

The Criminal Alien Removal Initiative in New Orleans

The Obama Administration's Brutal New Frontier in Immigration Enforcement



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Introduction

As 2013 draws to a close, members of Congress are home for the holidays without having passed immigration reform. Meanwhile, immigrants across the United States continue to live under siege. The Obama Administration continues to deport immigrants at the blistering rate of 1,100 a day, separating people from their families and uprooting them from their communities. At the current rate, 20,900 more will be deported by the time Congress returns on January 7. By this time next year, 401,500 more will be deported.

Immigrants in New Orleans are already facing the new frontier of immigration enforcement. Immigration and Customs Enforcement (ICE) in New Orleans is piloting a brutal program of race-based community raids that will become the new normal all across the country—unless we stop it.

The program, called the Criminal Alien Removal Initiative (CARI), involves indiscriminate community raids at apartment complexes, grocery stores, laundromats, Bible study groups, and parks based purely on racial profiling. Often working with local law enforcement, New Orleans ICE arrests people who appear Latino and uses high-tech mobile biometric devices, first created for U.S. military use in Iraq and Afghanistan, to conduct immediate biometric record checks. Most people are handcuffed before the fingerprinting begins, and based on the results, many are immediately separated from their families and transported to ICE detention centers for deportation.

Who is being snared in these dragnets? Juan Ramon Pena-Mendoza, a father ICE arrested while he was dropping off his 5-year-old U.S. citizen daughter at the school bus stop. Jimmy Barraza, who watched ICE agents handcuff his 16-year-old U.S. citizen stepson and throw him against a wall when the boy asked questions about his father's arrest.

Karen Elizabeth Sandoval, a mother left to raise two children alone after ICE arrested her partner in a “driving while Latino” stop while the family was on their way to buy school supplies. All these people have done is struggle to be reunited with their families and loved ones—or refuse to “self-deport” from the communities they helped rebuild.

These race-based immigration raids are “stop and frisk” for the immigrant community. The outcome of this quota-driven enforcement in New Orleans is that driving, shopping, dropping kids off at the bus stop, or attending a Bible study—while appearing Latino—is grounds for handcuffing and forced submission to fingerprinting at a mobile fingerprinting device.

Immigrant workers have shown extraordinary bravery in coming forward to expose CARI. On November 14, 2013, more than two hundred immigrant workers and community leaders occupied the intersection of Poydras Street and Loyola Avenue in downtown New Orleans for nearly two hours, bringing traffic to a halt in front of the regional ICE office. It was a courageous action intended to expose the devastating impact of race-based deportations on workers and families. Eighteen of the immigrant workers were arrested in an act of civil disobedience, along with four community leaders. I was proud to be one of them.

In the years since Hurricane Katrina, the New Orleans Workers' Center for Racial Justice (NOWCRJ) has fought for the right of immigrant workers to remain in the communities they helped rebuild after the storm. Our previous work has demonstrated serious problems with the way the Southern Regional ICE Field Office, based in New Orleans, conducts enforcement and pursues deportation cases.

Statistics bear out the problem: Louisiana has the highest per capita deportation rate in the country, the highest per capita rate of immigration arrests of any non-border state, and grants prosecutorial discretion less frequently than most other states.

But the crisis of CARI is larger than Louisiana. Without immediate action, the race-based raids being piloted in New Orleans will become the new normal at grocery stores and laundromats and Bible studies all across America.

During a recent trip to New Orleans, President Obama said: “[W]e should be fighting to make sure everybody who works hard in America and hard right here in New Orleans, that they have a chance to get ahead.”

At the same time, the President has pursued a disastrous policy of attempting to placate anti-immigrant conservatives by deporting hard-working immigrants at a blistering rate—higher than that of George W. Bush. Total deportations under Obama are expected to reach the 2 million mark by the end of 2013.

The stories of CARI raids in this report show that the Obama Administration is not just continuing this failed policy, but accelerating it, with new tactics and new technology. Immigrant workers and family members have been extraordinarily courageous in their efforts to expose this crisis. The Obama Administration needs to be just as courageous in ending it.

Saket Soni

Executive Director
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CARI: The New Frontier in Immigration Enforcement

Summary

Immigration and Customs Enforcement (ICE) has been piloting a new enforcement program in New Orleans over the past 6-12 months, one that's more aggressive and destructive than advocates have seen anywhere in the United States. The program, called CARI (Criminal Alien Removal Initiative) demonstrates that the Obama Administration is not just continuing mass deportation efforts, but increasing them, with new tactics, new investments in technology, and deeper violations of civil rights than ever.

Under CARI, ICE squads are conducting indiscriminate community raids at apartment complexes, grocery stores, laundromats, Bible study groups, and parks—often working with local law enforcement—based purely on racial profiling. ICE arrests people who appear Latino and uses high-tech mobile biometric devices, first created for U.S. military use in Iraq and Afghanistan, to conduct immediate biometric record checks.

