

IMMIGRATION RAIDS: THE REAL IMPACT

*Findings from the national
Deportation Defense Hotline*

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United We Dream®

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Dreamers of Virginia*
University Leadership Initiative*
North Texas Dream Team*
Students Working for Equal Rights*
Homestead's Equal Rights for All*
United We Dream - Houston*

* denotes affiliate organization of United We Dream

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Introduction and executive summary

Two days before Christmas 2015, the Washington Post leaked news that President Obama's administration was finalizing plans to conduct harsh enforcement tactics to apprehend and deport refugee families that have been ordered removed by a judge.¹ The nationwide raids, carried out by Immigration and Customs Enforcement (ICE) agents would mainly target families who have fled violence in Central America.² More than 100,000 families with both adults and children have made the journey across the southwest border since last year along with thousands of other unaccompanied minors that have made the same journey.³

Although it is unclear how long these immigration raids will continue, over one hundred individuals have been apprehended and many have already faced deportation. The raids and apprehensions have been conducted among widespread criticism, reports of excessive force, misuse of warrants, and improper and incomplete legal representation for the targets.⁴

Undoubtedly, these immigration raids have a chilling effect among immigrant communities nationwide. Numerous studies show the negative psychological and physical impacts raids have on family members, business, and schools. Indeed, the spreading fear and lack of communication from the administration have left immigrant communities in the dark and scrambling for information.

The Deportation Defense Program

A program of United We Dream, the Deportation Defense Program (DD) was founded in 2011 as the Education Not Deportation Program (END). DD connects, trains and empowers local communities to defend their rights, stop unjust deportations, and combat the ongoing entanglement between local police and federal immigration authorities. Since its founding, DD has helped stop the deportations of over 500 people.

Additionally, DD is engaged in campaigns locally and nationally to end the collaboration of federal immigration authorities and local law enforcement, monitor the use of prosecutorial discretion, and collect information on ICE activity nationwide.

In this context, United We Dream (UWD) operates the only national hotline to report ICE activity. The Deportation Defense Hotline began in 2014 as a response to the administration's new deportation priorities memo and the predicted increase in enforcement activities by ICE. So far, the hotline has indicated a growing presence and visibility of ICE's immigration enforcement activities among immigrant communities.

Raids have never been the answer. In order to address the situation, the administration must handle the issue as it is: a humanitarian and refugee crisis. UWD urges the administration to end the use of raids, guarantee access to legal representation, provide broad relief to all individuals facing violence and humanitarian crises in their home countries, and ensure oversight and accountability for DHS.

Benito's Story

Benito is a Guatemalan immigrant currently living in Centreville, Virginia, where he has resided the past 10 years. Benito called the Deportation Defense Hotline on January 4, 2016 to report that three ICE agents showed up at his home at 9am EST. He currently resides with seven other immigrants with varying immigration statuses. During the raid, he was unsure as to why the agents had shown up at his door - however, they knew a minor in their group possibly had a final order of removal.

Over the past couple of years, Benito has aided numerous other Guatemalan immigrants from his hometown. In this case, the minor with the possible order of removal was the daughter of a close family friend that had fled violence in her home country. Additionally, that day, Benito's undocumented minor brother was also at the home. Although ICE agents did not apprehend anyone at his home that day, Benito and other residents of the home have since then lost sleep due to anxiety and fear of any future immigration raids.

Since the raid, Benito has worked with United We Dream and Dreamers of Virginia to reach out to other people in his community and he is organizing a know-your-rights training in his area.

