

RAIDS

At 6:00 am on September 27, 2007, a dozen Immigration and Customs Enforcement (ICE) agents arrived at the home of Peggy Delarosa-Delgado, a United States citizen, Long Island homeowner and mother of three. After her son opened the door, the agents pushed past her son and entered her home without a warrant. The agents proceeded to herd everyone into the living room, search the house, and even pointed a gun on a family friend staying in the basement. **“My kids were scared. They had to sit in the living room like little criminals.”** The agents were looking for a deportable immigrant who had never lived in her home.

[Citizens Caught Up in Immigration Raid, *New York Times*, October 4, 2007.]

- >> Immigration raids are widely used by the Immigration and Customs Enforcement agency (ICE) to seek out and detain undocumented immigrants through unannounced roundups in neighborhoods and workplaces across the country.
- >> Numerous workplace and home raids over the past six years have been widely publicized in the media.
- >> Federal agents often raid homes without securing a warrant, and in many instances, gain entry into the home by force or by misrepresenting themselves as police officers. News accounts describe doors and windows being broken down. One recent lawsuit in Texas described federal agents as pretending first to be pizza delivery and then as animal control in an attempt to gain entry into a home.
- >> Many raids are being conducted with excessive force and aggression, with federal agents launching raids in pre-dawn hours pointing guns at families, dragging people out of bed, inflicting physical or verbal abuse, and placing shackles on arrested individuals.
- >> ICE agents are also acting on inaccurate information, often raiding the wrong homes. According to a recent report by the Department of Homeland Security's Inspector General, agents rely on data that is outdated and inaccurate in up to 50% of cases.¹ Peggy Delarosa-Delgado, whose story was mentioned above, had her home raided twice – in 2006 and 2007 – by federal agents looking for the same individual who never lived at her address.
- >> Although most raids are supposedly targeted against “fugitive aliens” – those immigrants who have ignored a final order of deportation or removal or have outstanding criminal warrants – as part of the ICE's National Fugitive Operations Program, raids have become dragnets that result in many homes of non-criminal immigrants, legal permanent residents, and citizens being targeted.
- >> Children, in particular, are emotionally traumatized by raids: they are being left without parental care while their parents are detained (up to several weeks or more), they often witness abusive and aggressive interrogation of their parents, or they are themselves taken into custody along with their parents. In some cases where one or both parents are deported, children are separated from their caregivers for a substantial period of time, if not permanently.
- >> Because of the warrantless, aggressive, and error-prone nature of raids, they are instilling fear in immigrant communities and contributing to their increased social isolation.
- >> Individuals are typically denied use of telephones to contact family members or lawyers while their homes are being searched or when agents proceed to interrogate them about their identities and immigration status.

1. DHS Office of the Inspector General, An Assessment of the United States Immigration and Customs Enforcement Fugitive Operations Team, OIG-07-34 at 15 (Mar. 2007).

On April 16, 2008, ICE agents conducted multiple raids across five states at Pilgrim's Pride chicken processing factories with the consent of company management. Approximately 350 employees were arrested. Company management stated, **"We have terminated all of the employees who were taken into custody."** Not only did these employees lose their jobs before they have had a chance to contest the charges against them, many of those arrested had children waiting at home in need of their care. [Hundreds Arrested in Immigration Raids, *CBS News*, Apr. 17, 2008.]

Discussion Questions

1. What have you heard about immigration raids? How do you feel about the situations that you've seen or heard described? Should raids be used as an immigration enforcement mechanism to get those who are undocumented out of the country? What are the advantages and disadvantages of their use?
2. Should ICE be allowed to enter homes without a warrant? What oversight should be provided to ensure that federal agents are respecting individual rights to privacy?
3. What due process concerns are raised by warrantless raids and the inaccurate information used to plan raids? Who ends up being the victims of raids?
4. What are the ramifications of the raids for immigrant communities?
5. How should we protect the rights of children, many of whom are legal residents, whose parents are swept up by ICE raids?
6. What was your reaction to the way that employers have responded to their workers being swept up in the raids? Is it appropriate for Pilgrim's Pride to terminate all workers who were detained without determining whether the workers had done something wrong?
7. What does ICE's treatment of immigrants in America say about our government and our values? How can we hold DHS, of which ICE is a division, accountable for their actions?

Additional Resources

News articles

- >> Raids Were a Shambles, Nassau Complains to U.S., *New York Times*, Oct. 3, 2007. One of many news reports describing extensive procedural deficiencies of raids. In these raids on homes in Nassau County, New York, ICE agents conducted home raids wearing cowboy hats and brandishing shotguns and automatic weapons, and all but 6 out of 96 administrative warrants issued by the immigration enforcement agency had wrong or outdated addresses.

Videos

- >> Swift Raids, United Food and Commercial Workers International Union, www.ufcw.tv/VIDEO_SwiftRaids1.htm. Video about the ICE raids on six Swift Co. plants violation of workers' rights.
- >> Know Your Rights, Coalition for Humane Immigrant and Refugee Rights Coalition, www.chirla.org/knowyourrights. Video about the rights of immigrants who become victims of ICE raids.

Government information

- >> DHS Office of the Inspector General, An Assessment of the United States Immigration and Custom Enforcement Fugitive Operations Team, OIG-07-34, Mar. 2007, at www.dhs.gov/xoig/assets/mgmttrpts/OIG_07-34_Mar07.pdf.

Organizations

- >> American Civil Liberties Union – www.aclu.org
- >> Fair Immigration Reform Movement – www.fairimmigration.org
- >> National Council of La Raza – www.nclr.org
- >> National Immigration Project – www.nationalimmigrationproject.org

For information about local organizing initiatives please contact Rights Working Group Regional Coordinators, www.nightof1000conversations.org/coordinators