Most people are handcuffed before the fingerprinting begins, and based on the results, many are immediately separated from their families and transported to ICE detention centers for deportation.

The arrests also often involve other serious constitutional violations, including excessive use of force, lack of due process, deprivation of right to counsel, and retaliation against individuals who attempt to defend their rights during the arrest.

CARI is a clear experiment with a new set of tactics, and New Orleans is suffering the consequences: families torn apart and a community living in terror.



The Road to CARI

Since his election in 2008, President Obama has embarked on a failed strategy of appealing to immigration hard-liners by pursuing a self-imposed deportation quota and implementing criminalization programs such as 287(g), Secure Communities, and the Criminal Alien Program to meet its numbers. CARI is the latest and most brutal stage in this evolution.

White House policy translates into a dragnet most aggressively implemented in states such as Louisiana. Past work by the New Orleans Workers' Center for Racial Justice (NOWCRJ) has revealed serious problems with the way the Southern Regional ICE Field Office—based in New Orleans and directed by Trey Lund—conducts enforcement and pursues deportation cases.

NOWCRJ has challenged immigration enforcement actions including workplace raids, raids on day laborer corners, and racial profiling in the use of immigration detainers inside the Orleans Parish Prison. (Under community pressure, the Orleans Parish

Sherriff recently embraced a new policy limiting immigration arrests arising from the detainee population.) Through the Southern 32 campaign and other work, NOWCRJ has also shown serious problems in the implementation of prosecutorial discretion for civil and labor rights leaders and parents.

Statistics bear out the problem: Louisiana has the highest per capita deportation rate in the country, and the highest per capita rate of immigration arrests of any non-border state. And ICE only closed 3.1 percent of the cases in the immigration court (110 out of 3,576 cases) during its formal prosecutorial discretion review—far below the percentages in many other jurisdictions, which often reached 15-20 percent.

Louisiana has three immigration detention centers. The incentives are high to keep the beds of those facilities filled, and to maintain the high rate of arrests and the deportation quotas that led to Louisiana's "high performance" status.

In Louisiana and nationwide, the Obama Administration is experimenting with new tactics to maintain its blistering rate of deportations—set to pass 2 million under President Obama before the end of 2013.

CARI is particularly concerning because it involves indiscriminate raids, arrests based solely on racial profiling, and a push for immediate deportation after nearly every arrest, regardless of the Obama Administration's ostensible prioritization for pursuing deportations. Recent deportees have included reconstruction workers engaged in labor disputes, parents of U.S. citizen children, and a crime victim with a U-visa certification.

CARI also involves the use of mobile biometric devices in ICE vehicles. The devices, first developed for U.S. military use in Iraq and Afghanistan, allow ICE agents to perform immediate biometric record checks during community raids.



How CARI Came to Light

NOWCRJ learned of CARI from an apparently accidental ICE disclosure in September 2013, after the arrest of Erlin San Martin Gomez, a member of NOWCRJ's Congress of Day Laborers. (See the full story of Erlin's arrest below.)

Despite the fact that Erlin has a U.S. citizen child, he was detained and denied prosecutorial discretion. He was only released after community organizing and national advocacy successfully pressured ICE national headquarters to review his case.

Erlin's release paperwork included an internal ICE document not usually released from the ICE file: an ICE memorandum from Erlin's deportation officer to the ICE Field Office Director recommending a denial of Erlin's request for prosecutorial discretion.

The document revealed that the arrest took place by a team conducting enforcement pursuant to a special initiative between ICE and local law enforcement. In the document, Erlin is referred to by his surname, San Martin:

“On September 11, 2013, Immigration and Customs Enforcement (ICE) officials with the New Orleans Criminal Alien Removal Initiative Team (CARI) working in conjunction with the deputies from the Jefferson Parish Sheriff's Office encountered SAN MARTIN at his residence. ICE agents identified SAN MARTIN as a prior deport. SAN MARTIN was arrested by ICE and brought to the local ICE/ERO office for further processing.”

The document confirmed the reports and experiences of other individuals arrested in similar community raids.



Community Response

In New Orleans, community members have organized during months of raids to document enforcement practices and abuse, as well as to fight individual deportations. Families formed a group within NOWCRJ's Congress of Day Laborers called MADRE—Mothers Against Deportation, Raids and Enforcement—to highlight and stop the deportations of that are separating parents from their families. The Southern 32 campaign continues to expose and object to deportations of civil, labor, and human rights defenders.

On November 13, 2013, 14 families filed pro se Stays of Removal to ask ICE to let them stay in their homes and communities in New Orleans. The applicants include civil and labor rights leaders, mothers forced to wear ankle monitors, and other community members arrested through the CARI program.

On the same day, community members filed a Freedom of Information Act (FOIA) request to

understand how CARI works, how it's funded, and whether it represents a new mandate for future immigration enforcement nationwide.

National immigration advocates alarmed by CARI also traveled to New Orleans to meet with affected community members and stakeholders, to hear directly from families impacted by the raids, and to hear about about the toll on family and community well-being.

