox and declared immigration reform and legalization top priorities of his administration.<sup>75</sup>

Days later, the attacks of September 11, 2001 stalled and redirected the progress that had been made. Fear of another terrorist attack and the desire to name an enemy allowed the U.S. government to scapegoat immigrants and refugees. Since 9/11, immigrants have faced a fortified enforcement strategy, alarming human rights violations and an overwhelming climate of hate. The following events highlight key factors responsible for the hostile environment we live in today:

### **2001 - "War on Terror" Links Terrorism to Immigration**

After the September 11 attacks, government officials, media outlets, politicians, and anti-immigrant groups jumped on the chance to link terrorism to immigration in the minds of the public. While evidence revealed that the alleged hijackers entered the country legally, a new message had already taken root: undocumented workers, their families and communities, especially Arabs, Muslims, Sikhs, and South Asians, pose a significant threat to national security.

In the weeks after 9/11, the INS unleashed "Operation Tarmac," investigating the immigration status of airport workers, supposedly to secure the tarmac from "terrorists." Instead, at least 100 airports were raided and more than one thousand food service workers, janitors, and other airport workers were rounded up and deported in the months after 9/11.<sup>76</sup>

In the fall of 2002, the U.S. Department of Justice launched a "Special Registration" program, requiring immigrant males 16 years and older from 25 Arab, Muslim and South Asian countries to register, have their photograph and fingerprints taken and submit to an interrogation to provide information on "terrorism." Over 84,000 men were registered and some 14,000 put into deportation proceedings, most for minor immigration offenses.<sup>77</sup> Not surprisingly, community groups like the South Asian Network in Southern California, received numerous reports of hate crimes fueled by official government policies targeting particular nationalities and communities.

The anti-immigrant rhetoric has also led to legislative proposals, such as the failed 2006 Senate bill on immigration reform, that continue to link immigration to national security at the expense of our rights.

### **2001 and 2006 – USA PATRIOT Act Weakens Civil Rights**

Due to the opening created by 9/11 to tie immigration to terrorism, these years have seen a continual deterioration of civil rights. In early 2006, Congress reauthorized the USA PATRIOT Act, legislation passed shortly after 9/11 that gave the Executive Branch sweeping powers to wiretap, search, and jail citizens and non-citizens without probable

cause. The reauthorization, signed into law by President Bush on March 9, 2006, kept the legislation largely intact, although the American Civil Liberties Union won a legal challenge in September 2007 that struck down the National Security Letter (NSL) provisions of the Patriot Act. The NSL provisions allowed the FBI to secretly demand personal records without court approval.<sup>78</sup>

### 2003-2008 – Enforcement Funding Outweighs Immigration Services Funding 6 to 1

Politicians, wanting to appear tough on terrorism, have inflated the enforcement budgets of the Department of Homeland Security's (DHS). Over the past five years, funding for two of DHS's enforcement branches – the Bureau of U.S. Customs and Border Patrol (CBP) and the Bureau of U.S. Immigration and Customs Enforcement (ICE) – have outweighed funding for immigration services by a margin of 6 to 1. CBP's budget nearly doubled from \$5.8 billion in FY 2003 to \$10.1 billion in FY 2008 (the fiscal year runs from October 1 to September 30) {SEE FIGURE 3}. Similarly, funding for the ICE rose from \$3.2 billion in 2003 to \$5 billion in 2008. The Bureau of U.S. Citizenship and Immigration Services (USCIS) trails far behind at \$2.5 billion in 2008.<sup>79</sup> Consequently, USCIS's stated goal of cutting the backlog of pending immigration and naturalization cases to six months grows increasingly unattainable. In November 2007, USCIS was just issuing receipts for applications filed four months earlier, a step normally done within ten days.<sup>80</sup> As of March 2007, 1,275,795 cases awaited review.<sup>81</sup>

Year	CIS	ICE	CBP	Total DHS Budget
2003	\$1,422,000 5%	\$3,262,000 10%	\$5,887,000 19%	\$31,182,000 100%
2004	\$1,549,733 4%	\$3,669,615 10%	\$5,997,287 17%	\$35,604,092 100%
2005	\$1,775,000 5%	\$3,845,178 10%	\$6,416,398 17%	\$38,510,517 100%
2006	\$1,887,850 5%	\$3,866,443 10%	\$7,113,495 18%	\$40,420,007 100%
2007	\$1,985,990 5%	\$4,696,641 11%	\$7,743,581 18%	\$42,804,409 100%
2008	\$2,568,872 6%	\$5,014,500 11%	\$10,174,114 22%	\$46,399,702 100%

Source: Department of Homeland Security Annual Budgets

**Figure 3.** Funding for Three Department of Homeland Security (DHS) Bureaus

Despite studies that show increased enforcement does little to deter unauthorized migration, the U.S. government continues to employ the same failed policy. In fact, no “terrorists” have been found despite the increased enforcement funding.<sup>82</sup> The inflated enforcement budget has simply led to record incarceration and deportation of immigrants, as well as mounting border crossing-related deaths.



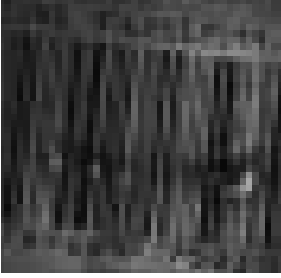
### **2003 - 2006 – Immigration Reform Takes the National Stage**

Immigration reform captured the public's attention when legislators, community groups, labor and even the President drew a spotlight on the issue. In July 2003, members of Congress from both sides of the aisle tested the political waters by introducing immigration reform bills. In September 2003, community groups and labor organized the Immigrant Workers Freedom Ride (IWFR), a national mobilization to focus public attention on the injustices of current immigration policies. Inspired by the Freedom Rides of the Civil Rights Movement, the IWFR recruited immigrant workers and their allies to ride buses through small towns across the United States to rally support for immigration reform. This effort culminated in key policy makers publicly recognizing the need for a major overhaul of the immigration system. Proposals ranged from Congresswoman Sheila Jackson-Lee's bill to strengthen worker rights and provide legal permanent residence status to undocumented immigrants to President Bush's proposal of a temporary worker program.

As the immigrant rights movement gathered momentum in 2003, the Department of Homeland Security also began implementing “Operation Endgame,” a strategic 10-year detention and deportation plan. According to a 49-page DHS document, Endgame builds on “a mission first articulated in the Alien and Sedition Acts of 1798” to deport “all removable aliens,” including “illegal economic migrants, aliens who have committed criminal acts, asylum-seekers (required to be retained by law) or potential terrorists.”<sup>83</sup> The Operation Endgame plan is the foundation of the DHS goals and drive to develop new enforcement operations and policing strategies, trample or dismantle civil liberties and rights to fit its plans, tap into local law enforcement, and amass and build the detention facilities and the deportation infrastructure to meet its number one objective: deport all who can be deported. Operation Endgame declares that DHS's ultimate goal is to “eliminate the backlog” in deportations to make “America secure,” as DHS executes various “operations” to apprehend, jail and deport immigrants with impunity.

### **2005– Congress Passes the REAL ID Act**

The federal government surreptitiously implemented an interior type of border checkpoint when President George Bush signed into law the REAL ID Act in May 2005. The REAL ID Act requires states to issue federally approved driver's licenses by 2008. The new driver's licenses will function as national ID card; anyone without one can be detained until identity is proven. Unable to pass the REAL ID Act as a stand-alone bill, legislators attached REAL ID as an amendment to an



emergency spending bill for the war in Afghanistan and Iraq. The bill passed with little if any opposition.<sup>84</sup>

The following are major concerns with the REAL ID Act:

- It tightens asylum policies and makes it easier to deport immigrants by expanding the definition of what constitutes a “terrorist” organization.<sup>84</sup>
- Instead of acting as a deterrent to terrorism, it will prevent immigrants from getting car insurance and make our roads less safe because unqualified drivers will continue to be behind the wheels of vehicles.
- Without a REAL ID driver’s license, individuals will not be able to enter federal buildings or take trips that require boarding airplanes and trains.

