

LIFE AFTER DACA: IMMIGRATION REFORM IN THE AGE OF TRUMP

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MODERATED BY:

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Editor-in-Chief, Volume 24

PART ONE

MS. JAVERIA AHMED: Hi everyone. Can you hear me okay? Welcome to the Fall Symposium for the Journal of Equal Rights and Social Justice. My name is Javeria Ahmed, I'm the Editor in Chief and I'm really excited to have you guys with us tonight.

The topic that we'll be discussing is the revocation of DACA, or the Deferred Action for Childhood Arrivals program and what we anticipate immigration reform will look like under the Trump administration.

Tonight, we are really lucky to have this amazing panel of experts in the immigration field. The panel consists of attorneys who provide direct representation, impact litigators, and community organizers. I'm really excited to hear what each one brings to the table.

Without further ado, let me introduce our panelists. Hasan Shafiqullah is the Attorney-in-Charge at Legal Aid's Immigration Law Unit, one of the largest not-for-profit immigration practices in the country. Over the past 20 years he has represented clients in a range of matters including immigration, housing, family, consumer, name change, divorce, and probate law. He is a graduate of the University of California, Hastings school of Law, and of the University of Arizona, and holds a certificate in French to English legal translation from New York University.

To his right is Amy Taylor, the Legal Director of Make the Road New York where she leads a team of 40 attorneys and advocates who provide legal services to low wage workers and immigrant New Yorkers in the areas of housing, benefits, workplace justice, and immigration. She is also a national expert on language access rates. Prior to joining Make the Road, Amy was a senior staff attorney and founder of the Equal Rights Initiative at Legal Services, New York City, and has also served as the Director of Policy at the New York City Mayor's Office of Immigrant Affairs where she worked on language access initiatives among other policies. Amy received her bachelor's from Oberlin College and her JD from CUNY School of Law.

Then we have Martin Batalla Vidal who is the Youth Leader at Make the Road. Martin was born in Mexico and raised in New York from the age of 7. Martin is a DACA recipient, and receiving DACA reinvigorated Martin's dream of working in the medical profession. In the fall of 2015 he enrolled at LaGuardia Community College in the Medical Assistant's Degree program. Martin is the original plaintiff in the Eastern District of New York lawsuit *Batalla Vidal v. Baron* a class action lawsuit challenging the decisions made around DACA. Since he filed the lawsuit Martin became a key role model in the community and

2017]

LIFE AFTER DACA

107

has had his work featured in major publications such as the New York Times, El Diario, and Univision.

To his right is Michael Wildes who is the managing partner with the leading immigration firm of Wildes and Weinberg, P.C. Professor Wildes is an adjunct here at Cardozo where he teaches business immigration law. He is a former federal prosecutor with the United States Attorney's office in Brooklyn and has testified on Capitol Hill in connection with anti-terrorism legislation. His boutique law firm specializes exclusively in the practice of U.S. immigration and nationality law including employment and investment-based immigration and work permits, permit residence for qualified individuals, family-based immigration, asylum applications and all temporary and permanent type visas. He was also the mayor of Englewood, New Jersey where he resides and he is a graduate of Cordova.

And, last but not least, we have Anthony Enriquez who is a 2013 graduate of New York University School of Law. He is currently a staff attorney at the Immigration Defense Project where he helms the organizations anti-detention advocacy by supporting litigators in immigration and federal courts with research writing and individual mentorship. Prior to his work at IDP, he was Removal Defense Attorney of The Door, a community organization providing developmental services for New York City youth. He was also a federal law clerk at the Southern District of New York.

Thank you all so much for being here tonight.

Just a quick roadmap for the evening. We're going to begin with a discussion about the revocation of DACA and its immediate aftermath. After that we'll take a quick break and then dive into Part Two during which we'll look at the past and future of the DACA program and where immigration policies in the U.S. may be heading from here.

As I'm sure you all know, DACA is an Obama-era program that temporarily protects eligible immigrants without legal status from deportation and provides them with work authorization.

In the last couple of months, we heard a lot about DACA in the news, most critically that Trump revoked the program on September 5th and new applications were no longer accepted after October 5th. Would you talk a little bit about why Trump ended the program? Maybe we could start with Mr. Shafiqullah.

MR. HASAN SHAFIQUZZAH: Why did Trump end the program? Well. Since you probably know there were mixed signals coming from the Trump administration around DACA. At times he said early in the year that he loves the Dreamers and he's going to do something great for them. Other times he's talking about everyone who doesn't have

legal status should be deported. It came to a head and to a crisis when on September 5th because of a threat of litigation by ten states, and so for that, I think it's important to understand the background of some of the litigation that was going on.

DACA was announced in June of 2012 by President Obama through Homeland Security Secretary Janet Napolitano and it was for a certain set of people with certain requirements and folks who were eligible. Two years later in, this is going to be, I'm going to answer your question but we are going to get there.

In November of 2014, President Obama, himself, in the Rose Garden, announced an expansion of DACA to make it little more generous so that people would get benefits for three years instead of two years and you could have come a little later and qualified, and he announced a new program called DAPA, Deferred Action for Parents of Americans and Permanent Residents. Those two programs were apparently too much for certain conservative attorneys' generals, so 26 states sued the Obama administration to stop the implementation of expanded DACA and DAPA but they didn't touch original DACA and they chose to file suit in Texas figuring they would get a conservative federal jurist and they did in Andrew Hanen. That case went up to the Fifth Circuit with upheld his injunction and then went up to the Supreme Court and then they tied four to four because this was after Scalia had passed away.

Expanded DACA and DAPA were enjoined, never got off the ground but original DACA remained untouched and so, even during that litigation people were applying and renewing and regular DACA was ongoing.

Then flash forward to this summer, 10 of those 26 states said maybe it's time for us to end original DACA. Not all 26 states signed onto that effort. Sixteen of the states realized that DACA has been a net gain for their states. Folks are working, they're paying taxes, they don't have the right to receive benefits like cash assistance or food stamps or things like that so it's been a tremendous benefit for the states, so 16 of the states said thanks, no thanks, we're happy the way things are. Ten of them filed or said that they were going to file to enjoin original DACA and they were going to do that by seeking to amend their original suit in front of Andrew Henan in Texas, figuring if they were ever going to have a receptive ear to blocking original DACA it would be in front of him.

They told the Trump administration you have until September 5th to end original DACA. That pushed the administration's hand, they had been teetering, and they figured let's do it ourselves. We, the Trump administration will end DACA and do it on our terms. They did it not in

2017]

LIFE AFTER DACA

109

cold turkey the way it would have been if Judge Hanen had issued an injunction but they gave us more or less a six-month winddown period. It's sunseting on March 5th and during the six months the idea is that Congress should finally pass some litigation to protect the Dreamers.

