

# **New Destinations & Hispanic Immigrants:**

## **Promoting Inclusive Policies**

Together, Americas Society and Council of the Americas (AS/COA) unite opinion leaders to exchange ideas and create solutions to the challenges of the Americas today.

The Americas Society (AS), the recipient of a grant from the Rockefeller Foundation to produce this compendium, is the premier forum dedicated to education, debate and dialogue in the Americas. Its mission is to foster an understanding of the contemporary political, social and economic issues confronting the Americas, and to increase public awareness and appreciation of the diverse cultural heritage of the Americas and the importance of the inter-American relationship.

The Council of the Americas (COA), sister organization to AS, is the premier international business organization whose members share a common commitment to economic and social development, open markets, the rule of law, and democracy throughout the Western Hemisphere. The council's membership consists of leading international companies representing a broad spectrum of sectors including banking and finance, consulting services, consumer products, energy and mining, manufacturing, media, technology, and transportation.

For further information about  
AS and COA, please write to AS/COA at

680 Park Avenue,  
New York, NY 10065  
or visit AS/COA online at  
[www.as-coa.org](http://www.as-coa.org)

*The Americas Society is a tax-exempt public charity described in 501(c)(3) and 509(a)(1) of the Internal Revenue Code of 1986.*

*The Council of the Americas is a tax-exempt business league under 501(c)(6) of the Internal Revenue Code of 1986, and as such, actively pursues lobbying activities to advance its purpose and the interests of its members.*

# Foreword

**I**n the United States and across the hemisphere, countries have long struggled with how to respond to waves of immigrants and integrate them into society. This is particularly true in the U.S., where failed national attempts at comprehensive immigration reform have opened the door for state and local policymakers to choose between policies that welcome immigrants and policies aimed at discouraging their settlement in new communities.

With this in mind, Americas Society (AS), with support from the Rockefeller Foundation, promotes dialogue and information sharing among the private sector, public sector and community groups to advance Latino integration in the U.S., with a focus on the immigrant population. The AS Hispanic Integration Initiative, leveraging the relationship with its affiliate organization Council of the Americas (COA), supports the further integration of immigrant workers into businesses and local communities while creating a more mobilized and visible business sector with regard to issues of immigrant integration. Achieving greater overall integration of Hispanic immigrants and Latinos into American society is a public policy imperative that will bring benefits for society and the corporate bottom line.

The AS/COA work both nationally and in what are referred to as new gateway cities to highlight and build on private-sector efforts to facilitate Hispanic integration, while building greater public recognition of Latinos' socioeconomic contributions. A national business coun-

cil—comprising companies at the forefront of integration efforts—anchors the initiative and provides guidance and models of integration best practices.

Since 2007, AS has spearheaded primary and secondary research of best practices to promote integration in the following new gateway cities: Atlanta, Georgia; Nashville, Tennessee; New Orleans, Louisiana; Omaha, Nebraska; and Portland, Oregon. In each city, AS conducted multiple site visits, built networks of public, private and community leaders, held public and private programs to further integration efforts and improve the overall welcoming environment for immigrants, and released city-specific white papers. The AS has also brought attention to the efforts in these cities through national-level forums on Capitol Hill with U.S. senators and representatives.

In these times of critical debate on immigration legislation and the backlash against immigrants, AS/COA believe that greater integration and appreciation for immigrants and their contributions to society will ultimately help advance immigration reform. For that reason, AS is releasing this compendium of immigration-related articles, most of which originally appeared in some form in *Americas Quarterly* (AQ). Only with a greater understanding of the present-day struggles and contributions of immigrants can individuals and policymakers determine how to foster a welcoming, inclusive environment that draws on the many talents that Latinos bring to new communities.

—May 2011

---

**Jason Marczak**, AS/COA director of policy and AQ senior editor, leads the Immigration and Integration Initiative. **Christopher Sabatini**, AS/COA senior director of policy and AQ editor-in-chief, conceptualizes various aspects of the project. **Alexandra Délano**, assistant professor at The New School University, is the senior researcher for this project, and **Richard André**, AS/COA policy associate, supports our immigration and integration activities.

