

Undocumented Today

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Submitted to the Board of Study in Political Science
School of Natural & Social Sciences
in partial fulfillment of the requirements
for the degree of Bachelor of Arts

Purchase College
State University of New York

May 2020

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Introduction

“Build the wall, build the wall!” one of the many slogans President Donald Trump’s supporters shouted during marches and rallies against undocumented immigrants. The 2016 election had a major effect on the Hispanic immigrant community. Migrants have been crossing the southern border and living within the United States for years. Many have been able to gain citizenship through marriage, children, or other resources but there are still thousands that live in the shadows undocumented.

Some immigration policies were implemented in the 1900’s. The 1924 Immigration Act was a policy that set a quota on the number of immigrants allowed to enter the United States, and largely affected Chinese and Japanese. This was intended to put an end to open borders. Another policy was President Lyndon Johnson’s Immigration and Nationality Act of 1965 which was instituted to end the quotas from the 1924 Immigration Act. It was to halt discrimination against immigrants from non-European countries. After the September 11, 2001 terrorist attacks President George W. Bush established immigration policies which became harsher and affected migrants arriving in the United States and those that were already living here. Bush organized the Patriot Act in 2001 after the terrorist attacks. It allowed for law enforcement to enter and invade anyone’s home or business that was believed to be involved in a terrorist organization. This began a common trend to blame undocumented immigrants, in this case Muslims, for crimes often done by others.

As the years progressed and presidents changed so did immigration policies. President Barack Obama was in office from 2008-2016 and set out immigration policies that are still in use today. In the beginning of his presidency he supported mass deportations of undocumented immigrants. He also started Juvenile Dockets because of the large number of unaccompanied children that were crossing the Mexican border. The Dockets indicated that immigrant children

had 21 days to find someone to represent them and assist them in court in defending their case or they would be deported. Obama also created the Deferred Action for Childhood Arrivals (DACA). This Executive Order was instituted in order to help undocumented immigrants that had come into the United States at a young age to gain legal status. Gaining legal status did not mean a path to citizenship, it meant being able to get a driver's license, social security, continue college education, or get a job. Many of his immigration policies, like DACA, are still in use today but are being questioned or changed by president Trump.

Trump came into office after winning the 2016 election against Hillary Clinton. During his campaign he focused on immigration. His immigration policies caused confusion and hatred between some American citizens and the immigrant community. The president has always been very expressive when talking about immigrants, particularly undocumented immigrants. He set out to change many of the immigration policies put into force by Obama. Trump instituted a "zero tolerance" policy towards undocumented immigrants. His "zero tolerance" policy is supposed to prevent undocumented immigrants from entering and remaining in America. He has forced Immigration and Customs Enforcement (ICE) to detain families and children at the southern border. He has forced separation of families at the frontier and those already living in the United States. The president also continued deporting those in the country who are undocumented.

Many of the policies implemented by Trump have had a huge impact on many families in America, whether documented or undocumented, with detention, separation, and deportation taking place. He relies on ICE and its detention centers to carry out many of the immigration policies he has established. ICE officials prevent undocumented immigrants from entering the U.S. by detaining them at the border and often deporting them after forcing them to check in

weekly at ICE locations. The ICE detention centers are locations where many new immigrants are forced into once arriving in the United States where they wait for their deportation.

My thesis will focus on the immigration policies initiated by President Trump and the effects they have had on the immigrant community. I will be looking at source material and interviews done with undocumented immigrants and their experience with this “zero tolerance” policy.

My thesis will also reflect on how these immigration policies have affected my personal life. I come from a family of immigrants, many of whom are still undocumented today. The fear that lives with us when we hear that ICE raids are occurring in our community is real. Besides the fear, the feeling of having my family members live in the shadows is heartbreaking. We watch the news every day hoping for a change in government policy towards undocumented immigrants that are looking for permanent residency. I also have a personal connection with the deportation process during this presidential administration. I have had a family member deported within the last few years and it is shocking to hear the conditions they lived in and the fear they encountered when sitting in the ICE detention centers for just a few weeks.

Although I have a close personal connection to my thesis, the main reason I decided on this topic was because I want to examine how President Trump’s immigration policies have affected the Hispanic immigrant community. Although we hear in the news about some of his immigration policies and how the Hispanic community is affected, I wanted to go deeper into the policies and what people are going through or have gone through within the last few years. As I take a closer look into his policies I also want to show the constant fear that many of us, Hispanic-Americans, have in regards to his immigration policies. I would like to have everyone

understand the importance of this thesis and how presidential and government policies attack certain minority communities.

Chapter 1- The Obama Administration and its Immigration Policies

According to Pew Research, in 2008 67% of the Hispanic community voted in favor of Barack Obama and Joe Biden.¹ Obama's campaign discussed issues that would take away the fear of many undocumented immigrants who pursued a better life in America. Although he knew he could not help all he secured a solution that would prevent many children crossing the border alone and help those immigrants already here.

