

Waukegan police apply for training in immigration functions

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Town hall meeting planned for Wednesday

The possibility of Waukegan police being granted the authority to perform some immigration functions has many immigrants worried, even though police and city officials say they would only use their deportation powers to remove violent criminals.

Some undocumented immigrants were so panicked Tuesday they asked the church to give them refuge, said Maria Elena Jonas, director of Holy Family Parish's Immigrant Center.

"They were afraid," she said. "We received about a dozen calls."

Waukegan is one of only two Illinois communities that have applied to U.S. Immigration and Customs Enforcement to train and authorize local police to identify, process and detain immigration offenders that they encounter during their regular law-enforcement activity.

The City Council approved applying for the training in a vote 7-2. Fourth Ward Alderman Tony Figueroa and First Ward Alderman Sam Cunningham voted against it.

If ICE grants deportation powers to Waukegan police, there could be a chilling effect on undocumented immigrants' relations with police, Jonas said.

"If you go to a restaurant and see a police officer, now you're also seeing an immigration agent," Jonas said. "It brings ICE to the community."

Businesses with large immigrant clientele fear the program could drive immigrants out of the city, bringing down sales.

"It's going to affect not just immigrant businesses but also American businesses," said Teresa Elicea, owner of El Ranchito Michoacano and Moonshine Lounge restaurants in Waukegan. "It's really going to kill business."

She said business has already dropped from the city's vehicle seizure ordinance for people caught driving without a license.

She agrees that immigrants who are convicted of violent crimes should be deported, but it should be handled by federal authorities and not local police.

Currently, local police contact ICE to verify the legal status of violent offenders detained for aggravated felonies. Then ICE may begin the deportation process by putting an immigration hold on the offender.

If city police assume delegation of immigration authority from ICE, Waukegan officers would have access to ICE's database and be able to initiate the deportation process themselves, said Waukegan Police Chief Bill Biang.

"What it does is cut out one of the steps in the bureaucratic process," Biang said. "It lets us have control of who we put through the process. Sometimes things can be lost in the paperwork jungle."

The intent of the program would be to target violent offenders -- both undocumented and documented aliens -- who have committed crimes involving gang activity, drug trafficking, money laundering and human trafficking.

"We're not looking at getting the family guy with kids trying to make a living," Biang said. "We're going after serious criminal offenders. It's something that is going to make everyone in our community safer."

Although Biang said the police department will not direct resources from this program to the enforcement of non-violent misdemeanor and traffic offenses, immigrants fear that the police's deportation powers would expand to include people whose only crime is to live unlawfully in this country.

"We feel betrayed," said Armando Peña, a community organizer in Waukegan. "We have to get united and try to ask the city to not do this."

What is 287(g)?

U.S. Immigration and Customs Enforcement (ICE) provides state and local police with the training and authorization to identify, process, and detain immigration offenders they encounter during their regular law-enforcement activity, under a 1996 amendment to the Immigration and Nationality Act.

ICE develops a five-week training course for local or state police focusing on immigration law, civil rights, intercultural relations, and the issues and illegalities surrounding racial profiling. After certification, ICE continues to provide supervision and support, helping officers to determine the appropriate response.

There are 21 municipal and state police agencies in 11 states that have agreements with ICE, said Mike Gilhooly, a spokesperson for ICE. It's primarily used by police task forces during criminal investigations and in corrections facilities.

Every agency negotiates its own agreement with ICE. Waukegan is currently negotiating the details of its agreement. Gilhooly would not specify how long it would take for Waukegan to be approved, but said applications are handled in the order that they come. Waukegan would not receive extra funding to participate, except in the form of free training.

Waukegan war of words heats up

Alipac
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The war of words over a program that would empower Waukegan police to enforce federal immigration laws is becoming a war of wallets.

In recent days, Latino activists who are opposed to the city's intent to apply for the program have been going to groceries, salons, shoe shops and restaurants, passing out orange signs that signal the store owners' opposition to it.

"If people don't see [the sign], we're urging them to boycott that business," said Lilia Paredes, vice president of the Chicago chapter of the Labor Council for Latin American Advancement.