Current raids and operations by ICE

On January 4th, 2016, Secretary Jeh Johnson of the U.S. Department of Homeland Security (DHS) and its agency ICE announced a large-scale series of immigration raids, mostly targeting Central American families from El Salvador, Guatemala, and Honduras.⁵ The individuals targeted in these raids have fled extreme violence and dangerous conditions in their home countries.⁶ Additionally, the raids have sent a wave of fear and panic among immigrant communities throughout the country and have sparked widespread condemnation from the public.⁷

According to DHS, there were 121 arrests during residential immigration raids in Florida, Georgia, Illinois, Missouri, North Carolina, Texas, and Virginia.⁸ Of those arrested, 77 are children and 50 are adults, mostly mothers.⁹ In conversations with immigration advocacy organizations, DHS has also indicated planned raids to target unaccompanied minor children in addition to families in the next coming weeks.¹⁰

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facing
deportation
granted stays of
removal

Immigration raids have also had serious effects among immigrant communities; United We Dream (UWD) has collected and confirmed information on ICE activity in 12 states since the week of January 2nd. UWD defines ICE activity as involving a raid, checkpoint, or sightings of ICE agents in public spaces conducting some form of operation. Reports of ICE activity has spiked in recent weeks due to increasing fear in immigrant communities

Number of calls received to hotline by state

Texas	46	Missouri	3
New York	46	Iowa	3
California	41	Kentucky	3
Florida	26	Illinois	3
Virginia	24	Alabama	3
North Carolina	15	Oklahoma	3
Maryland	15	South Carolina	3
New Jersey	11	Indiana	3
Arkansas	10	Arizona	2
Oregon	8	Connecticut	2
Georgia	7	Hawaii	2
Tennessee	7	Michigan	2
Kansas	7	Massachusetts	2
Minnesota	5	Ohio	2
Nevada	4	Louisiana	2
Pennsylvania	3	Utah	2
Washington	3	Idaho	1

ICE agents' conduct during the raids

Beginning with the first operations in early January, ICE agents have engaged in aggressive and unnecessary tactics to apprehend individuals. In many cases, ICE agents entered homes at daybreak, sometimes without a warrant, and took family members into custody in front of children and other minors.¹¹ These tactics have had ripple effects throughout immigrant communities where ICE activity has been reported. ICE has already admitted that the administrative removal warrants provided to agents only allow them to arrest the subject in question but do not give them the right to enter a home.¹² The current raids continue to violate these standards.

Additionally, many families report the use of excessive force, intimidation, and legal violations by ICE agents during raids. In some home and residential raids, ICE personnel needlessly brought weapons and multiple agents into homes.¹³ Including the improper use of administrative removal warrants, families also report the failure of agents to present said warrants, providing false information as a pretext for entering homes, and providing little information following the arrest of a family member.¹⁴

These problems and excessive use of force are not unusual for ICE, with the agency having a track record for multiple constitutional violations.¹⁵ Indeed, ICE has faced several legal actions for similar problems in the past and trust between federal immigrant enforcement agencies and immigrants communities is often strained.

Due process concerns

According to DHS, all of the individuals targeted since the raids began have exhausted their legal options and have been issued final orders of removal. However, many individuals that were targets for the raids have been issued stays of removal by the nation's highest immigration court. To date, 33 of the 121 individuals apprehended in the current immigration raids have been granted stays of removal.¹⁶

The stays of removal were granted in large part to allow families and individuals with imminent deportations to raise ineffective assistance of counsel claims.¹⁷ The fact that over a quarter of individuals targeted by the ICE raids have been issued stays of removal by the Board of Immigration Appeals points to a wider problem of lack of access to any or effective counsel for those targeted by the raids.

Additionally, the government of El Salvador stepped in to stop 22 people from being deported back to its country.¹⁸ Earlier this month, three Salvadoran families were literally pulled off a plane set to deport them. This development is in huge contrast to 2014, when El Salvador cooperated with removals and U.S. strategy.¹⁹

A recent analysis by the Transactional Records Access Clearinghouse of about 26,300 proceedings of mostly Central American women with children who arrived after 2014 showed less than 30 percent had access to legal representation.²⁰ Without counsel, only 1.5 percent of people in this category were allowed to remain in the U.S. compared to more than a quarter of those with attorneys.²¹

A similar study of over 18,000 individuals in the “women and children category” have been ordered removed by immigration judges during the last 18 months by a special system set up in July 2014 to expedite the processing of family cases.²² Of these cases, over 86 percent nationally did not have access to representation and in some states, including Tennessee, Illinois, and Maryland, over 95 percent of cases did not have representation.²³ The lack of proper counsel raises the question whether proper consideration was given to these cases before removal was ordered.