President Obama began his presidency by supporting the deportation of undocumented immigrants already living in the United States. In 2009 there were close to 300,000 ICE arrests.² This led to fear of ICE and also led to deportation for many undocumented immigrants and families. Although many believe that Obama and his administration were just looking to deport all undocumented immigrants the truth is he made it clear in many speeches what his priorities were. After many deportations, the president released a statement indicating he will not order deporting illegal immigrants whose only crime was crossing the border.³ In a presidential address he stated, "We'll focus enforcement resources on people who are threats to our security: felons- not families, criminals- not children."⁴ This was important for the Hispanic community to hear. For many undocumented immigrants hearing the president forgive their crime of crossing the border illegally was a relief. This would not only help Obama keep the support of much of the Latino community but also the undocumented immigrants that feared separation from their families.

Obama's main concern with deporting undocumented immigrants that were already in the U.S. was their criminal record. He was also concerned with the large number of immigrants that

¹ "The Hispanic Vote in the 2008 Election", Pew Research 2008, NP.

² "ICE Immigration Arrests in the United States", Gale in Context, 2017, NP.

³ "Yes, Obama deported more people than Trump but context is everything", CNN, 2019, NP.

⁴ The President's Weekly Address, ProQuest, November 22, 2014.

were crossing the border. He began to prioritize deporting those that were crossing into the U.S. between 2013 through 2015. This included about 182,00 immigrant children that had crossed the border alone. This became a crisis for the Obama administration and led Obama to initiate the Juvenile Dockets program. A Juvenile Docket is a deportation proceeding against unaccompanied children that ensures their immigration cases be processed first. Thus, given less time to find their family members or lawyers before getting deported.⁵

With this Docket in effect many of the children were only given 21 days to find help from families and non-profit organizations that would take their cases.⁶ This was supposed to speed up the process for their deportation and show the American people that the administration was trying to fix the immigration system. Although these Dockets prevented many immigrant children remaining in the U.S., it was a step towards trying to stop other undocumented adults and children from crossing the border. This benefited the Obama administration because it showed Republicans that they were trying to stop people at the border.

With the Juvenile Dockets came other immigration policies. The Dream Act was a proposed solution to help undocumented young adults gain citizenship.⁷ Obama was not the first president to bring the Dream Act to Congress, but he proposed it differently hoping for its approval. Many Latinos and immigration organizations favored this act and rallied for Congress to pass it. The requirements for this act were that the individual had to prove entering the United States before the age of 16. They also had to show proof of residency within the last five years, current education, high school diploma, and moral good standing. One last requirement that had to be met was they had to be continuing their education for a degree or to have served in the

⁵ *Tell Me How it Ends: An Essay in Forty Questions*, 2017, 39-40.

⁶ *Ibid.*

⁷ "Undocumented Childhood Immigrants, the Dream Act, and Deferred Action for Childhood Arrivals in the USA", ProQuest, 2013, NP.

armed forces for at least two years.⁸ Although many of the young adults met these requirements Congress did not approve the Dream Act. There were many issues to the Dream Act that Congress believed needed to be resolved. Obama knew that Congress was the only branch that could legally create a path to citizenship for these Dreamers. After the Act was defeated, he took a different approach.

In 2012 President Obama issued an Executive Order called the Deferred Action for Childhood Arrivals, also known as DACA. This order was created to help undocumented young adults that came into the United States at a young age. This was not only to prevent deportations, but also gave them a chance at a better life. It provided a route to a driver's license, social security number, and employment authorization cards. DACA was not a pathway to citizenship, it was a legal status for people that have lived in America from an early age to remain in the United States.⁹

Although I have seen DACA help thousands of young adults gain legal status, there are other requisites one must meet before submitting a request. The requirements are they have to show proof of their identity, date of arrival in America, residency within the last five years, current education or high school diploma, and lastly, proof of no felonies or multiple offenses.¹⁰ If one could not meet all these requirements they could not apply for DACA. Once meeting the criteria for DACA there was a request process. This process was filling out required forms and paying fees for the U.S. Citizenship and Immigration Services (USCIS) to review. Upon approval DACA recipients were given their legal status for a period of two years. Every two

⁸ Ibid.

⁹ "Deferred Action for Childhood Arrivals", ProQuest, 2013, NP.

¹⁰ Ibid.

years, they would have to renew their DACA status and fill out the same forms and pay the same fees to be processed.¹¹

DACA has permitted over 430,000 undocumented immigrants to apply and get approved. This approval allowed many of them to get jobs, pay taxes, attend college, and get a driver's license. The benefit of this executive order changed the life of many undocumented people that arrived in America at a young age. Although many know that DACA is not a permanent solution, for those who have it it's a legal status that prevents them from deportation. President Obama had a successful outcome with this executive order, but it could be changed or cancelled by any future president.

Another form of action that was taken by Obama was the executive order of Deferred Action for Parental Accountability, also known as DAPA. DAPA was created in 2014 to relieve certain U.S. citizens, legal resident, or undocumented parents from deportation.¹² DAPA, like DACA, had its purpose to benefit those individuals that were already in the U.S. and help them have better opportunities. DAPA's goal was for qualifying parents to obtain better jobs and prevent discrimination and exploitation at the workplace.¹³ This program was not only supposed to be beneficial to immigrants but also to the economy. Obama knew that allowing this opportunity for the dreamers and their parents would bring economic benefits to the U.S. He wanted this action to succeed but Congress had other intentions. Multiple congressional representatives stated that this program "did not fulfill 'congressional policies and priorities'".¹⁴ These deferred actions are being reviewed by the Supreme Court to determine whether they

¹¹ Ibid.

