

## *An immigrant's path from bicycle to deportation*

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### **Body**

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LIVERMORE -- The path to deportation for Eduardo Lopez-Reynoso began when he blew past a stop sign on a bicycle.

The 26-year-old Mexican immigrant was near downtown Livermore when police officers stopped him just after 11 a.m. Oct. 28, a Friday.

Neighbors watching the tall, flannel-shirted man be handcuffed and plopped into the back of a police cruiser on Chestnut Street wondered what he had done. A drug test later showed he had used methamphetamine.

Five days later, federal agents dropped him just over the Mexican border.

Lopez's swift deportation illustrates the sometimes controversial reality behind Secure Communities, the Obama administration program that puts local police officers in the Bay Area and around the country on the front lines of federal immigration enforcement.

In the Bay Area, sheriffs in Alameda and Contra Costa counties have embraced their new role, while local government leaders in Santa Clara and San Francisco counties are actively resisting.

Supporters say the rapidly expanding network helps track down and boot out of the country the "worst of the worst" criminal immigrants.

Critics of the program argue that its net sweeps up too many others, sending waves of fear through immigrant communities and tearing apart families.

Lopez's case appears to fall between those two extremes. Repeatedly arrested for using drugs, he was a nuisance to Livermore police but had no record of serious crimes.

Of the thousands deported from the Bay Area after the Secure Communities database flagged them in a local jail, 68 percent were convicted of a crime. The crimes ranged in seriousness from murder to traffic violations, but the federal government, while publicizing the total numbers, has declined to break down its arrest and deportation statistics by specific criminal charges.

Although local police making an arrest start the Secure Communities process once they fingerprint a suspect, they don't track the results.

Lopez's was so routine, in fact, that Livermore police Chief Steve Sweeney only knew about his deportation after a reporter told him. Local police did their job, Sweeney said, and federal agents did theirs.

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"We book them, and that's the end of it for us," he said. "He wasn't treated any differently than anybody else would have been."

Some time after encountering Lopez, police gave him a drug test and arrested him on suspicion of being under the influence of drugs.

Then at Santa Rita Jail in Dublin, the Secure Communities immigration records database flagged Lopez as someone who could be deported; immigration agents sent a note -- called a detainer -- asking jailers to keep him.

After years laboring in construction, but never having permission to live and work in the United States, Lopez suddenly was on a fast track out of California. Days later, he would join more than 5,600 immigrants deported from the Bay Area as a result of Secure Communities, implemented in each of the region's nine counties last year.

Liberal-minded local government leaders have debated their role in the federal dragnet.

Santa Clara and San Francisco counties sought to resist the automatic transfer of low-level offenders and noncriminals from county jails to federal custody, arguing that deportation fears will erode local police relations with immigrant communities.

Alameda and Contra Costa counties, in contrast, established close relationships with ICE, and their sheriffs say federal agents should have the leeway to take whomever they want. Both East Bay counties deport more noncriminals than the region as a whole.

Lopez had a criminal conviction on his record, and he was what immigration officials call a "criminal alien." In February, according to court records, he had been caught walking across railroad tracks near North Oak Street in Livermore. A police officer found a charred smoking pipe in his pocket. Asked whether the pipe was for smoking methamphetamine, Lopez said, "Yes," according to a police report. A judge later dropped the charge down to disturbing the peace, an infraction.

The late October arrest triggered his journey toward deportation.

On Nov. 2, a long black Chevy Express van with tinted windows carried Lopez, several other Mexican and Central American men and one woman from Santa Rita Jail across the bay to the financial district of San Francisco, just around the corner from the landmark Transamerica building.

Agents escorted the group through the freight loading dock of the U.S. Appraisers Building, a gray 16-story monolith built in the 1940s to replace the burned-down Angel Island immigration center.

