

What Does It Mean to Abolish ICE?

Activists and politicians want a total overhaul of immigration enforcement—but do we have a real plan?

By [Julianne Hing](#) [Twitter](#) July 11, 2018



Scores of protesters crowd the atrium of the Hart Senate Office Building to protest Trump's immigration policy on June 28, 2018. (CQ Roll Call via AP Photo / Bill Clark)

On July 4, when Therese Patricia Okoumou scaled the pooled drapes of the Statue of Liberty, fellow protesters below her held up cards that spelled out, “Abolish ICE.”

Four days earlier, at the more than 700 rallies against the separation and detention of families at the US border, those same words were echoed again

and again on homemade signs, in chants, and on T-shirts. Encouraged by a groundswell of anger, even national-level politicians are endorsing the elimination of Immigration and Customs Enforcement, a shadowy law-enforcement arm of the Department of Homeland Security.

Some of the political will has to do with Bronx-born Alexandria Ocasio-Cortez's shocking upset in a primary challenge against Representative Joe Crowley in New York's 14th Congressional District. Prior to Ocasio-Cortez's win, other Democrats—including Representatives Mark Pocan of Wisconsin, Pramila Jayapal of Washington, and Jim McGovern of Massachusetts—had come out in support of such a move. But Ocasio-Cortez put calls to abolish ICE at the center of her platform. In the days after her win, other prominent New York Democrats—Senator Kirsten Gillibrand and New York City Mayor Bill de Blasio—started to do the same, and Senator Elizabeth Warren (D-MA) offered her support that weekend as well.

People's outrage at ICE and politicians' public statements are now feeding off each other, accelerating the movement to overhaul immigration enforcement. Trump's practice of tearing children from their parents has woken up the country like little else in the president's extreme anti-immigration agenda or in Barack Obama's record-setting deportation spree before that.

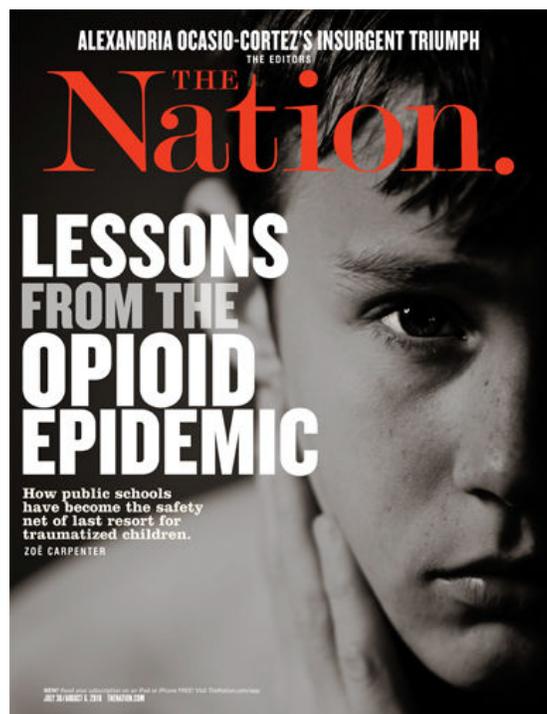
But what does “Abolish ICE” actually mean? Is the slogan just a hashtag-friendly social-media phenomena? Can this rallying cry make the jump to a successful policy agenda?

As in any movement, there are ideological differences. But the political setting is in so much flux and Trump's viciousness has ratcheted up the debate so quickly that many on the left are still finding their bearings. Several immigrant-rights organizations declined to speak for this article. They were, they said, unprepared to comment. The movement and the rhetoric has moved faster than the actual policy proposals.

Activists and advocates who were willing to comment made clear that, while

“Abolish ICE” has moved into the mainstream, people mean very different things when they wield those two powerful words.

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“We really need to think about what we are trying to reimagine here about an immigration-enforcement agency,” said Silky Shah, executive director of Detention Watch Network, an organization that seeks to end immigrant detention. “As an advocate who’s been working on this for a long time, it’s great that everyone suddenly cares about the issues, but not everyone actually knows enough about it to know what to ask for.”

ICE Unveiled

“Ever since the agency was created,” Shah told me, “there’s been no question that its role has been to terrorize immigrants.” ICE was formed in 2003 in a post-9/11 frenzy. The George W. Bush administration moved immigration enforcement from an agency called the Immigration and Naturalization Service, overseen by the Department of Justice, to the newly created ICE underneath the Department of Homeland Security, itself a post-9/11 creation. Such maneuvers were more than a bureaucratic rearrangement.

In its new iteration, ICE and other sub-agencies in the Department of Homeland Security like Customs and Border Protection had access to more funding, personnel, and technological resources. Since its creation, ICE’s annual budget has grown 85 percent, from \$3.3 billion 2003 to \$6.1 billion in 2016. In those 13 years, ICE has tripled the number of agents it employs. What’s more, programs like 287(g) and Secure Communities that granted police and sheriffs broad powers to enforce federal immigration violations extended ICE’s tentacles deep into immigrant communities.