# Table of Contents

5

## **Introduction**

Jason Marczak and Richard André

8

## **Immigrants and America's Future**

Hilda L. Solis

11

## **Immigration and Integration: The Role of the Private Sector**

Alexandra Délano and Jason Marczak

15

## **What's Next for the Dreamers?**

Daniel Altschuler

19

## **The War on Immigrants: Stories from the Front Lines**

Cheryl Little

23

## **Argentina's Migration Solution**

Gastón Chillier and Ernesto Semán

# The War on Immigrants:

## Stories from the Front Lines

**Anti-immigration policies are hurting real people and families and undermining U.S. ideals of justice. They are also making our communities less safe.**

**By Cheryl Little**

**T**he U.S. Government's War on Terror has transgressed into a War on Immigrants. Under President George W. Bush and continuing under President Barack Obama, Washington's attempt to secure the nation's borders has not only sent waves of fear through our immigrant communities but has shocked those who cherish the principles upon which our country was founded.

Federal dragnets with code names like Operation Endgame and Return to Sender have targeted immigrants who have broken no criminal laws, yet are treated like hardened criminals, with no right to a court-appointed lawyer. Efforts by local sheriffs anxious to enter into 287(g) agreements with Immigration and Customs Enforcement (ICE) to arrest suspected unauthorized immigrants also has contributed to a record number of deportations. In 2010, the Department of Homeland Security (DHS) deported nearly 400,000 immigrants at a cost of \$5 billion.<sup>1</sup> ICE detainees represent the fastest growing prison population in the United States.

The new laws, programs and strategies aimed at controlling unauthorized immigration have not only failed to make us safer, but they have also ignited

popular anti-immigrant sentiment.

Immigrant neighborhoods around the country have been the target of massive sweeps by both local and federal law enforcement. City and state officials have reacted by passing laws punishing immigrants and those who offer them shelter. While federal courts have stepped in to put the brakes on local anti-immigrant ordinances like those in Hazleton, Pennsylvania, and Avon Park, Florida, regressive state laws are creeping up across the country. These threaten to turn local police into immigration agents, devastate state economies and further demonize immigrants.

And, as a weakening economy has produced disgruntled Americans into a search for scapegoats, many hardworking, tax-paying immigrants—with significant ties to the U.S., full-time jobs, and American spouses and/or children—have been forced underground. Even when they have been victims of hate crimes, they avoid contact with law enforcement.

The Florida Immigrant Advocacy Center (FIAC) protects the basic rights of immigrants and has documented their stories in order to put a face on the injustices being committed against them. Our work has provided ample evidence that the barrage

## ICE detainees represent the fastest growing prison population in the United States.

of anti-immigrant laws and regulations, often propelled by right-wing rhetoric, is an assault on the fundamental civil liberties of all. Our research also makes clear that driving immigrants further underground does nothing to fix our broken immigration system. It only makes matters worse.

### OVERZEALOUS LAW ENFORCEMENT

**A** first step toward changing this situation must be to move away from focusing exclusively on law enforcement as a solution.

ICE falsely claims that it is targeting “the most dangerous criminal aliens,” like murderers and rapists, but ICE’s own statistics prove otherwise.<sup>2</sup> Secure Communities—a DHS program launched in March 2008 to identify undocumented immigrants in U.S. jails—screens the fingerprints of anyone arrested by local police, not just those convicted of crimes. With such a wide net, it’s not surprising that 80 percent of persons flagged by this program are far from dangerous criminals.<sup>3</sup>

As with the misguided 287(g) program, without narrow tailoring and adequate safeguards, Secure Communities lends itself to abuse by local law enforcement agencies, which can use traffic stops as pretexts for racial profiling for the purpose of funneling individuals, most of whom are Latino, into the deportation process.

