



Written by [Warren Mass](#) on October 29, 2014

Accused Cop-killer Was Twice-deported Illegal Immigrant

An illegal immigrant who was deported twice before returning to the United States has been accused of killing two Northern California sheriff's officers in separate incidents on October 24.

A report in the *Los Angeles Daily News* noted that the illegal immigrant, Luis Monroy-Bracamontes, allegedly shot and killed Sacramento County Sheriff's Deputy Danny Oliver in a Motel 6 parking lot. Shortly afterwards, Monroy Bracamontes allegedly murdered Placer County Sheriff Detective Michael David Davis, Jr. The two shootings occurred within a six-hour time frame.



The *New York Times* reported that Monroy-Bracamontes was apprehended and booked in the Sacramento County jail, after which his fingerprints were used by federal immigration authorities to identify him. His record showed that he had entered the United States illegally from Mexico, was deported in 1997, and reentered this country and remained here illegally for more than a decade before being deported a second time in 2001. His illegal status was uncovered the first time after drug- and weapon-related arrests. Despite those previous arrests and deportations, Monroy-Bracamontes came back and stayed until last week's shootings and arrest.

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"This case shows that our laws are not being enforced, and there are tragic consequences to not enforcing them," the *Times* article reported, quoting Ira Mehlman, a spokesman for the Federation for American Immigration Reform, or FAIR, a group that advocates more stringent immigration enforcement.

The *Times* article cited statistics provided by Marc R. Rosenblum, a researcher at the Washington-based Migration Policy Institute, noting that from 2003 to 2013, about one-third of all deportations — 1.1 million — were based on reinstatements of court orders from previous deportations of the same illegal immigrants.

In addition to fatally wounding the two officers, Monroy-Bracamontes is accused of shooting and wounding a motorist in Sacramento while attempting to steal the man's car, and another police officer in Placer County. Monroy-Bracamontes and his wife, Janelle Marquez Monroy, who was with him throughout the violent spree, are also charged with attempting to murder two other Placer County deputies.

"This underscores why technology like Secure Communities is so important," the *Times* quoted Virginia Kice, an ICE spokeswoman, as saying. "It relies on fingerprints, and it gives us a virtual presence in jails and prisons across the country."

California, under Governor Jerry Brown, has a track record of not cooperating with federal immigration



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enforcement in recent years. Brown signed a bill known as the Trust Act into law a year ago that limited California's cooperation with Secure Communities. Secure Communities is a federal deportation program managed by ICE that relies on partnership among federal, state, and local law enforcement agencies.

"While Washington waffles on immigration, California's forging ahead," Brown said in a press release after signing the Trust Act into law. "I'm not waiting."

Brown seems to have his priorities reversed: Most immigration officials, including Border Patrol agents, would maintain that the present immigration crisis stems from lack of enforcement of our immigration laws, and that the way to reform the system is to strengthen enforcement, not weaken it.

When the Trust Act was first introduced, FAIR urged its supporters in California to contact their state representatives to oppose it. "This bill would undermine public safety in my community and impede the federal government's ability to enforce immigration law," noted FAIR's suggested talking points.

Before the new program was established, when an individual was booked into jail, his or her fingerprints were submitted to IAFIS — an FBI database of biometric criminal records. But with the onset of Secure Communities, local authorities run fingerprints against two federal immigration and criminal databases, IAFIS and IDENT — a DHS database that keeps biometric records of immigration applicants, certain criminals, and those suspected of or known to be terrorists.

When there is a match, ICE may choose to place a "detainer" on the suspect — a request for the jail to hold that person for up to 48 hours beyond the scheduled release date, so that ICE can take custody and initiate deportation proceedings.

The New York City Council speaker introduced a bill on October 7 that would "significantly restrict the conditions under which the NYPD complies with ... ICE requests" to "detain [an] individual for up to 48 hours beyond when the individual would otherwise be released so that the individual's custody may be transferred to ICE."

This latest crime spree serves as a warning to New Yorkers and others who would follow California's example of failing to cooperate with Secure Communities.

Peter Nuñez, a former U.S. attorney in San Diego and chairman of the pro-enforcement Center for Immigration Studies, told the AP that this incident in California exposes shortcomings in border security and interior enforcement. Nuñez questioned how Monroy-Bracamonte was apparently able to assume another identify.

"It's symptomatic of the entire system," he said.

Maricopa County, Arizona Sheriff Joe Arpaio, who calls himself "America's Toughest Sheriff" — a strong defender of Arizona's S.B. 1070, a law requiring immigration status checks during law enforcement stops — told Fox News Channel's *Your World with Neil Cavuto* that Monroy-Bracamonte was released from jail on at least one other occasion.

"That's just what we know of," Arpaio said. "Where's this guy been in the past years? I hope they try to track it down, and why is he back in the country, and why did he do this vicious attack on our deputy sheriffs?"

Arpaio told Cavuto that his office arrested 4,000 illegal immigrants for state crimes in the last eight months and turned them over to U.S. Immigration and Customs Enforcement, but that 36 percent of them returned.



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“Last month a guy came back 25 times,” Arpaio said. “Either the border is really unsecure or they’re letting these guys out in the streets of Maricopa County.”

Only a small part of the blame for releasing illegal immigrants, instead of deporting them, can be attributed to local jurisdictions that refuse to cooperate with ICE’s Secure Communities program, however. Statistics made available on October 15 by the Center for Immigration Studies (CIS), a Washington, D.C.-based non-profit research organization that specializes in providing statistics related to both legal and illegal immigration, indicated that the Obama administration’s lax deportation policy resulted in deportations from the interior of the United States to go down 34 percent during the past year. The source of the data compiled by CIS was ICE’s Weekly Departures and Detention Report (WRD) as of September 22, 2014.

Senator Chuck Grassley (R-Iowa) sent a letter to Homeland Security Secretary Jeh Johnson on June 9 stating: “According to multiple news reports, in 2013, U.S. Immigration and Customs Enforcement (ICE) released from its custody 36,007 immigrants who had been convicted of a crime and were awaiting the outcome of deportation proceedings.” More seriously, noted Grassley, “This included 116 individuals who had been convicted of homicide, with a total of 193 homicide convictions between them.”

In an August 15 reply to Grassley, Thomas Winkowski, Principal Deputy Assistant Secretary of U.S. Immigration and Customs Enforcement (ICE), acknowledged that in Fiscal Year 2013, ICE released 36,007 criminal aliens from ICE custody. The letter admitted that 169 of these had a “homicide-related conviction,” and that 131 have been “issued a final order of removal.”

The murders of two California law enforcement officers — Deputy Danny Oliver and Detective Michael David Davis, Jr. — are the unfortunate consequence of our federal government’s failure to treat the conviction and deportation of hardened criminals as a top priority.

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