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[Our Children: OC's Immigrant Youth Live Under the Fear of Deportation](#)

By [Daniel Lamb](#)

– December 26, 2013 **Posted in:** ["The OC"](#), [Fresh Juice](#), [immigration](#)

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*[The prickly young Anaheim attorney **Daniel Lamb**, who recently started writing on Pedroza's OC Politics Blog, has asked me (VN) to cross-post some of his stories here. So here's Lamb...]*

Immigration policy, like trade and foreign affairs, was deliberately assigned by our founding fathers to the federal government. The failure of Congress and the Obama Administration to deal with the 11 million immigrants in the country illegally, however, has put enormous pressure on local governments to fill the policy gap. In Orange County, that pressure has led to a policy whereby the local probation department refers children in its care to U.S. Immigration and Customs Enforcement, or ICE. While pressure should be put on the Feds to tackle the immigration issue, the policy, in effect, has generated considerable concern in our Latino neighborhoods and within the legal community.

The UC Irvine School of Law recently issued a [critical report](#) on the county's ICE referral policy. Based on its findings, **the Orange County Board of Supervisors should place all juvenile referrals to ICE on hold while policy-makers review the matter and consider changes.**



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Orange County leads the state in referring children to ICE. In fact, the county is responsible for 43% of all ICE detention requests in California. The disproportionate size of this figure justifies placing the policy on hold while, at a minimum, an explanation can be formed. While it's true that the youths in question violated the law and were placed under probation, ICE detention significantly and arbitrarily increases the severity of their punishment without reference to the severity of their misconduct. The UCI study summarizes the harm as follows:

The harms of juvenile immigration referrals are many and varied. Immigration referrals tear children away from families to be detained in remote facilities for indefinite periods. In the past several years, hundreds of Orange County's youth have been separated from their families and communities. Without access to their families and sometimes without legal counsel, children in immigration detention face potential permanent removal from their families and communities. Because our immigration system lacks robust protections for children, deportation may occur even when the child is eligible for or has legal status. Immigration referrals also subvert the purposes of the juvenile justice system, most notably through abandonment of California's commitment to rehabilitation, confidentiality of juvenile records, and family unity. In addition, referrals to ICE sow distrust of law enforcement among community members, thus undermining community policing efforts. Lastly, immigration referrals unnecessarily divert scarce local resources and expose Orange County to potential civil liability.

Such a state of affairs violates a basic principle in law: that the time should fit the crime. Moreover, the policy's impact on the community has negative implications for the quality of our Latino neighborhoods.

[Read more at OC Politics Blog by clicking [here](#).]

U.S. Law Center Attorneys
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About Daniel Lamb

Daniel Lamb is an attorney in Anaheim, California. A conservative activist born in Orange County, Daniel is driven by his dedication to fiscal responsibility and transparency in local governments.

9 Comments

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 Nameless
 Posted December 26, 2013 at 7:49 PM

"Immigration policy, like trade and foreign affairs".....I suggest it is more like plumbing. We have to regulate the flow. Contain WASTE versus Healthy input.

This is an amazing argument, one which EVERYONE should participate. It is notable by me how the political septicity infects this debate. I might suggest that the political "right" position on this subject will soon be turned upside down, when the immigrant community realizes they are merely pawns of the "left". there is no more obvious example than the silly vigil held this week over a bloggers jackass behavior.

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