If some states decline to participate in this program, a non-REAL ID driver’s license would function as an indicator of the possible immigration status of the holder, making them subject to detention.

The REAL ID driver’s license will include a “radio frequency transmitting” (RFT) chip – much like the credit cards being marketed for quick paying at the check-out counter. Ostensibly this will help prevent ID theft and fraud and make it easier to identify the holder. It will be harder if not impossible for some immigrants, especially the undocumented, to qualify for a driver’s license.

Every state that has passed laws allowing residents, including the undocumented, to apply for a driver’s license has suffered setbacks. New York State Governor Eliot Spitzer recently approved by decree driver’s licenses for all immigrants, as long as they could prove their identity. Within days, an anti-immigrant backlash forced him to go further than even required by the REAL ID law. He modified his proposal to include the immigration status on the driver’s license. But the reaction and criticism did not stop and the opposition against any kind of driver’s license for undocumented immigrants grew, even with such repressive measures, finally forced Spitzer to completely withdraw the initiative.

### **2005 and 2007 – Immigrants & Refugees Ignored or Harassed During Natural Disasters**

A lack of official responsiveness to the impacts of Hurricane Katrina by the federal government left thousands – including immigrants and refugees – abandoned. Like the many African Americans living in areas hit by the storm, the estimated 300,000 immigrants in the area lost their homes, businesses and even family members.<sup>86</sup> In total, more than 1,800 people died in five states – 1,577 of them in Louisiana.<sup>87</sup>

The federal government failed to respond to the needs of victims on numerous levels. According to an April 2006 report issued by the DHS Inspector General, the Federal Emergency Management Agency (FEMA) was ill-prepared to conduct massive search-and-rescue functions, deliver adequate housing, water and basic supplies, and provide clear

communication to evacuees.<sup>88</sup> Two years later, the region continues to suffer from a lack of affordable housing and poverty.<sup>89</sup>

The Asian American Justice Center estimates that the disaster impacted 50,000 Asian Americans living in Louisiana – half of them Vietnamese and 70 percent immigrants.<sup>90</sup> It also devastated Latinos, who made up 15.8 percent of the Gulf Coast region.<sup>91</sup>

Two groups that experienced Hurricane Katrina as a recurring nightmare were the 150,000 Hondurans living in Katrina's path that had escaped Hurricane Mitch in 1998 and the Vietnamese that had fled communist-controlled Vietnam after the Vietnam War. Hurricane Katrina transformed them into refugees once again.<sup>92</sup>

While immigrants shared many of the same experiences as other Katrina victims, they also faced special challenges in recovering from the disaster. Undocumented laborers working on farms or in service industry jobs did not seek federal relief after hearing that some undocumented immigrants had been placed into removal proceedings following contact with government authorities.<sup>93</sup> Legal permanent residents, who lost U.S. passports, green cards and other documents certifying their immigration status, were left without proof of their legal status in the U.S. – making it extremely difficult for them to seek government benefits or obtain employment.<sup>94</sup>

Similar problems to those experienced after Katrina arose in October 2007 when wildfires ravaged Southern California. The American Friends Service Committee documented the impact of the firestorms on migrant communities in San Diego. It found immigrant families afraid to seek emergency services at evacuation facilities for fear of deportation. Many heard about the Border Patrol deporting a family that had sought emergency relief at Qualcomm Stadium. Police discovered that 7 of 12 members of the Santiago family were undocumented immigrants, and turned them over to Border Patrol agents, who immediately deported them. According to DHS, the agents were stationed at Qualcomm Stadium to help with emergency relief efforts.<sup>95</sup>

In addition to fear of deportation, a lack of adequate communication posed grave risks to the health and livelihoods of farm workers in the area. Most migrant workers have no formal residence and, as a result, no way of receiving the warnings issued by police through their reverse 911 system. In the dark about the fire hazard, many immigrants continued working in the fields. On October 24, 2007, AFSC documented how workers at the Leslie Farm tomato fields were laboring despite the Air Quality Index registering at 181 – a level deemed hazardous to health.

The lack of multi-lingual evacuation information, especially in indigenous languages that predominate in the area, also wreaked havoc on fire victims. Authorities had few resources for communicating with immigrant communities that speak indigenous languages such as Mixteco (bajo and alto) and other languages from the southern areas of Mexico and the northern parts of Central America.<sup>96</sup>





### **2006-2007 – Mass Mobilizations Signal Discontent with Government Approach**

In December 2005, the House of Representatives passed the Sensenbrenner bill (HR 4437), an enforcement-heavy immigration bill that ignited a wave of anti-immigrant protests in the U.S. not seen since the Civil Rights Movement of the 1960's. The immigrant community-led mobilizations signaled more than mere discontent with a federal bill; they pointed to the frustration of millions of Americans, undocumented immigrants, families, neighbors and co-workers with the ongoing, inhumane treatment of immigrants and refugees. After years of dominant right-wing, anti-immigrant rhetoric, the mobilizations offered a hopeful alternative in the struggle for immigrant rights. On March 10, 2006, over 200,000 people in Chicago took to the streets. They captured the imagination of people across the U.S. and set off mobilizations in small towns and big cities over the next two years.

### **2006-2007 – Strategy Shift: Taking the Law into Their Own Hands**

While Congress failed to pass an immigration reform package that included legalization or guest worker programs of any kind, the anti-immigrant agenda reached new levels of support as legislators, state governments, and vigilante groups began to take matters into their own hands.

Recognizing the uphill battle to pass a “comprehensive” immigration reform package, some legislators have divided up the enforcement measures and attached them to unrelated, must-pass legislation, just as they had with the REAL ID Act. Most of these piecemeal proposals focus on enforcement. For instance, the Secure Fence Act, passed by Congress on September 29, 2006, authorizes construction of 700 miles of a double-layered wall on the U.S.-Mexico border aimed at stopping unauthorized crossings.<sup>97</sup>

State governments have also taken an active role in passing their own immigration bills. As of July 2, 2007,



state legislatures had introduced over 1,400 bills related to immigrants. In the first six months of 2007, 182 immigration bills became law in 43 states. State legislators introduced nearly two and a half more bills in 2007 than in 2006 and over ten times more than the previous decade. Many of these bills relate to employment eligibility verification, requiring proof of lawful residency to claim public benefits, and putting into place identity verification systems before issuing driver's or business license.<sup>98</sup>

State governments also passed an insignificant number of positive bills that combat human trafficking and help integrate immigrants into U.S. society.

Local and county governments have also introduced their own mix of anti-immigrant ordinances and measures, which dramatically outnumber the small number of pro-immigrant initiatives. The Board of Aldermen of Valley Park, Florida, passed an ordinance that imposes fines on landlords who rent to undocumented immigrants. It also suspends the licenses of businesses that hire undocumented workers.<sup>99</sup> A similar ordinance passed in Hazelton, Pennsylvania, although a federal judge struck the ordinance down in July 2007 based on violations of due process rights and interference with federal law.<sup>100</sup> In Anne Arundel County, County Executive John R. Leopold issued an executive order in August 2007 requiring businesses with county contracts to sign affidavits attesting that they do not employ undocumented immigrants.<sup>101</sup>

Juxtaposed with these measures are a few pro-immigrant ordinances. In New Haven, Connecticut and in San Francisco, California, local officials passed resolutions permitting the cities to issue municipal identification cards. These cards would allow undocumented immigrants to open up bank accounts, check books out from the library, and access basic city services. And across the country, in cities and counties like Cook County, IL and National City, CA, local governments have passed proposals making their jurisdictions sanctuaries for undocumented immigrants.

