No Exit From a Bad Program

“I’m totally confused now,” wrote a government official in one of thousands of internal e-mails released last week on the subject of Secure Communities, the federal program enlisting state and local police in the crackdown on illegal immigrants.

The confusion was over a simple question: Could a state or city choose not to participate in Secure Communities? That is, could it decide to preserve that bright line separating local policing from federal immigration enforcement, so as not to discourage immigrants from reporting crimes?

The e-mails show that the Department of Homeland Security didn’t know how to answer the question — even two years into the program, which sends the fingerprints of everyone arrested by participating state and local agencies to federal databases for an immigration check.

The answer was important, because while the Obama administration has made Secure Communities a centerpiece of its immigration-enforcement strategy, many state and local agencies have wanted nothing to do with it. They know it has been used to deport tens of thousands of people with no criminal records, even though it was supposed to focus strictly on dangerous criminals.

They have seen how some politicized and unscrupulous police departments have used it as an excuse for racial profiling. They worry that participation will strain their resources and make community policing harder.

Though the e-mails, obtained through the Freedom of Information Act by immigrant-rights advocates, show the agency at its most confused, top administration officials had no doubt: Secure Communities doesn’t allow states and localities to opt out. As The Times reported, the administration even “developed a plan to isolate and pressure communities that did not want to participate.”

There is a place for local law enforcement in immigration matters, but it must be strictly limited and cautiously drawn. It must place the highest priority on catching and removing dangerous criminals, while letting alone those without criminal records — the vast proportion of the undocumented population.

President Obama has repeatedly promised that he will work to change the immigration laws so undocumented immigrants who work hard can earn legal status. The Secure Communities
program goes against that vow. It is also bad for public safety. States, cities and towns should be able to opt out.