On November 14, more than 200 NOWCRJ immigrant worker members and community leaders conducted a public action at the Immigration and Customs Enforcement (ICE) office in New Orleans, demanding an end to CARI. Eighteen immigrant workers and four community leaders were arrested in an act of civil disobedience. In the hours that followed, ICE agents retaliated with a wave of home raids and vehicle stops meant to intimidate the New Orleans' immigrant community out of taking further public action to expose ICE abuses.



ICE's Response

Faced with the unexpected public revelation of the New Orleans CARI raids and expansion of the program, ICE attempted to characterize the program in responses to media as highly targeted:

ICE spokesman [Brian] Cox denied that ICE goes looking for random people to deport. "As a matter of policy, ICE does not do immigration raids," he said. "ICE only conducts targeted enforcement. The Criminal Alien Removal Initiative teams go to a pre-selected location, looking for that individual."

The stories that follow, which are among dozens that NOWCRJ has collected in recent months, show that ICE's characterization of CARI is plainly false. For immigrant communities in New Orleans, the reality of CARI is a regime of indiscriminate and terrifying community raids based purely on racial profiling: "driving while Latino" stops on major roads and highway exits in and around New Orleans, vehicle checkpoints, raids on grocery stores and Bible studies, and open discussion by ICE agents of racial profiling and quota-based arrests.



How CARI Works: Stories of Community Raids

Erlin San Martin Gomez

CARI's existence is revealed

Erlin San Martin Gomez is married and has a 22-month-old U.S. citizen child who was diagnosed with a serious developmental disorder known as “failure to thrive.”

On September 11, 2013, Erlin was stopping at his apartment after getting a haircut, en route to picking up his child from a babysitter. An ICE agent confronted him outside his apartment and asked for his identification. Erlin asked him what law enforcement agency he represented. Without responding, the agent handcuffed him.

Erlin was taken to an ICE van. Agents opened the back, revealing a piece of high-tech equipment Erlin didn't recognize. The equipment turned out to be a new ICE mobile fingerprinting unit that the agency is using to do biometric record checks at the sites of community raids.

When Erlin's fingerprint check showed a previous deportation order, the ICE agents immediately forced him into their van. They ignored his pleas to make a call so that someone else could pick up his baby.

Over the next five hours, Erlin sat in the van while the ICE agents drove to other locations in the city looking for people of Latino appearance to arrest, including a laundromat, a shopping center, and an apartment building.

“It's like going hunting,” one ICE agent said.

“I like this shit,” another said.

Over the course of five hours, the ICE agents arrested at least five more people. With each arrest, the ICE agents would locate an individual that appeared Latino, stop the van, approach and handcuff the person without additional investigation, and



then use the mobile fingerprinting machine to run a background check. Afterward, the agents joked that they were “finished hunting for the day.”

As they transported the arrestees to the ICE office, an agent told Erlin and the other detainees: “If a policeman or doctor at the prison asks you if we treated you badly, tell them everything is fine. If you say that ICE treated you badly, things will go badly for you.”

Despite the fact that Erlin is the father of a U.S. citizen child, ICE refused his initial request for prosecutorial discretion for permission to stay in the United States. But eventually— with pressure on ICE from community organizing that built local and national support—ICE released Erlin.

Erlin's release paperwork included an internal ICE document not usually released from the ICE file: an ICE memorandum from Erlin's deportation officer to the ICE Field Office Director recommending a denial of Erlin's original request for prosecutorial discretion.

The document revealed that the arrest took place as part of the CARI program, as described above.

Karen Elizabeth Sandoval and Enrique Morales Sosa

ICE agents admit to racial profiling

On August 1, 2013, at about 8 p.m., Karen Sandoval and her partner Enrique Morales Sosa were riding in a car driven by a friend of theirs, Julio Gallego. They were on their way to buy school supplies for Karen's two daughters, Rachel (age 8) and Yanelly (age 6). Karen was reading her Bible in the back seat while her husband rode in the front passenger seat.

They were driving along Canal Street when an unmarked car drove up behind them and flashed its lights at them. Julio pulled over. The unmarked car parked in front of them, and two men in plainclothes got out and approached their car.

Immediately, about six other unmarked cars surrounded Julio's car. Two more men in plainclothes got out and tapped on Julio's window. In Spanish, the plainclothes law enforcement officials ordered Karen, Enrique, and Julio out of the car. All three got out.

Additional vehicles arrived and five agents wearing ICE badges joined the other plainclothes law enforcement agents. ICE agents handcuffed Julio and Enrique. Karen still had her Bible in her hand and one of the ICE agents told her to put it back in the car. The ICE agent asked Karen whether she was carrying any weapons and if she had ever been in jail, fingerprinted, or entered into a police database. When Karen said no, the ICE agent ordered her back to the car.

From her seat in the car, Karen could hear an ICE agent interrogating Julio in Spanish. Julio asked the ICE agent several times for the reason for the stop. The ICE agent refused to answer and continued interrogating Julio about drugs, weapons, tickets, and whether he was in any police database. Julio

responded that he had received tickets, which he had paid.