MS. AHMED: What does this mean exactly for people who have DACA and who else is affected by this decision besides - - .

MR. MICHAEL WILDES: I'll take a shot at that. It means there are about 900,000 people in immediate jeopardy. There are lists that the authorities have. Understand that there are hundreds of thousands of other people that were not eligible for DACA in the first place because of a DUI or something else and had receipts, and there are sanctuary cities throughout the nation where there are lists and ID cards. The good mayor of this city had the presence of mind, and there's about 700,000 individuals with ID cards that are being furnished now so that we can show the hospitality to these individuals. They have the right to go to our parks and zoos for a full year. The mayor thought there's prior mayors like Ed Koch that if the government wasn't strong enough or going to be aggressive in removing people I'm not going to keep this community down. We need to know what kind of people are driving because we need to repave our streets. The cars have changed, the whole environment is affected and our stacking of housing and the muster zones and the whole culture so with the deafening silence in Washington local communities have stepped up and filled the vacuum and have taken action to protect individuals. All this now comes to a crushing end with lots of lists abound for this administration to act on whatever instance they want in removing these individuals so they are in jeopardy.

MR. SHAFIQULLAH: Do you want to talk about the impact on you for this ending?

MR. MARTIN BATALLA: From the beginning like - - it was the first time that it was DACA for action was I'm nervous, sorry. First time - - but like I said from the beginning I was scared because I was giving all my information to the government. I didn't know. It was the first time for myself coming out the shadows saying that I want documented, and handing the government all my info, my family, being in jeopardy but I took the chance and I was, I applied for DACA. DACA changed my life not only for myself but my fellow, my family and the other - - that are still in the government, he was able to come out the shadow, he was able to go to school. We were able to get opportunities that undocumented that we weren't allowed to. It opened doors that unfortunately we know we're capable of but since we don't have a working permit or we don't have a social or we don't have the state ID we're not entitled to it.

Having DACA not only changed my life for good but I know that once, - - once it's—well - - what's going to happen, I'm so nervous, sorry. It's hard.

[Crosstalk]

MR. BATALLA: Like I said, having DACA changed my life, came out of the shadows and now not knowing what's going to happen with myself, with my family, knowing that the government has all my info, not knowing if I'm going to be deported after my work permit expires. It's depressing. I'm worried because I don't know what's going to happen since the governments always changing their mind. Like I said, I don't feel safe, nor I feel safe for my mom, which she's a single mother that raised four kids by herself and all of us are in school, one is a cop, one got his degree in business administration and he's also a DACA recipient, he was a DACA recipient. DACA gave us opportunities that unfortunately being undocumented we weren't allowed to. And like I said, it opened doors. I was able to qualify for more scholarships and take from there. Yeah, thank you.

MS. AHMED: Martin when DACA was revoked you and Nick Theroux [phonetic] did something about it. Do you guys want to talk a little bit about the lawsuit that's filed.

MS. AMY TAYLOR: Sure. As Hasan mentioned, back in 2014 when President Obama announced the expansion of DACA and the DAPA program before those programs were able to be implemented the U.S. v Texas case, which he mentioned began and Judge Hanen in the Southern District of Texas issued a nationwide injunction stopping those programs from moving forward.

Martin's case coincides with this history because Martin was one of a smaller group of individuals across the country who had applied for DACA and was actually approved for expanded DACA. He was approved for the three-year work authorization and before he even received it, it was revoked by USCIS because of the injunction in Texas.

Some very smart legal minds, not mine, came up with a strategy to bring a case in federal district court here in New York on behalf of individuals like Martin who had their expanded DACA work authorizations revoked due to a nationwide injunction issued by a court in Texas essentially arguing that New Yorkers like Martin were not part of the U.S. v Texas litigation, New York state was not involved in that litigation. New York state never has the chance to present its interest to the court in Texas and yet this injunction was affecting the livelihood of individuals like Martin.

We, at Make the Road, are a community-based organization. We do community organizing and we also provide legal services and other

2017]

LIFE AFTER DACA

111

services to our community members and to our membership who are mostly Latino immigrants across New York City and Long Island. We have done a very high volume of DACA cases since the DACA program was announced in 2012. We have, I think, close to 4,000 clients who are DACA recipients and when this lawsuit was beginning we went through our client base and found about 12 individuals who were in Martins situation who had had their three-year work permits revoked and reached out to them to see whether any of them were brave enough to come forward publicly with their name in federal court and sue the government, this was the Obama administration mind you, and Martin was. He immediately came forward and said this isn't right. This is unjust. It's not just me, it's my family, it's my parents and other people like me whose lives are at stake and I'm willing to do this.

We initially filed our case over a year ago and things were proceeding very nicely in front of Judge Garaufis in the Eastern District and then the election happened. Like everyone else in our New York City bubble there was an unexpected outcome. We had thought that we had a great judge, we could get a good decision, the injunction could be challenged and that we could move forward and implement these programs in New York and other states that were not parties in the U.S. v Texas litigation but clearly that didn't happen.

We actually let the lawsuit linger in the early months of the Trump administration knowing that we had Martin as a plaintiff as a DACA recipient and also Make the Road New York is an organization plaintiff. Because we have 21,000 members who are immigrant New Yorkers we felt like we were well positioned to challenge something that would come out of the Trump administration related to DACA.

On September 5th when the announcement was made that the program would be ending we immediately went to the court and said we would like to amend our complaint to challenge the DACA rescission. Our claims changed, although not drastically. Our main claim before and now is still under the Administrative Procedure Act which is a federal law that governs how policies can be changed or made and essentially arguing that the DACA program is a longstanding policy. You have 800,000 people who have relied on it, who have put their information forward, who have gotten jobs, it's not just individuals with DACA, but their families, their employers. We, at Make the Road have over a dozen staff who have DACA. Our states economies depend on DACA recipients now and essentially arguing that the way the government terminated the program was in violation of federal law and additionally we had constitutional claims in our case arguing that the motivation for this policy change was based on race and that's unconstitutional.

If you look at the statistics of DACA 79% of DACA recipients are Mexican and I think 93% are Latino. This is a policy change that disproportionately impacts not only Latinos but specifically Mexicans and we have a president who has a very clear record of making racist and xenophobic comments about Latinos and Mexicans in particular. For us it was extremely important to add those claims because they really do inform our organizing work and we have a large membership of DACA recipients who are youth leaders, who are the people who fought for DACA, who really were the power that created this program to begin with, who feel that this move by the Trump administration is just one of many by this administration to target immigrants, to separate families and to further a white supremacist agenda in the White House.