¹² "Honoring Deferred Action for Childhood Arrivals and Deferred Action for Parental Accountability", ProQuest, 2015, NP.

¹³ Ibid.

¹⁴ Immigration Law- Office of Legal Counsel Issues Opinion Endorsing President Obama's Executive Order on Deferred Action for Parental Accountability, ProQuest, 2015, NP.

should remain as is or be eliminated.¹⁵ If the Supreme Court and the current president allow these programs to continue, they will allow many undocumented immigrants to attain a better life and will keep families united.

During his eight years in office President Obama focused on how to fix this broken immigration system. Although there was no big solution, he showed how hard he tried to help those already here. He prevented the deportations of undocumented immigrants who merely engaged in the crime of crossing the border illegally. He attempted to continue the Dream Act, but was not successful so he created programs like DACA and DAPA. Obama might be judged by many of the things he supported like the ICE arrests, deportations, and juvenile dockets but he also tried to do something that would help the cause. As president he tried to fix the immigration system, but things changed once President Trump stepped into office.

¹⁵ Conyers and Lofgren applaud SCOTUS decision to review President Obama's Executive Immigration Actions, ProQuest, 2016, NP.

Chapter 2- The Trump Administration and its Immigration Policies

Donald Trump's presidential campaign targeted major programs he planned to fix or eliminate should he win the 2016 election. One of these issues was the broken immigration system. During his campaign Trump made disparaging comments about the Latino community, stating "They're bringing drugs. They're bringing crime. They're rapists."¹⁶ Due to these and other vicious comments, Trump won only 28% of the Hispanic vote during the 2016 election.¹⁷

The comments made by Trump also riled up many American citizens to support him. Many began to protest against keeping undocumented immigrants in the United States. They said things like, "They have no regard for our laws. They are not from this country" and "American lives, American children first!"¹⁸ Trump perceived the undocumented Latino community to be dangerous individuals that only wanted to hurt the security and lives of the American people.¹⁹ He would call them "bad hombres" and say they were hurting the American people by taking American jobs. Although these are just words stated by Trump, once in office his administration began to work on how to prevent this immigration.

The way that Trump spoke about the Latino Community was very disturbing because he became our president. Why would I have respect for a president that disrespects my community? Even though I am a U.S. citizen these comments and threats target many of my family members. Also watching videos and negative comments made to immigrants in public for speaking English or just for being Latino is outrageous. I feel like people don't understand the extent of their words and actions. They don't understand that most Latino immigrants don't all have the same

¹⁶ "Donald Trump's false comments connecting Mexican immigrants and crime", *The Washington Post*, July 2015, NP.

¹⁷ "Hillary Clinton won Latino vote but fell below 2012 support for Obama", Pew Research Center, 2016, NP.

¹⁸ *Living Undocumented*, Netflix original series, October 2, 2019.

¹⁹ *Ibid.*

opportunities as other immigrants. Many Latino immigrants arrive in America for a better life and Americans seem to forget that. Many undocumented immigrants are not bad individuals or wish to take American jobs, they hope for a better future.

In a letter to the House and Senate, President Trump outlined his plans for immigration reform; policies which included securing borders, interior enforcement, and a merit-based immigration system. One solution he proposed was building a border wall. “Our porous southern border presents a clear threat to our national security and public safety and is exploited by drug traffickers and criminal cartels. The Administration, therefore, proposes completing construction of a wall along the southern border of the United States.”²⁰ His purpose to build a wall was to prevent more immigrants from crossing illegally. He also hoped that it would prevent children from arriving unaccompanied at the border. “Rather than being deported, they are instead sheltered by the Department of Health and Human Services at taxpayer expense, and subsequently released to the custody of a parent or family member-who often lack lawful status in the United States themselves. These loopholes in current law create a dramatic pull factor for additional illegal immigration and in recent years, there has been a significant increase in the apprehensions of UACs (Unaccompanied Alien Children) at our southern border.”²¹ Trump felt that previous presidents were not securing the southern border and building a wall would help this broken immigration system. With the construction of the wall at the border Trump also demanded illegal immigrants be removed quickly. “The Administration seeks to expand the grounds of removability and the categories of aliens subject to expedited removal.”²²

²⁰ “President Donald J. Trump’s Letter to House and Senate Leaders & Immigration Principles and Policies”, ProQuest, October 8, 2017, NP.

²¹ Ibid.

²² Ibid.

Although Trump's main focus was on building a wall to secure the border, he also emphasized enforcement within the states. Requirements for detaining an undocumented immigrant were one "(1) who was not inspected and admitted into the United States, who holds a revoked nonimmigrant visa (or other nonimmigrant admission document), or who is deportable for failing to maintain nonimmigrant status; and (2) who has been charged in the United States with a crime that resulted in the death or serious bodily injury of another person."²³ These requirements were established so as to begin legally deporting undocumented immigrants more rapidly. While these policy changes were stated as necessary to fix the broken immigration system, they instead were also attempting to remove those who were not U.S. permanent residents or citizens, many of whom have built their lives here.