Florida, one of the first states to get Secure Communities, provides some poignant examples of this current trend. A FIAC survey of 70 detainees at the Broward Transitional Center in fall 2010 was telling. Nearly two-thirds of detainees had no criminal history, and most of the rest had only low-level traffic violations. Some were simply passengers in cars stopped for routine traffic violations. And all but two of the detainees interviewed were Hispanic. For every two persons interviewed, one minor child—generally a U.S. citizen—had lost a parent or caregiver to immigration detention.

Florida’s rates of noncriminal deportations are among the nation’s highest. In Orange County, home to Orlando and Disney World, 63 percent of Secure Communities deportees were not convicted of any crime. Equally shameful are the numbers for Palm Beach County (62 percent), Broward County (57 percent), and Miami-Dade County (51 percent).<sup>4</sup> These rates more than double the 26 percent of noncriminal Secure Communities deportees from Arizona’s Maricopa County, which is notorious for Sheriff Joe Arpaio’s tough-on-immigrants stance.<sup>5</sup>

These deportations are not only a drain on federal coffers—they ravage the economy. If all undocumented immigrants were removed from Florida, the state would lose \$43.9 billion in economic activity.<sup>6</sup> By contrast, a January 2010 report by the Center for American Progress and Immigration Policy Center concludes that immigration reform would result in at least a \$1.5 trillion cumulative increase in GDP over 10 years.

Further, increased reliance by ICE on local law enforcement to do their work damages relations between local police and the communities they are sworn to protect. Fearing deportation, many victims will not report domestic violence or other crimes. And everyone is at risk when the bonds of trust with the police are broken.

Immigrants who live in constant fear of deportation remain easy targets of crime. In March 2009, a woman posing as an immigration officer abducted a baby from a migrant worker at a county health clinic in Plant City, Florida. Police said that the woman threatened to deport the mother if she didn’t hand over the baby girl. After talking to relatives, the parents reported the missing baby and she was ultimately reunited with her family.

### CHILDREN ARE VICTIMS

**T**he crackdown has traumatized immigrant families. In many cases, families have been forced apart when parents are detained or deported, leaving children to fend for themselves with relatives or strangers. While ICE has the right to arrest those without legal status, the manner in which they do so is disturbing.

In late March 2011, for example, ICE surrounded an elementary school in Detroit, targeting parents who were dropping off their children. Earlier that month, agents from the same field office conducted an illegal search of a man’s home. They detained his wife and refused to let him bring her

medication before she was deported.

Children are often among the most deeply affected by ICE actions. After roundups, children have been left with nonfamily caregivers or placed in state care. Crying infants have been pulled from their mothers by armed officers who deny them any opportunity to make arrangements for their children's care. Even nursing mothers have been detained and forced to leave their babies behind, as have mothers with sick children.

Perhaps the greatest fear parents have is losing their American-born children forever. Blanca Benitez-Banegas knows this firsthand. Blanca and her common-law husband came to the United States in 1999 after Hurricane Mitch. While here, she gave birth to two sons.

But a Miami traffic stop shortly before Christmas in 2006 brutally divided the family. The two boys were placed in foster care even though Blanca begged ICE to place them with her sister, a legal permanent resident, in Houston, Texas. For two months Blanca had no idea of her sons' location and the boys were left without information about their parents. When Blanca was transferred back to Florida from a Texas jail she had no idea that a court hearing was scheduled to determine who would have custody of her boys. If she did not retain custody, she might not see them again during the 10 years she would be barred from returning to the United States following deportation. Thanks to the Honduran Consulate and pro bono lawyers, Blanca retained custody and her sons returned with her to Honduras.

### CAUGHT IN THE BLACK HOLE

Once detained, immigrants often fall into a black hole. Parents held by ICE have limited access to the outside world. It can take weeks for them to get permission to call an attorney or loved ones to let them know where they are. Without the benefit of legal representation, parents often unknowingly waive their rights and are quickly deported.

The number of children affected is alarming. According to a 2010 study by the non-partisan Urban Institute, for the National Council of La Raza, 5.5 million children in the U.S. had at least one undocumented parent, putting them at risk of being separated from their parents.<sup>7</sup> This 5.5 million sum amounts to 7 percent of all U.S. children, or about 1 in every 14. Nearly three-quarters of these chil-

dren were U.S. citizens or legal residents.