It's been very important for us in talking to community members and talking about this case to really highlight that there is boring administrative law claim in our case that's our lead claim but the constitutional claims are real in that it is a violation of our Constitution to target a community and make a massive policy change based on racial discrimination.

Martin has continued to be a leader in our fight with this case. We also have six additional individual plaintiffs who are members and staff at Make the Road New York, who have all bravely come forward and shared their stories and come to court and talked to the media and been leading the fight to elevate this issue and ensure that our entire country is outraged and I think we're pretty close.

MS. AHMED: Would you mind talking a little bit about procedurally where the case is at right now?

MS. TAYLOR: Yes. We, shortly after the September 5th announcement filed our second amended complaint which I think you all have, adding our plaintiffs and new claims. We've been in active discovery, we've deposed some pretty high-level government officials, including Jean Hamilton [phonetic] who actually wrote the first draft of the DACA rescission memo.

The government has been arguing from the beginning that discovery should be stayed so we've been in a lot of discovery fights, gone up to the Second Circuit. The government filed a Motion to Dismiss. Judge Garaufis denied the Motion to Dismiss last week which is huge victory, although he did dismiss our due process claims related to notice. One important piece of our argument is that the October 5th deadline was arbitrary and capricious and that people didn't get notice. This announcement was made but individualized notices were not sent to people who had DACA to say you have to renew by October 5th. The court dismissed those claims saying we hadn't identified individuals who had missed the deadline because of notice.

2017]

LIFE AFTER DACA

113

We have now identified, and Legal Aid has identified, a number of people as well, we have 13 clients who had their DACA renewals rejected because they were untimely and if you're following the news you've probably heard that there have been massive postal service delays and failure of USCIS to pick up their mail basically, causing people who even applied like September 14th to have their applications rejected as untimely. We have nine clients whose applications were sitting in Chicago on October 5th and not picked up by USCIS until after the deadline. Anyway, that's a tangent.

We have a court appearance tomorrow morning at 10 a.m. where we will be asking the court to amend our complaint one more time to add new claims related to the rejected renewals in order to get our procedural due process claims back. That's where we are right now.

MS. AHMED: Mr. Rodriguez do you want to talk about some similar lawsuits that are happening in other states?

MR. RODRIGUEZ: Sure. As was mentioned, I work with the Immigrant Defense Project and we do impact litigation and some technical assistance for attorneys who are dealing with issues at the intersection of criminal law and immigration law. What's going to happen to someone when they have a run-in with the police? They're arrested, they get a conviction. What kind of immigration consequences might they be facing?

We haven't been as intimately connected with the DACA fight as organizations like Make the Road or Legal Aid Society because we don't individually represent claims but we do have a hotline where people can call in looking for assistance, what's going to happen to me, I got this ticket on the train and I don't know, is it going to affect my immigration status, so we've advised a lot of DACA recipients as to the possible implications of contact with the police for their DACA status, as well as helping people decide, is it safe for me to apply? If I apply am I going to maybe be referred to removal or deportation proceedings because of some type of run-in that I've had with the law in the past.

We've also been following the lawsuits generally because of their implications for all kinds of issues around enforcement in this administration. As Amy and Martin were speaking there's two lawsuits here in New York, Make the Road's originally but also the Attorney General of New York and several other states brought a complaint as well and those cases are now both being heard by the same judge in Brooklyn, in the Eastern District of New York.

Separately in California, in the Northern District of California in San Francisco, there are five lawsuits that have been related and those were brought by the State of California, by the Regents of California, so people who are running the University of California Public System,

which is actually Janet Napolitano, who was the Secretary of DHS during DACA while a lot of it was being enacted. The County of Santa Clara and a union as well. They're talking about the institutional harms that they face even though they're not DACA recipients themselves. The City of San Jose as well and then some individual DACA recipients. All five of those cases have been linked now and they're from the same judge in the Northern District of California and that suit is also moving at a pretty fast pace.

Some of the claims are similar or overlapping with the claims that have been brought in New York and I'm going to give you a rundown really quick of what those are. Some of them are, as Amy mentioned, under the Administrative Procedures Act and they range from the DACA program wasn't rescinded in a procedurally correct way. If the government was going to rescind this program, they had to do what's called Notice and Comment which gives everybody in the country an opportunity to weigh in, write into the government why they should or shouldn't rescind the program, their reactions basically to the proposed action. There is a separate claim that the rescission itself is called arbitrary and capricious or made without sufficient reasoning.

It can get complicated for a couple of reasons. One, because it was maybe motivated by racial animus. Another reason is because it's just thinly reasoned period, the rescission. The rescission, the only legal justification that's been put forward is we think that there might be a lawsuit from these other states that enjoined the DACA program and we just don't want to deal with a lawsuit. Because of that we think it's probably illegal. The plaintiffs are arguing just as a matter of law that's not sufficient. If the government decided to not do what it was going to do because someone somewhere threatened a lawsuit, they would never do anything at all basically. That reasoning isn't of itself enough to rescind a program that has such wide-ranging impact.

There's another claim based on the Constitution on the Fifth Amendment equal protection component saying that this lawsuit was also motivated by discriminatory animus against the Mexicans and Latinos specifically. There's another creative claim under what's called the Regulatory Flexibility Act which is also happening in New York but basically saying when the government is going to rescind a program like this they have to first do analysis on how it's going to impact small businesses and they didn't do that here.

There is a separate due process claim that if the government uses the information that they're received, people's personal addresses, people's admissions that they're not citizens of the United States and that they entered without inspection, the use of that information that people submitted because they were promised it was going to go toward

2017]

LIFE AFTER DACA

115

an immigration benefit, it would not be proper to use that to then turn around and enforce them and try to deport them because of that. That's two claims that are included, one is a constitutional claim that that's just not fair in non-due process and another one called equitable estoppel, which basically is from England courts kind of plain saying it's just not fair basically. Sort of overlapping all these different types of claims.

In the California case the two sides have cross moved so just last week the plaintiffs moved to for a preliminary injunction to stop the government from stopping DACA essentially before the March deadline. They're only moving forward on their Administrative Procedure Act claims. They say we still think the other claims are good; our constitutional claims, our statutory claims but we only want the courts to look at the Administrative Procedure Act claims right now.

The government separately has moved to dismiss the lawsuit as they did in the New York lawsuit and neither has responded to the other side's briefing yet.

