

Leave Immigration Enforcement to the Feds



By Michael Wildes
Mayor, Englewood

Recently, mayors throughout the country, and some in New Jersey, have begun negotiating with the U.S. Immigration and Customs Enforcement ("ICE"), a bureau of the Department of Homeland Security, to deputize law enforcement officials to enforce federal immigration laws. While I share my colleagues' concerns about national security, immigration enforcement is in the exclusive jurisdiction of the federal government. Our efforts to secure our nation from those hostile to it must be tempered by respect for our national heritage and our commitment to civil rights. The plan to deputize local police to enforce federal immigration laws is contrary to those values.

At first blush, the ability of local police to enforce federal immigration law seems like a viable solution to our nation's challenge of illegal immigration. However, piling the additional duty of immigration enforcement upon our already strained local police will do little more than force illegal immigrants and those who associate with them further into society's shadows. The negative effects which will result thereafter are significant.

First, enforcement of immigration laws by local police will discourage and even prevent undocumented immigrants from accessing police services and will prevent police from the benefit of immigrants' cooperation in fighting and investigating crime. Undocumented immigrants are already wary of law enforcement authority. By deputizing local police

to enforce immigration laws, undocumented immigrants will not come forward to report crime and will be less likely to offer information or

decreased intelligence and crime-fighting capability, reversing years of local police efforts to gain the trust of immigrant communities.

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cooperate with police out of fear about their immigration status. Such alienation of immigrant populations will only lead to increased crime and

Furthermore, adding immigration enforcement to the gambit of local police duties will strain the resources of local police. The main mis-



Mayor Wildes served as an Auxiliary Police Officer with the NYPD for 10 years.

sion of local police is to prevent and solve local crime. Requiring local police to pick up the slack of federal immigration agencies will only divert crime fighting resources without solving the problem of illegal immigration.

Perhaps most importantly, local police run the risk of violating the civil rights of both legal and illegal immigrants when enforcing immigration laws. Recently, a federal district judge held that the city of Mamaroneck, New York violated the civil rights of Latino day laborers when it increased traffic citations to those picking up laborers and increased police presence at the pickup site in order to intimidate the workers. Similar violations will result when local police begin to request immigration documents from people because they look foreign or speak with an accent.

Scores of police chiefs from around the country have echoed my con-

cerns. Local police have worked hard to gain the trust and cooperation of our nation's growing immigrant population. By proceeding with the ICE

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agreement to enforce immigration laws locally, local police stand to exchange the fruits of their labor for heightened hostility, under-reporting of crime, impediments to investiga-

tions and increased liability for civil rights violations.

The challenge of illegal immigration is a national one; addressing the challenge should therefore be done at the national level. The solution is not to force immigrant communities into the shadows. Congress must enact comprehensive immigration reform that incorporates legalization, legal channels for hiring low-skilled workers, and increased employer enforcement and sanctions. Until that time, it would be wise to maintain the immigrant communities' trust in the police and engage all residents in keeping the community safe. ▲

Michael Wildes is a Former Federal Prosecutor; immigration lawyer; and the Mayor of Englewood, New Jersey. Mr. Wildes is also Chair of the Immigration Task Force of the New Jersey League of Municipalities and was recently appointed by the New Jersey Governor Jon Corzine to sit as a member of the Blue Ribbon Panel on Immigration.



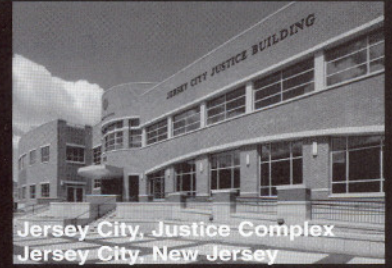
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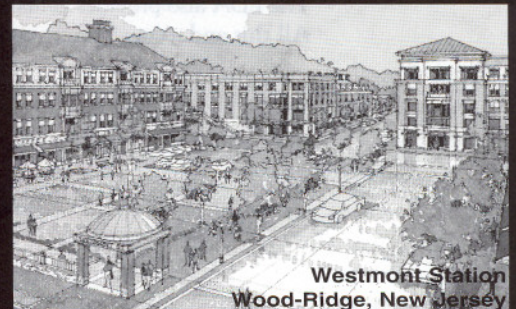
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