

Forwarded this email? [Subscribe here](#) for more

Democracy of Hope



Time to End ICE and Start Again

ICE was built for border security, not raids on city streets. Mission creep, masks, and weak oversight have turned enforcement into fear, and trust has collapsed nationwide.

DEMOCRACY OF HOPE

FEB 9



By Jeremi Suri

In the months after the terrible September 11, 2001 terrorist attacks, Congress created the Department of Homeland Security for the first time in the nation's history. The goal was to consolidate federal immigration and border security efforts, preventing foreign terrorist activities within the United States. Part of that effort included, in March 2003, the creation of an Immigration and Customs Enforcement division (ICE) by combining the former Immigration and Naturalization Service (INS) and the former U.S. Customs Service. Members of Congress hoped the new ICE would police the nation's borders better by integrating these functions.

Congress never intended for ICE to deploy on U.S. city streets against the wishes of local law enforcement. Congress never intended for ICE to enter homes, schools, hospitals, churches, and courts as a super-empowered domestic policing agency. And Congress never intended for ICE to hire more than 12,000 new agents, as it has in the last year, with minimal training and background checks. Those ill-prepared agents were on the streets in Minneapolis recently, and we all know what happened.

The United States has long had federal agencies to protect borders and interdict criminals and contraband entering the country. U.S. Customs and Border Protection (CBP), also within the Department of Homeland Security, operates at ports of entry. But what we have witnessed with ICE, and to some extent CBP, is mission creep well beyond the purpose of these agencies. Border security is not street policing – that has always been a local responsibility under the U.S. Constitution. Immigration enforcement is not dragnet surveillance, citizen harassment, and repeated invasion of private property – those have always been prohibited acts allowed, on rare occasions, with the limited permission of judicial authorities in specific cases. In undertaking these behaviors and then defending them in the face of obvious abuses, ICE has made itself a rogue agency.

Even if it were to pull back, to reform, and to adopt strict limits on its former

abusive behavior, ICE will never win back public trust. Across the country, citizens perceive ICE agents as threats to personal safety. I have heard this from teachers, judges, religious ministers, small business owners, and even local police officers. ICE agents wear masks; no other law enforcement officers do the same. ICE agents carry deadly weapons with little training and accountability; no other law enforcement officers carry so flagrantly and boldly. ICE agents are usually not local, and they often operate without knowledge of their communities; all local law enforcement operates with more community knowledge and connection – it is a core principle of effective policing (“know your community”).

The culture and organization of ICE is simply rotten, illegitimate, and offensive to most Americans. You will hear very few people, even Republicans, defending the agency’s record. In fact, its record is not credible because it issues reports on deportation numbers that fluctuate and are not backed by public evidence. ICE repeatedly makes assertions that, like those after the Minneapolis shootings, are quickly proven false. The agency is operating without clear accountability to Congress or the courts – a point made in recent congressional hearings. When any public organization is so discredited, it cannot operate effectively. The most talented people will not join it or assist it. Citizens will not help, many will resist, and many more will ignore its requests, wherever possible. ICE will face increasing friction everywhere it goes. Its work will get harder, requiring increased coercion and triggering more atrocities like those in Minneapolis. This is the experience of illegitimate law enforcement agencies in repressive societies, and we are seeing the same from ICE today.

What can be done? Congress must disband ICE and create a replacement agency that emphasizes constitutional values, limited uses of force, and only the very best training of agents. Those attributes will require an entirely new organization designed around law, not flagrant authority. Those attributes also necessitate credible, trusted leaders who have respected law enforcement backgrounds and proven records of devotion to the public interest in a democracy.

This week, Congress has a promising opportunity to end ICE and create

something much better. Funding for the U.S. Department of Homeland Security expires on Friday, February 13. There is bipartisan frustration with ICE on Capitol Hill. New legislation should require a rapid termination of ICE employees, on the model used by DOGE for other agencies, and a re-hiring of those deemed qualified by a new agency stood up under new leadership, with clear congressional guidelines and accountability.

Without agreement on this kind of legislation, the Department of Homeland Security is likely to go into a temporary shutdown. A new agency will work better for border security and immigration law enforcement while protecting constitutional values. That is the argument that members of Congress should make. Continuing to keep ICE going only makes all Americans less safe.

There comes a time when a rotten agency must be closed and started again. That is an argument Republicans have long made. Now Democrats should make it too, and force Republicans to live by their own words. Ending ICE is the only way to start building trust in immigration enforcement again.

Also see in:

[German](#), [Turkish](#), [Chinese](#), [Spanish](#)



Jeremi Suri - Korey Howell Photography

Jeremi Suri holds the Mack Brown Distinguished Chair for Leadership in Global Affairs at the University of Texas at Austin. He is a professor in the University's Department of History and the LBJ School of Public Affairs. Professor Suri is the author and editor of eleven books on politics and foreign policy, most recently: Civil War By Other Means: America's Long and Unfinished Fight for Democracy. His other books include: The Impossible Presidency: The Rise and Fall of America's Highest Office; Liberty's Surest Guardian: American Nation Building from the Founders to Obama; Henry Kissinger and the American Century; and Power and Protest: Global Revolution and the Rise of Détente. His writings appear in the New York Times, Washington Post, Wall Street Journal, CNN.com, Atlantic, Newsweek, Time, Wired, Foreign Affairs, Foreign Policy, and other media. Professor Suri is a popular public lecturer and comments frequently on radio and television news. His writing and teaching have received numerous prizes, including the President's Associates Teaching Excellence

Award from the University of Texas and the Pro Bene Meritis Award for Contributions to the Liberal Arts. Professor Suri hosts a weekly podcast, “This is Democracy.”

Democracy of Hope, produced by Jeremi and Zachary Suri, is a reader-supported publication. To receive new posts and support our work, consider becoming a free or paid subscriber.