

# OPINION



# the Astorian

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## OUR VIEW

# ICE dodges legitimate questions

A government agency that acts too highfalutin to provide citizens with straight answers is a risk to democracy. Independents, progressives and conservatives should all be united in fighting unjustified government secrecy.

A desire by some bureaucracies to hide their actions isn't uncommon. However, from one presidential administration to the next, U.S. Immigration and Customs Enforcement shows a particularly dismissive disdain for citizen oversight. Its highhanded secrecy and unaccountability certainly plunged to new depths during President Donald Trump's term, but it was far from adequate under President George W. Bush and President Barack Obama. It continues its haughty ways under President Joe Biden.

Too used to treating undocumented immigrants as things to be hunted, ICE appears to also think citizens are inconsequential, to the extent that it considers itself effectively beyond the reach of the Freedom of Information Act. This self-sabotage of its own credibility is doubly hurtful, since few Americans dispute the agency's central importance in ensuring rational compliance with validly enacted immigration laws.

A notorious scofflaw when it comes to FOIA, ICE has faced numerous lawsuits on the subject, including one by the University of Washington. And in 2018, ICE and Cowlitz County took the unprecedented step of suing UW's Center for Human Rights "for seeking the lawful release of information" about a program that detained undocumented youths.

This region's close-up view of ICE activities is well known. In 2006, in an example predating Trump, other federal agencies assisted ICE in detaining 16 workers at a Chinook seafood plant. But things really came to a head in 2017, when ICE mounted a full-scale



Associated Press

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safari in Pacific County, Washington, in ways that garnered coverage in the Chinook Observer, Seattle Times, New York Times and BBC. These reports relied on interviews with affected immigrants — at least until ICE tactics intimidated them into silence. At the same time, the Chinook Observer sought details from ICE itself — efforts that were invariably ignored or addressed in only the most superficial ways.

On March 1, 2019, the Observer's Alyssa Evans made a fresh effort via FOIA to pry information from the agency. It took ICE until October to respond, a lapse of more than 2 1/2 years. The request was simple: A list of all individuals arrested or detained by ICE within Pacific County since Jan. 1, 2008, what city they were arrested in, and the day and time

they were arrested. In its egregiously delayed response, ICE declined to provide any of this information.

ICE cites various purported exceptions to the FOIA law to explain its decision, which the newspaper is appealing. One of these justifications seems at least nominally defensible, while others will strike most people as shallow and spurious.

Releasing detainees' names, it claims, would be "a clearly unwarranted invasion of personal privacy." Admittedly, having your name disclosed could embarrass an ICE detainee. But such delicacy isn't an issue for federal and state prisons, or for county jails, where inmates' names are openly available even before conviction. Any privacy right would seem to be counterbalanced

by a detainee's interest in not being confined and deported in secrecy. Having the names is essential in attempting to discover what became of detainees, locating family members, seeing whether detainees cycle in and out of custody and the country, and learning whether they have been convicted of non-immigration-related crimes.

ICE refuses to release the dates and times of arrests, alleging that doing so would compromise future immigration enforcement efforts by revealing "techniques and/or procedures" or "disclose guidelines for law enforcement investigations." ICE claims "the techniques and procedures at issue are not well known to the public." More understandably, it says it can't break out an individual county's arrests since they are lumped within the larger Seattle Office of Enforcement and Removal Operations, which apparently covers all of Washington state and Oregon.

It is difficult to see how learning apprehension dates and times would harm enforcement efforts, the patterns of which are well known within the immigrant community and by the wider public. Getting this information will tell all of us how the emphasis on local immigrants changes between presidential administrations, along with newsworthy insights about whether people are detained singly or in the course of larger raids that might sweep up many people.

Learning in which jurisdiction immigrants are arrested will provide an idea about where ICE expends its efforts, which appear to wax and wane with little obvious reason.

It would be an unfortunate exaggeration to claim, as some do, that ICE operates as a form of secret police with inadequate oversight inside U.S. borders. But it risks additional damage to its already tarnished reputation by legalistically dodging legitimate questions posed for valid newsgathering purposes.

## LETTERS TO THE EDITOR

### Appreciation

I'm writing to express my appreciation for the Warrenton-Hammond School District bus drivers. They regularly yield their right of way, and wave me on to make a left from S.W. Ninth Street onto S. Main Avenue, a congested intersection at 7:42 a.m. on school days.

I'm continually grateful each and every time. Thank you!

LAUREN MALLET  
Warrenton

### Begging

When The Astorian becomes dependent upon governmental aid to keep its jobs, its integrity is compromised. The writer of "A light on our democracy" (Nov. 13) notes that this is not about the government putting its hand on certain types of speech. Really!

The questions remain: Why does The Astorian need to beg the government for tax credits? What will The Astorian owe the government for that gift? How will it be able to investigate governmental corruption? Who will be the next generation of journalists, government employees?