Not to be outdone, supporters of the program now are encouraging the like-minded to make a point of shopping in Waukegan, specifically at businesses that don't display the orange fliers.

"They're putting a target on their own businesses. Basically, people who are concerned about enforcing the law are seeing those signs and aren't going to shop there," said Fred Flannigan,

a local radio personality on WKRS-AM 1220 who is among those planning "Shop in Waukegan Day" on Sunday. (July 12, 2007 Andrew L. Wang, Chicago Tribune)

The saber rattling has set the stage for a showdown at Monday's City Council meeting, where activists plan to turn out in force. At the meeting, aldermen are scheduled to revote on authorizing Police Chief William Biang to apply to U.S. Immigration and Customs Enforcement to participate in the program. The Police Department has not yet submitted an application, pending that vote, said Deputy Chief Dan Greathouse.

Immigration is at the forefront of national discourse, but in Waukegan it's local news. The burgeoning Latino population, which, according to 2005 U.S. census estimates, now may make up about half of the city's population of 91,000, is awakening politically—as is a backlash.

The Latino community has been in an uproar since the council voted June 18 to explore the program and prepare an application to the Department of Homeland Security.

Mayor Richard Hyde and other officials have said the program, referred to as 287(g) after a section of the federal Illegal Immigration Reform and Immigrant Responsibility Act, would allow some officers to start deportation proceedings for immigrants—legal or illegal—convicted of serious crimes such as murder, rape and drug-related felonies. The goal, the mayor has said, is to rid the city of criminals, not persecute immigrants who live within the law.

But Latino activists argue that the program could lead to abuses by police against the Spanish-speaking immigrant community, which already has chafed under other measures. They say it also would make undocumented immigrants reluctant to report crimes.

Paredes said that unless the City Council backs off on applying for the program Monday, the boycott will go into effect.

On a recent morning, Paredes visited Belvidere Mall in Waukegan and asked business owners to sign a form letter to be mailed to Hyde demanding the city reverse course on 287(g), establish an independent police review board and stop "harassment" of Latino households by city building code inspectors.

The letter also called for an end to a controversial towing ordinance that requires police to impound the vehicles of drivers pulled over without a valid driver's license or proof of insurance and requires the drivers to pay \$500 to get their cars back. Many say police target people based on their ethnicity.

Paredes asked the business owners to post the letters, along with the orange signs, which state in English and Spanish: "This establishment supports the community in its demand that the mayor and city council of Waukegan withdraw its application of 287(g)."

Most of the owners at the mall, which serves a largely Latino clientele, agreed, though at least one declined.

Mauricio Martinez, owner of Martinez Service Group, which provides tax, insurance and other business services, agreed to put up the orange sign. He said he acknowledges the need to get criminals out of the city but said 287(g) could lead to racial profiling.

The measure could make his customers, many of whom are undocumented or have undocumented relatives, so afraid that they won't leave their homes.

"As a business owner, that affects my clientele," Martinez said, standing outside his mall kiosk. "How am I going to run my business?"

Activists who favor tighter enforcement of immigration laws had been planning a conference to be held Saturday at the College of Lake County campus in Grayslake. When the boycott was announced, organizers tacked the shopping day onto the weekend's events.

Flannigan called 287(g) "the biggest issue in Waukegan" and said the aim of the shopping day is not so much to counteract the boycott as to show that such measures don't work.

"The unintended effect has been that they are boycotting themselves," he said of businesses that show the sign.

Flannigan said news of the dispute in Waukegan gained national prominence through the Web site of Americans for Legal Immigration. He said organizers are identifying Waukegan businesses with e-commerce sites that will allow people to shop in Waukegan from afar. He said participants will gather at City Hall at noon Sunday.

William Gheen, president of Americans for Legal Immigration, said the organization is taking interest in Waukegan because it sees Illinois as one of the next major fronts in the campaign against illegal immigration. Gheen is scheduled to speak at Saturday's conference and before the City Council on Monday.

"We're a national group, but we're helping to fan the flames of the local revolt against the open-borders lobby in Washington," he said.