

When technology facilitates ICE raids that violate rights, who is responsible?

Palantir has argued that its technology does not play an active role in deportations and the human rights violations that have occurred under the Trump administration, but this claim is patently false.

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[U.S. Immigration and Customs Enforcement/Flickr](#)

On August 7, 2019, 680 undocumented immigrants across Mississippi were arrested in mass raids in food processing plants conducted by Immigration and Customs Enforcement (ICE) agents. [Hundreds of families were immediately separated](#), many children were [unsure whether they would see their parents again](#). While most primary caretakers were released the day of the raid, many families remain incomplete, and at least two children were [separated from both parents](#) for a full eight days before ICE reunified them.

Palantir, a Silicon Valley company that holds two contracts with ICE, was [complicit](#) in these raids. One of its tools, Investigative Case Management, [allows ICE agents to add vast amounts of data to investigative cases of individuals](#), giving ICE

information to prosecute and deport individuals. Its second tool, FALCON Search and Analysis, is a one-stop shop for analyzing this personal data, even allowing agents to see telephone and GPS data used by an individual in real time.

These tools [have been used in previous workplace raids](#), which have [quadrupled](#) under the Trump administration. The raids are led by a division of ICE called Homeland Security Investigations (HSI), which has active contracts with Palantir



ICE has been implicated in various human rights violations under the Trump administration, notably with regard to children's rights enshrined in international law. In 2018, the UN High Commissioner for Human Rights [called](#) the practice of separating children from their families, [a practice enforced by ICE](#), "arbitrary and unlawful interference in family life" and "a serious violation of the rights of the child." In 2019, the UN High Commissioner for Human Rights [claimed](#) that the detention of migrant children by ICE may constitute cruel, inhumane, or degrading treatment prohibited by international law.

Without tech like Palantir's, ICE agents would likely arrest, detain, prosecute, and deport far fewer people than they do today.

In addition, in June 2019, the Department of Homeland Security (DHS) Inspector General released a [report](#) finding "immediate, unaddressed risks" and "egregious violations" of ICE's own detention standards. ICE has provided expired food and inadequate medical care to detainees and has punished detainees "with solitary confinement for unproven disciplinary violations...kept locked in isolation for 24 hours a day, with little access to outdoor recreation or showers." According to the inspector general, these "inappropriate segregation practices...infringe on detainee rights." A [24th person died in custody](#) under the Trump administration that same month.

Without tech like Palantir's, ICE agents would likely arrest, detain, prosecute, and deport far fewer people than they do today. Palantir's software is used by ICE agents to amass data on individuals who are thereby more easily arrested and separated from their families, detained in inhumane conditions, deported outright, or some combination of all three.

Palantir's software is, therefore, implicated in these human rights violations. The company has [implied](#) that because its contract is with the division of ICE that focuses on transnational crime (HSI) instead of the division that focuses on deportation (Enforcement and Removal Operations, or ERO), it does not play a role in deportations and human rights violations perpetrated by the Trump administration.

But this is false on several counts. ICE has used Palantir's software in several key ways that detain immigrants and separate families:

Workplace raids

Palantir's software is used in workplace raids that result in family separations and

the detention of people in conditions that violate human rights. During the mass raids in Mississippi, an [affidavit](#) by an ICE agent spelled out how information from the public was routed through a tipline that is part of Palantir's infrastructure for ICE. These tips were investigated by ICE agents using Palantir's analytics software, which allows agents to view troves of personal data at the click of a button.

When ICE agents fanned out across the country to target hundreds of 7-11 stores in 2018, they were [told to download](#) a mobile version of Palantir's analytics software, allowing agents in the field to comb through different government databases for information like immigration history and family relationships. In the course of these raids, agents could use this mobile app to obtain information such as fingerprints and data extracted from phones and send it back to ICE command centers, making it quickly available to other ICE agents via Palantir's software.

A planned workplace raid in 2017 that was meant to be the largest in ICE's history, targeting 10,000 people nationwide, [would also have involved the use of Palantir software](#). The operation was cancelled after it was exposed, but ICE agents would have had access to both Palantir's case management software and its analytics software for the raid.

Border operations

Palantir's technology has been used in targeted border operations that led to family separation and detention, as well as the lengthy detention of children in ICE custody. For instance, in 2017, Palantir's software was used in a 90-day test run on the southern border to target and prosecute sponsors of children who crossed the border alone—including family members of those children. In this precursor to the family separation policy, efforts to prosecute family members on human smuggling charges [resulted in 443 arrests](#).

Under Trump, this practice resulted in sponsors of children, knowing they would be arrested for coming forward while undocumented, staying back, leading to the prolonged detention of hundreds of children in remote centers for often months on end. Palantir's software, by allowing ICE agents to target sponsors, facilitated this practice.

Despite the company's claims, Palantir's software is often used by agents with ERO, the deportation division of ICE, even though Palantir's [contract](#) is with HSI. Government [documents](#) explain that Palantir's software is available to all ICE agents, and agents from both divisions have had Palantir software at their disposal in at least two operations in [2017](#) and [2018](#).

Undermining sanctuary cities

Finally, in addition to Palantir's role in deportations, Palantir's software may also allow cities to skirt "sanctuary city" laws, which forbid local police departments from cooperating with federal immigration agents. Skirting these laws could allow ICE agents to know when immigrants leave jails, for instance, so they can wait outside and arrest them.

Local and state law enforcement use Palantir's software to share information like license plate reader data and DMV records with DHS, the parent agency of ICE and

CBP. ICE calls this system a “[back-end super highway data sharing system](#)” and [transmits case information](#) directly from Palantir’s systems to federal, state, local, tribal and international law enforcement agencies. This data sharing occurs despite laws in several states specifically forbidding it.

Though Palantir has made no attempt to stop its work for immigration enforcement, pressure is mounting. The company has faced protest from [academics](#), [students](#), [ordinary citizens](#), and [employees](#) opposed to their tech being used for deportations. All are calling on the company to cancel its contracts with ICE, which would help cripple the agency’s deportation efforts.

Accountability will come when Palantir ceases participation in policies that violate human rights, and Palantir will only do so when calls against its complicity—from both inside and outside the company—are overwhelming. We call on others to join us and demand the company cancel its contracts.

Business & Human Rights Resource Centre invited Palantir Technologies to respond to the allegations in this blog piece. Palantir's response and a rejoinder from Mijente are [available here](#).

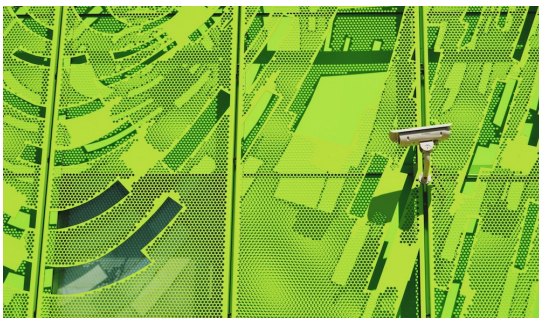
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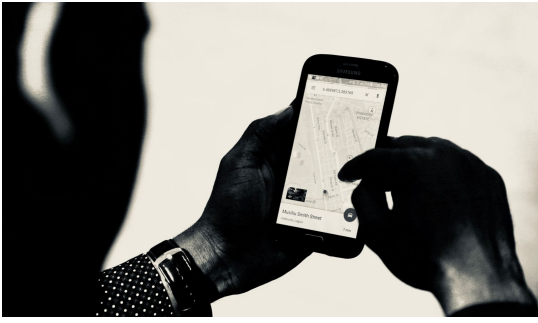
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