Julio again asked why ICE had stopped his car and was detaining and interrogating him and his passengers. The ICE agent told him he had been driving above the speed limit. Julio denied that he had been speeding and asked once again why he had been stopped. The ICE agent then told him: "The truth is, your car is old and calls attention to you. I stopped you because your car is from 1992. You're in the U.S. to better yourself, and look at what you're driving."

"I have a family and can't afford a new car," Julio replied.

The ICE agent said, "Have you seen yourself? Look at you!"

Julio, who works in construction, tiling, and carpentry, answered, "Yes, I'm dirty. I just came from work."

The ICE agent then asked another agent for something to clean his own hands.

"These Latinos are dirty," he said. The other agents laughed.

Julio then asked: "So, basically, you stopped me because I am Latino?"

The ICE agent responded, "Basically, yes, and because your car is old. One piece of advice: find yourself another car."

The ICE agent then took Julio to an ICE van and fingerprinted him using a mobile fingerprinting unit. Eventually, the ICE agent ordered Julio to return to his car and wait.

While ICE was interrogating Julio, Karen saw another man who looked Latino crossing Canal Street on foot. One of the ICE agents ran after him and

yelled, “We’re from ICE! Do you have problems with us?” The man said no, but the ICE agent pulled him by his shirt to the ICE van with the mobile fingerprinting unit and took his fingerprints. A few minutes later, the ICE agent released the man on foot.

Karen also heard the ICE agents interrogate her partner Enrique Morales Sosa about whether he had drugs or weapons in his possession and whether he had any problems with the police. Enrique said no, but under the pressure of the public arrest and interrogation, he admitted that he had been deported once. Karen then saw the ICE agents handcuff Enrique and take him away.

Enrique was deported on September 11, 2013, leaving Karen to raise her two young daughters alone. Enrique was a family-oriented man who attended church and took his family on fishing trips with his family, and Karen’s daughters treated him as a role model and father figure. Since his deportation, the two girls are frightened by law enforcement officers. They frequently ask Karen if the law enforcement officers are bad people and when their dad is coming home.

Juan Carlos Castillo-Salazar ICE agents discuss arrest quotas

On August 15, 2013, at around 6 p.m., Juan Carlos Castillo-Salazar was driving home from work in his minivan with his friend Bertin Jacinto. The two of them worked together doing home elevation work—raising houses on to support structures to make them less prone to flooding.

When they reached the intersection of Green Leaf and Orange Blossom streets, Juan Carlos saw that an unmarked van was parked in the middle of the street and several additional unmarked cars set up what appeared to be a checkpoint, with several men in plainclothes standing by their vehicles.

Juan Carlos slowed down, but when his car was not flagged, he continued toward his home.

Several blocks later, he noticed an unmarked SUV following him. Juan Carlos pulled over. An ICE agent got out of the SUV and asked Juan Carlos why he had not stopped at the checkpoint when the agent signaled. Juan Carlos said he had not seen the signal. The ICE agent told Juan Carlos and Bertin to get out of the car, handcuffed both of them, and drove them back to the checkpoint, leaving Juan Carlos’s minivan by the side of the road.

At the checkpoint, the ICE agent interrogated Juan Carlos about whether he had ever had trouble with the police. Juan Carlos said he had not. The ICE agent removed the men’s handcuffs to fingerprint them with a mobile fingerprinting unit and then ordered them to wait.

After ICE agents reviewed the men’s records, the agent began shouting at Juan Carlos, saying he had found a previous deportation order in Juan Carlos’s file and accusing him of lying. Juan Carlos said that his previous arrest had only led to a two-hour detention at the border and that because he had been



released, he did not think it had been an official deportation. The ICE agent released Bertin, but arrested Juan Carlos and detained him in an ICE van.

For the next three hours, ICE agents drove the van around the city with Juan Carlos and other men inside. Juan Carlos heard one ICE agents say, “We need to arrest ten and we only have seven. We gotta find another three.”

By 10 p.m., the agents had arrested two more people, bringing the total to nine. The agents then drove the nine individuals to the ICE field office at Poydras Street and Loyola Avenue.

Ronald Martinez-Rivera

ICE agents go for beers while detainees struggle to breathe

Ronald Martinez-Rivera is the father of two children, one of whom is a U.S. citizen. On August 20, 2013, Ronald and his friend Luis Celaya were driving to work at about 10:00 a.m. Ronald noticed a Ford Expedition van on the other side of the street and saw that the driver was watching Luis and him. The van crossed the street to follow them, then turned on police lights. Through a megaphone, an agent in the van told Ronald to pull into a parking lot.

When Ronald had done so, an agent wearing an ICE badge came to Ronald’s window and told him to lower it. The ICE agent reached in the window and took the registration papers from the glove compartment, then removed Ronald’s seat belt and pulled him from the car by his shirt.