The administration then began to target Obama's executive order, DACA. It believed that Obama's executive order was unconstitutional and should be eliminated. On September 5, 2017, former Attorney General Jeff Sessions stated "I'm here today to announce that the program known as DACA is being rescinded. This does not mean they are bad people, or that our nation disrespects or demeans them in any way. It means we are properly enforcing our laws as Congress has passed them."²⁴ It was intended to take away a program that has allowed DACA recipients to have a better life. At first, Trump favored the program, but during the years of his presidency, his thoughts changed. He has said that "Many of the people in DACA, no longer very young, are far from angels, some are very tough, hardened criminals."²⁵ Therefore he brought DACA before the Supreme Court to eliminate it and have 700,000 individuals lose their legal status.

²³ Ibid.

²⁴ *Living Undocumented*, Netflix original series, October 2, 2019.

²⁵ "Justices Appear Inclined to Let Trump End DACA", Gale in Context, 2019, NP.

As someone who knows many people that have DACA it is hard to see many of them lose the only legal status they have in this country. This program has allowed many of them to continue their education beyond high school, get great jobs, and be able to drive around with a legal driver's license. The DACA recipients have done so much for the economy and believe this nation is their home. It would be disrespectful on the administration's part to take away a program that has allowed many to rise from the shadows and be confident in this country. I would hope that the Supreme Court and President Trump could come to an agreement to save this program for those individuals who were not lucky to be born here, but call America their home.

Although some Justices believe this program to be unconstitutional they understand the reason for the program. Before the Justices can vote on this case they should understand what would happen to these young individuals if the program is taken away.²⁶ How will they continue to work, drive, or continue their education? Will they be expelled from the country? The Supreme Court has yet to make a final decision, but many of the DACA recipients fear their possible removal and given the conservative majority it is very likely.

Besides trying to eliminate DACA President Trump and his administration have been working to arrest and deport undocumented immigrants across the country. A White House press release stated that "in FY 2017, Customs and Border Protection (CBP) officers and Border Patrol agents arrested more than 20,000 criminal aliens."²⁷ This number was important for the administration because it showed they were taking action to control the number of immigrants coming in and already here. Figure 1 below demonstrates the number of immigrants arrested

²⁶ Ibid.

²⁷ "President Donald J. Trump Wants Immigration that Makes America Stronger and Safer", ProQuest, Jan 30, 2018, NP.

throughout the United States. According to the graph, in 2017 ICE arrests were increasing at a rapid pace. Many large numbers of ICE arrests were in the cities closest to the southern border. It also shows the number of arrests that occurred in cities that are known to have a large number of undocumented immigrants. The graph also compares the decrease of ICE arrests after 2009 and how that changed in 2016-2017 when President Trump took office. The administration hoped that by doing this undocumented immigrants would stop crossing the border illegally.

ICE arrests in 2017

Dallas enforcement area had most Immigration and Customs Enforcement arrests in 2017.



Fig 1- ICE Immigration Arrests

in the United States²⁸

The rapid increase of ICE arrests in 2017 led undocumented immigrants to live in more fear than they have in years. Serious criminals were not the only ones being targeted; it was

²⁸ ICE Immigration Arrests in the United States, Gale In Context, 2017, NP.

anyone who crossed the border illegally and anyone living in the United States undocumented. The administration felt that “when you reward illegal behavior by overlooking immigration law, it encourages more illegal immigration and criminal activity.”²⁹ In 2019, Trump and his administration initiated ICE raids in major immigrant communities. ICE raids meant that ICE officials were to detain and deport anyone that was living in the U.S. undocumented. Many large cities were targeted but one that made big headlines were the ICE raids in Mississippi. In total, over 680 undocumented workers were detained and taken into ICE custody.³⁰ Many of the workers that were detained were unable to pick up their children and these children were kept in school until someone could come for them. Although many families were separated and some detained and deported, Trump stated these ICE raids were “very successful.”³¹

After reading the reports of the many undocumented immigrants that were being detained, I grew furious but also frightened. I was afraid of my family members going to work and not returning home. For my younger family members who could potentially lose their parents and grow up alone. I was furious that the President would be so cruel as to detain parents while their children were at school. Who could be so heartless to leave these children alone? I understood Trump’s beliefs about the broken immigration system, but I never thought he would begin taking U.S. children’s’ parents away from them. My heart broke from all the videos that these kids made terrified asking the government for their families back.

The Mississippi ICE raids not only caused fear within the state but also in many other states across America which of course was the purpose. Undocumented immigrants went into

²⁹ “Acting Director of ICE: ‘When You Reward Illegal Behavior It Encourages Illegal Immigration”, ProQuest, 2018, NP.

³⁰ “ICE Raids in Mississippi Leave Fear and Uncertainty in their Wake”, ProQuest, 2019, NP.