Separately there's also some lawsuits in the District of Columbia too. The NAACP brought one also alleging similar claims that overlap basically and additional states attorneys general have moved in the District of Columbia. No briefing has happened yet in those cases. Microsoft and Princeton University also just last week also filed a lawsuit jointly asking to enjoin DACA in the District of Columbia.

What are the implications if any of these claims go forward? One thing IDP has been interested in is this specific claim that you can't use information that we've submitted to the government to then enforce against us. We think that has broader implications for all the types of immigration programs that are ongoing, not just DACA. For instance, for unaccompanied minors that come to the country and are intercepted by the Border Patrol and then sent to shelters, it's detention but they're called shelters by the government. Those children usually get sponsored out of the shelter by someone here in the United States who has to say I promise to take them to school, I promise to provide them medical support, I promise to take them to their removal proceedings when they are called to court.

There's an increasing concern—and many of those sponsors are themselves undocumented, in some cases they're family members and that's why they have a preexisting relationship with the child. In some cases, they're family friends. There's no requirement that you have to have status to sponsor someone out of a shelter. People are worried, I think with reason, that the government might be able to use some of this information that a sponsor sends in to sponsor a child out of a jail essentially and the government was going to turn around and then try and remove the person who's the sponsor, which would harm not just

the sponsor but the child herself as well, leaving that person without anybody to care for in the United States.

Of course, from the governments perspective they can say we'll just detain them again and deport them as well. There's a real dragnet effect here that could happen and that's where IDP is interested in following these events at the moment.

MS. AHMED: Great than you so much.

MS. TAYLOR: Can I just make one comment? I think there are ten lawsuits currently that are being litigated across the country. Just on the note of that you mentioned the reason why the Trump administration gave for terminating the program they said we might be sued by these states.

The Texas Attorney General sent a letter to the Trump administration saying if you don't end this program by September 5th we're going to sue. There was also a letter that was sent by supportive attorneys' general who wanted the DACA program to continue because of the benefit to their states, that letter was also sent to the Trump administration and now there are ten lawsuits including many states, I don't know if anyone has the current tally of how many states but its like 16 or something.

There's also the other side that these states were at the ready to sue and were reaching out in support of DACA the Trump administration had conversations with the Texas Attorney General, it's now come out through depositions, about DACA and the end of the DACA program but never had conversations with the states that were reaching out saying this program is a great benefit to my state. I thought that was an interesting note.

MS. AHMED: Does anybody have any questions about the revocation under the lawsuits?

MALE VOICE 1: [Off mic] I'm wondering on what grounds did the Texas judge grant the injunction of the DACA - - .

MR. SHAFIQULLAH: There were a couple of different grounds. They were basically saying that the Obama administration overreached, that to implement a program like this goes beyond the president's authority and only Congress should be able to enact a program like this. The rebuttal is that this is an act of essentially what's called prosecutorial discretion and presidents have been using this back to Eisenhower. It comes out of this notion that Congress passes the laws, it's up to the Administrative Branch to enforce them. Congress has enacted in the Immigration Nationality Act all these bases to deport people but hasn't given the president sufficient resources to deport all 11½ million people that are in the country now undocumented. The administrations have always had to pick and choose who they're going

2017]

LIFE AFTER DACA

117

to go after, who they're going to enforce the immigration laws again and in an aggressive way and who they will choose to leave alone because they don't have the resources.

DACA was essentially prosecutorial discretion writ large. They said you're giving this broad, didn't use the word amnesty, but it an indiscriminate broad brushed approach but that's not actually true. You had to apply individually for DACA and there's all sorts of disqualifiers that would make somebody ineligible for it. It has been a case-by-case grant of discretion and we hope that the suit will not be successful.

MS. TAYLOR: I think that harm that was put forward by the states that were suing was the cost of issuing a driver's license to an individual with DACA which I don't remember what it was, but it was some ridiculous... Now you see all the attorneys' general who are suing now in support of DACA showing the billions of dollars in state revenue that is generated by DACA recipients who are working and supporting their families and it was like \$7 or something really.

MALE VOICE 2: Absent a formalized program and prosecutorial discretion how does the administration know the - -. Is there any formula to it?

MR. WILDES: The Immigration Act and it's broadly construed and there are parts of it that would allow local police enforcers and officers to be deputized by the immigration authorities. President Trump has come out and said that if President Obama had the authority to do this, I have the authority to undo this. He didn't just cancel - - he didn't just cancel it. He said I'm going to cancel it in six months and give it to Congress to take care of it. I don't want to be corny but this is really Congress's job to make laws. The president is exercising his discretion within the law the way he sees fit and as a proud democrat I'm glad that President Obama came up but he was known as the deporter in chief and had come up way too late when so many more people were removed from this nation and the politics of DACA and then DAPA and everything deteriorated when they election came around.

Now, I happen to have represented the president's companies for years, Trump Models, Miss Universe when the president owned it. I'm Melania Trump's immigration lawyer. I don't believe our president to be a bigot, I don't believe him to be a white supremacist and I believe there are a lot of xenophobia and there are a lot of negative people around the president but I believed at the very least he's returning on campaign promises and that he's prayerful that Congress will actually legislate this.

Hara Ciattis [phonetic] case, Shaughnessy [phonetic], these are hallmark cases that give the authority of immigration to Congress, not to the president and the deafening silence in Washington is the

reverberation on the streets and there's an effect and it's really to my mind, unconscionable that these members of Congress keep getting reelected and that they're scaring the hell out of people making it sound that you're weak on homeland security if you're strong on immigration.

The greatest risktakers we have, the greatest entrepreneurs are foreign nationals. Foreign nationals become Americans and they employ Americans. We can't afford to get this wrong and the truth is the scapegoating of the lottery system two weeks ago and the DACA jeopardy that people are in is just a symptom of a deafening silence in Washington and an electorate that's not educated on the effects that his has on our corridors. In that absence ICE will act to remove people. We have had scores of people in immediate jeopardy.

We had a very important doctor case where a gentleman moved to Virginia, Newsweek did a profile on this gentleman, he was then a victim of a terrorist assault and he moved to a U visa. We've always had a system in place to give prosecutorial discretion. We've thank god, stepped up in the vacuum where there's been victimization with the Violence Against Women Act and the U visa and the T visa for traffickers and victims of certain predicate crimes. DACA is a system for the president to use discretion but really the legislation must come from Congress and they have this six-month opportunity now to get it right.