Ronald asked why they had been stopped. “Because you’re illegals,” the ICE agent said. The ICE agent handcuffed both men and removed their cell phones and other possessions from their pockets.

Several more vans arrived. One of them had an ICE mobile fingerprinting unit in the back. ICE agents

fingerprinted both men. They released Luis, but Ronald’s records showed a previous removal order. The ICE agents told him he would be deported. A police officer on site also issued Ronald a ticket for driving without a license.

When Ronald told the ICE agents he had a wife and child in the United States, an agent replied, “That’s your problem, not ours.”

ICE agents put Ronald in the back of a van with another man they had arrested and drove around the city for several hours. The heat in the van was so intense that Ronald and the other man had trouble breathing. Ronald asked the ICE agents several times to turn on the air conditioning, but they refused.

At one point, the ICE agents stopped at a bar called the Bottom Line and spent about an hour inside while Ronald and the other man sat in the stifling heat of the locked van. When the ICE agents returned, they drove around for another 30 minutes before finally taking the men to the ICE office for processing.



ICE retaliation against Ronald

On November 14, Ronald participated in the NOW-CRJ public action in front of the New Orleans ICE office. At 7 a.m. the following morning, Ronald was driving to work with a coworker in Metairie. An unmarked Chevrolet SUV driven by ICE agents pulled over Ronald's vehicle. Ronald showed ICE agents his release paperwork from his previous arrest. The ICE agents handcuffed and fingerprinted his coworker at a mobile fingerprinting unit in the back of the ICE SUV.

About six more vehicles showed up, carrying ICE agents and a local sheriff. The sheriff spoke abusively to Ronald and his coworker. When Ronald objected, the sheriff said, "Don't you know that I'm not with ICE? I'm a sheriff and I could take to jail right now for not having a driver's license."

An ICE agent then pointed to the pro-immigration reform bumper sticker on the back of Ronald's car, saying to Ronald: "Don't you know that we could take away your permission to stay in the U.S. for having that?"

The ICE agent then mentioned the protest at the ICE office the previous day, saying: "I don't want to see any more of those marches and protests, that just makes us look bad."

The Sheriff issued Ronald a ticket for a moving violation that had not in fact occurred, then Ronald and his coworker were allowed to leave.

Raul Rios

U.S. citizen handcuffed and verbally abused in front of 4-year-old son

On Wednesday, August 13, 2013, Raul Rios, a U.S. citizen, was walking from his house to the grocery store with his four-year-old U.S. citizen son and a family friend, Byron Rocaél de Leon. Raul's son was riding a tricycle. As they crossed the street at the corner of Division Street and West Esplanade Avenue, Raul saw an SUV with dark windows drive past. The SUV passed them, but then lingered and pulled over to the side of the road. A police officer got out of the passenger's side and told them not to move. An ICE agent got out of the driver's side.

Without asking for identification, the ICE agent handcuffed both Raul and Byron. In the process, one of the law enforcement agents pushed Raul's son and kicked his tricycle. Raul told the ICE agent that he was a citizen.

The ICE agent responded: "Shut the fuck up or you'll make it worse for yourself."

The ICE agent brought both men to a mobile fingerprinting unit in the SUV and removed the men's handcuffs to take their fingerprints. The fingerprint records revealed what Raul had said—that he was a U.S. citizen. The ICE agent released him, but re-handcuffed Byron and took him to an immigration detention center.

Byron was deported in November 2013. Raul's son, who treated Byron as an uncle, was traumatized by the encounter and is now frightened of law enforcement agents.

Jimmy Barraza and Carlos Sandoval

Handcuffed and thrown to the ground for questioning his father's arrest

Jimmy Barraza, his wife, and his stepson Carlos Salgado live in a predominantly Latino area in Metairie, Louisiana. On August 16, 2013, at about 9 p.m., Jimmy and his wife were unloading groceries in front of their apartment when approximately 5-7 ICE agents approached them with their guns drawn. They handcuffed Jimmy and took everything from his pockets, including his identification.

His wife began asking questions and an ICE agent demanded to know her legal status. She told them she had Temporary Protected Status (TPS).

"TPS is nothing," the ICE agent said. "If I want to, I can cut your paper in half and send you back to your country right this minute."

Carlos, Jimmy's U.S. citizen stepson, came out of the house hoping to translate for his parents. An ICE agent grabbed his arm and told him to go. "Please let me go," Carlos said. "I just want to be near my mother."

Another ICE agent shoved him against a wall, pinned his hand back, and handcuffed him. "If you move, I'm going to break your hand," the ICE agent shouted.

"For God's sake, let him go," she said.

"There's no God here," one ICE agent said. "I'm the only one in charge here."

With a mobile fingerprint device, ICE agents took Jimmy's fingerprints in the back of an ICE van, along with those of another man who had been pulled from the building while sleeping and was wearing only boxer shorts.