Frustrated with a perceived lack of enforcement at the border, nativist groups like the Minutemen have taken law enforcement into their own hands. The Minutemen have organized volunteers to harass and report immigrants crossing the border and to picket construction sites employing undocumented immigrants.<sup>102</sup> They argue that unauthorized migration limits jobs for U.S. workers and strains community resources.<sup>103</sup> Chris Simcox, head of the Minutemen, blames "Americans'" supposed addiction to drugs and cheap labor for the flow of unauthorized migrants. While the Minutemen's paramilitary activity is illegal in most states, they continue compromising the safety of immigrants and local communities.<sup>104</sup>



### **Paid Informant Entraps Young Muslim Man and ICE Arrests His Family After Conviction in Sham Case of “Terrorism”**

The U.S. government is increasing its surveillance of immigrant communities as part of its “war on terror,” targeting Muslim, Arab, and South Asian communities, including the use of paid provocateurs and informants who often incite illegal activities.

In 2004, Shahawar Matin Siraj, a resident of Queens, NY, was arrested after being entrapped by a paid police informant who lured him into plot to bomb a subway station in New York City. After being convicted and sentenced to thirty years in prison for the alleged plot, Matin’s father, mother and sister were arrested by ICE agents who stormed the Siraj home 12 hours after the sentencing in a pre-dawn raid.

The Siraj family in Queens, NY, are also active members of the New York-based community organization DRUM-Desis Rising Up & Moving.

Over a period of one and a half years, Matin was recruited by a paid New York police informant to carry out an attack. The informant, Osama Eldawoody, who goaded Matin and two others into the plot, had been paid \$100,000 by the NYPD. When Matin Siraj began to have doubts and tried to back down, Eldawoody turned him in.

After a trial marred by irregularities, Matin Siraj was found guilty and sentenced to 30 years in prison on January 8, 2007. Then less than 12 hours after the sentencing, in a brazen act of intimidation, the Siraj family home was invaded by more than 15 ICE officers. Matin’s father, mother and sister were dragged away to the Elizabeth Detention Center in New Jersey and held on immigration-related charges.

Two weeks later, after intense community pressure, including a campaign and rally organized by DRUM, the mother and daughter were released, but not before paying an outrageous \$35,000 bond. The father was also released almost six months later after a public support campaign organized by DRUM, which collected almost 100 letters of support for him. Meanwhile, their son was transferred to a prison in Indiana that has a special unit to cage Muslim “terrorists.”<sup>64</sup> The government’s transfer of Matin Siraj to serve his prison sentence in another state is also meant as a punishment for the family, imposing an additional hardship on a family already forcibly separated by illegal policies of religious profiling, government intimidation and entrapment.<sup>65</sup>

“This is a systematic targeting of Muslims, a political attack on a peaceful family—and we have been caught in the middle of it. We have not gotten any justice and will continue to speak the truth. We will continue to struggle with patience and courage.” – Shahina Parveen, mother of Matin Siraj.<sup>66</sup>

### **Police assaults Sikh Gulf war vet, yelling anti-Arab, Anti-Muslim slurs**

March 30, 2007, Joliet, IL: Kuldip Singh Nag, a Sikh American Gulf War veteran, was violently attacked and beaten by a police officer after approaching him about a van parked on his private property with expired registration tags. Mr. Nag's wife and six-year-old child both witnessed the violent assault, which put Mr. Nag in the hospital for an entire week with severe head trauma and numerous bruises caused by the police beating. During the assault, the police officer yelled out hateful anti-immigrant and anti-Arab slurs and threatened to kill Mr. Nag. The South Asian Legal Defense and Education Fund (SALDEF) and other local advocacy groups called on the City of Joliet and Illinois state officials to investigate this alarming incident of police misconduct and hate violence.<sup>67</sup>

### **Turbans subjected to secondary screening at US airports**

On August 21, 2007, Mr. Charanjit Singh Ghai was forced to remove his turban at SFO International Airport after he passed through the metal detector without sounding an alarm. The TSA screener threatened to "escort him out" if he refused to comply with his demand to publicly remove the turban, which Charanjit is mandated to wear as a member of the Sikh faith. With his head uncovered, Charanjit stood and waited as the screener placed his small cloth turban in a bin and through an x-ray machine. He was then subjected to further humiliation when the TSA agent insisted that he also be allowed to pat down Mr. Charanjit's hair. "This exercise was all done to demean me. It was unbearable."<sup>68</sup>

Over 80 reports of racial & religious profiling, harassment and abuse at US airports were reported by Sikhs between August and October 2007. Since new procedures went into effect on October 27, 2007, 50 additional cases have been documented, 43 of which involve targeting and discrimination.<sup>69</sup>

After months of advocating for changes to standard screening regulations released by the Transportation Security Administration this past August, members of the Sikh American community are cautiously optimistic about the new security screening procedures that were implemented in October. The TSA's August regulations had subjected all headgear, including turbans, to secondary screening and inspection by airport officials, including patting-down and removal. Turbans had in fact been placed on a list of "suspicious items" to be checked at security. The new procedures treat Sikhs' religious headwear like any other form of "bulky clothing" that might be subjected to additional screening at U.S. airports. Because of the religious sensitivities involved, Sikhs now have the option to pat down their own turbans and have their hands swabbed for chemicals instead of allowing TSA screeners to touch their article of faith.<sup>70</sup>

### Waukegan resident is forced out by anti-immigrant climate after 20 years

Waukegan, IL, December 6, 2007: "Here in Waukegan people are being driven out of their homes, not only by the high interest rates on their home loans, but mostly by the targeting from local police and even city officials who treat us like we are worthless," declared Ramón Avila, who has lived in Waukegan for 20 years and has owned a home for 10 of those years. Avila was recently hit with a \$550 fine after city inspectors visited his house and conducted an inspection. First, they entered his home without identifying themselves. It was only after they pushed their way in that they said the purpose for their visit. Then, they misled the Avila family, telling them that if they fixed everything they indicated in their inspection notes, there would be no further action taken against them. After a second visit to verify that all the violations cited were corrected, the inspectors simply came and assured them that they had complied with their regulations. Three days later, Ramón Avila received a letter in the mail indicating that he owed the city a fine of \$550 for city code violations, such as using a basement as a bedroom.

"This is not the first time we are subjected to this type of targeting by the city or police in Waukegan. Recently, my wife was cited with a ticket for obstructing pedestrian traffic, as she stood outside the sidewalk adjacent to our lawn. They come and patrol our streets and our communities, not to make us feel safe, but to harass us. I did not come here to live like this." – Ramón Avila<sup>71</sup>

### Border Patrol puts immigrants in cages on Indigenous land

An indigenous delegation, including Mohawks, Oneida, Navajo, Acoma Pueblo, Hopi and O'odham, traveled to Tohono O'odham Nation land at the U.S.-Mexico border to witness the situation of indigenous people. The delegation observed the arrest of a group of indigenous people, mostly women and children, by the US Border Patrol on an Indian Nation. Lenny Foster, a member of the delegation said that what he witnessed at the border was "brutal vicious, and evil."<sup>72</sup>





## 100 Stories

A Chronology of Abuses and  
Human Rights Violations

Compiled by the National Network  
for Immigrant and Refugee Rights

## 2006

**February 24-March 10, 2006:** As part of Operation Community Shield, initiated in February 2005, ICE launched a two-week national campaign in collaboration with local law enforcement agencies, arresting 375 alleged “gang members and associates” in 23 states. Since Operation Community Shield was started, some 2,388 documented and undocumented immigrants have been arrested; only 533 were charged with criminal violations; the majority was charged with immigration violations.<sup>1</sup>

**April- May 2006:** ICE raids IFCO Systems North America, Inc., a Houston based pallet manufacturer, resulting in the arrest of 1,187 immigrant workers and seven managers of the company charged with criminal offenses. The arrests were carried out in nearly all of the company’s 40 locations.<sup>2</sup>