In my gut and in my core, I cannot see the president taking these 900,000 beautiful souls, many of them who are police officers and good, good people. You wanted to study medical assistance. Can you imagine I have a Harvard law graduate who is a DACA and we were very proactive during the window of time that these clients were in our office and DACA was there and realizing that it may not be there long enough and we had people take trips in and out and using other remedies to get them status to pivot away from it. But 900,000 people pales in contrast to just the 200 people that were involved when the ban happened weeks after the president was elected.

I am more hopeful, maybe more optimistic than most that he is not a bigot and that he will step up to it if Congress won't step up to it but for the life of god I don't understand why Congress hasn't and why they can't get this right.

MS. AHMED: Okay.

FEMALE VOICE 1: [off mic] My question is more for the impact - - and the due process - - . Is there any sense in - - in our criminal system like it is to hear that - - and how it's not okay for the government to do these type things - - immigration law that - - . Is there - - whether it will be successful - - echoed in other aspects of our laws or is it - - immigration - - .

2017]

LIFE AFTER DACA

119

MR. RODRIGUEZ: That's a great question and I guess I can offer my first thoughts and would welcome any more. When the other panelists spoke about the travel ban a bit. I was in the courtroom in the Eastern District when that first injunction came down that evening and to be honest, I think that people who do study immigration law and who know it well weren't entirely optimistic because it's a really horrible history that is, in a lot of ways, built on racism and xenophobia. We have these legal legacies that continue to haunt us to that continue to haunt us to this day and that really allow a lot of injustice to happen. If you had asked me the same question before all the travel ban lawsuits, I would have probably said yeah, the courts will let him get away with it.

All of a sudden, we have two appellate courts saying that maybe it's okay to question the campaign statements of an individual to really scrutinize them hard for animus, antireligious animus, anti-race animus and that to me, was revolutionary. That's something that really hasn't been happening in the courts in this country in 40 years, something like that.

Is there a shot? I think we are in a new world. A lot of people have talked about we're in a space now where there are no precedents where things are being said aloud that are unprecedented. That's not true. These types of things have been said as recently as the 1960s and continue to be said in many spaces up to this point. I don't know if we can say you have a 60% shot on this and I think that we can look at the strategy that the California cases have looked at. They've chosen to really go hard on their APA claims for a reason. That's a legal strategy. That's probably the space where they feel more supported by the case law where they feel the court has to not go so far out on a limb. They don't have to make these big constitutional rulings. They can say this is really just a procedural violation of an administrative statute.

It's a question that we're not going to get an answer to anytime soon I don't think, unfortunately. A lot of us are looking and like I said, really thinking about how those types of claims, those entrapment-based claims, those fairness claims as you identified, are applicable to many types of things that the administration is doing right now.

MR. WILDES: If I could just add one quick comment. Equitable estoppel is a brilliant argument and there's some history here. When President Reagan gave an amnesty, a clear amnesty in 1986. There were 3 million people in America without status and if you could prove that you entered America illegally before January 1 of '82, you were just given a green card. Nobody trusted it. They had to set up on 24th Street on the west side, separate buildings because immigrants felt in jeopardy if they went to 26 Federal Plaza they'd be arrested. This was a republican president who didn't set up any time metric, was just going

120 *J. EQUAL RIGHTS & SOCIAL JUSTICE* [Vol. 24:1

to give a straight green card because he didn't want to have a culture like this.

I think your comments are well taken because when people put their papers, their names, their addresses as Martin said, you're just facing great jeopardy and what are people going to do now? We have scores of people on orders of supervision who are dutifully showing up every six months, and now they're being told even with a lot of applications in the system, that we want you to have a plane ticket and come back otherwise we're going to put an anklet on you or you're going to be held in custody. What kind of society have we created where we ask people to participate legally in the system to apply dutifully, to show up and then we're going to deport them. I think that the courts are supersensitive in equitable estoppel the animus that the campaign and those other people around the president that I think that are showing in some of the president's remarks which are purely actionable is really a compelling argument and I have never seen a federal judge in recent decades come to the conclusions that they have. There's no statute of limitations, there's no right to counsel in the airport [phonetic], all these lawyers are running with great intentions and they could have kept you out of the airport all together if they wanted to. These are all new territory for a lot of practitioners.

MS. AHMED: Yes.

FEMALE VOICE 2: [Off mic] This question is for Martin. I just wanted to say first off that - - .

MR. BATALLA: Thank you.

FEMALE VOICE 2: [Off mic] I'm curious to know what advice or - - counseling - - .

MR. BATALLA: Be happy to give you many advices but the main thing is Vanessa is my attorney, which she's like a mother. She's not here. They were just grateful that I was the face of the lawsuit and I put my name out there telling my story. Saying my life, how I came here as a child, my mother was a single mother. She raised four kids by herself having three jobs and I would not be here if it wasn't for her. She was brave enough to bring me over here so I could have an education, something that she didn't have and like I always said, we're getting all the credit because apparently Dreamers, Dreamers, but we're forgetting the main thing, our parents are the Dreamers because if it wasn't for them we would be not here. They left everything behind, knowing that they don't have papers, no green card, knowing they won't be able to see their parents, family just so they could sacrifice so we could have a better future.

There's just too much to keep up the fight. So far, we've seen that, not only myself but a lot of Dreamers are coming out, some of the

2017]

LIFE AFTER DACA

121

stories and the more we put our stories out there more people - - reflect that we're not here to do—we're not criminals, we're not rapists, I'm Mexican. We're just here because we want a better future and we want to have something that our parents didn't have. I don't want my mother to feel that all her hard work was for nothing.

Currently I'm working at physical therapy with TVI patients and stroke patients and I'm thankful that I have DACA because without DACA I wouldn't be able to help the patients that I work with at the moment.

With that being said, it opened up opportunities that I would never thought that I was able to do like visit the Senate in Washington D.C. and it opened opportunities and with this lawsuit we also want a clean - - . We want a solution for us Dreamers so we can stay here legally but at the same time we don't want to sacrifice our parents, our families because at the end of the day we're together. We're together in this one. It's 50/50. We've just got to keep fighting. That's the thing, keep fighting, just keep telling our story and seeing it and with us telling our stories so people can see the challenges that we go through and we overcome. We're immigrants and we're here to stay. - - .

MS. AHMED: I have time for more questions at the end but we are going to take a five-minute break right now. We'll meet back at 7:35.

[Crosstalk]

PART TWO

MS. AHMED: Okay everybody we're going to get started again.

