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Lexington Co. jail screens inmates for illegal immigrants

6-month-old partnership with federal authorities has led to 134 deportations

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Push pins dot a map on the wall at the Lexington County Detention Center, with the largest cluster sitting in Mexico.

But pins also stick in Germany, the Sudan, the Philippines and Morocco.

The pins represent the home countries of people booked into the Lexington County jail since September. That's when Sheriff James Metts, who oversees the jail, signed an agreement with U.S. Immigration and Customs Enforcement that gives the sheriff authority to investigate the citizenship status of anyone booked into the facility.

Since the program began, detention center officers have identified 280 illegal immigrants, who have been placed in ICE custody, according to statistics released by the Sheriff's Department. Of those, 134 have been deported.

The agreement between ICE and Lexington County allows Metts to quickly identify illegal immigrants and move them toward deportation. Illegal immigrants contribute to the county's crime problem, Metts said, and he thinks they are part of the reason his jail is overcrowded.

"Just by being the Lexington County Sheriff's Department, without the database, equipment or training, we wouldn't be able to do that," Metts said.

These sorts of background checks are at the center of the state's latest debate over immigration laws. At least two bills working through the General Assembly would require local law enforcement to check the legal status of anyone stopped for any violation and to call ICE when a suspected illegal immigrant is found. In Lexington County, the partnership with ICE makes it easy to do.

But critics of the bills have said checking citizenship



A map hangs on the wall marked with push pins of all the home countries ICE has deported inmates from Lexington County Detention Center. The numbers on the larger pins illustrate the greater numbers of deported illegals in those areas.

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status is much more complicated than many politicians realize. And not every local law enforcement agency gets approved to participate in ICE's program.

In Metts' case, he wanted to begin checking inmates' legal status after noticing an increase in foreign-born people behind bars in Lexington County's jail. Metts suspected many were in the country illegally. At the same time, he had an overcrowding problem. At any given time, 10 percent of the 800 or so people in jail in Lexington County are from foreign countries, and most of them are illegal immigrants, said Maj. John Allard, the sheriff's spokesman.

Metts had heard about the partnership with ICE, which is known as the 287g program.

HOW IT WORKS

ICE runs two types of 287g programs. One is based out of jails, and a second allows local police to create immigration task forces that go out into the community.

Two other law enforcement agencies in South Carolina have signed these agreements with ICE. York County has one for its jail, and Beaufort County has a program at its jail and a task force run by its sheriff's department.

Metts applied for both programs in 2008, but ICE did not approve his department's jail-based application until 2010.

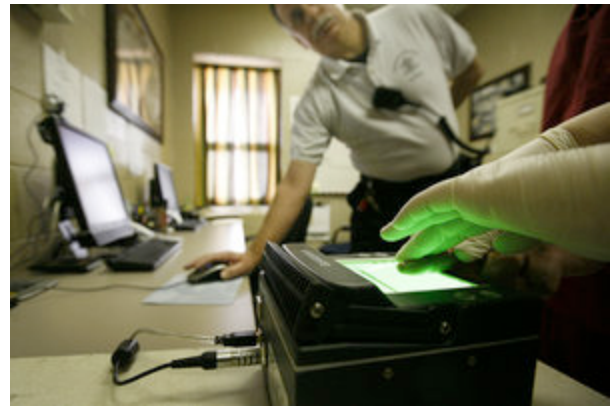
Barbara Gonzalez, a spokeswoman for ICE's regional office in Charlotte, said her agency closely evaluates each agency that applies. The local government must meet certain criteria, such as reaching specific jail standards, to qualify. An ICE agent supervises each county's program.

But ICE does not have the resources to form a partnership with every local law enforcement agency. Increasing the number of agreements between her agency and local governments creates more backlogs in the country's immigration courts, and it increases the workload for the department's agents, she said.

"We live in a world of limited resources," Gonzalez said.

After six months of the jail program, Metts said, the ICE partnership has not solved the overcrowding problem, but it has helped.

