

Guest Editorial: Santa Ana Needs to Cut Jail Bed Contract With ICE

By HECTOR VILLAGRA | Posted: Thursday, May 1, 2014 6:00 am

Santa Ana's City Council recently adopted a five-year strategic plan that, if properly implemented, promises to hold city leaders accountable to ensure they address community concerns.

On paper, it's a sensible approach that would require city officials to prioritize when and how they spend public dollars. In reality, however, the plan fails to address one of the biggest concerns facing many Santa Ana residents: the jail.

For several years now, Latino residents have raised serious questions about the city's decision to lease out jail beds to federal authorities, including Immigration and Customs Enforcement or ICE. It's a valid concern given that more than 70% of Santa Ana's residents are Latino, and many are immigrants who have set down roots, pay taxes, have U.S.-citizen children but lack the proper documentation to legally reside in this country.

For those families, the jail is a constant reminder of the terrible fear they endure daily. Fear that a routine traffic stop could result in the arrest and deportation of a parent, spouse or child with no criminal record. Fear that children, separated from their parents by harsh immigration laws, will wind up in the foster care system. And fear that families struggling to eke out a living may sink deeper into poverty.

So far, city officials have chosen to sidestep this thorny issue. They argue that Santa Ana can't afford to end the current contract with ICE because the city relies on those fees to help offset the cost of building and running the jail, which operates at a multimillion-dollar deficit.

Sadly, such arguments ignore that Santa Ana's misguided policy also carries a high cost.

Consider for example, that many of the individuals detained in immigration jails, like the one operated by Santa Ana, are flagged through Secure Communities, a flawed program that requires police to submit the fingerprints of anyone arrested to federal immigration authorities. The program was created to identify and deport violent criminals who pose a threat to public safety. But in reality, it is little more than a dragnet that has led to the deportation of day laborers, street vendors and others who have no criminal record or only minor violations, such as driving without a license.

The program's failure to meet its stated goal has led police chiefs to caution against using law enforcement officers and resources for immigration purposes. They know that Secure Communities has had a harmful impact on community policing, causing many immigrants to think twice about cooperating with law enforcement either as witnesses or victims of crime.

Surely Santa Ana officials understand that money collected from leasing out jail beds can't make up for the damage done to public safety. No one wins when some residents are reluctant to report crime merely because of their immigration status. That's simply bad public policy.

Some may argue those concerns are now moot because of the California Trust Act, a new law that sets a clear minimum standard for when local law enforcement will respond to immigration requests. But that's simply not the case, at least not yet. The law is only now being implemented. And much will depend on how individual departments comply with the letter and the spirit of the Trust Act. Until the law is strictly observed, many immigrants will understandably remain wary of law enforcement.

And no doubt, city officials understand that fiscal problems facing the city won't be solved by renting out beds. The reality is the jail was built in the 1990s to confront a spike in crime. But by the time the jail opened, violent crime was down in Santa Ana and so was the need for more jail beds. As the Voice of OC has reported, even with the federal fees that ICE pays to house detainees, the jail operates at a loss of more than \$5 million annually. The cost of servicing the debt alone is roughly about the same as Santa Ana's library budget.

Fortunately, there is still time for city officials to rethink their approach to the jail if they choose to do so. It will be a tough job that will require them to be courageous and think creatively about fiscal priorities and alternative uses for the jail. But it's an important task that will demonstrate that Santa Ana officials are prepared to make good on their promise to put the community's concerns first.

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