**May 2006, Wisconsin:** Terwinder, a Sikh mother of two U.S.-born children, faced arrest and deportation after police officers who were helping her with a flat tire found out that she had an outstanding deportation order. She had lived in the U.S. for 12 years with her family, running a small business with her husband.<sup>3</sup>

**July 1, 2006, Alexandria, VA:** Madeeha is a 20-year-old woman from Pakistan who was diagnosed with cardiomyopathy, a chronic disease afflicting the heart muscle. Her only chance of survival required getting a heart transplant. Madeeha was not placed on the waiting list for transplant candidates because she was undocumented and did not have medical insurance.<sup>4</sup>

**June 15, 2006, Yonkers, NY:** Miguel Vega, a native of Peru who was walking down the street

in Yonkers where he lives, was attacked and murdered by five men who also stole his wallet. All five men were charged with murder and robbery. Three of them had their murder charges raised to a hate crime after an investigation found that they specifically sought a “Mexican” to rob that night. All five pleaded guilty and received prison sentences ranging from five to 15 years.<sup>5</sup>

**July 20, 2006, Dayton, Tenn:** Gilberto Mejía, owner of a Mexican grocery store “Carnicería Los Primos,” is verbally assaulted by anti-immigrant activist June Griffin. She barged into the store and tore down a Mexican flag. Griffin then allegedly harasses Mejía and leaves threatening phone messages, which Mejía saves for police. “I’m not ashamed of anything I did,” Griffin tells The Herald-News.<sup>6</sup>

**September 19, 2006, Danbury, CT:** Eleven day laborers were lured into a van by a law enforcement agent posing as a contractor. The police agent then took them to the Hartford jail, where they were turned over to federal agents who sent them to a federal detention center in Texas.<sup>7</sup>

**November 3, 2006, Taylor, TX:** ICE jails a Palestinian family, who was seeking political asylum, at the Hutto Facility, which ICE calls a “family unity” detention center. The Palestinian family is detained under harsh conditions and face deportation to occupied Palestinian Territory despite continuous efforts to seek political asylum in the U.S.; their application to obtain passport from Jordan was denied.<sup>8</sup>

**November 18, 2006, San Diego, CA:** Two day laborers are brutally beaten by an anti-immigrant activist who showed up to protest at the day labor pick-up site. He harassed them with racial slurs and attempted to take their picture. He now faces battery and hate crime charges for violating the civil rights of the workers.<sup>9</sup>

**December 1, 2006, Atlanta, GA:** A Peruvian woman is interrogated about her immigration status by airport officials and coerced to signing document waiving her rights to retain her green card, which is taken away from her.<sup>10</sup>

**December 12, 2006, ICE “Swift” Raids:** After an investigation into alleged “identity theft,” ICE carries out the largest workplace raid in a year against Swift meatpacking plants in six states, arresting 12,000 workers to question them about their immigration status. Only 65 are charged and ICE deports some 1200 workers. ICE also charged employers with fraud and tax evasion. Swift said the raid cost the company some \$50 million in recovery efforts.<sup>11</sup>

## 2007

### JANUARY

**January 1, 2007:** Yuki Lin was born on the stroke of midnight of New Year’s, becoming the winner of a random drawing for a national Toys “R” Us sweepstakes. The company had promised a \$25,000 U.S. savings bond to the “first American baby born in 2007.” Then Toys “R” Us revoked the prize after finding out that Yuki’s mother was an undocumented U.S. resident. Instead, they awarded the \$25,000 savings bond to a baby in Gainesville, GA whose mother is described as “an American all the way.”<sup>12</sup>

**During January:** ICE unleashes a series of immigration raids against workplaces, homes and neighborhoods in over a dozen cities in North Carolina, Georgia, Vermont, California, Maryland, Illinois, Florida, Arizona, Texas, New Jersey.<sup>13</sup>

**January, San Francisco Bay Area, CA:** Hundreds of families are shattered after ICE agents burst into their homes, resulting in the

arrest, detention and deportation of loved ones and neighbors. The immigration raids are conducted in predominantly Latino neighborhoods in various San Francisco Bay Area cities, including Richmond, Novato, Redwood City, and Oakland. These raids were part of the Department of Homeland Security’s campaign, “Operation Return to Sender;” ICE “fugitive operations teams” made over 800 arrests between October 2006-March 2007 in the Bay Area.<sup>14</sup>

**January 8, 2007, Richmond, CA:** ICE agents showed up before dawn at the home of a Richmond resident, identified themselves as police, and arrested her son and daughter. ICE arrested over 100 persons in Richmond, with only a handful of warrants issued by the courts for people facing criminal violations.<sup>15</sup>

**January 9, 2007, Queens, New York:** Some 15 ICE agents stormed into the home of a Pakistani family arresting the entire family in a pre-dawn raid – only 12 hours after their son had been convicted and sentenced to thirty years in prison in a case involving entrapment by a paid police informant in a terrorist plot.<sup>16</sup>

**January 10, 2007, Chicago, Illinois:** ICE arrests to deport 10 immigrants from Mexico, Albania, and Bulgaria working at the Pegasus Restaurant in Chicago’s Greektown district. This worksite enforcement operation was funded by the DHS’s Secure Border Initiative.<sup>17</sup>

**January 12, 2007, Charlotte, NC:** ICE agents arrest 60 people during a three-day action as part of “Operation Secure Streets,” started in April 2006 as a pilot program in Charlotte. Although the primary targets were purportedly individuals with prior convictions for DUI, only 23 were identified as having DUI convictions.<sup>18</sup>



**January 17-24, 2007, Southern California:** 761 people were arrested across five California counties over a seven-day period as part of “Operation Return to Sender” resulting in the deportation of some 450 people.<sup>19</sup>

**January 18, 2007, VA:** 14 workers were arrested at the Quantico Marine base, for administrative immigration charges. Eight were taken during an ICE raid at an apartment complex in Dumfries, where a U.S. citizen was also arrested for “conspiracy to harbor illegal aliens.”<sup>20</sup>

**January 18, 2007, Indian Springs, NV:** ICE, aided by Nellis Air Force Base security officers, arrest two construction workers at Creech Air Force Base, from a masonry construction company building aviation electronics buildings on the base.<sup>21</sup>

**January 22, 2007, Key West, FL:** ICE agents and Florida state police collaborated in the arrest of 13 workers at the Naval Air Station, only two of whom were charged with being in possession of fraudulent documents. Additionally, over 120 people were “escorted” off the base for not having proper naval IDs.<sup>22</sup>

**January 24, 2007, Baltimore, MD:** Twenty-four day laborers were arrested after approaching ICE agents in plain clothes who had gathered at a 7-eleven parking lot after an unsuccessful undercover operation. The ICE agents asked the workers, in Spanish, where they were from after the men had approached them asking for work. Although there were other day laborers, only Latinos were questioned and arrested.<sup>23</sup>

**January 29, 2007, Dana Point, CA:** Day laborers are harassed and threatened by Minutemen who show up to protest at a site where day laborers usually congregate to wait for work. The workers lost an entire day’s wages and are left reeling from the racist verbal attacks and deepening climate of fear.<sup>24</sup>

## FEBRUARY

**February 1, 2007, Alexandria, VA:** Councilman Steve Jenkins proposes “unlawful assembly” provisions in a local ordinance targeting day laborers who gather near Culpeper Town Center looking for work. Virginia Commonwealth Attorney General begins considering local enforcement measures filled with anti-immigrant rhetoric.<sup>25</sup>

**February 7, 2007, Miami-Dade, Broward, and Palm Beach Counties, FL:** ICE arrests Mr. Ovidio Cruz and his three children, who had been denied asylum. The Ovidio family were among the 178 people arrested during early morning ICE raids at people’s homes and communities in the predominantly Latino sections of these counties.<sup>26</sup>

