

## **Even in disaster, due process important**

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### **Body**

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SAN DIEGO - Whenever I write about immigration issues, restrictionists and racists accuse me of being too soft on Hispanics. And, of course, others accuse me of being too hard on Hispanics.

I hear this from open-border types on the left - especially other Mexican-Americans - when I get on my soapbox and insist that Hispanic immigrants, legal or illegal, who are demanding their rights have to also start accepting their responsibilities. Or when I preach that immigrants should learn English, obey the law, become U.S. citizens, obtain an education and contribute to society. Or when I denounce reckless, immoral or otherwise unacceptable behavior that turns public sentiment against immigrants in general.

That's what inspired one reader on the Latino left to recently label me a "Tio Tomas" (a Hispanic Uncle Tom). And what did I do to get this lefty so riled up? I affixed the label of "scoundrels" to anyone who would steal food, water, diapers and other items from a relief center during a natural **disaster**.

What kind of person would do such a thing? I suppose a desperate one. But that's no excuse. Anyone who steals from people in need deserves harsh punishment.

Which brings us to what allegedly occurred at Qualcomm Stadium in San Diego, which acted as a temporary shelter during the recent Southern California wildfires. In what appear to be separate incidents, a handful of illegal immigrants suspected of stealing relief supplies were taken into custody by Border Patrol agents and deported to Mexico.

Keep in mind that the Border Patrol agents were at the stadium only to assist San Diego police officers in maintaining order. They were not there to enforce immigration law. And from what I know of the Border Patrol, the last thing that any of these agents wanted to do was to arrest illegal immigrants at a relief shelter.

Immigration and Customs Enforcement insists that there were no immigration sweeps at Qualcomm. That's fine, but the agency is parsing its words. Sweeps aren't the issue. Notice that ICE didn't say that no immigration-related arrests took place at the stadium.

This is what really matters in this story: The suspects were handed over on the spot to Border Patrol agents by San Diego police officers. That appears to be a breach of protocol. The way it usually works is that a police officer might arrest an illegal immigrant for some other infraction that goes beyond the civil violation of coming into the country illegally - in this case, the alleged theft - **process** him at the police station, then place a "hold" on the suspect until the Border Patrol picks him up.

At Qualcomm, it appears that police officers short-circuited the **process**. It was a rookie mistake, the type that saves paperwork but also brings on controversy and invites lawsuits. This sort of thing demolishes the trust

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between immigrants and the police, who generally steer clear of enforcing immigration law because they would rather have immigrants cooperate with them when other crimes are committed.

Here's what we know from what's been reported by local media: In one case, three Hispanic immigrant families who had been evacuated from their homes had in their possession diapers, water and other supplies, all of which were provided by relief workers to evacuees. They claimed they were given the provisions. But a bystander accused them of stealing and told the police. When some of the immigrants were unable to provide proper identification that would prove they were in the country legally, the officers turned the families over to the Border Patrol.

That's just one case. When I used the word "scoundrels," I was referring to another instance that has been reported where it does appear that some theft was going on. In that case, there were no families - just a couple of men loading supplies into a truck. They too were arrested and deported.

The case of the families is much more complicated. That's why procedures and protocols exist. When they're broken, harm can be done. Just imagine what happens the next time there is a crisis of the magnitude of the San Diego fires, and illegal immigrants are so afraid that they avoid seeking shelter.

If it turns out that some of the initial reports are true and the families were stealing supplies, we shouldn't apologize for condemning it. But, if the reports were false and this is all one big and unfortunate misunderstanding, apologies are in order - starting with the San Diego Police Department. RUBEN NAVARRETTE is a columnist for the San Diego Union-Tribune.

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