And, until last year, ICE had a quota mandating how many beds in detention centers the agency had to maintain on any given day, which pushed the agency detain and deport more people. “It’s a quota that doesn’t exist in any other law-enforcement context that’s part of the appropriations process,” said Azadeh Shahshahani, policy and legal director at Project South, an Atlanta-based immigrant-rights organizing and advocacy group.

Critics of unscrupulous institutions typically settle into one of two camps: reform the organization or abolish it. ICE’s role in tormenting families isn’t new, but the Trump administration has pursued such a baldly xenophobic agenda that it has succeeded in opening up space on the left to move straight to an abolitionist analysis.

“There’s no scenario where people would be this engaged if Trump hadn’t entered office and created the most horrifying cabinet and put [Jeff] Sessions at the helm of the Department of Justice,” Shah said. “It’s remarkable how much this moment has actually led to some real movement to the left.”

What many immigrants and their advocates have long known is becoming common knowledge: ICE relies on terror to detain immigrants for prosecution and deportation. The agency is authorized to knock on people’s doors to [snatch fathers from their children](#). It has issued threats to those who supposedly have deportation deferrals against them. It has [targeted outspoken undocumented immigrants](#).

And in March, in California’s Central Valley, Santos Hilaria Garcia and Marcelina Garcia Profecto died in a car crash after ICE chased the undocumented couple down. ICE agents showed up at their home in the early morning hours. They were apparently looking for another undocumented person who no longer lived there, but Garcia and Profecto, fearing for their own family’s safety, took off. ICE agents pursued them, and Garcia lost control of the car. [The couple had six children](#).

How a Hashtag Becomes a Platform

These were some of the many abuses that Sean McElwee—a researcher, writer, and fellow *Nation* contributor—said he started paying attention to at the start of the Trump administration. “In February of last year I started noticing incredible acts of inhumanity and violence by ICE, and I would say ‘Abolish ICE’ a bunch of times [on Twitter],” McElwee said. “I noticed a lot of people liked that framing.”

Around the same time, he saw that candidates in Democratic-primary challenges were looking for opportunities to position themselves to the left of incumbents on immigration, and found that the status-quo conversation offered few options for them. “But ‘Abolish ICE’ was one way to do that,” McElwee told me.

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And he felt like connecting elected officials with an “abolish ICE” framework could also benefit the immigration discourse. McElwee said, “If people who could wield the force of law believe in this, we have to be taken seriously.” In other words, convince a politician, legitimize its position in the public discourse.

That strategy has evidently paid off. McElwee said he’s currently in touch with some three dozen candidates, and seemingly every day a new politician joins the call to abolish ICE.

Gillibrand was at once forceful and cautious last week: “I believe that [ICE] has become a deportation force. And I think you should separate out the criminal justice from the immigration issues. I think you should reimagine ICE under a new agency, with a very different mission, and take those two missions out. So we believe that we should protect families that need our help, and that is not what ICE is doing today.”

Then when Senator Warren offered her support to protesters on July 30, she worded her Facebook post carefully: “The President’s deeply immoral actions have made it obvious that we need to rebuild our immigration system from top to bottom, starting by replacing ICE with something that reflects our

values.”

The week before Ocasio-Cortez’s win, actor-activist Cynthia Nixon, who is challenging New York Governor Andrew Cuomo from the left, said on *The View*, “ICE is relatively new. It came in after September 11th. We’ve been handling immigration and customs for a long time here; we don’t need ICE.”

But organizers who have been demanding abolition years before McElwee ever took up the mantle don’t necessarily agree with how these politicians, who’ve only recently tuned in to the conversation, frame the issue. Merely taking the sign off the front door, they say, won’t eliminate the underlying problems. ICE enacts the nation’s racist anxieties and anti-immigrant paranoias—a cultural and political function that won’t disappear with a structural rearrangement.

Before 9/11, ICE’s functions were carried out, albeit with a smaller budget, by INS, which was overseen by the Department of Justice. Activists shudder at the idea of a refashioned agency overseen by an attorney general like Jeff Sessions. Organizer Marisa Franco argues that calls to replace ICE with something else, or to call for some pre-9/11 INS-like structure are dangerous.

Franco, the director of Mijente, a national Latinx organizing group, led #Not1More, a campaign that focused on slowing down the detention and deportation machinery with deportation-defense campaigns, direct action, and community organizing. She is less interested in forcing a policy conversation, because “people just don’t quite understand yet how immigration works.”

So when Franco hears the now frequent talking point that ICE can be dismantled because it is such a new organization, she’s skeptical. The cultural ideas undergirding ICE are more than 15 years old. She warned that the fix won’t be as easy as renaming or reorganizing a bureaucracy: “Administrations close and merge agencies all the time.”