**February 7, 2007, Richmond, CA:** ICE officials, posing as local police, approach Edgar Flores who sat in his car and ask him for his driver’s license. When he was unable to show one, they arrested and put him in the Yuba County detention center. Within days, without having been given access to a lawyer or a hearing before a judge, he is deported to Tijuana. Flores was forced to leave behind his wife Gabriela Flores and their 2-year-old daughter Samantha.<sup>27</sup>

**February 8, 2007, Silverbell, AZ:** A pick-up truck carrying several Central American immigrants supposedly on their way to a “safe house” in Phoenix was attacked by two men shooting high-powered assault weapons. A woman and two men in the pick-up are killed. No one knows if the assailants were connected to rival smugglers, extremist vigilantes, or “bajadores” (people kidnap immigrants and extort their families for ransom).<sup>28</sup>

**February 13, 2007, Oakland, CA:** The Oakland Police Department identifies trends in theft and assault targeting day laborers, who usually carry cash with them. The street term, “amigo checking,” points to the explicit targeting of Latino workers for robbery.<sup>29</sup>



**From September 2005 through early 2007** at least five day laborers have been killed in Oakland's streets.

**February 20, 2007, East Hampton, NY (Long Island):** Armed ICE agents, wearing blue bulletproof vests, burst into the home of Adriana Leon at five in the morning looking for her ex-husband, Patrizio Wilson Garcia, terrifying her and her young daughters who had been asleep. She had been divorced from Garcia since 2003 and had not lived together for years. All members of the household were U.S. citizens. ICE also raided four other East Hampton houses and arrested up three dozen people.<sup>30</sup> ICE continued conducting raids all through April in the East Hampton region.<sup>31</sup>

**February 20, 2007, Sacramento, CA:** ICE arrests the parents of U.S. citizen children during an appointment with a social worker who falsely accused them of abusing their infant child during a visit to the emergency room.<sup>32</sup>

## MARCH

**March 2007, Garland, TX:** An 18-year-old day laborer from Guanajuato, Mexico is deported after being handed over to immigration officials by a man pretending to be an employer. His family was in a state of panic and fear when they did not hear from their son.<sup>33</sup>

**March 6, 2007, New Bedford, MA:** The New Bedford community is devastated by one of the nation's largest immigration raids. By the end of the day, 361 workers at the Michael Bianco factory were arrested and faced deportation. All but a small number were detained and separated from their families. Between 100 to 200 children are separated from their parents.<sup>34</sup>

**March 6, 2007, Mishawaka, IN:** 36 workers are arrested by ICE officials during a workplace raid at

Janco Composites, a plant that makes fiberglass-reinforced plastic products, three weeks after Etzel Partida was arrested for using an invented social security number to keep her job.<sup>35</sup>

**March 9, 2007, Passaic, NJ:** Passaic police issue up to six summonses to day laborers for soliciting work on the sidewalk as a way to coerce workers into using the city-sanctioned hiring center. Jacobo Maceda, who was issued a summons, said the center is too small and unorganized and the workers don't go there because the contractors don't got for workers there. The center is the city's attempt to get the workers off the streets, out of the public's view.<sup>36</sup>

**March 24, 2007, Farmer's Branch, TX:** A local ordinance proposing a rental ban on immigrants without proof of citizenship exacerbates an already hostile climate toward immigrant residents. Annel Guerrero and other residents were confronted with questions about their immigration status by pro-ordinance campaigners who emphasized that the law would be enforced and they would be kicked out.<sup>37</sup>

**March 30, 2007, Joliet, IL:** A Sikh American Gulf War veteran was violently attacked and beaten by a police officer who approached him about a van parked on his private property with expired registration tags. Witnessed by his wife and six-year old child, the police officer screamed out hateful anti-immigrant and anti-Arab slurs as he beat and threatened to kill him. Mr. Nag ended up in the hospital for a week with severe head trauma and numerous bruises.<sup>38</sup>

## APRIL

**April 1, 2007, Santa Fe, NM:** ICE agents enter the home of a woman in search of her niece, who no longer lived there. After interrogating her about her immigration status, they forced her into giving

them information about her niece's whereabouts, threatening to confiscate her green card. Subsequently, her niece was arrested and detained.<sup>39</sup>

**April 4, 2007, Beardstown, IL:** Sixty-two sanitation workers are arrested during an early morning raid by ICE at Cargill Inc., an agribusiness conglomerate ranking second and fourth in producing the nation's beef and pork. Thirteen workers were charged with "identity theft."<sup>40</sup>

**April 10, 2007, Willmar, MN:** Over four days, starting April 10, ICE began entering homes and arresting Latinos in Willmar, Minnesota, spreading chaos and fear throughout the community. At least 100 people were arrested. Fearing more ICE raids, the Willmar community came out in support of the impacted families who were left waiting for news of their loved ones and were facing many obstacle to provide for their families with little or no income.<sup>41</sup>

**April 20, 2007, Oakland, CA:** ICE agents arrest 13 immigrant workers at Eagle Bag Corporation, allegedly for document fraud. Eagle Bag is a packaging company whose clients include the U.S. military.<sup>42</sup>

**April 24, 2007, Little Village (Chicago), IL:** Some 200 armed ICE agents carrying military-assault weapons surrounded a small shopping center in Little Village, a predominantly Latino district in Chicago. ICE deliberately terrorized dozens of men, women, and children who they detain for questioning for an alleged counterfeit operation run from a photo shop at the mall.<sup>43</sup>

## MAY

**May 1st, 2007, Los Angeles, CA:** Over 600 black-clad, armed and masked LAPD police officers enter into L.A. MacArthur Park and fired some 240 rubber

bullets into a peaceful gathering that was taking place there supporting immigrant rights. Many activists were wounded by the rubber bullets and others are brutally beaten with batons by police officers, including a news anchor and camerawoman who were pushed around and hit by the police.<sup>44</sup>

**May 10, 2007, Little Rock, Arkansas:** ICE arrests 12 workers employed by El Nopal, a dining facility contractor at the Camp Joseph T. Robinson Army National Guard base, as part of a worksite enforcement operation.<sup>45</sup>

**May 11, 2007, Los Angeles, California:** ICE deports a U.S. citizen, who was mentally disabled. The man, a Latino, was serving time at the Men's Central Jail in Los Angeles, was deported to Tijuana, Mexico after DHS officials illegally got him to sign away his rights.<sup>46</sup>

**May 19, 2007, Emeryville, CA:** Some 25 anti-immigrant, anti-worker protesters showed up at the behest of the Woodfin Suites Hotel management, to counter the regular picket lines supporting the immigrant workers who were fired in retaliation for organizing for their rights under a living wage ordinance.<sup>47</sup>

**May 22, 2007, Butterfield, Missouri:** Armed ICE agents arrest 136 workers after rounding up all the morning shift employees of George's Processing Inc., checking them one by one. Employers refused to pay the workers for the work hours they missed while being detained and questioned by ICE.<sup>48</sup>

**May 22, 2007, Idaho City, Idaho:** 14 workers are arrested during an ICE raid at Idaho City Hotel, where employees of Cutting Edge Forestry, Inc. stayed during a project to replant trees over a 500-acre area of rugged land at the Boise National Forest.<sup>49</sup> Cutting Edge Forestry, Inc. is a contractor with the U.S. Forest Service.