The ICE agents released Jimmy's wife and stepson, but took Jimmy and the other man away in the van. Over the next several hours, ICE agents drove around the area and repeated the procedure. At one apartment, Jimmy saw a woman answer the door and tell the agents that the man they were looking for was not in. The ICE agents nevertheless forced their way into the apartment. According to Jimmy, the ICE agents dragged out a man who appeared to have been beaten, then beat him in the apartment parking. ICE agents then took all the detainees to be processed and transferred to rural detention centers.

ICE retaliation against Jimmy

On November 14, Jimmy participated in the NOW-CRJ public action in front of the New Orleans ICE office. That evening, Jimmy was at his apartment with his family watching television. A loud pounding on the front door startled the family. Jimmy checked the peephole and saw ICE agents outside. Jimmy was shocked, as he had been granted a six-month Order of Supervision by ICE after his previous arrest. He checks in with ICE regularly and ICE is able to contact him by telephone.

The only purpose for the ICE agents coming to his door, Jimmy reported thinking, was to intimidate him and his family following the action. The family stayed quiet until the ICE agents moved on. Jimmy then heard them pounding on the doors of his neighbors, who are also Latino immigrants.

Irma Esperanza Lemus

A random search leads to mother's arrest

Irma Esperanza Lemus is married with three children, two of whom are U.S. citizens. At about 9 a.m. on September 25, 2012, Irma and her husband, Wilmer Castro Romero, were at their home packing for a fishing trip. Two of their children were waiting in the care while Irma was in the house packing and Wilmer moved between the house and the car.

Both parents were inside the house when four ICE agents came to their door, wearing bulletproof vests and holstered guns. The ICE agents asked in Spanish what the children were doing in the car, then began questioning Wilmer about his legal status. When Wilmer did not immediately answer, the ICE agents handcuffed him.

One ICE agent made a phone call and a Ford Expedition van arrived with a mobile fingerprinting unit inside. While ICE agents fingerprinted Wilmer, Irma took her children from the car and tried to enter her house. Another ICE agent blocked the door, leaving Irma standing with her baby in her arms.

After ICE agents verified Wilmer's records, they released him and turned to Irma. They told her to put her baby on the ground. She handed the baby over to her husband, then an ICE agent fingerprinted her and found that she had a previous deportation order. ICE agents handcuffed her and led her away while her husband and children looked on.

The baby began to cry, as did Irma. "What are you crying about?" an ICE agent asked.

"You're really asking me that?" Irma said. "My children are very young. You're separating me from them and they're watching while you do it."

"But you aren't from here," the ICE agent said. "This isn't your country."

In spite of raising three children in the United States, Irma is scheduled to be deported and is forced to wear an electronic monitoring device on her ankle at all times.



Denis Rutilio Chirinos Avila

“You have no right to speak”

On the evening of March 12, 2013, Denis Rutilio Chirinos Avila and his wife drove from New Orleans to the town of Kenner, Louisiana, to view an apartment they were considering renting. Denis’ wife was eight months pregnant and they were looking move to a bigger apartment to have more room for their child.

When the couple left the apartment, they noticed a white van and a gray SUV parked on a nearby corner. ICE agents jumped out from the vehicles and approached them, guns trained on Denis and his wife. One ICE agent grabbed Denis by the neck. Other ICE agents rushed into the apartment building where Denis and his wife had been and began pulling out young Latino men.

The ICE agents pulled Denis’ wife away from him. Denis told them to be careful because she was pregnant. She asked what was happening. An ICE agent said to her, “Shut up—you have no right to speak.”

ICE agents checked Denis’ fingerprints in a mobile fingerprinting unit in the back of a van and found a previous deportation order. They arrested him and took him away in a van, leaving his wife, who did not drive, stranded.

Denis was processed for deportation and taken to a detention center far from New Orleans. After local advocacy, ICE agreed to release Denis for several months to support his wife while she gave birth.

Juan Ramon Turcios Garcia

A family reunited, then ripped apart

Juan Ramon Turcios Garcia is the father of a two-year-old U.S. citizen daughter who suffers from recurring health problems, as well as two young boys from Honduras who recently reunited with their father in the United States.

Juan has done construction work in New Orleans for years, and was active in the United Pentecostal Church Sendas Antiguas in Metairie, participating in weekly Bible study groups. In 2010, Juan pled guilty to disturbing the peace and the case was closed. He was not told that his guilty plea would have immigration consequences.

On August 23, 2013, at about 7:30 a.m., Juan was driving to work with four other men. When their car entered the freeway, an unmarked car flashed its lights at them, signaling for them to stop. Juan pulled over. An ICE agent exited the unmarked car and approached Juan’s car and asked for him for his license; Juan gave him his Honduran passport. The ICE agent then ordered everyone out of the car.



ICE agents handcuffed all five men and took their fingerprints with a mobile fingerprinting unit. The ICE agents released Juan's co-workers, but arrested Juan. They held him for three more hours while they drove around the city looking for other Latinos. The ICE agents eventually took Juan to be processed at the ICE office, then to the Basile immigration detention facility. He is awaiting deportation in spite of having three children in the U.S. and no serious criminal record.

