

October 4, 2007

## Citizens Caught Up in Immigration Raid

By NINA BERNSTEIN

Peggy Delarosa-Delgado, a United States citizen, Long Island homeowner and mother of three, was fast asleep when someone banged at the door before 6 a.m. last Thursday.

Her son Christopher, 17, a high school senior, opened the door, and more than a dozen federal immigration agents and one Suffolk County police officer pushed past him, he said later.

Only after the agents had herded her other children into the living room, frightened her aunt and uncle, and drawn a gun on a family friend staying in the basement, Ms. Delarosa-Delgado said, did she awake to discover that her house in Huntington Station had been the mistaken target of a raid by Immigration and Customs Enforcement.

It was not the first time. In the summer of 2006, she said, agents waving the same photo of a deportable immigrant named Miguel had stormed into her house before dawn. No Miguel has ever lived there, she said — at least not since she bought the place in 2003.

This time, the raid on her house was part of a series of antigang sweeps on Long Island. The raids, which resulted in 186 immigrant arrests, were denounced by officials in Nassau County as riddled with mistakes and marked by misconduct. But on Ms. Delarosa-Delgado's side of the county line, the Suffolk County police commissioner, Richard Dormer, hailed the sweeps as a successful operation that made the community safer.

Ms. Delarosa-Delgado, 42, a school aide who was born in the Dominican Republic, moved to the United States 24 years ago and became a citizen in 1990, does not feel safer.

"It's not right," she said. "My kids were scared. They had to sit in the living room like little criminals."

"Sure, look for criminals. But they've got to make 100 percent sure that the house they're going into, the person's there. They can't come in just because my address pops up in the computer."

Suffolk County police officials said they stood by their statements praising the raids. But Ms. Delarosa-Delgado's complaint is one of many that have been emerging in Suffolk County as employers, church

workers and lawyers learn who was arrested.

“They took guys who I see in church every single week, whose homes I’ve gone into and everything,” said Sister Margaret Smyth, a nun who attends church in Greenport, where she said 12 immigrant men were arrested last Thursday. “Some of them work on farms, some of them work construction,” she said. “They’re family men.”

One man who was arrested, Walter Tzun, has been in the country for a decade, she said. She described him as married, a father, a taxpayer and a construction worker whose employer has been trying to sponsor him for a green card. He has been moved from a New Jersey jail to two detention centers in Pennsylvania, she said, and has been told that he is headed to Texas. She said the man’s boss drove to Pennsylvania “to try to bond him out” and help him stay.

Eberhard Müller, formerly the executive chef of the restaurant Lutèce and now the owner of a 180-acre farm on the East End of Long Island, said he had spent a week trying to locate the brother, cousin and roommate of one of his workers, a legal immigrant from El Salvador. The three were arrested in a raid at their home in Greenport early last Thursday, he said, leaving babies and two distraught wives behind.

Mr. Müller said he finally learned with the help of a lawyer that two of the three, Omar Mena Lopez and Marvin Lopez, were at the federal Metropolitan Detention Center in Brooklyn, and that one, Valentin Rudy Escobar Montenegro, was in a detention center in York, Pa.

“They accuse them of being gang associates, which makes no sense,” Mr. Müller said, describing all three as holding down two or three jobs as roofers, restaurant workers and farmhands. “Marvin Lopez is a librarian in his country, the sweetest person in the world. He works 14 hours a day, seven days a week. How is he able to be a gang member?”

Accounts of the Suffolk County raids are similar to those criticized in Nassau County.

“These were like dragnets being cast over entire houses,” said Nadia Marin-Molina, director of the Workplace Project, an immigrant advocacy organization in Hempstead that has gathered many of the complaints.

The complaints echo a federal lawsuit filed last month in Manhattan contending that immigration agents unlawfully force their way into the homes of Latino families in violation of the Fourth Amendment’s protection from unreasonable searches.

“We have been inundated with calls,” said Cesar Perales, director of the Puerto Rican Legal Defense and Education Fund, which filed the lawsuit. “People are terrified by these indiscriminate raids.”

Mr. Perales said yesterday that by week's end he would seek an emergency restraining order to stop such raids.

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EDITORIAL

## Stop the Raids

Armed squads bursting into homes in the dead of night with shotguns and automatic weapons, terrorizing families and taking away anyone who lacks identity papers, even if they have raided the wrong house. It may sound like Baghdad, but it is the suburbs of New York City, the latest among hundreds of communities around the country where federal agents have been invading homes and workplaces in search of immigrants to deport.

Federal officials say the raids are a focused campaign to catch gang members and other fugitives. That would be good if Immigration and Customs Enforcement were carefully extracting the dangerous criminal sliver from a population of 12 million illegal immigrants. But as immigration raids have vastly increased, they have become something murky and ugly.

ICE is catching modest numbers of undesirables, but also a much larger by-catch of peaceable immigrants. Its agents have set off waves of fear and outrage, not only among illegal immigrants, but among citizens whose privacy and security they have violated, through unchecked aggression, carelessness and incompetence.

Last week, dozens of federal agents fanned out across Nassau County, Long Island, to execute warrants on accused gang members. County Executive Thomas Suozzi and Police Commissioner Lawrence Mulvey were so dismayed that they have refused to cooperate on further raids until ICE gets its act together.

They described a seriously botched “cowboy” operation by dozens of ICE agents — some in cowboy hats — who had not trained together, used inappropriate weapons and mistakenly drew them on Nassau officers. They said that ICE misled them — that what was supposed to be a targeted gang crackdown was actually something much more sloppy and indiscriminate. They said the agency ignored repeated invitations to check its list of targets against Nassau’s up-to-date gang records and ended up raiding many wrong homes.

The raids were stunningly ineffective. Nassau says they caught only 6 of 96 fugitives. ICE, using a looser definition of “gang member,” said it got 13 in Nassau and 15 in neighboring Suffolk. There, Peggy De La Rosa-Delgado, an American citizen, said her Huntington Station home was raided by

mistake last Thursday at 5:30 a.m. It was the second predawn raid looking for the same man at the same wrong address. Her husband and three teenage sons, legal residents, were terrified, she said.

ICE officials callously shrug off such mistakes as collateral damage, but advocates for immigrants have filed a class-action lawsuit asserting that recent raids in the New York City area were unreasonable searches conducted by agents who did not show warrants and misidentified themselves as police officers. Mr. Suozzi has written to the Homeland Security secretary, Michael Chertoff, asking him to investigate the Nassau debacle.

Mr. Suozzi deserves praise for having the courage to oppose mindless immigration enforcement while affirming a commitment to sane policing and public safety. President Bush has repeatedly insisted that the undocumented immigrants cannot, and will not, be rounded up. He and Mr. Chertoff must stop these reckless raids.

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