

2008-2009 Immigration Update 6

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Administration Announces New U.S.-Mexico Border Policy

In 2008, 6000 people in Mexico were killed in drug-related violence. More than 1,000 have been killed so far this year. The violence is increasingly spilling over into the United States, notably in the Southwest but also in cities from Georgia to Alaska. Perhaps the most notable problems are in Phoenix, where 368 people were reported kidnapped in 2008, compared to 117 in 2000; officials believe the actual numbers are higher. They attribute a majority of the kidnappings to drug-trafficking and human smuggling. An article in the March 23 issue of Newsweek detailed cartel-related violence's effect in the United States (<http://www.newsweek.com/id/189246>).

In response to the rising tide of violence, on March 24, Department of Homeland Security Secretary Janet Napolitano, Deputy Secretary of State Jim Steinberg, and Deputy Attorney General David Ogden announced a new U.S.-Mexico Border Security Policy, dubbed "a comprehensive response and commitment." Elements of the plan include the following:

- The government is investing \$700 million this year to work in collaboration with Mexico on law enforcement and judicial capacity.
- DOJ, DHS, and Treasury are increasing personnel and efforts directed at securing the Southwest border.
- The Obama administration is renewing the government's commitment to reduce the demand for illegal drugs here at home.

The press release providing details of the plan are available at the White House website: http://www.whitehouse.gov/the_press_office/Administration-Officials-Announce-US-Mexico-Border-Security-Policy-A-Comprehensive-Response-and-Commitment/

In-State Tuition Bill Stalled in Senate Appropriations Committee

Senate Bill 170, Senator Chris Romer's bill that would allow undocumented students to pay in-state tuition at Colorado's public colleges and universities, has been referred to the Senate Appropriations Committee, where it is expected to die for this session. The bill passed the Senate Education committee on a party-line vote. Disagreement over the fiscal impact of the bill prompted Senator Keith King (R) to request that the bill be referred to the Appropriations Committee; that motion carried on a voice vote. While the Democrats have a 6-4 majority in that committee, Democrat Moe Keller has indicated she will vote against the bill. A tie vote is not sufficient to move the bill out of committee. The referral to Appropriations occurred shortly after governor Ritter issued a statement saying he would sign the bill if it reached his desk.

The bill provides that, to qualify for the in-state rate, students would have to have attended a Colorado high school for three years, have graduated from a Colorado high school or have a GED, and enroll in a Colorado college or university within five years of graduating from high school. According to Senator Romer, the bill is in alignment with the federal DREAM Act, which has once again been introduced in Congress.

The bill will be the focus of Channel 12's Studio 12 public affairs program on Wednesday, April 1 (8:00 p.m.). Host Tamara Banks will facilitate a discussion among supporters and opponents of the bill.

New System to Give Local Law Enforcement Access to Federal Immigration Records

In April, federal officials will make a new system available to local law enforcement in Colorado. The new system will allow local police departments to quickly check the immigration status of people who are arrested and then contact Immigration and Customs Enforcement (ICE) for assistance with deportation. According to David Venturella of the Department of Homeland Security Immigration and Customs Enforcement, the system "accelerates the whole removal process. Our goal is to remove individuals as quickly as possible without sacrificing any of the due process that is afforded to them. Our old model was to catch people while they were incarcerated or coming out of prisons. (Now) we will catch them at the earliest point in the process so we can save resources—not only law enforcement resources but judge time." Opponents argue that the new system will encourage local police to arrest people based on their appearance, rather than on solid evidence that they have committed a crime.

Law enforcement agencies in Colorado have already increased their reporting of suspected unauthorized immigrants to ICE. In 2008, they gave ICE the names of more than 20,000 people suspected as being in the country illegally. That number represented an 11 percent increase over reporting in 2007. The increase was not seen consistently across jurisdictions. Arapahoe, Adams, and El Paso Counties, along with the city of Aurora saw the greatest increases. In contrast, Denver, Boulder, Larimer, and Jefferson County, as well as the cities of Westminster and Boulder experienced decreases.

Judge's Order Suspends Weld County Investigation Based on Seized Tax Documents

In the last update, we reported on a Weld County identification theft investigation in which the county was using tax records seized from a tax service to identify unauthorized migrants in the county. In early March, a Larimer County judge ordered all documents taken from the tax service be turned over to the court, in effect suspending the investigation until he rules on the constitutionality of the search on April 13. Judge James H. Hiatt is acting in a civil case brought by the ACLU on behalf of the owner of the tax service. His ruling will not directly affect the approximately 100 criminal cases that have been filed as part of the investigation; the admissibility of the evidence from the search of the tax service will be evaluated in each individual case.

Facing History and Ourselves Offers Online Workshop

From March 26-April 8, Facing History is hosting a free online workshop entitled Civic Dilemmas: Religion, Migration, and Belonging. Designed to introduce new materials on migration and identity, the workshop will explore such questions as:

- How does migration impact the identities of migrants and non-migrants?

- How should communities balance the competing needs of reproducing national identity, promoting integration and community cohesion, and pluralism? How do these issues play out in the schools?
- In schools, is there a contradiction between creating common identities and fostering group pride?

Registrants for the workshop will be expected to log on to the site and participate in the online discussion at least three times, for a minimum time commitment of three hours. Nonregistered users can access workshop materials. For more information or to register for the workshop, go to <http://www.facinghistory.org/CivicDilemmas>.

New Street Law Text Features Chapter on Immigration

Street Law has recently published the eighth edition of its popular text, *Street Law: A Course of Practical Law*. Among this edition's new features is an entire chapter on immigration law and policy. For more information, see <http://www.streetlaw.org/en/Article.108.aspx>.

Immigration in Literature

In our last update, we highlighted several award-nominated movies with immigration-related content. This month, we feature two novels we have recently read, both looking at the challenges facing refugees from Africa:

For teachers and advanced students: *Little Bee*, by British journalist Chris Cleave (Simon and Schuster, 2009), is a shocking story narrated by Little Bee, a refugee from Nigeria, and Sarah, the British magazine editor who encounters Little Bee in Nigeria and again at home in London's suburbs. Little Bee spends two years in a British detention center. When she escapes (thanks to another detainee's willingness to give sexual favors to a guard), she makes her way to the home of Sarah and her husband, setting off a startling chain of events. The book deals not only with the UK's response to immigration issues and violence in Africa but also middle class ennui and infidelity. Nothing is truer in the book than Little Bee's admonition, "So when I say that I am a refugee, you must understand that there is no refuge."

For middle school students: *Home of the Brave* is a very readable and moving novel in free verse, written by Katherine Applegate (Feiwel and Friends 2007). The book tells the story of Kek, a Sudanese refugee who joins his aunt's family in Minnesota and struggles to make a new life. Having seen his father and brother killed, Kek waits for news of his mother; ultimately, he finds a happy ending that, while not entirely believable, is nonetheless welcome to the reader.