

Migrant Narrative

UC Davis Global Migration Center

Police Collaboration with ICE

By Robert McKee Irwin

Problem

Since the pilot launch of the Secure Communities program in 2008, law enforcement agencies across the United States have been encouraged, often with financial incentives, to establish cooperative links with Immigration and Customs Enforcement (ICE). Through this and other programs, [hundreds of thousands of immigrants](#), including many with deep personal roots, including family, in the United States, have been detained and eventually deported from the country. While the program claims to “[prioritize enforcement actions to ensure apprehension and removal of dangerous criminal aliens](#),” in fact many of those ensnared within it have only casual contact with law enforcement personnel, or are charged with only minor infractions. For those convicted of more serious crimes, an “ICE hold” may be placed on them, leading to their transfer to an immigration detention facility to be processed for deportation, which critics interpret as an added punishment for those who have already paid their dues to society. Even with the revocation of the program, and with sanctuary laws that aim to reduce damage to families and communities by prohibiting most cooperation of this type, many immigrants who pose little or no threat continue to be handed off to ICE without any consideration of the consequences of their potential deportation for the immigrants – or for their families, including dependent children.

Solution

California’s [VISION \(Voiding Inequality and Seeking Inclusion for Our Immigrant Neighbors\) Act \(AB937\)](#) aims to “prevent immigrants from being subjected to perpetual punishment and unequal treatment by prohibiting local and state agencies from conducting immigration arrests and from assisting or facilitating immigration arrests, which includes prohibiting ICE transfers.” This or other similar bills would offer protection to immigrants from what many interpret as an overreach into federal immigration law enforcement by state and local authorities.

Observations

Several stories from the Humanizing Deportation archive help to illustrate the damage incurred in communities and to family members due to cooperation between state and local law enforcement authorities and ICE.

Jesús Oláquez was brought to the United States at age one by his parents, who helped him to obtain legal permanent residency. His mother encouraged him to apply for citizenship, but he didn’t bother. As he puts it, “I thought my life in the US was permanent.” He lived peacefully in the California Central Valley for years, where in addition to a son with an earlier partner, he became, with a new partner, a devoted father to two young girls and assumed the same role with his stepdaughter. When this latter relationship ended, he continued to care for his girls, but one day got into a dispute with his ex, which ended in a charge of domestic violence.

He recalls that although he maintained his innocence,

his public defender advised him to plead guilty in order to minimize jail time, “so I pleaded guilty.” Unfortunately his criminal attorney did not take into consideration what this conviction would mean for his immigration status. He recounts: “So later



Tania Mendoza at border fence, Playas de Tijuana, 2018

on, probation went to my house because he had to see me once a week, but took the ICE agents to my house dressed as police officers.” He tried to appeal his deportation, but after nine months in a detention facility in Sacramento, he gave up. He tells his story of deportation and family separation in his digital story, [Family Over Everything](#). As he puts it, “over there I was close to my kids every day [...]. I was a family guy. But now I miss my kids a lot. My kids are suffering without a Dad.” Jesús reports doing OK working at a call center in Tijuana, but is concerned because “children will suffer” from such an abrupt and long term separation. Had California authorities not reported his case to ICE, he might not have been deported.

State and local authorities often fail to consider that the effects of deportation on family members can be especially devastating. In the case of **Tania Mendoza**, who came in contact with LA county police following a domestic dispute in which no charges were filed, she got turned over to ICE, apparently because of an outstanding deportation order in the name of her father. Her deportation, which occurred after she signed a voluntary removal order without realizing what she was consenting to, sent her to Tijuana, leaving her five year old daughter behind with the child’s father, with whom she shared custody. While her repatriation was painful for Tania, it is particularly sad to learn how it played out with her daughter. Tania comments in her digital story [Feelings Are Feelings and Family Is Family](#): “I still don’t understand how people can think that kids are okay without their mothers.” Tania remained in touch with her daughter regularly by phone for a few years, until her ex made a decision to cut off all contact. While we can only infer what effect first the sudden separation and then the absolute isolation from her mother had on this very young girl, it is difficult to imagine that it was not traumatic. When the child’s father then tried to obtain sole legal custody, and the judge decided to let Tania participate in a hearing by phone, he tried to mitigate the damage to her relationship with her daughter by establishing protocols for mandatory phone visitation.

Chris Cuauhtli, a childhood arrival who got into trouble with the law as a young adult, was previously convicted, sentenced and deported. Unprepared to live in Mexico, he returned undocumented to the US, where he maintained a clean record for many years, even becoming a community organizer. As he recalls



Chris Cuauhtli at Humanizing Deportation sponsored legal advising event, Al Otro Lado, Tijuana, 2022

in his digital story [And Still I Dream](#), one day, upon witnessing a crime, he called the Sacramento County police. When they arrived, due to what he interpreted as racial profiling, they mistook him for the criminal. Although the authorities realized their mistake, they nonetheless turned him over to ICE, leaving his young daughter without a father. Once again, looking at the larger picture, both Chris’s family and his community were likely harmed by his deportation.

Even in cases of immigrants convicted of a crime, an automatic deportation seems excessive, especially since this usually occurs only after sentences have already been served. For those not convicted of any crime, a handoff to ICE may seem unjustified. In either case, when family members, including US citizen children are considered, this policy can be just plain cruel.

About Our Center

The UC Davis Global Migration Center studies immigration with a multi-disciplinary approach to better understand the immigration and integration of vulnerable migrants, including undocumented immigrants, temporary migrants and more.

For more information, visit us online at: globalmigration.ucdavis.edu

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