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U.S. judge: ICE said Austin raid was because of ‘sanctuary’ policy

METRO-STATE

By [Tony Plohetski](#) - American-Statesman Staff, KVUE News

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Highlights

- In meetings with Travis County officials, ICE insisted agency was not targeting Austin.
- Sheriff’s policy sparked controversy from the start and led Gov. Abbott to cut \$1.5 million in grant funds.

Federal agents privately alerted two magistrate judges in late January that they would be targeting the Austin area for a major operation and that the sting was retribution for a new policy by Travis County Sheriff Sally Hernandez that dramatically limited her cooperation with them, according to one of the judges.

The revelation — made Monday in open court by U.S. Magistrate Judge Andrew Austin — conflicts with what Immigration and Customs Enforcement officials told local leaders after the sweep, when ICE characterized the operation as routine and said the Austin area was not being targeted. It also provides evidence after weeks of speculation that [Hernandez’s policy](#) triggered ICE’s ire.

“We had a briefing ... that we could expect a big operation, agents coming in from out of town, that it was going to be a specific operation, and at least it was related to us in that meeting that it was the result of the sheriff’s new policy that this was going to happen,” Austin said.

“My understanding, what was told to us, is that one of the reasons that happened was because the meetings that had occurred between the (ICE) field office director and the sheriff didn’t go very well,” he said.

Agent Laron Bryant, who has worked in the Austin ICE office since last summer, said he did not know about the meeting between Hernandez and ICE, and said the judge’s concerns were new information for him.

ICE officials issued a statement about the matter on Monday evening: “For operational security reasons, ICE does not discuss future operations. However, ICE conducts daily operations nationwide targeting and arresting criminal aliens and other individuals who

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are in violation of our nation's immigration laws for the safety and security of our communities.”

Kristen Dark, a spokeswoman for Hernandez, said the sheriff had no comment Monday because she was not part of any conversation between ICE agents and judges. U.S. Magistrate Mark Lane, who attended the meeting with Austin, also declined to comment. The way the ICE agents conducted the operation — officers pulled over people suspected of being in the country illegally or went to their homes and businesses to arrest them — was a substantial change from how the agency has operated in Travis County. In the past, most arrests were prompted by immigration checks on Travis County jail inmates.

In the week of the mid-February raids, rumors swirled on social media, and afterward came a volley of questions about why Austin was chosen for such an operation and whether the city should brace for more.

Two county officials had told the American-Statesman last month that they met with ICE regional field officer Dan Bible, who [insisted that the agency was not targeting Austin](#).

“He denied that there is a target on Travis County's back,” County Judge Sarah Eckhardt said in a Feb. 28 interview.

County Commissioner Gerald Daugherty said he received similar information.

‘No new directive’

The Statesman reported last month that federal documents showed that of the 51 people arrested in the operation, [28 were described by ICE as “non-criminal,”](#) meaning they didn't have a criminal history. The percentage was significantly higher than in other cities where officials conducted similar operations: Atlanta, Chicago, New York and Los Angeles.

Hernandez announced her new policy for handling requests to hold inmates for ICE in January — the same day President Donald Trump was sworn in — in an eight-minute video.

The policy prompted [Gov. Greg Abbott to strip \\$1.5 million](#) in state grants from the county. State lawmakers are also considering legislation that would ban so-called sanctuary cities and require Texas sheriffs to fully comply with ICE or risk civil penalties and criminal charges.

Meanwhile, Assistant U.S. Attorney Mark Marshall said during Monday's hearing that he and his office have not received any new orders from Washington about how they should operate in the Austin area.

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“I have no new directive from the attorney general or the Immigration and Customs Enforcement agency,” Marshall said. “I suspect that is going to be several months down the road.”

Judge Austin’s questions for ICE officials came during a hearing Monday for a defendant recently arrested as he showed up for a hearing in Travis County court — [which also triggered alarms](#) about a new ICE tactic.

Juan Coronilla-Guerrero was attending a hearing on two misdemeanor charges, assault-family violence and possession of marijuana, when ICE agents took him into custody.

‘Isolated incident’

When he was first arrested on those charges in January, ICE agents had sought a so-called detainer for him in which they asked Hernandez to continue holding him after he posted bail, but Hernandez denied it under her policy. Agents then obtained an arrest warrant charging him with illegal re-entry into the U.S. because he had been previously deported.

Bryant, who conducted the arrest with another agent, said they were instructed by an assistant regional ICE director to arrest Coronilla-Guerrero at the courthouse, even though Bryant testified that he had never before made such an arrest at the courthouse.

Bryant said that upon arriving at the courtroom, he notified a deputy on duty that he was there to arrest Coronilla-Guerrero, and that he did so after riding down an elevator with him following the hearing.

“He told us he was here illegally, and that was pretty much it,” Bryant said.

Bryant and the other officer had restraints with them for Coronilla-Guerrero but had surrendered their guns at a security entrance to the Blackwell-Thurman Criminal Justice Center. Austin expressed worry that had Coronilla-Guerrero fled, agents and the public could have been at risk.

“It is always concerning when someone gets arrested at the courthouse,” he said.

Marshall told Austin, “These agents apprehended him in a reasonable and respectful manner. The agents acted professionally. They weren’t overbearing.”

Near the end of the proceeding, the judge asked Bryant about how ICE might work in Austin in the future: “Do you know if we are going to continue to have arrests like this one, where there are targeted people outside the jails?”

Bryant responded, “As far as I know, this incident was an isolated incident. This was not something that is going to become pattern or practice, so to speak.”