Once known as a "detention hotel," according to a government website, the Sansome Street building housed immigrants for days or weeks before federal authorities stopped keeping people overnight there in 1960. Many detainees now are sent each evening to jails in Richmond, San Jose or near Sacramento, at the federal government's expense, while others go south -- to federal or private prisons near the border or directly to Latin America.

All the East Bay immigrants that day -- from Mexico, El Salvador, Guatemala and Honduras -- lined up quietly facing the concrete wall of a loading garage. They rode an elevator to the sixth floor, entering a sunlit booking room with a sweeping view of Telegraph Hill. No one appeared to be paying much attention to the scenery.

In fact, by late morning, Lopez was feeling resigned. He was ready to go home, he said in a brief interview.

"I'd like to see my mom and dad," he said. They live in a town in Mexico's Jalisco state, not far from the city of Guadalajara. Here in the United States, Lopez struggled to find work and shared a small apartment with a relative and a friend. Back home, he said, economic prospects would be even more dim, but he wanted to rejoin his family after more than five years apart.

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Immigration officials swiftly obliged. Lopez waived his right to a court hearing and agreed to voluntarily return to Mexico. The agreement means he will not be banned from seeking a green card in the future, though it is difficult for most in Mexico to obtain one. About 11 percent of all Secure Communities **deportations** are voluntary, according to UC Berkeley Law School's Warren Institute.

Latino immigrants are the most affected by Secure Communities. Although they make up 77 percent of the nation's illegal immigrant population, they account for 93 percent of the people arrested through Secure Communities, according to a recent report by the institute.

The report found that 52 percent of those arrested through Secure Communities receive a hearing with an immigration judge. Of those who get to make their case, and are not citizens, 2 percent are granted relief from **deportation**. The institute said its figures, culled from public records requests, were disturbing and raised questions about the fairness of the program.

ICE responded by saying the report "fails to acknowledge how the program has enhanced public safety."

Hours after Lopez volunteered, agents took him to a plane -- part of a flight service nicknamed ICE Air -- that flew him to San Diego.

Agents then drove him to the San Ysidro land port between the United States and Mexico, dropping him off at the border. A man who woke up before dawn in an East Bay jail was in Tijuana that night.

He would have to find his own way home to Guadalajara, about 1,200 miles further south.

## Graphic

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Juan Angel Santo Dubom from Hayward, immigrated from El Salvador and now gets finger printed and processed into ICE custody at the Enforcement and Removal Operations Office in San Francisco, Calif. part of the U.S. Immigration office, on Wednesday, Nov. 2 2011. He is charged with a DUI and was brought to the San Francisco office from Santa Rita Jail. (Laura A. Oda/Staff)

Immigrants who are illegally in the country and charged with a crime from Santa Rita jail are brought to the Enforcement and Removal Operations Office in San Francisco, Calif. part of the U.S. Immigration office , to be processed into ICE custody on Wednesday, Nov. 2 2011. (Laura A. Oda/Staff)

Immigrants who are illegally in the country and charged with a crime from Santa Rita jail are brought to the Enforcement and Removal Operations Office in San Francisco, Calif. part of the U.S. Immigration office, to be processed into ICE custody on Wednesday, Nov. 2 2011. (Laura A. Oda/Staff)

Juan Angel Santos-Dubom from Hayward, immigrated from El Salvador and now waits to be processed into ICE custody at the Enforcement and Removal Operations Office in San Francisco, Calif. part of the U.S. Immigration office, on Wednesday, Nov. 2 2011. Dubom is charged with a DUI and was brought to the San Francisco office from Santa Rita Jail.(Laura A. Oda/Staff)

Eduardo Lopez-Reynoso from Livermore, originally from Mexico, waits to be processed into ICE custody at the Enforcement and Removal Operations Office in San Francisco, Calif. part of the U.S. Immigration office, on Wednesday, Nov. 2 2011. Lopez-Reynoso was detained on a misdemeanor charge and was brought to the San Francisco office from Santa Rita Jail. He was **deported** that same day. (Laura A. Oda/Staff)

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