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NEWS

Orange County leads state in child deportations, report says

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By **ROXANA KOPETMAN** / ORANGE COUNTY REGISTER

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KEN STEINHARDT, ORANGE COUNTY REGISTER

REPORT FINDINGS

A UC Irvine School of Law Immigrant Rights Clinic report states that the Orange County Probation Department:

- Violates state confidentiality law when it requires employees to provide immigration authorities with information;
- Exceeds its authority under the Constitution with its policy of referring suspected

Orange County probation officers have referred more children to immigration authorities for possible deportation than any other county in the state, according to a UC Irvine School of Law report released Wednesday.

The policies of the Orange County Probation Department violate state and federal laws, undermine the rehabilitative goals of the juvenile justice system and do not benefit public safety, states the report authored by students in the school's Immigrant Rights Clinic.

The report recommends the probation department rescind its policy of investigating juveniles' immigration status and referring them to immigration authorities.

"What this is in our community is state-sanctioned terror," said Rafael Solorzano, of the Santa Ana Boys and Men of Color organization.

The collaboration between the probation department

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undocumented detainees;

• May no longer detain anyone for immigration officials (unless the person has been convicted of certain crimes) as of Jan. 1, when the recently enacted TRUST Act goes into effect.

and immigration authorities, along with a lack of confidentiality that otherwise exists in the juvenile justice system, is harmful to the children, their families and the immigrant community, where such policies “foster distrust” of local police, the report said.

Following a press conference, immigration law activists, UCI law students and others walked Wednesday morning to hand the report to Edward Harrison, a spokesman for the probation department, who was waiting outside the department’s Santa Ana office.

“Much of this refers to interpretation of state law or statute. We are going to ask for an evaluation by our legal counsel,” Harrison said in a phone interview. “Our department is always looking to serve the community using efficient research supported corrections practices.”

Orange County accounted for 43 percent of 697 detainer requests from the U.S. Immigration and Customs Enforcement issued to juvenile facilities in the state from October 2009 to Feb. 10, according to the school’s report, titled “Second Chances For All.”

The next highest number of detainer requests were 13 percent for San Francisco and 12 percent each for Santa Barbara and San Mateo counties, according to the report, which cited the data from the Center on Juvenile and Criminal Justice, a San Francisco-based organization that aims to reduce incarceration as a solution to social problems.

Law students used data from various sources as well as their own public records request to compile the report.

Representatives from various groups expressed alarm over the policy and procedures of the Orange County Probation Department.

“These minors are just being thrown away and that can’t happen. They are human beings,” said the Rev. Santos Chavez, of the Street Light Church in Santa Ana.

Jose Moreno, of the Los Amigos of Orange County, said his group became aware of the issue this last week.

“This juvenile question just got on our radar because we’ve been focusing on adult detainees,” said Moreno, also an Anaheim City School District School Board member. “It’s absolutely unacceptable.”

Deportation has been a hot button issue with immigration rights activists who protest the Obama administration’s record number of deportations. During the 2012 fiscal year, ICE reported 409,849 deportations; 55 percent of the people removed were convicted of felonies or misdemeanors, almost double the removal of criminals in fiscal year 2008, according to the ICE website.

The Obama administration in December 2012 issued a new detainer guidance that limits the use of detainers against people who were arrested for minor misdemeanor offenses such as traffic offenses and petty crimes.

But overall, deportations has increased under President Barack Obama, whose



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administration has deported more immigrants annually than the President George W. Bush administration, according to the Pew Research Center.

Meanwhile, Obama said last month that he does not have the power to halt deportations— setting off a flurry of analysis by pundits on both sides, some saying he does, others saying he doesn't.

Immigration-rights advocates are increasingly protesting the deportations, with some activists chaining themselves to buses and other acts of civil disobedience. On Monday, a small group of members from various local advocacy groups protested in Santa Ana, where they marched from Sasscer Park to a federal detention area.

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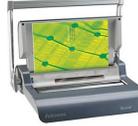
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