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Some Laborers Arrested In Va. Face Deportation

Frightening of Immigrant Community Decried

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The arrest of 24 Latino day laborers looking for work outside a 7-Eleven in Woodbridge was intended as a crackdown on loitering, Prince William County police say. The charge, they noted, carries only a \$100 fine.

But the penalty for many ended up being more severe: Eleven of the workers could not prove their identity and were transferred to federal custody. They have been put in an adult detention center in Manassas and face deportation.

Immigration advocates and officials from other jurisdictions say the mass roundup last week is fracturing the fragile trust between local law enforcement agencies and immigrants. The incident may discourage immigrants from reporting crimes or working with detectives, they said, at a time when millions of dollars are being spent to combat a growing gang problem.

"This is exactly what immigrants were afraid of -- a bunch of Latinos hanging out and the police come by and pick them up and refer them" to federal immigration agents, said Tim Freilich, managing attorney of the Virginia Justice Center. "From a policy standpoint, the arrests don't make any sense. It's not going to solve the issue of day laborers in Woodbridge. . . . It's just going to frighten the immigrant community."

The arrests came about three months after a new Virginia law gave state and local police the authority to arrest illegal immigrants without a warrant. The law, which targeted possible terrorists, was intended to be limited in scope and could be applied only if the immigrant had been convicted of a felony, had been ordered out of the country and was suspected of committing another crime.

But the law incited a much broader reaction of panic and mistrust of local police departments. For example, when the Fairfax County police held a Spanish-language child safety seat demonstration in Herndon, no one from the immigrant community showed up, fearing they would be arrested in an immigration sweep.

"The arrests contradict the public promise made by local police chiefs in Virginia, who made a commitment not to apply that law . . . indiscriminately against immigrants who were innocent of criminal charges," said Ricardo Juarez, coordinator of a local group called Mexicans Without Borders, which organized a small protest in Woodbridge yesterday.

Police Capt. Tim Rudy defended the operation, saying the Prince William arrests had nothing to do with the new law. He said he has been fielding complaints every day from customers and businesses about the informal day worker gathering site at Route 1 and Longview Drive.

Rudy said his officers had allowed the laborers to solicit jobs there before most businesses open at 9 a.m., but they repeatedly told them to get off the property after then. The warnings went unheeded for months, so Rudy ordered the arrests Oct. 19.

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"Women are being harassed, there's urinating in public behind the 7-Eleven, there's trash all over the place," he said. "This was a community maintenance issue. It had nothing to do with immigration."

Rudy said police used fingerprints to formally identify 11 of the day workers arrested. Files showed they had committed immigration violations.

"That's why we called" Immigration and Customs Enforcement, he said. "That's just good police work."

Officials from other jurisdictions said their police departments rarely refer illegal immigrants to federal custody unless they have committed a felony.

Linking police actions with immigration enforcement is very touchy for local departments and has "a very likely outcome of an entire segment of the population shutting down because they are afraid of you," said Arlington County police spokesman Matt Martin. "And what you create is a group of people who's ripe for additional victimization."

Day laborer sites have sparked debate in several jurisdictions undergoing rapid demographic change. The issue has sharply divided communities and often involves grievances about crowded housing and large-scale illegal immigration.

In Herndon, residents sometimes pressure Mayor Michael O'Reilly to rid the town of its growing number of day laborers.

O'Reilly said, however: "The wholesale rounding up of groups of people I don't believe has any long-term benefit for anyone in the community. I would much rather see everyone working together in a constructive fashion, instead of essentially declaring war on a certain practice."

Prince William Supervisor Hilda M. Barg (D-Woodbridge) applauded the county police department's efforts, saying police are under "great pressure" to solve the issue. "The banks, the stores don't want them to hang around; the school and the parents don't want their kids to see people urinating in public, which does happen," she said.

But Shawn Fisher, PTA president of Lynn Middle School, which is adjacent to the 7-Eleven, questioned the loitering arrests.

"To my knowledge, there has been no incident involving a student and any of the day workers," she said. "I am disheartened that the police department felt the need to involve" federal immigration. The laborers are just seeking employment and "ultimately have tried to obtain a better life for themselves and their families," she said.

David Martinez, 34, who was one of the 24 arrested day workers, was released by immigration officials after he agreed to return to his native Honduras. He said through an interpreter: "I want to say to the community to help my immigrant brothers. Tell the authorities to have a conscience, because we are all human."

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