³¹ “Advocates say major ICE raids haven’t materialized. Trump says they’ve been very successful”, Gale in Context, 2019, NP.

hiding and began to flee their homes. They were looking for shelter in churches hoping for protection from these raids.³² Previous to the raids the undocumented Latino community was already in fear of the Trump administration, but once the raids occurred their fear expanded and people had to limit themselves from a normal life. Veronica, an individual living in the U.S., had to cancel a long and planned trip to Disneyworld due to the ICE raids.³³ Her partner who was undocumented and had a deportation order could potentially be detained by ICE during a traffic stop. Although Veronica did not worry about herself, she knew the chances of her partner getting detained were high. The news of the raids prevented her family and herself from enjoying a vacation together, instead, it caused her fear to rise. She stated, “Every time someone knocks, you get scared of who’s going to be behind the door. Especially when you’re not expecting anyone.”³⁴

The fear of many undocumented immigrants was not just due to the ICE arrests and raids, but also to President Trump’s “Zero-Tolerance” policy. The administration announced this policy and stated the purpose for it was to separate families, parents and children, that were crossing the border illegally.³⁵ The policy was primarily initiated for those immigrants crossing the border at the time. Trump would have them detained at the border, then they would be separated into different ICE facilities, and finally, some were deported to their home countries. The process of detention, separation, and deportation could either be fast or slow. Some were released, others were detained for weeks and months. Trump and the administration hoped that this uncertainty would prevent more illegal immigrants from crossing into the U.S.

³² Op. Cit.

³³ “With ICE Raids Looming, Immigrants Worry: ‘Every Time Someone Knocks, You Get Scared’”, ProQuest, 2019, NP.

³⁴ Ibid.

³⁵ “Trump Administration’s ‘Zero-Tolerance’ Immigration Policy”, Human Rights Watch, NP.

Although the primary target was those crossing the border it also affected undocumented immigrants already in the United States. Within the following chapters I will emphasize how this “zero-tolerance” policy has affected the lives of undocumented Latino families. I will use real-life stories to explain how the detention process works and the conditions of the ICE facilities that many are forced into. I will also discuss how the separation of families has affected children and adults. Finally, I will discuss the deportation process of undocumented families. The fear of being separated, detained, and deported is very high for many undocumented immigrants today.

Chapter 3- Separation

Imagine coming home one day and your parents are gone. Imagine crossing the Southern border with a relative and being taken away from them. Undocumented immigrants are in constant fear of being deported to their home country but also in fear of being separated from their families at the border and within the United States. President Trump has implemented the “zero-tolerance” policy to separate families that are crossing the borders illegally. This also includes U.S. citizens and their undocumented parents.

As seen during his presidential campaign and few years in office Trump has taken a different route when it involves undocumented immigrants. He feels that many of the immigrants here and the ones crossing the border are gaming the system, but he plans to change it for the worse.³⁶ Trump’s attempt to alter the immigration system includes separating families. He states, “We can arrest the adults for the federal crime of illegal entry. When you prosecute the parents for coming in illegally, which should happen, you have to take the children away.”³⁷ Although Trump initiates many of these policies, his administration makes sure that these policies are executed. Attorney General Jeff Sessions gave a speech on May 7, 2018 discussing the new regulations of this “zero-tolerance policy”. He stated “If you are going to come to this country do so legally, don’t come here illegally....I have put in place a zero-tolerance policy for illegal entry on our southwest border. If you’ve crossed the border unlawfully, then we will prosecute you. [If you come with a child] that child may be separated from you as required by law.”³⁸ Sessions, the Department of Health and Human Services, and Border Patrols made sure these regulations were being enforced.

³⁶ *Living Undocumented*, Netflix original series, October 2, 2019.

³⁷ Ibid.

³⁸ Ibid.

With this knowledge of this “zero-tolerance” policy I try to prevent my family from attempting to come to the United States. Although the president and his administration say “come here legally” I don’t believe they understand how difficult it is to come to the U.S. legally. Jobs in many of these Central American Countries don’t provide enough for families to make a living and apply for a travel visa. People in these countries make the decision to cross the border because it is an easier way to attempt entry into America. Although some are successful, many do not get to cross. Some are picked up by Border Patrol and get deported to their home country.

These statements made by the president and his administration have caused much chaos at the Southern border and within the United States. Many Americans are protesting the separation of undocumented immigrant families. They are marching for the rights that are taken away from many of them. In major cities like Washington D.C. and New York protestors were yelling and holding signs that read “We are all immigrants” and “seeking safety is not a crime.”³⁹ These protests were to show the president that what they were doing to these children was no longer just political, they were being cruel and inhumane. It was also to show him that there are Americans that stand with these migrant families. A protestor said “We need to let the administration know that we will not become numb to these atrocities.”⁴⁰

Immigration Court officials are also in awe when they have minor children taken away from their families. Aleman-Bendiks said “this is a tragedy happening right before this court.”⁴¹ She witnesses many of the cases arrive and notices that many of them don’t have a criminal record. Judge Peter Ormsby said “I trust and hope you will be reunited with your family

³⁹ “Coast-to-coast protests denounce Trump immigration policies”, Gale In Context, 2018, NP.

⁴⁰ Ibid.

⁴¹ “‘Zero-Tolerance’ crams courts, separates families”, Gale In Context, 2018, NP.

members. But I also hope you understand that the reason you were separated is that you violated the laws of the United States.”⁴² Judge Ormsby sympathizes with the many families he comes across, but he also wants many of them to understand why they are put in this situation. Although many understand the reasoning for the detention of migrants crossing illegally, it does not seem fair for the children to be separated from their parents. Many of these families are coming together for a better future for their children.