Older children—many brought to the U.S. as toddlers by their parents—are also being deported. That's what happened to 18-year-old college student Juan Gómez. Juan was 18 months old when his family came to the U.S. from Colombia in 1991 on a tourist visa and applied for asylum. Their case was pending for 11 years. Meanwhile, Juan excelled in school, scoring 1410 on the SAT, and volunteered at a shelter.

Seventeen years after their arrival in the U.S. Juan and his family were arrested and taken to jail in handcuffs by ICE. The family was separated and neither Juan nor his brother Alex was allowed to communicate with their parents while in jail. Outraged, Juan's classmates launched a campaign on Facebook to secure their release. The result-

**Driving immigrants further underground does nothing to fix our broken immigration system. It only makes matters worse.**

ing publicity led to the family's temporary release in July 2007. Even then, the parents were deported in October of that year.

In August 2008, Juan was accepted to Georgetown University and he will graduate in May 2011. While JPMorgan Chase in New York has offered him a job, his future is uncertain. Absent passage of the Development, Relief, and Education for Minors (DREAM) Act or other legislation creating a pathway for unauthorized immigrants to earn legal status, Juan will remain in legal limbo or, worse, face deportation.

### NO SAFE HAVEN

The new laws, programs and strategies aimed at controlling immigration have fueled an anti-immigrant hysteria. The fear and misery caused by ICE sweeps are widespread, stretching from Hispanic to Haitian communities, and leave few safe havens.

Not surprisingly, this harassment has escalated to real violence. Undocumented immigrants in border states are frequently

targeted by robbers, armed civilians and rival smugglers. Attacks against Guatemalans are so common in South Florida that perpetrators call their assaults Guat-bashings. Mexicans are easy prey for armed thugs who break into their homes, take their money and belongings and even shoot them. They call it Chicho-hunting. Most crimes go unreported because the victims fear ICE detention.

The Southern Poverty Law Center (SPLC) notes an 80 percent growth in 2009 alone in “furious anti-immigrant vigilante groups.”<sup>8</sup> These private citizens have attempted to take matters into their own hands. For example, in October 2007 a condominium president in Deerfield Beach, Florida, posted a letter informing residents—70 percent of whom are Brazilian—that she was asking ICE to enter the building and “do a door-to-door documentation of everyone’s legal status.”<sup>9</sup>

These types of actions must be changed from the top. In January 2011, President Obama reiterated his commitment to enacting smart immigration reform to address the millions of undocumented immigrants now “living in the shadows.” Yet tens of thousands of immigrants are being detained and deported even though they pay taxes, have U.S. citizen relatives, contribute to their communities,

and have lived in the U.S. for years.

The U.S. can cope with the new groups of immigrants and, at the same time, protect national security without tarnishing our principles of justice. How? With reality-based immigration reform that permits government officials to track the whereabouts of immigrants that responds to the demands of the U.S. labor market, and preserves the fundamental principle of family unity. Such reform will also undermine the power of smugglers and unscrupulous employers who exploit immigrants. By permitting undocumented immigrants already in the United States to embark on a path to legalization, and controlling future immigration through legal channels, enforcement efforts could focus instead on identifying those with true intent to do us harm.

Clearly, we need to enforce immigration law, but we need laws that can be reasonably enforced. Lawmakers at all levels should abandon measures that squander our funds and misdirect our attention by criminalizing immigrants for civil violations. Legislative reform that treats immigrants humanely will strengthen our economy and will ensure that law enforcement focuses on fighting real threats. Without this, the tragedies represented by the caseloads of agencies like FIAC will continue to grow.

---

For source citations see: [www.as-coa.org/new\\_destinations/clittle](http://www.as-coa.org/new_destinations/clittle)

---

**Cheryl Little** is cofounder of the Florida Immigrant Advocacy Center and has served as executive director since 1996. An earlier version of this article appeared in the Summer 2008 issue of *Americas Quarterly*.