In this second segment we'll talk about the past of DACA and where we think it's going from here. To get things started we want to talk a little bit about what deferred action is as a legal term and also how DACA became more than just this temporary immigration status but it really became much larger movement of immigrants and advocates fighting for immigrant justice. We'll start with Professor Wildes. Can you talk a little bit about deferred action and how it turned into DACA?

MR. WILDES: I think Hasan coined it well, there's been deferred action or some kind of discretionary relief by presidents since President Eisenhower. I'll let the current experts opine and talk about how DACA itself developed and the current state of it, but I want you to know that this school, this institution is a personal experience for me. My father actually was John Lennon's immigration lawyer and I became an immigration lawyer because I loved my dad. Thank god he's still practicing. He was my law professor here. He taught for 33 years. I met my wife, who's sitting in the back, in his class and the gentleman sitting next to her is my son, he and his older sister are in my class. You can

say there's dreamer but I'm not the only one. That was John Lennon's words in "Imagine".

President Nixon at the time wanted to remove John Lennon from the United States, the 26th Amendment reduced the voting age from 21 to 18 and Nixon realized there were 3 million more youth that are going to vote against me because of Vietnam. He found the drug charge against Lennon and in the whole case my dad brilliantly used the Freedom of Information Act to sue because he knew that there was some selective prosecution going on and at the time there was a nonpriority. We had preferences for employment and family. We had a non-preference, a nonpriority. These were people that were not going to be removed. My dad describes in his book that there was quote unquote pure jubilation when 1,843 cases were delivered to our offices, the same offices where he's practicing now still, and he saw that there were kidnappers and drugsters and bad people that were not deported for other reasons.

It started in President Eisenhower's term and when it came to President Nixon's administration the tip of the iceberg was discovered and the government then put it on the books, this nonpriority, this non-preference became a deferred action and it has all sorts of remedies eventually leading to DACA you get generic deferrals from prosecution. In litigation there are remedies around this and it became literally a tool that lawyers used and the government would use. Dad had no idea who John Lennon was. Lennon paid for this despite the fact that he earned a green card already because he felt that he was put in the Kafkaesque kind of experience and it was the right thing to do. A dreamer and a scholar set out and rolled up their sleeves and you jump ahead and it took some traction and about 900,000 people now have a benefit of something that was discovered.

That is a tribute and the reason that dad got a book deal as it were was the Bar Association wanted to show how one lawyer, one law student sitting here could affect a generation with the right intentions and scholarship. This case led on to other cases and other remedies and there are a lot of different instances where the authorities, the government then opened the door and allowed people.

The whole notion of TPS, and we see this happening now where the government is slowly stripping us of all the remedies that we have to show heart. They're now taking it away. It's up to us, its up to these good judges and these extraordinary lawyers and good people like Martin to stick our neck out when we have to in the same spirit.

MS. AHMED: Thank you. Amy could you talk about how the Dreamer movement and the role of community organization played in DACA?

2017]

LIFE AFTER DACA

123

MS. TAYLOR: I can speak a little bit to that and I think Martin can speak to that as well. The movement that led to DACA was really a youth led movement across the country of young people who fought for this program, who were out in the streets, who were meeting with members of Congress, who were elevating their stories through the media. Recently the founder of United We Dream, which is one of the founding organizations that is youth led organization of affected individuals, many, many DACA recipients just got a McArthur [phonetic] Award which I think is just an amazing moment in time where we can recognize the power of a youth led movement. At Make the Road we have a youth power project which is led by young people, many who have DACA and many who do not but who have been really leading the fight to push back against the Trump administration not just on DACA but on all of the policies that have come down since the inauguration targeting immigrant communities and separating families and really pitting communities against each other.

What we're focused on right now is the fight for a clean Dream Act and what that means is a Dream Act that doesn't sacrifice one community for another and doesn't pit immigrants against each other and use immigrant youth and Dreamers as a bargaining chip to get enforcement. Because this issue is so politicized right now even many of the supportive elected officials who want to save DACA are still willing to sacrifice and have some enforcement in that legislation which ultimately is, as Martin was saying, Dreamers don't live in a vacuum, Dreamers have parents and many have children and many have sisters and brothers and communities that they live in and it's really important to us to make that very clear that Dreamers don't want to be a bargaining chip. That's what the Dreamers themselves are saying. I feel like you should be talking, not me about this movement and what you all are doing.

MR. BATALLA: Myself and a member from Make the Road every time we have the chance we do - - . We already came out the shadows and we never went back in. That's one thing. We just want a clean Dream Act. We don't want to sacrifice our parents, our family. Like I said and from the beginning people know our stories, people know about us, and at the beginning when the whole deferred action was happening they told us it was crazy that none of this would have happened because people like myself, Dreamers, young youth that wanted a better opportunity, a chance to work legally here in the U.S. we made it happen.

It wasn't easy. It wasn't fast but we were out there calling Congress, going to rallies, speaking our minds and telling our stories, and more than ever we - - keep doing rallies even if we have to do rally

every day until we get a point we're going to do it. We already came out the shadows and we're here to stay. I was raised here and even though I'm from Mexico I've been here all my life and if I get deported it's like I'm going to a country that is not even mine because I don't people there. I only know my grandma which is the only one, but all my family is here.

Like I said, youth people like myself young Latinos, Mexicans and we try to show a point that we're Mexicans, we're not criminals, we're not rapists, none of that. We're here because we want an opportunity, we want a chance to have the American dream. Unfortunately, we only have the work permit which you've got to renew every two years. It doesn't guarantee that you will renew it and you will get it on time. More than ever the community - - in general - - not only a document - - , Mexicans, Muslims, everybody together for the same fight because we want a clean Dream Act and we want to stay here. We want an opportunity and it would not be possible and it's not going to be possible until we get our point across and we keep fighting for it. It's a - - it's not a war yet.

MS. AHMED: On that note, let's shift a little bit to focusing on the future. Congress has proposed some legislative solutions. Can you talk a little bit about what those are?

MR. SHAFIQULLAH: We've been talking a lot about the Dream Act so I wanted to explain what the Dream Act is. The Dream Act has been a bill that's been proposed in Congress for a while now, the first time in 2001. Sometimes it's passed the house, sometimes the Senate, never the two together, and it's changed over time. The current iteration is, the one that's been introduced into this Congress earlier this year, it's a pathway to get a green card, a conditional green card with strings attached if I qualify for the Dream Act. The requirements are very similar to DACA because DACA was really modeled on the Dream Act. The idea was to defer my deportation basically, which is the action that we're deferring when we're talking about deferred action, defer my deportation until Congress can get around to passing the Dream Act itself.