## JUNE

**June 1, 2007, MacAllen, TX:** A Cuban man is forced to leave his Venezuelan wife and children at the border after they attempted to cross under the 'wet foot/dry foot' policy, which grants Cubans seeking political asylum entry into the U.S. His wife and two children were jailed in Austin, Texas and put into deportation proceedings.<sup>50</sup>

**June 6, 2007, New Haven, CT:** ICE agents conducted a brutal early morning raids less than 48 hours after the city of New Haven approved legislation for a municipal ID card that would grant access to city services to all residents, regardless of their citizenship or immigration status. ICE went into the mainly Latino neighborhood of Fairhaven, taking people from their homes and even pulling them off city buses. While at least 31 immigrants were detained, only two had outstanding deportation orders.<sup>51</sup>

**June 13, 2007, Portland, OR:** ICE arrests 167 people at the Fresh Del Monte plant during a workplace raid. The workers, who had been organizing for better working conditions and living wages, were first taken to an ICE processing center in Tukwila, Washington. Then they were further removed away from their families when they transferred for the second time to the Northwest Detention Center in Tacoma.<sup>52</sup>

**June 18, 2007, Columbus, OH:** A South Asian immigrant family wakes up to see a burned cross on their front lawn, an act of hate violence. This was not the first time the family's house was targeted by racist vandalism since they moved there 2 years ago.<sup>53</sup>

**June 19, 2007, Santa Fe, NM:** At 6 a.m., ICE police enter the home of José César Guzmán, the executive chef of the Inn of the Governors restaurant, looking for another person with a similar name. Although ICE had a photograph of

the person they were looking for and bore no resemblance to José César, they arrested him anyway. When José César pulled out his documents to show proof of immigration status, they accused him of having false documents.<sup>54</sup>

**June 20, 2007, Hartford, CT:** ICE officials and Hartford police officers showed up to the home of Norma Velasquez at 6 a.m. with one deportation order. They then arrested and detained her boyfriend Enendi Díaz and his cousin Marco. While the deportation order was for Ms. Velasquez, Enendi was the first to be deported using "fast track." Marco is still awaiting deportation.<sup>55</sup>

**June 20, 2007, Boston, MA:** An immigration judge puts a temporary stop to deportation proceedings against a Dominican woman whose husband, a U.S. soldier, was reported missing in Iraq. Her husband, who has been missing in action since May 12th, had petitioned for a green card on her behalf.<sup>56</sup>

**June 27, 2007, El Paso, Texas:** A migrant man drowns under suspicious circumstances in a canal while attempting to cross the border into the U.S. A U.S. Border Patrol agent at the scene fired at least one shot at a suspected smuggler and migrant who were on the Mexican side of the border.<sup>57</sup> This was the third shooting reported, involving a Border Patrol agent this year.

## JULY

**July 2007, South Hampton and Riverhead (Long Island), NY:** ICE coerced immigrants they had detained in a raid to testify against their former employer, who had also been arrested during the sweep that targeted his store. One had been offered a visa in exchange for testifying against the Latino storeowner. The workers and storeowner were being charged with using false social

security numbers and hiring people without work authorization. However, when the storeowner died unexpectedly, the witness was promptly issued a deportation order.<sup>58</sup>

**July 1, 2007, Willacy County, TX:** Several detainees and security guards at the Willacy County detention center in Texas spoke out for the life of 2000 immigrants. Over 30 detainees and several security guards reported that the quantity and quality of food among other inhumane conditions at the facility were deplorable. There have been several cases of attempted suicides, inmates fainting and food poisoning as a result of the conditions.<sup>59</sup>

**July 3rd, 2007, New Haven, CT:** A woman and her husband were subjected to humiliating treatment and interrogation by federal and local law enforcement officials during an alcohol checkpoint. After the husband was asked to step out of the vehicle and show identification, he was accused of being “illegal” and was harassed to “admit it.”<sup>60</sup>

**July 4, 2007, El Paso, TX:** A Border Patrol agent shot and wounded a man who was in a drainage tunnel that crosses the U.S.-Mexico border. The agent and his partner responded to a motion sensor that movement in the tunnel. One of the agents fired a shot, after the migrant reportedly made a move toward him, hitting him in the arm. The wounded man was taken to a hospital in El Paso to remove the bullet and treat the wound.<sup>61</sup>

**July 5, 2007, Concord, CA:** Armed undercover ICE agents raid the De La Salle High School in pursuit of a Mexican immigrant who was working for a contractor doing asbestos abatement at the school.<sup>62</sup>

**July 6, 2007, Bronx, NY:** Victor Toro, a Chilean and longtime community activist, was arrested on an Amtrak train, as he headed back to his home in the Bronx after meeting with immigrant rights colleagues in Rochester, NY, after he was

questioned about his citizenship status by US border patrol agents, along with many others.<sup>63</sup>

**July 10, 2007, ICE Conducts “clean-up” work at Four Swift Plants:** ICE agents returned to four previously raided Swift and Company plants, questioning several workers and arresting three on charges of identity theft. ICE was following-up on the massive December 12, 2006 raids. This time ICE arrested two workers at the Cactus, TX plant and at another one at Swfit’s pork processing plants in Worthington, MN. ICE also went into the Greeley, CO and Marshalltown, Iowa plants but arrested no one.<sup>64</sup>

**July 20, 2007, San Pedro, CA:** Victoria Arellano, an HIV positive undocumented transgender woman, died at an ICE detention center in San Pedro, CA, after being denied medication to prevent pulmonary infections from turning into pneumonia. Despite pleas and petitions signed by dozens of detainees urging that she receive medical attention, her conditions were allowed to deteriorate until it was too late.<sup>65</sup>

**July 30, 2007, Chesapeake, VA:** A father was forced to leave his two-year-old unattended at home after he was arrested by local police on immigration violation charges just hours after his visit to the DMV. After DMV had sent him home allegedly for submitting the wrong documents for vehicle registration, they called the police on him for his immigration status.<sup>66</sup>

## AUGUST

**August 2007, Houston, TX:** Enrique Soriano, father of U.S. Private Armando Soriano, 20, who died in Iraq, is now facing deportation. He is among many immigrant parents who have lost loved ones in the war in Iraq. “I worry for my family; they are all here, and Armando, he is buried here.”—Mr. Soriano, 47-year-old construction worker.<sup>67</sup>

**August 1, 2007, Waukegan, IL:** During early morning raids in predominantly Latino neighborhoods, police and ICE officials gave people false information to coerce them into opening their doors, subjecting them to questioning and then arrest. Mr. Sanchez was arrested by ICE officials who lied to him about who they were looking for to get him to open the door. Once they were inside his home, they revealed a picture of him that he submitted years ago petitioning for a visa, and proceeded to arrest him in front of his young children.<sup>68</sup>

**August 7, 2007, Rhode Island:** A few hours after ICE detained and placed in custody, Edimar Alves Araujo, a 34 year-old Brazilian immigrant, dies during an epileptic seizure after ICE denied him access to his daily medication. Mr. Alves Araujo became distraught as he went into immigration custody. He was on his way to visit his sister in Woonsocket when was stopped and then arrested for a traffic violation. City police turned Edimar over to federal agents when they found an outstanding deportation order from 2002.<sup>69</sup>

**August 20, 2007, Los Angeles, CA:** Elvira Arellano, who had defied a deportation order by taking refuge at a church in Chicago, was arrested and deported by ICE officials after addressing a gathering at Placita Olvera. During the middle of the night, ICE transported her 100 miles to the border crossing at San Ysidro, CA and released her into Tijuana, Mexico. Elvira and her 8-year-old son had been living at Adalberto United Methodist Church in Chicago since her deportation order in August 2006.<sup>70</sup>

**August 21, 2007, San Francisco, CA:** TSA security screeners at San Francisco airport forced Mr. Charanjit Singh Ghai to remove his turban even though he passed through the metal detector without sounding an alarm. The TSA screener threatened to “escort him out” if he refused to

comply with his demand to remove the turban. He was then subjected to further humiliation when the TSA agent insisted that he also be able to pat down Mr. Charanjit’s hair. “This exercise was all done to demean me. It was unbearable.”<sup>71</sup>

**August 22, 2007, Bladen County, NC:** Approximately 28 people are arrested during midnight raids at Smithfield Packing, the largest pork slaughterhouse in the country.<sup>72</sup> ICE officials did not stop at arresting people at the plant itself, but actually went into the local communities of St. Paul and Lumberton, taking into custody at least 20 other people from their homes including one pregnant woman. Witnesses reported that ICE agents forced mothers to leave their children behind.<sup>73</sup>

