

# Obama plan could protect undocumented criminals

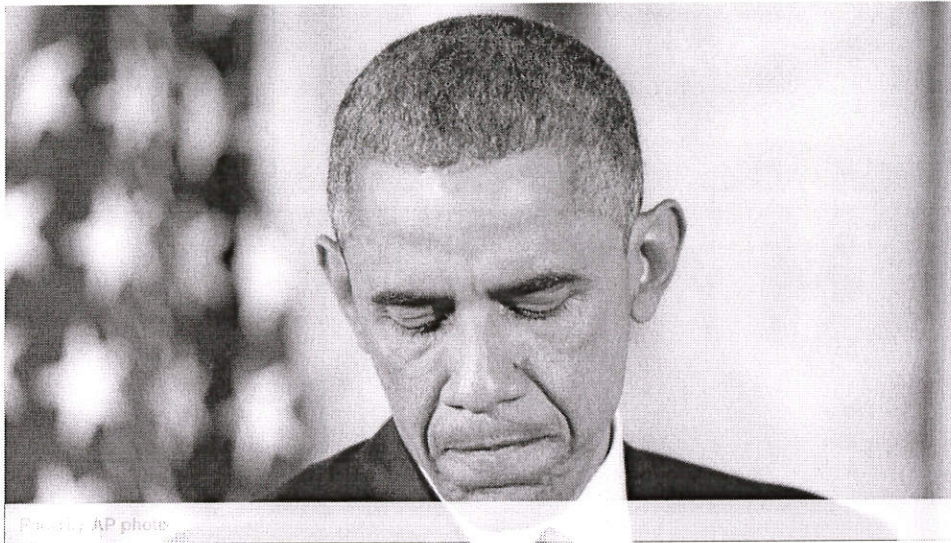


Photo: AP photo

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IMMIGRATION: President Obama is standing by his pledge to act on his own to reduce deportations and improve border security by the end of the year.

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By: Bob McGovern

The president's anticipated executive order to let 5 million illegal immigrants stay in the country could also eliminate the Secure Communities program — a tool used to catch undocumented criminals — seriously thwarting deportation proceedings, a former judge told the Herald.

"You won't have communities turning over those who are suspected of being in the United States illegally," said Mark Metcalf, a former immigration judge in Florida. "There won't be any enforcement. You won't be able to sift through those who are here illegally or those who have a different status."

Secure Communities was started under former President George W. Bush and expanded under President Obama. Its purpose is for local and federal authorities to collaborate to identify criminal illegal immigrants, apprehend them and then hold them for deportation. More than 283,000 convicted criminal immigrants have been removed since its inception, according to ICE.

Should the president cancel the program, "the enforcement mechanism at the local level would be disabled," Metcalf said.

"Neither state governments or local governments will be able to remove those who are in the United States illegally and are believed to have committed crimes," he said. "It will render immigration enforcement a nullity."

Metcalf said erasing the Secure Communities program, coupled with a "weak Southern border," will crush the "immigration enforcement structure." He added that eliminating the program will affect more than the 5 million illegal immigrants who were expecting to benefit from Obama's anticipated order.

"The class of people will be far more than that. How is a jail, or a local police agency, able to tell what to do about anyone?" he asked.

He said immigration courts — which determine whether illegal immigrants can be deported — will have their power stripped because cases wouldn't be coming to them from the local level. Currently, court dockets are backed up with removal proceedings involving petty criminals.

Dropping the Secure Communities program, another judge said, could also clear up immigration court dockets making room for bigger cases.

"This would let the immigration courts expedite its cases and deal with the more important cases — alleged terrorists, serious criminals and material immigration violators," said Jeffrey Browerman, a former immigration judge in Florida, who did not work alongside Metcalf. "This could move the immigration court calendars forward and unclog them."

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