“No compatriot detained in the raids will be deported until all legal measures have been exhausted.”

**Hugo Martínez,
Minister of Foreign
Affairs for El Salvador**

Impact of raids on immigrant communities

Beyond the consequences of removal and separation affecting targeted families during the raids, recent ICE tactics have led to serious fear and panic in immigrant communities nationwide. Round the clock coverage by Spanish language news stations and publications and little to no information and communication by DHS and ICE officials have left communities and the organizations that serve them in the dark. Indeed, before raid operations began, immigration advocacy organizations warned DHS and ICE of the possible negative ramifications that raids in residential areas would have among community members.²⁴ These concerns were ignored.

Research has already shown the long-term negative effects raids instill. A report by the Urban Institute and the National Council of La Raza shows that the fear and isolation stemming from immigration raids can lead to serious mental health problems such as depression, anxiety, post-traumatic stress disorder, and suicidal thoughts for people impacted.²⁵ In several reports during the current immigration raids, children of those apprehended reported being pushed down, shouted at, and intimidated by ICE agents.²⁶

Undocumented immigrants afraid of getting help during the Flint water crisis

In early 2016, the Michigan state government mobilized a massive effort to hand out bottled water and filters to residents affected by lead-contaminated tap water. Despite these efforts, undocumented immigrants in the city said they felt afraid of receiving help following reports of the National Guard asking for identifications at designated water distribution areas.

Although state officials clarified that residents do not need identification to receive aid, many immigrants reported continued fear of asking the state for help. News of nationwide raids have also frightened undocumented immigrants from answering their doors as National Guard officers go door to door to deliver water.

Additionally, the raids have a chilling effect in the daily operations of communities. In previous and during the current immigration raids, immigrant owned businesses report a complete halt in activity.²⁷ Otherwise thriving businesses cannot convince customers to overcome their fears of being picked up by ICE agents.

The fear and panic also disrupts school operations. Educators, advocates, and community and elected leaders are questioning the untold hardship on schoolchildren due to the current raids. The principal of a Maryland high school with a high concentration of Latino and Central American students reported a dramatic drop in attendance right after the winter break. She attributed this drop in large part to heightened stress over the raids.²⁸ In this high school, of the students who enrolled over the past year, only half are now coming to school; attendance for this same group, mostly unaccompanied minors, was at 90 percent or higher prior to January.²⁹

The situation has become so extreme that the Chief Executive Officer of Prince George's County Public Schools in Maryland sent a letter to DHS calling for an end to the raids.³¹ The CEO was joined by similar calls by the nation's largest groups representing educators, the National Education Association and the American Federation of Teachers.³² All of these individuals and groups have highlighted the untold disruption immigration raids have on all immigrant communities.

“I am deeply troubled by the fear and uncertainty that exists in so many of our school communities as a result of the actions of the Department of Homeland Security.

We urge federal authorities to see schools and other public gathering places as areas where no enforcement activities should take place and ask them to strongly consider the devastating impacts of their actions on the academic, social and emotional well-being of all of our students.”

**Dr. Kevin Maxwell,
CEO of Prince George's
County Public Schools**

The United We Dream Deportation Defense Hotline

In February 2014, United We Dream launched the first volunteer-led dedicated hotline to track and monitor ICE activity in immigrant communities. After the new DHS priorities memo was announced in late 2014, UWD anticipated a shift in ICE tactics to become more aggressive in immigrant communities.³²

In partnership with other immigration advocacy organizations, including the National Immigration Project of the National Lawyers Guild, the hotline was set up with two main purposes; one is to track and monitor ICE activity in immigrant communities; any individual can know report any raid, checkpoint or any instance when ICE is sighted in public space. Second, any individual that calls is educated about their rights and can be connected to local immigration group or legal services in the near area.