They're very similar, I had to have come into the country before I trend 16 years of age, I had to have been here for at least five years before whatever effective date there would be, you have to graduate from high school or get my GED and pass certain background checks, I can't have certain criminal histories. If I meet all those requirements, which are basically the DACA requirements, I can get a conditional green card, which would be valid for six years, and the conditions are go onto higher education, complete two years of college and then go back to immigration and show them that you did that and as long as you

2017]

LIFE AFTER DACA

125

again pass background checks and have good moral character and all that, they'll lift the conditions and give you a regular no strings attached green card.

That's been the Dream Act for 16 years now. It last came up for a vote as part of a broader comprehensive immigration reform bill in March of 2013 and actually passed the Senate, Senate Bill 744 passed. It included a sort of amnesty called the Registered Provisional Immigrant status where you get in this very slow 13-year pathway toward eventual citizenship. It had the Dream Act itself, it had agricultural jobs bill and it had the STEM Act for Science, Technology, and Engineering Math so all the big things the Senate hit and it passed. It had enough votes to pass in the Senate bipartisan but John Boehner was the Speaker and he refused to let it come up for a vote in the house because there were not enough republican only votes, the so-called Hastert [phonetic] Rule procedurally kept it from coming up for a vote so then that bill died with that Congress.

Now, in this Congress we have the Dream Act itself reintroduced. We have a lesser version of it called the Succeed Act, which was introduced by certain more conservative members of Congress where the Dream Act but with some really sort of crappy things thrown in there where you get ten years of conditional residence. At the end of it if you're successful then you go into five years of green card and then you can apply for citizenship so it's a 15-year pathway. If I'm 25 and applying for the Succeed Act if it becomes a law, I'm not going to get my actual citizenship until I'm 40 and I would also have to waive all right to due process. Basically, what the Succeed Act, like the Dream Act would require me to do, is waive my right to a hearing in immigration court so if I do anything that I could be deported for they could just deport me. The only way I could possibly stop it is if I can prove that I am at risk of being tortured in my home country, so under the UN Convention against torture maybe I can stay here.

I came here when I was five or six, I have no connection really to my home country, it's going to be hard to prove that I'm at risk of torture. And under the Succeed Act even if I get lawful status, green card, citizenship I could never petition for family members. This whole thing of chain migration must end. Chain migration is your family members here and reuniting family members from whom you've been separated, so that was stopped all together.

And, if that all wasn't bad enough, they threw into the Succeed Act bill that nonimmigrants, if I'm coming here a tourist or on an F1 student visa or H1D worker, any nonimmigrant would also waive all right to due process so if I've done anything that they claim I'm deportable for they can just deport me whether or not it's actually true, I

don't have a right to challenge that in court and explain to an immigration judge that I'm actually not guilty of whatever they're saying.

The Dream or the Succeed would be ways to eventually get permanent status for DACA folks. There's also a much smaller remedy called the Bridge Act which is saying if the Dream Act and being on a pathway to eventual citizenship is too much to swallow, Congress why don't you at least codify DACA. The Bridge Act would be to make DACA the law so that you can have the right to stay here without the fear of deportation, you have the right to get a work permit. It would be good for three years instead of two years at a time but it takes it out administrative discretion and it becomes a congressional statutory remedy.

Hopefully they wouldn't settle for the Bridge Act because we can do much better than DACA and hopefully they won't settle for the Succeed Act, we really need to have the Dream Act. They're talking about a clean Dream Act where it's not tied to border security, it's not tied to increased enforcement, just do this. If they can't do it for the Dream Act eligible young people who are the most sympathetic folks, I don't think there's any chance of any real cumbrance of real immigration reform if they can't at least get this done.

MS. AHMED: Thank you. We touched a little bit about this but if the Dream Act were passed what would protecting Dreamers mean for other groups of immigrants and what compromise is the immigrant community willing to make in order to get something through Congress?

MR. RODRIGUEZ: It might be an unfounded assumption to - - the immigrant community really multifaceted, a lot of people with a lot of different interests. Some people claim persecution and torture, other people have been here since childhood and they are Americans. There is no connection to a home country, a random place where they happened to be from. It's difficult to say the entire community is willing to concede this or not willing to concede that. I think Martin spoke it really eloquently to the movement of DACA recipients have from the start, always said that its is not about me, this is about my entire family, my entire community, my entire neighborhood and justice is not justice if it's not for all of us basically. That's something that's really admirable as an advocate in the community something that's just been astounding and really inspiring to observe and an honor to support that work - - .

MR. WILDES: If I may, America's golden doors have been open for hundreds of years and our immigration law speaks in completely different terms. At one point it would allow a Cuban who got to dry land to get a green card and a Haitian to be interdicted in international

2017]

LIFE AFTER DACA

127

waters. Instead of fixing it so it moves with the times even republicans like President Reagan actually was moving with the times at the time. They put Band-Aids on it. We see that in the business space of immigration where instead of fixing broken things they create all kinds of temporary band-aids and they just put another one when that bleeds through. That's a problem because I think Hasan your comment is well taken, if they can't fix DACA then there's no prayer for a proper immigration reform and then we, as a country, are deficient in the tools that we have to get ourselves to the next generation and that's a problem.

I think the cure is sitting here on this panel, people like Martin, people like the other talented lawyers here that are housing specialists and language access specialists and the people that will keep reminding through the courts and do their advocacy that we can do better, that this is unacceptable, we are the moral compass of the world, at home it starts.

We can build a wall to keep bad people out but with 13 million people here and not having them on the tax rolls properly and engaged with their families, the whole notion of family reunification makes a better worker. What is it that our president wants to do? Does he want to stop families or have a deficient? You can't make the beds, you can't deal with their waiting on restaurants, in the hospitality corridor without a robust immigrant base. You can't pick blueberries in Georgia and get the Manhattan fish as it goes through the Gulf of Mexico and this affects every corridor in every area of our immigration law and I just don't think that we can survive as a nation culturally if we don't get this right, no matter who is in the White House, we, as Americans have to make sure we get it right.

MR. SHAFIQULLAH: I just want to point out, there's a lot of xenophobic rhetoric going on right now, but it's nothing new, it's nothing that we haven't seen in our past. There were the Chinese Exclusion Acts in the 1800s. We were encouraging Chinese folks to come here and build our railroads but once the railroad was done and then the gold rush started there was the sense of we don't want them coming and taking our gold and we're done with them, so let's get them out of here. Before that we had the Asiatic Barred Zones. There's been all sorts of anti-immigrant forces in the past and so none of the rhetoric is new. It's just cycles up and down I guess.