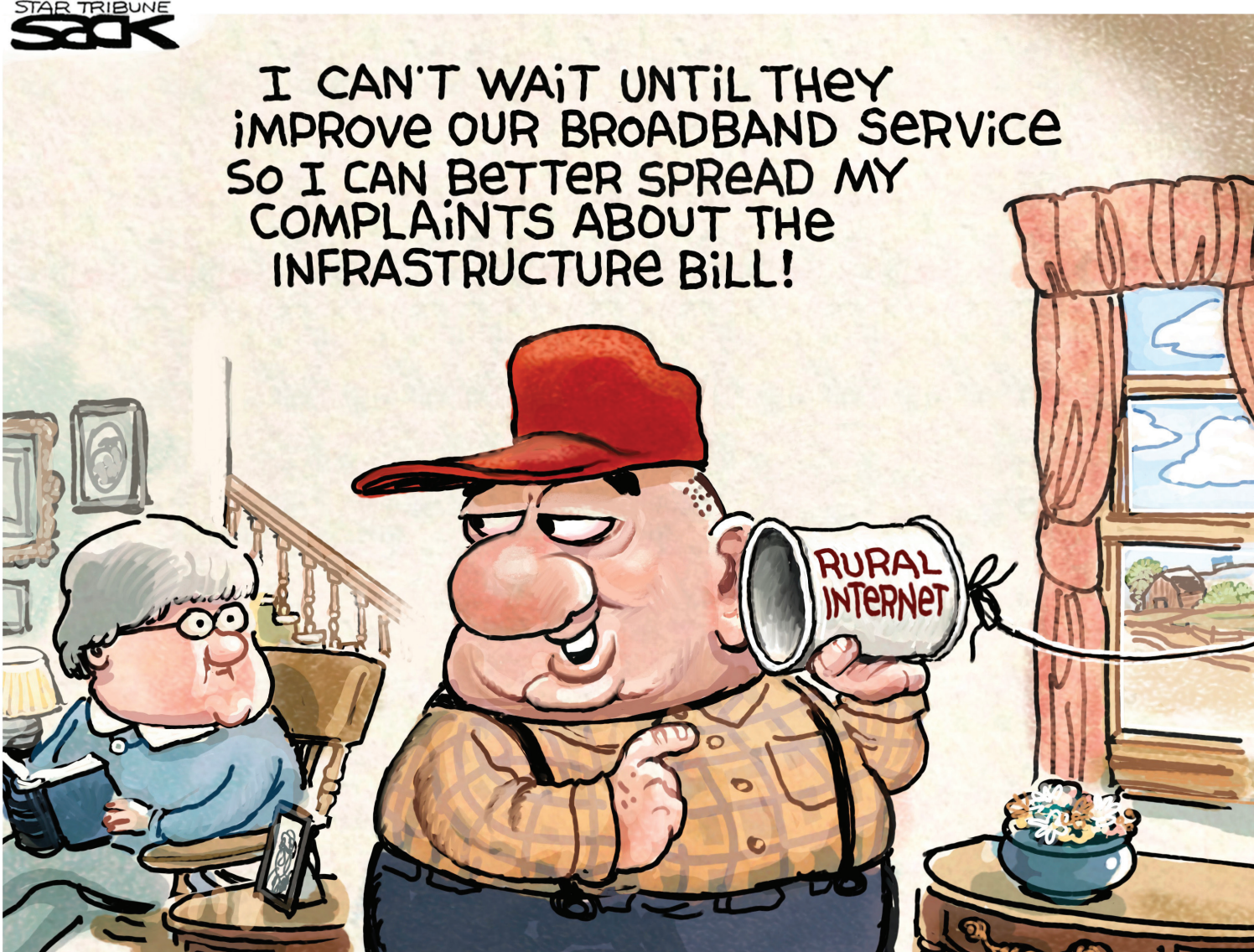
Newspapers, and all media, need to be independent of government strings. They need to be free to investigate lies and corruption without bias. Is not the EO Media Group capable of that without begging for governmental handouts?

ROBERT LIDDYCOAT  
Seaside

### Mainstream

How do you suppose the "mainstream" media got to be mainstream? In our consumer-driven society, it's because, over time, they proved themselves to be reliable sources of true reporting of facts, and the voice of thoughtful, useful opinions.

STAR TRIBUNE  
S&K



In my youth I worked for the State Department, in communications, and held a top-secret "crypto" security clearance. And, I was constantly amazed how consistently right-on the mainstream American and "Western" media of the day — the TV networks and the Associated Press and Time and Newsweek and Life magazines, etc. — were, in their analyses of foreign affairs and current events, including Cold War military matters.

Because all they had to do was ask themselves, in each situation, what was in the best interest of the people of the U.S., and presume that was the position of the U.S. government.

That simple formula was uncannily accurate. Not perfectly, but almost. Because the people who worked in our government were dedicated to that principle. There were, and still are thousands of them, and they stand tall.

I believe that holds true today, despite the best efforts of Steve Bannon and Stephen Miller and former President Donald Trump and their boot-lickers and lackeys at Fox News to subvert, distort and negate all of that.

On Veterans Day, I celebrate those vets who didn't, and don't wear uniforms, as well as those who did, and do.

JOSEPH WEBB  
Astoria