Mijente, which has recently launched a multistate tour and campaign around the hashtag #FreeOurFuture, is approaching the conversation from an organizing perspective, not as part of an electoral or policy-based strategy, she said. The organization's three-step approach calls for putting a halt to all deportations, ending all forms of immigrant detention, and permanently stripping ICE of its billions in funding before abolishing the agency for good.

Shahshahani at Project South was gratified by the attention and anger that people were bringing to bear on ICE. But, when pressed to describe what translating pleas to abolish ICE into policy would look like, she focused more on the practicalities of immigration enforcement than on the actual abolition of the agency. "Immigration detention—this idea that people need to be held in cages—needs to be eliminated," she said. "And the racism and xenophobia that have enabled the expansion of this agency and the private prison industry must be addressed. Congress should dismantle ICE's detention-bed quota, shut down detention centers, drastically cut ICE's budget, and repeal draconian laws that criminalize immigrants."

Gillibrand, Warren, Pocan, and de Blasio have as yet not called for this.

Win a Movement or Win an Election?

Despite her skepticism about some "abolish ICE" policy solutions, Franco is comfortable putting pressure on elected officials from the left, if only because she predicts that Republicans will assuredly run on this issue. Shying away from it will only cede the discourse to conservatives, Franco told me.

"There is a conversation happening in the US about race, and it's being led by the right wing," Franco said. "So when you have other centrist attempts to rearrange the deck, they give in to a blindness toward race and the economy that's very unhelpful."

"Our inability to take a stand in the past has been a detriment to us," Franco said.

On this point, Frank Sharry, executive director of the DC-based America's Voice and one of the most powerful voices in the mainstream immigrant-rights movement, agrees: "I've been around this debate long enough that the rallying cry of 'Abolish ICE' is going to be used by our opponents to try to define us." And, indeed, Mark Krikorian, a longtime right-wing immigration restrictionist, says calls to abolish ICE are really an effort to "[abolish borders](#)."

Sharry knows that many Democrats in swing districts will be wary of embracing what was widely considered a radical goal just weeks ago. "I get that and respect that, given the stakes in the 2018 midterms and the newness of this call," he said. "But this movement is making everyone, across the spectrum and across the country, confront the reality that ICE is destroying families and harming communities." Unceasing reports of ICE's cruelty and the Trump administration's ineptitude will only fuel more disgust with the agency, Sharry predicted. "ICE has brought this on themselves," Sharry said.

Meanwhile, other prominent Democrats and likely presidential candidates have made more cautious demands. On June 24, California Senator Kamala Harris said ICE ought to be "reexamined," adding, "And we need to probably think about starting from scratch," while in [a series of tweets](#) Vermont Senator Bernie Sanders reminded the country that he voted against the creation of the DHS in 2002.

"Now is the time to do what Americans overwhelmingly want: abolish the cruel, dysfunctional immigration system we have today and pass comprehensive immigration reform." (Forget for a second that comprehensive immigration reform is a distant dream.) In his next tweet, though, Sanders wrote, "That will mean restructuring the agencies that enforce our immigration laws, including ICE."

Sanders's apparent call to abolish ICE in one breath and then restructure the agency in another feeds into the kind of confusion that makes organizers like Shah and Franco most suspicious. There appears to be a surfeit of moral

righteousness among politicians, but little consensus on how to translate that anger into policy.

Some lawmakers are ready to take a stab at that work, though. Representative Pocan has pledged to introduce legislation that would abolish ICE. “My bill would dissolve ICE within six months and create a commission to provide recommendations to Congress on how the US government can implement a humane immigration enforcement system that upholds the dignity of all individuals,” Pocan wrote in [a CNN op-ed](#). “Necessary functions that do not violate basic human rights” would get transferred to “other agencies.”

Shah initially told me that the legislation’s murkiness was concerning: “The risk is that [the bill] moves ahead in ways that don’t get to the core problems of ICE, if there’s still a very strong enforcement bent to it. It may be a little cart-before-the-horse.”

But on July 9, Shah revealed that DWN is communicating with Pocan’s office about the law, signaling that legislators may be amenable to more than just cosmetic changes to ICE. “For any potential bill that moves ahead, we have to be vigilant about making sure that ICE isn’t just replaced with another bureaucratic enforcement mechanism,” Shah said.

For his part, McElwee said he’s unconcerned by talk that the “abolish ICE” movement is premature. “Why am I not worried about the policy stuff? Well, because we’re not even going to see legislation that has a chance to pass in the House for three to six months,” McElwee said, taking an optimistic view of the Democrats’ midterm prospects.

And, McElwee believes, front-line activists and organizers who’ve led the charge for years are already doing that crucial work: “I’m less worried that it will somehow be a reconstitution of ICE that’s more dangerous just because of how well the movement has done in raising the inhumanity of deportation.”