MS. AHMED: Does anybody have any other questions?

FEMALE VOICE 3: [off mic] As a law student what is something that I can do in support of - - legislation - - .

MR. SHAFIQULLAH: I have a suggestion. DACA came around because of street demonstrations and people going in and getting

arrested and chaining themselves to desks in legislators' offices and all demonstrations are ongoing and Make the Road is on the forefront of a lot of that. There are people doing the demonstrations but what we need especially in a place like New York City is legal observers to make sure that the police are not abusing the demonstrators, they're not arresting them unlawfully, get involved with the National Lawyers Guild, get one of those horrible green hats and be the legal observers, take detailed notes, when there are unlawful arrests be willing to testify, I think it's a great thing that law students and lawyers should be doing.

MS. TAYLOR: That's a great idea. Also, being out on the street is important but also every demonstration has really important people behind the scenes. There are a ton of roles that you can play. You may be someone whose good at speaking to a crowd. You may be someone who's good at organizing or making phone calls to turn people out or being a legal observer. There are a lot of different ways to get involved.

You can also be actively engaged in speaking with your elected officials, telling them how you feel. There are some really crucial Congress members here in New York state; if you happen to live on Staten Island Donovan is a really important vote for the Dream Act. If you happen to live out on Long Island Representative King is also a really important vote and it's important that people across the state are engaging and talking to their elected officials, and if you are a DACA recipient yourself, telling your story and humanizing what this fight is all about.

MR. WILDES: I have another idea or approach. I lectured my students the wrap-up is identify yourself if you're a law student and want to be a lawyer, if you're a finder, a minder, or a grinder. Are you going to find content in a law firm, are you going to manage the ethics and communications or you going to actually work on the product? In this space there's no substitute to having a seat at the table and I would urge people who have the capacity to run for office.

We can be a pacifist, we can be an activist, we can wear green hats and we can do whatever we want but if you actually attain a seat at the table and you get people elected in your stead if you don't have the energy to do that, that's it. Their time is up. We have a short clock and we cannot wait for this mistake to be passed to the next generation. Immigration is just one of these areas that we're dealing with. The dialogue has deteriorated to such a poor level at this point so if you're enthusiastic about this try all these things. Throw something against the wall and keep going because you may have a talent that may resonate someplace and you'll find yourself making decisions that will actually change things.

MS. AHMED: Yes.

2017]

LIFE AFTER DACA

129

FEMALE VOICE 4: [Off mic] You spoke specifically about how - - immigration - - economic value - - economic reason why DACA or immigration has not been pushed forward - - what is the reason why we don't pass - - immigration policy - - .

MR. SHAFIQULLAH: I think the answer to that is very complicated. I think the thing that took conservatives by surprise is how much DACA added so much to the tax coffers. They were seeing in the beginning like it was a giveaway and as being soft on illegal people and the idea that they would graduate from high school and go on either to college or work and contribute to society and pay taxes with a tax ID number before they got their social, all of that, showed what a benefit it is. I think there are ideological barriers.

Some people just can't overcome the idea that you didn't come through the proper lines, go outside the country and come in through the U.S. Consular process. Maybe that made sense before but a law that President Clinton signed into effect IIRAIRA in '96 made it hard for me to leave the country because if I leave I can't come back in for ten years if I've been here unlawfully for a year or more, which all the DACA folks have been. Telling me to go out, come in through the proper channel, you've got laws blocking me from doing that. The notion of a broad comprehensive immigration reform which really is what needs to happen right now to legalize the 11½ million undocumented people who are here there's also some complex reasons why there's barriers to that.

One of the arguments that we keep hearing and when Jeff Sessions rescinded DACA on September 5th, when he was up there speaking at his lecture, I don't know if you saw it, he was gleeful in his announcement and referring to DACA folks as these illegal aliens and all that stuff and saying that these people are here to take our jobs.

The folks that we hope will get legalized are for the most part are people who are working in the low-end job sector. They're picking our foods, they're picking our fruits and vegetables, they're plucking chickens, they're doing a lot of jobs that Americans whether citizens or permanent residents don't want to do, but the rhetoric is that they are taking our jobs and I think that's one of the main barriers.

MR. RODRIGUEZ: I guess I always want to say and without becoming a caricature of the left we really have to acknowledge the country's history of racism and xenophobia. It's intimately linked with those issues. I think reasonable people might be able to disagree on the exact economic effect of immigration or what's called low-skilled immigration or people who don't have graduate degrees that are coming here.

Most of the studies that most of the economists have now said that actually it's a net benefit, it's a net gain to the economy either jobs that

aren't viewed as competitive by a citizen or by people that were born in the country. If it's kind of wash on that where is this really fervent desire to push all these people coming from? I think if you can get to the root of it with a lot of people it really comes to this here, I don't want this person that doesn't look like me, I don't want this person who doesn't speak like my language to be here. Respectfully in regards to the president it doesn't really matter whether or not he truly believes it I think he knows that the effects of his words and those effects have very material effects. They do result in increased incidence of violence towards people and people being cast out of their jobs and being subjected to increased enforcement and increased surveillance. I think what's in your heart and mind doesn't really matter to me if at the end of the day you're going to deport a person that I love or me.

MR. WILDES: I think that the media has contributed exponentially to this and the fear of people going on either Fox News or other xenophobic media strive it's so important to be there. I'll sit there in the studio while they'll put a cry on of a person jumping up on the fence and going on the other side and I'll point it out are you going to put that on now while I'm talking. In other words, you got to face down these bigots. Charlie in Wyoming who's watching this hit is going to absorb information. They see all these economic reports and then they see sadly someone who does kill somebody whose here unlawfully and they put this together and then they elect somebody who appeals to that rhetoric and who surrounds himself and pushes that further.

We've seen, as Hasan, has said the pendulum has gone back and forth between the xenophobia and the concern for homeland security to the economic vitality that immigration has always represented. I think the media and the fact that there's silence from our side of the ledger and that it's not confident.

Right now, a law professor can be accused of being insensitive if you say illegal alien, the way things have turned things so we've become to much of an extreme. Too much to the right, too much to the left. The middle has to be the place that we'll meet if we want to effectively do this and that's what the president did and go himself elected. He didn't care about California, he didn't care about New York and the federal courts are going to bring us together? No. Somehow, we have to make this impactful to people because all of us here, unless you're an American Indian, hail from immigrant.

MS. AHMED: We will wrap up there. Thank you so much to the panelists for this insightful and thought-provoking discussion. Thank you, guys, so much for coming and we will have dinner following this so please join us.

[END RECORDING]