Once this separation policy was initiated any migrant family that was traveling with children were separated. The adults would be placed in one holding center and the children in another.⁴³ Authorities would take children as young as 12 months old from their parents.⁴⁴ At this point many parents lost contact of where their children were. The children would be taken to various federal shelters across the United States. Some parents would reunite with their children and others would struggle to find them. Even after a federal judge gave the order for families to be reunited it would take months before they were finally together.⁴⁵ A Guatemalan woman, Elsa Ortiz was separated from her 8-year-old son, Anthony. She was deported to Guatemala, forced to leave without her son. Elsa hired lawyers to help her reunite with her son who was still in a federal shelter in the United States. Once they were finally able to locate Anthony they fought hard to get officials to let Anthony reunite with his mother. It was about three months later that Anthony was finally given back to Elsa in Guatemala.

This case, similar to others that I will be discussing in my thesis, is heart breaking to hear. I wonder how this administration can be so cruel to take innocent children from their parents.

⁴² Ibid.

⁴³ *Living Undocumented*, Netflix original series, October 2, 2019.

⁴⁴ “After Trump’s Family Separation Plan, one mother’s Hellish Journey to find her 8-year-old son...”, Gale In Context, 2018, NP.

⁴⁵ Ibid.

How can they deport the parents and leave children behind with no one to care for them? Judge Dana Sabraw of the U.S. District Court in San Diego said “The reality is that for every parent who is not located, there will be a permanent orphaned child, and that is 100 percent the responsibility of the administration.”⁴⁶ I agree that this administration did not think beyond what would happen to the children if they are separated from their parents and their parents get deported to their home country. Or they did not care. Did they not consider the damage that this could cause many of the children?

Many articles have stated how the separation of children from their parents can be very traumatizing for them. Commander Jonathan White, stated in a hearing to investigate the Department of Health and Human services, that “The consequences of separation for many children will be lifelong.”⁴⁷ The separation from their parents is very hard on the children and many of them suffer psychologically. “Separated children experienced heightened feelings of anxiety and loss as a result of their unexpected separation from their parents after their arrival in the United States.”⁴⁸ It is cruel for these migrant children to go through another traumatizing experience in the United States after fleeing the violence from their home country. They come to this country with their parents in hopes for a new and better life. They hope that this country will allow them to stay and have a future. This administration has taken all their hope just to make sure that they understand why they are not welcomed.

In the documentary *Living Undocumented* I followed the story of “Miguel” and “Maria”. They wished not to share their identities in fear that the Honduran gangs would find them. During their story they discussed how they were coming to America seeking asylum from

⁴⁶ Ibid.

⁴⁷ “HHS Official: We Warned Family Separation Would be a Disaster”, ProQuest, February 8, 2019, NP.

⁴⁸ “Government watchdog details how Trump administration’s family separations traumatized migrant kids”, Gale In Context, 2019, NP.

Honduras after the gangs had threatened them and killed their loved ones. They traveled to America with their 12 year old niece who “Maria” had legal custody of. Once they gave themselves in to ICE, their niece was separated from them. “Maria” and “Miguel” were released and would ask ICE officials where their niece was. They were told “your girl, you’re never going to see her.”⁴⁹ They finally got a hold of their niece and would try to speak over the phone with her as much as possible. She was located in a federal shelter in Texas. “Miguel” stated that his niece was no longer the same. He felt that the little girl that was always so cheerful and filled with joy was not the same girl who he spoke on the phone with.⁵⁰ The change in their nieces’ attitude is a sign of the psychological damage the separation had done to her. She was apart from the only family she had left and was not sure if she was going to be with them again. After about 4 months of separation and hardships they were finally reunited.

Another group who I followed was Alejandra Juarez and her U.S. Military family. Alejandra was a Mexican undocumented immigrant who arrived in the United States after fleeing Mexico from all the violence and gangs. She was stopped at the border and lied to the border officials about her identity.⁵¹ She was then sent back to Mexico and pursued her journey back to the United States. She passed through the border and made her new life in America where she married a U.S military soldier. Due to her previous crime of lying to a border official about her identity Alejandra could not apply for any legal status but still had to check in regularly with ICE. Once the new administration stepped into office Alejandra received a letter of deportation. She was going to be deported back to Mexico with her 9-year-old U.S born daughter. In the process she had to leave her husband and their 17-year-old daughter behind. Her

⁴⁹ *Living Undocumented*, Netflix original series, October 2, 2019.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

oldest daughter had to learn to cook and do things on her own because her mother was being taken away from her. Her youngest daughter said “I feel like I’m going to be torn apart from my sister and my dad.”⁵² This family and their story shows us how this administration felt no different if the family they were breaking apart was American or not. They were willing to separate any undocumented immigrant no matter who or what their families have done for this country.

The separation process of this “zero-tolerance” policy was a process that was not only affecting migrant children but also American children. It was a policy that the president was using to scare other immigrants from attempting to cross into America. They did not care about who they were affecting as long as they were deporting undocumented immigrants. In the next chapter I will discuss the detention and deportation process of this policy.

⁵² Ibid.

Chapter 4- Detention

Detention, similar to the separation of families, had a major effect on many migrant people, especially migrant children. The conditions that they were placed in were brutal and unfair. These detention shelters have “been home to neglect, assault and other horrific abuse.”⁵³ Imagine fleeing a country from violence and gangs just to arrive in America and be placed in these detention facilities.

