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Immigration and Customs Enforcement

Immigration and Customs Enforcement (ICE) officials boasted that it was the largest raid of its kind in American history. Unprecedented it was. On May 12, 2008, ICE officials rounded up 398 undocumented workers at the Agriprocessors kosher meatpacking plant in Postville, Iowa and immediately began criminal proceedings. These workers were charged with aggravated identity theft – a felony charge that had never before been invoked in an immigration raid. These workers were forced to appear in groups of ten before a make-shift court, on the grounds of the National Cattle Congress, where without meaningful access to legal advice, they were obliged to accept criminal convictions and deportations. Within a matter of days, the majority of the immigrants had been convicted of federal felonies and sentenced to months in prison. Within a matter of months, many had served out their time and had been deported pursuant to criminal plea agreements.

The Postville raids are the subject of the third edition of the DePaul University Journal for Social Justice. This edition follows on the heels of the DePaul Center for Public Interest Law’s 3rd Annual Vincentian Symposium, “ICE Raids, Due Process, and the Separation of Powers: Implications of Postville and Beyond,” held on November 18, 2008 and co-sponsored by the Journal for Social Justice, the Latino Law Student Association, the Society for Asylum & Immigration Law, DePaul’s Asylum & Immigration Law Clinic, and the University Ministry.

Our series on Postville opens with Raids, Rights and Reform: The Postville Case and the Immigration Crisis by Dr. Erik Camayd-Freixas. Dr. Camayd-Freixas, a federally certified interpreter, offers not only a first-hand account of the raid, but also an analysis that places Postville in context with the United States’ social, economic and foreign policies.

Rockne Cole was asked to be a court-appointed defense attorney representing Agriprocessors employees. We have reprinted the letter that Cole sent to United States Congresswoman Zoe Lofgren that raises important conflict of interest and separation
of powers concerns in detailing the reasons that he declined the appointment.

The DePaul Journal for Social Justice is also proud to include *Re-Interpreting Postville: A Legal Perspective*, written by DePaul’s Asylum & Immigration Clinical Professors Sioban Albion, R. Linus Chan and Sarah J. Diaz. *Re-Interpreting Postville* analyzes the ways in which the Postville legal proceedings raise due process and separation of powers concerns, as well as Sixth Amendment considerations.

Also especially relevant in the context of the Postville immigration raid is our final article in the series, *Community Under Siege: The Impact of Anti-Immigrant Hysteria on Latinos*. This article demonstrates the way in which discriminatory housing ordinances, immigration raids and hate crimes against Latinos are intertwined, and reiterates the need for comprehensive immigration reform.

Our goal with this edition is to engage in an elevated discussion and analysis of the Postville raid and the escalation of domestic law enforcement in the United States. To date, this is the first time that a nationally published and peer reviewed law journal has so thoroughly evaluated and discussed the Postville raid. We hope that this edition will advance this conversation.

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