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ICE Agent's Union Speaks Out on Director's "Discretionary Memo" Calls on the public to take action

On June 11, 2010, ICE Union leaders around the nation issued a unanimous no confidence vote in ICE Director John Morton on behalf of ICE officers, agents and employees nationwide citing gross mismanagement within the Agency as well as efforts within ICE to create backdoor amnesty through agency policy. ICE Union leaders say that since the no confidence vote was released problems within the Agency have increased, citing the Director's latest Discretionary Memo as just one example.

"Any American concerned about immigration needs to brace themselves for what's coming," said Chris Crane, President of the National ICE Council which represents approximately 7,000 ICE agents, officers and employees," this is just one of many new ICE policies in queue aimed at stopping the enforcement of U.S. immigration laws in the United States. Unable to pass its immigration agenda through legislation, the Administration is now implementing it through agency policy."

Crane emphasized that agents, officers, employees and the Union had no input in these policies, "ICE and the Administration have excluded our union and our agents from the entire process of developing policies, it was all kept secret from us, we found out from the newspapers. ICE worked hand-in-hand with immigrants rights groups, but excluded its own officers."

Agents say the policy is a "law enforcement nightmare" developed by the Administration to win votes at the expense of sound and responsible law enforcement policy. "The desires of foreign nationals illegally in the United States were the framework from which these policies were developed," Crane said, "the result is a means for every person here illegally to avoid arrest or detention, as officers we will never know who we can or cannot arrest."

The union says just as concerning is the way policies are implemented at ICE. Agents claim that under Director John Morton the agency always presents written policies for public consumption, but then makes "secret changes" to the policies which ICE refuses to put in writing. ICE knows the policy changes will create a political outcry, or could place the public or ICE officers at risk. "Our officers are already under orders not to make arrests or even talk to foreign nationals in most cases unless another agency has already arrested them; you won't find that written in any public ICE policy."

With regard to the entire idea of prosecutorial discretion, Agents say they will have none. "Tell any ICE agent he or she will have the final say on making an arrest or holding someone in

custody and they'll tell you you're crazy, officers will be ordered not to make arrests and failure to comply will result in the end of the agent or officer's career, that's business as usual at ICE. It's unfortunate but the Administration protects foreign nationals illegally in the U.S. but does nothing for our employees." The Union also alleges that ICE Field Office Directors (FODs) have confided in the Union that when the FODs raised questions about the effectiveness of the new policies ICE Headquarters responded by telling the FODs to turn in their badges and file for retirement.

"I think the writing is on the wall for every person concerned about good government and effective immigration reforms - the things happening at ICE represent neither, said Crane, we are asking everyone to please email or call your Congressman and Senators immediately and ask them to help stop what's happening at ICE, we desperately need your help."

A copy of the ICE Policy on exercising Prosecutorial Discretion can be found at www.iceunion.org