These detention centers show the cruelty that the administration wanted to show to the migrant families. Adults and children were placed in jail-like settings for long periods of time.⁵⁴ They were and are placed in holding cells which many migrants referred to as “hieleras” also known as “icebox” or “freezer”.⁵⁵ They are identified thusly because inside the detention center the air conditioner is up to the maximum capacity and people are not given proper clothing to wear inside. Within these holding cells people are not given any beds to lay on, and men, women, and children are kept in large fenced in cages.⁵⁶ With everyone crowded inside these holding cells disease and sickness spread quickly. In multiple Texas facilities many migrants contracted mumps and the spread was continuing because they were kept in the same area as everyone else.⁵⁷ Many of these migrants have never had a vaccination or might have but do not know exactly what they had. This is bad because ICE officials just place everyone together for long periods of times⁵⁸ and they are not given the proper health care if they are sick.

⁵³ “Handcuffs, Assaults, and drugs called ‘vitamins’: Children allege grave abuse at migrant detention facilities”, Gale In Context, 2018, NP.

⁵⁴ “Government watchdog details how Trump administration’s family separations traumatized migrant kids”, Gale In Context, 2019, NP.

⁵⁵ *Tell Me How it Ends: An Essay in Forty Questions*, 2017, 21-22.

⁵⁶ *Living Undocumented*, Netflix original series, October 2, 2019.

⁵⁷ “Nearly 200 people in Texas immigration detention facilities have contracted mumps”, Gale In Context, 2019, NP.

⁵⁸ Ibid.

Many Americans were viewing images and hearing stories about what was happening in these detention centers. Images of children in cages are on the news daily. Commander White, who works for the Department of Human and Health Services, was asked if they were placing children in cages and his response was “We do not put children in cages.”⁵⁹ He mentioned that the images were when the children were in custody of the Department of Homeland Security.⁶⁰ Regardless of where the images were coming from, protestors were furious that the administration would allow the Department of Homeland Security and the Department of Human and Health Services to treat children like this. It was not a pleasant image for President Trump and his administration.

As they were placing children in cages and freezing temperatures the children were still experiencing other hardships. From the documentary *Living Undocumented* I learned from “Miguel” and “Maria’s” niece about the experience and conditions she was in. She said that when she first arrived there was a lot of boys and girls in the detention facility. They gave her some pants, shorts, t-shirts, sweaters, and undergarment to have, but she said that even with all those clothes it was still cold. They only allowed her two minutes to shower and she was placed in different rooms with different kids every week.⁶¹ They would only feed the children beans and kitchen staff would get angry and yell at the children if they complained. The niece said that when she arrived at the facility she was given some rules. She was told that they were keeping a report on her. If she shared food or didn’t listen then they would mark it on her report and it could jeopardize her in court. They also taught her and made her say the pledge of allegiance

⁵⁹ “HHS Official: We Warned Family Separation Would be a Disaster”, ProQuest, February 8, 2019, NP.

⁶⁰ Ibid.

⁶¹ *Living Undocumented*, Netflix original series, October 2, 2019.

daily.⁶² Although the niece was finally reunited with her relatives many children in these facilities are not and some stay there for long periods of time.

Another family in the documentary that were placed in detention centers were Luis, Kenia, and Noah. They were a Honduran couple, who were undocumented, that had also fled Honduras from all the gangs and violence. Noah was Kenia's son but Luis loved him as if he was his. One afternoon Luis, Kenia, and Noah were driving home when Luis got pulled over. Luis was asked to show documentation and then the cop proceeded to ask Kenia for documentation who was in the backseat with Noah. The cop saw that Kenia had an order of deportation against her. Kenia, who was 5 months pregnant at the time, was taken to an ICE facility. The cop informed Luis that he could be next if he got pulled over again and asked him to take Noah home. A few weeks later Kenia called Luis and informed him that she and Noah had to be deported. Luis was being asked to drop Noah off at the detention center where Kenia was located. By doing this Luis knew that he could potentially be detained with Kenia and Noah.⁶³ Once at the facility Luis asked to say goodbye to Kenia and Noah. The ICE official stated that he could if he stepped inside. Once inside Luis was forcibly detained by ICE. He was placed in a detention facility with 40 other detainees. Luis said some people did not have blankets or towels to dry themselves.⁶⁴ He said that ICE officials would try to blame him for things he never did just to keep him longer in the detention center. Luis was eventually released but Kenia and Noah were already gone.

This story not only shows the harshness of the ICE officials forcing Luis inside to detain him but also the cruelty of detaining a pregnant woman. Kenia was placed in the same conditions

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

that many people who first arrive go into. The administration created this new policy to detain to show immigrants that they were taking action. Even though I only focused on some conditions that migrant children and adults face there are still many more that the administration tries to avoid showing. The conditions that these migrant families encounter is the reflection of what this administration wants for undocumented immigrants.

Deportation

The main point of this “zero-tolerance” policy is to deport undocumented immigrants arriving in America and those already here. President Trump stated “Anyone who has entered the United States illegally is subject to deportation. That is what it means to have laws and to have a country. Otherwise we don't have a country.”⁶⁵ They begin by separating families, then they detain them in harsh conditions, and finally most get deported. Trump and his administration have shown they do not care whether they are separating undocumented or American families, whether they leave children parentless, or detain a pregnant undocumented immigrant.