The Lexington County Detention Center selected two correctional officers, who spent a month at a special immigration training school in Charleston to learn the ins and outs of immigration law. And ICE provided



Correction officer Kevin Farley checks the scans of finger prints as they are transmitted to the computer while correction officer Melissa Lyons finger prints the inmate. The Lexington County Detention Center checks the immigration status of everyone booked at the jail. They are able to do this because the sheriff entered into an agreement with U.S. Customs and Immigration Enforcement, which provided computer equipment and training for two jail guards to be able to identify people.

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special computer equipment and fingerprinting technology so those officers quickly can identify suspected illegal immigrants.

Melissa Lyons, one of the two Lexington County officers trained through the federal program, said immigration laws are “very, very complicated.” The laws often change, and there are many gray areas, said Lyons, who also has worked for the U.S. Border Patrol.

Once a person has been arrested and brought to the jail, he goes through a screening process to determine his citizenship status. The screening includes checking identification the person has and asking a series of questions such as where the suspect’s parents are from, Lyons said.

“We know the answers they should be giving,” she said. “And if they don’t give them, we investigate further.”

Lyons and the other officer trained by ICE, Kevin Farley, also can scan the fingerprints of immigrant inmates. Legal immigrants will have prints on file. Some illegal immigrants have fingerprints within the federal system because they once had legal permission to be in the country or they have prior arrests, Lyons said.

However, when the ICE-trained officers cannot prove someone’s immigration status, they give them the benefit of the doubt of being legal residents, she said.

“Of course, people get by us,” Lyons said. “Nobody’s perfect.”

Once an inmate is identified as an illegal immigrant, then a detainer is placed on him or her on behalf of ICE. An inmate must complete his criminal proceedings before he is turned over to federal immigration authorities. If he must serve time in a state prison, then the ICE detainer follows him to the S.C. Department of Corrections, which would then call ICE when the sentence is complete.

For inmates who finish a sentence at the Lexington detention center and remain there until ICE picks them up, the federal government pays the county \$55 per day to house the inmate, Metts said.

PITFALLS?

Crackdowns on illegal immigrants often come with accusations of racial profiling.

Advocates for the immigrant community in the Midlands said they have heard complaints about the



Major John Allard, Lexington County Sheriffs Department

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new program in Lexington County, but none of those accusations have been verified.

Ivan Segura, a member of the S.C. Hispanic Leadership Council, said members of the Hispanic community fear racial profiling.

"They really feel if there is a policeman, he is going to follow them and wait for them to do something wrong," Segura said.

Tammy Besherse, an attorney with S.C. Appleseed Legal Justice Center who works on immigrants' rights in the state, said she worries that some immigrant crime victims might be intimidated by the new policy and will hesitate to call the Sheriff's Department when they need help. But she also said Metts has been reaching out to the Hispanic community by participating in Spanish radio programs. He also issues public service announcements on Spanish radio stations when his deputies plan road checkpoints in the community.

"They're not required to do it in Spanish, but they're doing it," Besherse said. "They don't want people to feel targeted."

Metts said his deputies are not targeting immigrants in Lexington County, the majority of whom are Hispanic. For starters, road deputies are not checking immigration status, Metts said. Deputies make arrests based on the department's normal procedures. For example, it is not customary for a deputy to arrest someone for speeding. So, an immigrant stopped for speeding would be given a ticket and released like anyone else, Metts said.

"There's no hunt for anything. There are no quotas," said Maj. Joe Quig, the detention center administrator. "We're looking to find out if people have coincided with what the laws of this country are."

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Inmates that have been processed are held into the ICE pods for up to 72 hours before being picked up by the U.S. Customs and Immigration Enforcement.

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Correction officer Kevin Farley walks an inmate to his holding pod after being processed to await his deportation. The Lexington County Detention Center checks the immigration status of everyone booked at the jail. They are able to do this because

the sheriff entered into an agreement with U.S. Customs and Immigration Enforcement, which provided computer equipment and training for two jail guards to be able to identify people.

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