Ernesto Zacarias Lopez **ICE raids a grocery store**

At about 8 p.m. on August 1, 2013, Ernesto Zacarias Lopez and his partner Marta were shopping at the Ideal Supermarket near Broad Street. When they had finished shopping and were putting groceries in their car in the supermarket parking lot, Ernesto noticed an unmarked black car blocking the exit onto Broad Street.

Ernesto was about to pull out of his parking space when a white ICE van pulled up and blocked him in, preventing him from leaving. An ICE agent got out of the van, knocked on Ernesto's window, and said something in English. Ernesto told him he didn't speak English.

Another ICE agent got out of the van and ordered Ernesto out of his car. Ernesto got out and the second ICE agent immediately ordered Ernesto to put his hands on top of the car. The second ICE agent repeatedly demanded to know where Ernesto was from. When Ernesto answered that he lived in New Orleans, the second ICE agent grew angry and demanded to know what country Ernesto was from.

The first ICE agent reached into Ernesto's pants pocket and pulled out his wallet. The first agent found Ernesto's Honduran identification card in his

wallet, then handcuffed him and told him to get in line for fingerprinting.

Ernesto joined a line with seven other men from the supermarket parking lot, all Latino, whom other ICE agents had handcuffed. While he was waiting in line, Ernesto saw an ICE agent chase another Latino man through the parking lot until he caught him. The ICE agent kicked the Latino man in the knees until he was bleeding through his pants.

Ernesto saw numerous non-Latino shoppers leave the supermarket, none of whom were stopped or questioned by the ICE agents. Then two Latino men left the supermarket, got in their car, and pulled out of the parking lot at normal speed. A police car that had been parked nearby street pulled the car over. Two more ICE vans similar to the one that had stopped Ernesto surrounded the car. ICE agents got out, ordered the two Latino men out of their car, and immediately handcuffed them.

ICE agents fingerprinted all the Latino men they had handcuffed with a mobile fingerprinting unit in the back of one of the ICE vans. When a record check revealed that Ernesto had once been stopped at the border, an ICE agent shackled his feet and ordered him into an ICE van. Four other Latino men were already handcuffed inside. One of them told Ernesto that ICE agents had arrested them at a construction site.

The ICE agents drove Ernesto and the other men to the local ICE headquarters, where they were further detained before transfer to an ICE detention center. The man who had been kicked by an ICE agent until his knees were bleeding wrapped his bloody knees in toilet paper.

An ICE agent saw this and yelled at the man:

"Why the hell do you have that shit on? Take that shit off!"

“He’s in pain,” another detained man said.

“We bring you here to suffer,” the ICE agent responded.

“We’re people, not animals,” the detained man said.

“Shut the fuck up!” the ICE agent shouted. “We’re in charge here.”

Angel Armando Leiva Vallecillo **An ICE agent physically assaults a man for requesting legal representation**

On the afternoon of August 28, 2013, Angel Armando Leiva Vallecillo was in a car with three co-workers, returning home from work, when an ICE SUV pulled up behind the car and shined its headlights at them. Angel’s co-worker Carlos Cardona, who was driving, pulled over. Two ICE agents in bulletproof vests got out of the SUV and approached Carlos’ car with guns drawn.

Angel asked why they had been stopped. Without answering, the ICE agents opened the car doors and pulled the four men from the car, then immediately handcuffed them. One ICE agent took Angel’s wallet from his pocket and began examining the contents and interrogating him. Another ICE agent did the same with Carlos.

Carlos told the ICE agents that he wanted the opportunity to see a lawyer before he answered questions. The ICE agents responded angrily and separated Carlos from the group. Two more ICE SUVs arrived, one of which had a mobile fingerprinting unit. ICE agents began taking the men’s fingerprints using the unit.

Angel noticed that one of the ICE agents was shouting at his co-worker Noe Troches Reyes, who

is also Angel’s uncle. Angel told the ICE agent that his uncle, Noe, suffered from an illness and could not hear. Angel also told the ICE agent that Noe was living in the country legally. The ICE agent paid no attention to Angel, and continued to scream at Noe without checking for proof of legal status..

One of the ICE agents asked Angel if ICE had ever detained him before. Angel said that they had, but that he had paid a bond and had the receipt. The ICE agent did not ask to see the receipt and kept Angel in handcuffs.

Angel heard other ICE agents discussing his co-worker Carlos, who had asked to see a lawyer before being questioned.

“This guy doesn’t want to speak,” one ICE agent said.

“Really?” another ICE agent responded. “Leave it to me.”

The second agent approached Carlos and began yelling at him and striking him in the chest.

“You son of a bitch!” the ICE agent shouted at Carlos. “Who do you think you are? You feel like a big man?”

The ICE agents eventually fingerprinted all of the men using the mobile fingerprinting unit. After a record check showed a previous deportation order for Carlos, ICE agents ordered him into the SUV and transported him to an immigration detention center for deportation. ICE agents eventually released Noe when the record check showed that he had legal residence documents and they released Angel when they verified that he had been released on bond after a previous immigration arrest.