The administration has gone even lower by taking away undocumented parents from American children with disabilities or illnesses. In the case of the Marin family, their two children suffer disabilities that force their parents to take them to multiple therapy sessions per week and make sure they are always with someone. Pedro and Velveth Marin fear that the administration will deport them to their home countries and take away the best healthcare their children can receive in America.⁶⁶ Prior to Trump’s election there was a medical deferred action that allowed undocumented families to work and live in the United States that were fighting

⁶⁵ “Migrants targeted by ICE under Trump are much less likely to have criminal records”, Gale In Context, 2019, NP.

⁶⁶ “Immigrant families with severely ill or disabled children now face deportation by Trump Administration”, Gale In Context, 2019, NP.

disabilities and illnesses. Many undocumented families began to receive letters after Trump took office that stated “As such, your request for deferred action has been denied. You are not authorized to remain in the United States.”⁶⁷ This was a hardship on many undocumented families that knew taking their children somewhere else would not have health care as good as in America, but the administration did not seem to care.

The administration has also begun to involve local law enforcement. In Arizona, Governor Brewer “signed a state law last year requiring local law enforcement in Arizona to apprehend and help deport illegal immigrants.”⁶⁸ These new laws in many states allow law enforcement to detain any undocumented immigrant they come across. The American Immigration Lawyers Association developed an advisory that stated “There is NO 'safe' way to turn yourself in to immigration and there is NO guarantee that your case will be considered ‘low priority’. ANY person who comes into contact with immigration authorities may be arrested, detained or even removed.”⁶⁹ President Trump had in mind to deport any undocumented immigrant. His concerns were not whether the individual contributes to the community or what effect it could have on the families. Trump would also like to deport undocumented immigrants with no trial. He stated “We cannot allow these people to invade our Country. When somebody comes in, we must immediately, with no Judges or Court Cases, bring them back from where they came.”⁷⁰ He would like to take away any right they have in this country because they were not given the privilege to be born here.

⁶⁷ Ibid.

⁶⁸ “Immigration Attorneys: U.S. deportation policy shift starting”, ProQuest, NP.

⁶⁹ Ibid.

⁷⁰ “Trump attacks immigration laws, calls for deportations without trials”, HuffPost, 2018, NP.

In the case of Alejandra Juarez, she was deported with her youngest daughter to Mexico where she had not been since she left.⁷¹ She was forced to leave the best education and opportunities that her daughter would have in America. They are now living in Mexico, while her husband and oldest daughter are still in America. In the case of Kenia and Noah they were deported to Honduras where they began to get stalked by someone every night. They began to fear for their lives so they journeyed back to the United States to be with Luis.⁷² Kenia still pregnant at the time arrived at the border and waited for border patrol to ask for asylum once again. They are awaiting to hear about further details regarding their case.

President Trump's administration did not hold back on deporting any undocumented immigrant that it could locate. It is willing to separate, detain, and deport any undocumented immigrant that comes across its radar or have local law enforcement help find them. The deportation process has been severely worsened since the Trump administration stepped in and many undocumented immigrants are bracing themselves for what they know could happen to them.

⁷¹ *Living Undocumented*, Netflix original series, October 2, 2019.

⁷² *Ibid.*

Conclusion

This “zero-tolerance” policy has not only affected the families I discussed in this thesis, but also many others who are too afraid to show themselves. The constant fear that many have endured for the last four years is very high. People are afraid to go on vacations, to the mall, or even to supermarkets because they feel they might be stopped by ICE or local law enforcement. They are afraid that they will be separated from their families and deported to their home countries where they have not been in years.

To sum up my thesis, I wanted to discuss how my own family has been affected by these new policies. When Trump won the 2016 election fear began to overpower many of my relatives. They would hear stories about the separation of families and began to feel they were next. They began to gather legal documents in case they had to leave their children behind with other relatives or friends. Many of my relatives stopped going out in public in fear of ICE stops. They stopped living the life they had prior to this administration.

I recently had family members that crossed the border and were detained. It took us about a week to locate them because you do not get a phone call once they are detained. When we finally located them we found out they had a deportation order to their home country. It was a hard experience not knowing where they were but worse to hear that the care they were not given forced them out of fear to sign deportation papers to be sent home. Although I understood my relatives were not entering the legally it was the least expensive way to come to America and achieve the “American Dream”. They weren’t coming here to conduct illegal activity; they were coming to make a living and be able to send money back home. They were coming to live free.

These new policies have made it harder for my family to live in peace. President Trump has also made it harder for many of them to apply for legal status. Normally, if your child was a

United States citizen and met age and criteria they would be able to petition for their undocumented parent to gain legal status. He has now made it impossible to do so. After discovering his plans for DACA I feel that he just wants everyone to be undocumented and out of the country. If he accomplishes the elimination of DACA I will have relatives who will lose the only legal status they have. Even though I am an American citizen I still fear what could happen. I am frightened and that seems to be Trump's goal.

I, like many other Americans and undocumented immigrants continue to follow the implemented government policies. I hope that the administration would discontinue this "zero-tolerance" policy and allow families to remain together. I doubt it will. America was built on a dream for a better life and I feel that our current president is taking that away from many people, whether documented or undocumented.

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