**August 29, 2007, St. Joseph, Missouri:** ICE agents arrested six people from their homes in the South Side and Midtown of St. Joseph, for allegedly violating immigration laws. According to Sgt. Shawn Collie of the Sheriff’s Dept Investigations Division, these are not ‘raids’, they are “knock-and-talks”<sup>74</sup> where local law enforcement and immigration officials share information derived from traffic stops and detective or citizen tips about the possible immigration status of residents.<sup>75</sup>

## SEPTEMBER

**September 1, 2007, City of Pacific, WA:** Local police harass a car crash survivor, report to ICE, and wrongfully detain him. When the man tried to show his visa, they refused to accept it and accused him of being here illegally. He was released the following morning, after having to pay the \$250 fee for fingerprinting, which was unnecessary since he already had been fingerprinted for the visa.<sup>76</sup>

**September 7, 2007, Grand Island, Nebraska:** 19 people are arrested during an ICE raid at the Cloudburst Lawn & Sprinkler Company, after ICE



officials showed up with a search and arrest warrant for the owner, but arrested the workers instead. ICE claimed the warrant gave them the right to arrest “suspected illegal immigrants.”<sup>77</sup>

**September 10, 2007, Chaparral, NM:** ICE raids at the Chaparral schools results in 28 people deported. Eleven of the deportees were children who were taken by sheriff’s deputies and Border Patrol agents, including six elementary school students, four middle schoolers, and one high school student.<sup>78</sup>

**September 21, 2007, Tamarac, FL:** A Jamaican woman was sexually assaulted and raped by a federal immigration agent, who was transporting her from a Miami-Dade detention center to Broward. She was being held for processing at Krome detention center after being sentenced to serve time for a false claim to U.S. citizenship, and faced deportation proceedings after living in the U.S. for 12 years.<sup>79</sup>

**September 27, 2007, Greenport, NY:** 11 men were arrested by ICE agents in collaboration with local police during the early morning raid separating dozens of families in the East End of Long Island. While the raid was carried out as part of Operation Community Shield targeting gang members with criminal histories, only one of the 11 arrested was actually suspected of gang affiliation.<sup>80</sup>

**September 28, 2007, Reno & Fernley, NV:** ICE raided 11 McDonald’s fast food restaurants and arrested some 100 persons. Local police collaborated with ICE alleging there were “illegal immigrants” working at the McDonalds.<sup>81</sup>

## OCTOBER

**October 2, 2007, Nassau County, NY:** ICE agents collaborated with Nassau County police in a series of home raids across Long Island,

arresting 186 alleged gang members. The raids were carried out in such a brutal manner that the Nassau Police Commissioner sought an investigation into the methods and strategies utilized by ICE agents to intimidate residents.<sup>82</sup>

**October 2, 2007, San Francisco, CA:** ICE officials show up to disrupt a public gathering supporting janitorial workers who had been laid-off after a switch in the janitorial company at the federal building. About one hour into the picket line, four ICE agents appeared on the scene trying to revoke the workers’ megaphones and move the picket, but the workers refused. Soon after, two ICE helicopters began hovering over them, in an attempt to intimidate the workers in a clear display of power.<sup>83</sup>

**October 5, 2007, Emeryville, CA:** 12 workers were suddenly laid off from the Hilton Garden Inn hotel after the management received a letter from DHS declaring that they had three days to clear up discrepancies in the workers’ social security numbers.<sup>84</sup>

**October 8, 2007, California:** Vietnamese family is arrested after their 24-year old daughter testified before a panel with Rep. Zoe Lofgren in support of the DREAM Act. They were charged with being fugitives, and forced to wear electronic ankle bracelets, even after the family disclosed having consistently reported with immigration officials to obtain work permits.<sup>85</sup>

**October 13, 2007, Queens, NY:** Federal and local enforcement agents terrorized residents of Jackson Heights after ICE swept the neighborhood under the guise of a two-year investigation into fraudulent ID enterprise in the area. Under this pretense, they conducted fierce raids in the community, harassing day laborers and other immigrants, making “collateral” arrests – when people are detained without a warrant.<sup>86</sup>

**October 18, 2007, Taylor, Texas:** An 8-year-old child was separated from her pregnant mother and left behind for four days at T. Don Hutto Family Residential Facility under the care of guards and ICE. The 28-year-old Honduran woman was transferred to another facility for being “potentially disruptive” and having twice resisted attempts to deport her.<sup>87</sup>

**October 23, 2007, Boston, MA:** An immigration judge began final deliberations in a deportation case against a six-year old undocumented immigrant from El Salvador. Karla Morales-Solis, who was just 5 years old when her parents had her brought to the U.S. without a visa, is facing deportation charges. Her father, whose work visa expires in two years, brought her in 2006. Karla was captured near the border in Texas with a “coyote,” a person hired to bring across into the U.S. She was held in an ICE detention center for 26 days.<sup>88</sup>

## NOVEMBER

**November 2, 2007, Parkville, CT:** ICE agents raided homes and businesses on Park, South Whitney and Carpenter streets, arresting nine people, with only one person arrested on an outstanding deportation order. ICE officials refused to release information about how many arrest warrants were issued for these arrests.<sup>89</sup>

**November 2007, Portland, OR:** ICE continued to use racial profiling in its enforcement actions, targeting immigrant residents. A man was arrested and deported by immigration agents as he exited the metro station on his way back from work. Three others were also arrested and detained for questioning. In another case, a Portland Community College student was arrested by local police at the DMV office after submitting a social security number that did not match with their records. This was immediately reported to local police, who then contacted ICE. She is now in detention with immigration.<sup>90</sup>

**November 7, 2007, Chicago, IL:** 24 workers were arrested by ICE during a raid at several warehouses near O'Hare International Airport, after a federal investigation into a temporary employment agency. Later that week, 10 more workers were snagged at their homes after ICE obtained their addresses from raiding the employment agency, resulting in the arrest of 2 managers there.<sup>91</sup>

**November 8, 2007, Jerome, ID:** Two Border Patrol agents stopped Eric Valencia, a Washington state native now studying at the College of Southern Idaho to become a paramedic, and scrutinized his documents outside Ridley's market in Jerome. Agents questioned his valid Idaho driver's license, but let him go after 30 minutes. Valencia says he has considered suing the Border Patrol for what he considers racial profiling. He says he must have been singled out because of his race--and the fact that he was wearing a jacket with a Mexican national emblem.<sup>92</sup>

## DECEMBER

**December 5, 2007, Roswell, NM:** A school-based police officer went into a Roswell High School classroom and arrested an 18-year old student, Karina Acosta, who was five months pregnant. The officer, RHS Student Resource Officer Charlie Corn, a 10-year RPD veteran, held her until ICE came to the high school to take her away. ICE deported her to Mexico. Ms. Acosta had been cited for a parking violation and not having a license three days before.<sup>93</sup>

**December 9, 2007, Tucson, AZ:** Tucson police officers stop Miriam Aviles, who was pregnant, was out for a drive with her two U.S. citizen children and husband, who was driving. After the police asked them for their IDs, he called the Border Patrol. The uniformed Border Patrol agents began questioning Miriam and her family after refusing to get into the Border Patrol vehicle, the TPD officer began forcefully pushed her with his

taking Ms. Aviles to the hospital, the Border Patrol took the entire to the detention center located on the military base. After her husband was deported the next morning, she was taken to a nearby midwife service clinic, where she was harangued by a Border Patrol agent to hurry up and have her baby. After she gave birth, an agent was placed on guard outside her room. Ms. Aviles was released to the local Mexican consul, who had her sign a voluntary departure without counsel.<sup>94</sup>

**December 10, 2007, Deming, NM:** ICE agents raid Proper Foods, Inc. and arrest 22 undocumented workers. Of those arrested, 21 were Mexican immigrants and one was a Honduran immigrant.<sup>95</sup>