Omar Victoriano German

ICE raids a Bible study

On June 26, 2013, Omar Victoriano German was attending a weekly Bible study group with 12 people, including women and children at a small private home. During the Bible study, ICE agents wearing badges and bulletproof vests began pounding on the door. One member of the Bible study group answered the door and an ICE agent shouted through the door asking who owned a pickup truck parked in front of the building. Omar and several others answered that they did not know.

The immigration agents complained loudly that the pickup truck was blocking the street and angrily ordered the entire group out of the house. The owner of the pickup truck, who had been in a back room when the ICE agents arrived and had not immediately heard them, then came out and told the ICE agents that the pickup was his. The ICE agents still ordered everyone outside, their Bibles still in their hands.

Outside, the ICE agents separated the men from the women and children and fingerprinted the men at a mobile fingerprinting unit in an ICE SUV. Omar's records showed that he was detained by immigration in 2005. An ICE agent asked Omar why he had not volunteered this information. Omar responded that he had lost his papers during Hurricane Katrina.

The ICE agents then handcuffed him, along with another man from the Bible study. As the agents led them into an ICE van, Omar's daughter cried uncontrollably and tried to get into the van with her father.

Lorena Ortiz Benavidez

Cuffed and arrested on the way to buy groceries

On February 7, 2013, Lorena Ortiz Benavidez was driving to a local Walmart to buy groceries with her sister, her sister's 20-year-old son, and a friend. On Blossom Street, two blocks from Lorena's home, they encountered an ICE checkpoint, consisting of several ICE SUVs parked in the middle of the street.

As Lorena's car passed, she saw ICE agents stare at her and the other passengers, then three ICE SUVs followed Lorena's car and flashed their lights to pull it over.

When Lorena's car stopped, ICE agents quickly approached and ordered everyone out of the car. Without asking any questions, the ICE agents ordered everyone to put their hands on the roof of the car, then handcuffed each person from the car.

After they were handcuffed, ICE agents interrogated Lorena and the others about whether any of them had been previously arrested or deported, or had any problems with the police. The ICE agents fingerprinted each person at a mobile fingerprinting unit in one of the SUVs. Record checks for Lorena and her sister showed deportation orders, while her friend's record showed a traffic ticket. ICE agents ordered the three of them into an ICE van, and released only Lorena's 20-year-old nephew.

The ICE agents took Lorena, her sister, and her friend to the ICE local headquarters. The ICE agents then fingerprinted each person again and continued to interrogate them about their previous immigration history.

Lorena told the ICE agents that she had an 11-year-old U.S. citizen daughter, and they asked for details about her daughter's identity and school attendance. The agents verified the information and told Lorena they were going to release her because she had a U.S. citizen daughter.

ICE agents put Lorena's sister and friend into deportation proceedings. Two months after Lorena was released, ICE agents required her to wear an electronic ankle monitor.

Recommendations

President Obama has the legal authority and moral responsibility to stop the deportations—and he should use it. New Orleans shows exactly why across the country, the movement for immigration reform is now urging the President to use that authority.

The first step on the path to citizenship for the 11 million is to stop deporting today the citizens of tomorrow.

NOWCRJ, its immigrant worker members, and its allies urge that the Obama Administration:

- End the quota-driven immigration enforcement that focuses on prior immigration history, separating families and undercutting workers' rights.
- Stop the raids in New Orleans and put a moratorium on the mobile biometric devices.
- End collaboration between ICE and local law enforcement, starting with the CARI taskforces in Orleans, Jefferson, St. Bernard, and St. Tammany parishes.
- Grant immediate deferred action to the community members who have exposed the CARI raids.
- Adopt a policy not to pursue deportations based on arrests that are unconstitutional or violate ICE's own rules.
- Provide full information on the enforcement programs in effect in the region, including the information NOWCRJ is seeking on CARI, and hold a public forum to dialogue on the impact of this enforcement and plans for future enforcement programs.

About NOWCRJ

The New Orleans Workers' Center for Racial Justice (NOWCRJ) is dedicated to expanding democracy through the power and participation of low-income communities and communities of color across the Southern United States. The Workers' Center was founded after Hurricane Katrina and since then has protected the bedrock civil, labor, and human rights of African American and immigrant communities. The Workers' Center represents workers on the frontlines of today's changing South in policy change efforts, in the media, and in strategic litigation and legal advocacy.

For more information see www.nowcrj.org.

The Congress of Day Laborers (a project of the New Orleans Workers' Center for Racial Justice) is a grassroots membership organization of immigrant workers and their families, many of whom helped rebuild New Orleans and the Gulf Coast of the United States after Hurricane Katrina. Members of the Congress are human rights defenders who promote human rights including freedom of association, equal protection, freedom of movement, political participation, self-determination, access to justice, and an end to discrimination, racial profiling, and forced labor.

For more information see www.makejusticereal.org.

