



MALDEF

The Latino Legal Voice for Civil Rights in America.

March 21, 2017

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Mayor Miguel Pulido
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Councilmember Jose Solorio
Councilmember David Benavides
Councilmember Juan Villegas
Councilmember Sal Tinajero
20 Civic Center Plaza
Santa Ana, CA, 92701

RE: Council Agenda Item 85B -- ICE Contract

Dear Mayor and Council Members:

I write, on behalf of MALDEF (Mexican American Legal Defense and Educational Fund), to urge you to reject the proposal to negotiate a new contract with ICE (Immigration and Customs Enforcement) to detain immigrants in Santa Ana. The idea that the City should once again engage in the business of detaining immigrants, who are not guilty or charged with any criminal offense, in jail facilities because the immigrants will be closer to family and legal assistance is simply unsupported under the Trump Administration.

The Trump Administration has, in its first weeks, sought to create fear and confusion in the immigrant community nationwide by announcing sweeping proposals to change policy, while taking few steps to actually enact policy change. This concerted campaign is self-evidently designed to drive fearful immigrants to withdraw from society or to depart the country. With a goal of catalyzing “self-deportations,” the main purpose of the Trump Administration’s pronouncements to date is to scare immigrants into believing that enforcement will be so swift, unpredictable, and draconian that they should choose to abandon their rights and depart the country.

I know that none of you support the Administration’s goals or tactics. However, it is important to analyze and understand them to recognize that this Administration is very likely to adopt practices to separate detained immigrants from their family and support. Such detention assignment practices would be consistent with the current Administration's apparent aim of making the lived experience of immigrants, especially those who refuse to waive their rights to due process, as difficult as possible. In other words, it is very likely a goal of the current Administration to separate detained immigrants from their support systems, including family. The stated intention of the Trump Administration to construct new detention centers in remote locations near the border supports this assessment of the Administration's likely practices in detention assignment.

In short, without a contractual provision limiting detainees in Santa Ana to those who reside in Orange County -- a provision that ICE is extremely unlikely to accept -- there is little indication that continuing to detain immigrants in the Santa Ana jail will result in immigrants being detained closer to their families and other support.

Therefore, I urge you to reject any proposal to continue to detain immigrants in Santa Ana. Thank you for your consideration of MALDEF's views.

Sincerely,

A handwritten signature in black ink that reads "Thomas A. Saenz". The signature is written in a cursive, flowing style.

THOMAS A. SAENZ
President & General Counsel

TAS:YP