**December 14, 2007, Tucson, AZ:** The Cybernetics Research company refused to pay 17 workers and locked them out. Most had worked for Cybernetics for two to three years. The company claimed they could not pay the workers because they had not cleared up errors in their Social Security numbers. After being threatened with action, a representative of Cybernetics informed the workers that they would be paid that afternoon.<sup>96</sup>



## ACKNOWLEDGMENTS

### Principal Writer

Sheila Chung Hagen

Marc Krupanski, *Center for Constitutional Rights, New York*

Rebecca Smith, *National Employment Law Center, Olympia, WA*

### Report Authors

Arnoldo García

Catherine Tactaquin, *NNIRR*

Catherine Tactaquin

Diana Pei Wu, *NNIRR*

Vanessa Rancaño

Laura Rivas

### 100 Stories Contributors

Fahd Ahmed and Monami Maulik, *DRUM: Desis Rising Up & Moving, Jackson Heights, NY*

Susan Alva, *Migration Policy and Resource Center, Occidental College, Los Angeles*

David Amdur, *American Friends Service Committee (AFSC), Hartford, CT*

Ramón Ávila, *Waukegan, IL*

Nora Becerra, *Waukegan, IL*

Joyti Chand and Shiu-Ming Cheer, *South Asian Network, Artesia, CA*

Community members in Richmond, CA who presented testimony

Dan Curran, *Political Empowerment of Hampton Roads, VA*

Isabel García and Kat Rodríguez, *Coalición de Derechos Humanos, Tucson, AZ*

María Jiménez, *Mujeres Unidas y Activas, Oakland, CA*

Nunu Kidane, *Priority Africa Network and Black Alliance for Just Immigration, Oakland, CA*

Elsa López, *Somos un Pueblo Unido, Santa Fe, NM*

María López, *member Unite HERE 2850, Oakland, CA*

### Editorial Coordination

Arnoldo García

### Research Team

Tomás Aguilar

Sheila Chung Hagen

Arnoldo García

Gaia Oyarzún

Vanessa Rancaño

Laura Rivas

Andrea Silva

Diana Zaragoza

Chris Zepeda

### Editorial Guidance

Susan Alva, *Migration Policy and Resource Center, Occidental College*

Arnoldo García, *NNIRR*

Carlos Mares, *Lucha Unida del Jornalero, Oakland, CA*

Leo Morales, *Idaho Community Action Network, ID*

Priya Murthy, *South Asian American Leaders of Tomorrow (SAALT), Takoma Park, MD*

Ignacio Páramo, *Portland VOZ, Portland, OR*

Carmen Patlán, *Iglesia de la Sagrada Familia, Waukegan, IL*

Jessica Peregrina, *Casa Esperanza, Richmond, CA*

Ofelia Rivas, *O'odham VOICE against the Wall, Sells, AZ*

Fátima Rojas, *Unidad Latina en Acción, New Haven, CT*

Ricardo Rosas, *ICIRR, Waukegan, IL*

Aarti Shahani, *Families for Freedom, New York, NY*

Peter Schey, *Center for Human Rights and Constitutional Law, Los Angeles*

Andrea Silva, *M.A. Candidate. Department of Politics and Government, Illinois State University, Normal, IL*

Isabel Sepúlveda, *Organizaciones de Latino America (OLA) and Long Island Immigrant Alliance, New York, NY*

Neha Singh, *Sikh Coalition, New York, NY*

Sister Margaret Smyte, *Long Island Immigration Association, New York, NY*


Pedro Sosa and Emiliana Sosa, *AFSC-Project Voice, Portland, OR*

*\* All organizations listed for identification purposes only.*

### Design

guillermo prado, 8point2 design, Berkeley, CA.  
guiprado@8point2.com

### Printed

Chimes Printing 

### Photographs

David Bacon

Francisco Domínguez

Arnoldo García

Joan Ging

Gareth Harper

Jerry Jew

Jay J. Johnson-Castro

Brian C. Long

Mark Paulda

Tim Porter

Ofelia Rivas

Steven Rubin

Sandra Sturdevant

Chris Zepeda

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#### ABOUT HURRICANE

Over-Raided, Under Siege is a project of the Human Rights Immigrant Community Action Network (HURRICANE), an initiative of the National Network for Immigrant and Refugee Rights (NNIRR).

Formed in 2007, HURRICANE promotes a grassroots organizing strategy utilizing monitoring and documentation tactics to track and take action against human rights violations perpetrated against immigrant and refugee members in our communities. HURRICANE members and other interested parties can document abuses and violations using the Martus database, a user-friendly open source tool developed by Benetech, Silicon Valley's leading high tech nonprofit. HURRICANE also acts as a communication vehicle to alert and mobilize public opinion in cases of violent or gross human rights violations.

HURRICANE provides leadership training opportunities for communities to learn how to track, document and act to stop abuses as part of long-term organizing and institution-building. HURRICANE's goal is to support communities self-define their rights and ways to achieve redress for abuses. The initiative aims to uphold and deepen the human rights of all people, regardless of their immigration or citizenship status.

NNIRR's HURRICANE will issue periodic and year-end reports on the abuses being tracked as part of its annual "100 Stories Project," to bolster organizing and advocacy efforts for socially just immigration policies and reforms.

To join Hurricane, visit us: [www.nnirr.org/hurricane](http://www.nnirr.org/hurricane)

#### ABOUT NNIRR

Formed in 1986, the National Network for Immigrant and Refugee Rights (NNIRR) is a national organization composed of local coalitions and immigrant, refugee, community, religious, civil rights and labor organizations and activists. It serves as a forum to share information and analysis, to educate communities and the general public, and to develop and coordinate plans of action on important immigrant and refugee issues.

NNIRR works to promote a just immigration and refugee policy in the United States and to defend and expand the rights of all immigrants and refugees, regardless of immigration status. To accomplish this, NNIRR focuses on four core areas:

Human rights education and advocacy;

Popular education for immigrant and refugee communities;

Grassroots policy advocacy and organizing promoting policies and programs for socially just legalization, sustainable community development and other policies and reforms that protect and expand the rights of immigrants, working people and communities of color; and

Education and organizing campaigns seeking redress and end to abuses and violations committed against immigrant and refugee members of our communities.

## NNIRR Staff

Clarrissa Cabansagan, *Program Intern*

Arnoldo García, *Immigrant Justice & Rights  
Program Director*

Suguey Hernández, *Administrative Assistant*

Colin Rajah, *International Migrant Rights and  
Global Justice Program Director*

Vanessa Rancaño, *Program Associate*

Laura Rivas, *Program Associate*

Ladan Sobhani, *2008 National Conference  
Coordinator*

Catherine Tactaquin, *NNIRR Executive Director*

Diana Pei Wu, *Education and Capacity-Building  
Program Director*



**National Network for Immigrant  
and Refugee Rights**

310 Eighth Street, Suite 303

Oakland, CA 94607

Tel (510) 465-1984

Fax (510) 465-1885

[www.nnirr.org](http://www.nnirr.org)

[www.migrantdiaries.blogspot.com](http://www.migrantdiaries.blogspot.com)

## NNIRR Board of Directors

Susan Alva, *Migration Policy and Resource  
Center, Occidental College, Los Angeles, CA*

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Communities, New York, NY*

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Bill Chandler, *Mississippi Immigrant Rights  
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Humanos, Tucson, AZ*

Maricela García, *Latinos United, Chicago, IL*

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Comunidad, Houston, TX*

Hamid Khan, *South Asian Network, Artesia, CA*

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Moving, Jackson Heights, NY*

Rogelio T. Núñez, *Casa de Proyecto Libertad,  
Harlingen, TX*

Juan Manuel Sandoval, *Seminario Permanente  
de Estudios Chicanos y de Fronteras, México*

Catherine Tactaquin, *NNIRR, Oakland, CA*

*\* Organizations listed for identification only.*



■ ENDNOTES

## ENDNOTES

## over raided, under seige

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