Deportation Fears Stifle Relations Between Law Enforcement and Immigrants

June 15, 2011 Local News 2 Comments

Coastal Hispanic community leaders and law enforcement agree more trust and better communication are essential to serve Hispanic crime victims. A recent discussion in Newport revealed the challenges in making the Oregon Coast safer and more welcoming, particularly for undocumented immigrants. It also showed there are no easy answers.

A panel discussion in Newport about immigration issues June 7 started and ended with the same question: “What is the best way to make Lincoln County a safer and more welcoming community for all its residents?” There appear to be no easy answers, especially when it comes to serving Hispanic crime victims and bringing those who prey on them to justice. And, the lack of obvious solutions seemed to frustrate panelists and audience members alike.

Lincoln County Attorney Rob Bovett sees the issue as “an information gap. If people aren’t comfortable ratting out drug dealers and others, crime continues,” he said. Bovett stressed that “No one needs to be the victim of violence, but if they are, and are afraid to talk to law enforcement, we can’t help them.” But many immigrants, especially those with no documentation, believe there’s a catch, and don’t trust that local law enforcement won’t arrest or charge them. In fact there is no such local authority, although Oregon statute says “a law enforcement agency may exchange information with the United States Bureau of Immigration and Customs Enforcement, the United States Bureau of Citizenship and Immigration Services and the United States Bureau of Customs and Border Protection” to verify a person’s immigration status and check on whether the person is subject to a federal criminal investigation.

Lincoln County Sheriff Dennis Dotson told the group these contacts are routine in his department. When pressed by a member of the audience about the apparently voluntary nature of the request under ORS 181.850 (where it says “a law enforcement agency may exchange information” but doesn’t say it must exchange information), Dotson said the process was in place before he became Sheriff, and he wasn’t certain whether there was authority to change the practice. Neither he nor Newport Police Chief Mark Miranda said they were aware of any overt conflict between their departments and the immigrant community and have core departmental principles that, as Miranda put it “everybody, not just citizens, has certain rights, and we are charged to uphold those rights.”

However, Miranda expressed frustration he cannot find a wider applicant pool for officers, to put more bilingual badges on the streets. Many times his officers will make a traffic stop and need to use a phone-in translation service to adequately communicate with someone, he said.

Victim rights received a lot of discussion. Both Miranda and Dotson said their departments will happily take information on crimes without questioning the victims about anything other than the crime. But part of immigrants’ reluctance to provide evidence is lingering racism among non-Hispanics in the community. Miranda added, “there is an undercurrent...of distrust or dislike (for immigrants).” He said he has heard plenty of those comments from whites he described as “upstanding citizens, and I don’t know how to change that...but it is one of my frustrations.”
Defense attorney Richard Scholl said the American legal system is a big cultural disparity for many immigrants. “Many of them are poorly educated in their own language, much less English.” Many of his clients don’t even understand what a trial or a jury is, Scholl said. He added he often does a stick drawing of a courtroom explaining who sits where and what the procedures are before even beginning to counsel a client.

Jorge Hernandez, director of Centro de Ayuda, a Newport multi-cultural referral center for emergencies, education, daily living and community interaction, said it is hard to engage many immigrants because, justified or not, they are often afraid of law enforcement. “There are maybe three Hispanics here (at this meeting tonight) – why? They are afraid. They don’t want to talk about anything with law enforcement,” whether involved with a crime or as a victim, he said. He told a story about one of his clients who had been beaten but did not want to report the attack for fear of being deported. Hernandez said the level of fear seems higher to him than it was even three years ago.

Miranda made the suggestion that he didn’t think it was due to local problems, but what people may see on TV about what is going on “elsewhere in the country. We have to demonstrate what we do…get involved in groups in various communities.” Bovett talked about the “U-Visa” available in Lincoln County and elsewhere, which gives non-citizens temporary legal status and work eligibility for up to four years if they are crime victims, and if they cooperate with law enforcement in helping prosecute the crime perpetrated against them. Defense attorney Scholl perked up his ears at this news, admitting it was a tool he was not aware was available. Bovett said “the message that police can and will help victims in Oregon regardless (of their citizenship) has been lost” in all the news from the wider world.

The coastal Latino population has grown to one in 12 residents, almost double what it was ten years ago, according to Amanda Aguilar Shank of the Rural Organizing Project. There are about 2,500 immigrants recorded in Lincoln County in the 2010 census, although Aguilar Shank believes there are one thousand or more additional Latinos here who are undocumented. Like it or not, she said, regardless of what one thinks of federal immigration policies, “It’s happening…it’s reality and we need to address it.” She said the more immigrants feel included and welcomed in a community, the more likely they are to take a role in helping prevent crimes, participate publicly and play a major role in positive change for the entire community.

“Sometimes people say that immigrants need to come out of the shadows,” Aguilar Shank said. ” I ask, are we building the kind of community that is safe for immigrants to come out of the shadows? Are we ready for immigrants to participate?” She likened the process to gardening: “for a seed to grow we need to water not just the seed but the soil around it. It’s the same with new members of the community. The question we can ask is whether we’re building fertile soil in this community for immigrants to put down roots and to grow.”

The event was sponsored by the Immigration Information Response Team of Coastal Progressives.

(Update 6/15: 4:00 p.m.: Correction in next to last paragraph fixing attribution on statistics, and correcting quote in last paragraph. 6/16 12:30 p.m. Given fresh lead paragraph)