For the purposes of the Deportation Defense Hotline, UWD defines ICE activity as involving a raid, checkpoint, or sightings of ICE agents in public spaces conducting some form of operation.

This definition allows callers to capture the level of visibility, activity, and presence of immigration authorities throughout the country. It also allows callers to report collaboration between local law enforcement and federal immigration authorities.

In 2014, calls made to the hotline mirrored the new DHS priorities. That year, DHS and ICE targeted populations under each priority in massive operations and the agency received widespread assistance from local law enforcement agencies.³⁴ In March 2014, the hotline experienced high activity during Operation Cross Check. This operation included a four-day stakeout by local law enforcement along with ICE agents of homes with anyone who had a criminal record under Priority 1 and 2 of the new DHS memo.³⁵ In August 2015, there was a similar four-day operation that included 27 home raids in Corsicana, Texas.³⁶ In both of these operations, community members similar conduct by ICE agents not utilizing warrants and using excessive use of force.³⁷

The new immigration enforcement priorities ³⁸

The new enforcement priorities memo, entitled “Policies for the Apprehension, Detention and Removal of Undocumented Immigrants” covers the categories of people who will be at greatest risk of deportation. The categories are as follows:

Priority One: focuses on people who are “threats to national security, border security, and public safety.” This includes: persons suspected of having involvement with gangs, spies, or terrorists; persons convicted of a felony (defined under state law) or an “aggravated felony;” and persons apprehended at the borders while attempting to enter unlawfully.

Priority Two: focuses on people who are “misdemeanants and new immigration violators.” This includes: persons convicted over three or more misdemeanors, not including minor traffic offenses and state convictions where immigration status is an element; visa “abusers;” persons without status who have not been continuously present in the U.S. since January 1, 2014; and persons with convictions for a significant misdemeanor. A “significant misdemeanor” is defined as an offense of domestic violence, sexual abuse or exploitation, burglary, unlawful possession or use of a firearm, drug distribution or trafficking, driving under the influence, or any misdemeanor for which the person was sentenced to serve 90 days or more in jail.

Priority Three: focuses on people who have “other immigration violations.” This priority only names “those who have been issued a final order of removal on or after January 1, 2014.”

How the hotline works

The Deportation Defense Hotline is operated by 34 bilingual volunteers across the country. Volunteers have received training to do call intakes, data tracking, and backlogs. While the volunteers are not attorneys and do not provide legal assistance, they are trained on what information they can give to callers regarding their rights and how to connect with legal service providers. Volunteers treat every call as an information exchange. Hotline callers update volunteers on information regarding ICE activity, current deportation cases, or questions on legal services and know-your-rights materials.

What happens when people dial-in?

The hotline consists of one national number (1-844-363-1423). When people will call-in, they hear a general bilingual greeting that gives them extensions for a particular state, or they can press 0 for any state that is not listed in the directory. The states with individual extensions are those that have on-the-ground UWD Deportation Defense teams.

After the caller selects an extension, the call is redirected to a volunteer. All of the volunteers' lines will ring at the same time at least twice, this increases the probability the call will be promptly answered. If no volunteer is available, the caller can leave a voicemail or wait to receive a call back from a volunteer no later than 48 hours.

What happens during a call?

Once the caller is connected, the volunteers assess the reason for the call – categories for the calls explained in full detail in the following section of the report. Once the call category is identified, UWD records ICE activity in a unique database called DreamConnect and follows up with specific information such as individual know-your-rights trainings, referrals to local legal service providers, or other resources they can use in their community.

All the information provided by callers is confidential. When posting ICE activity alerts through communications channels, UWD only mentions specific geographic locations, never caller information.

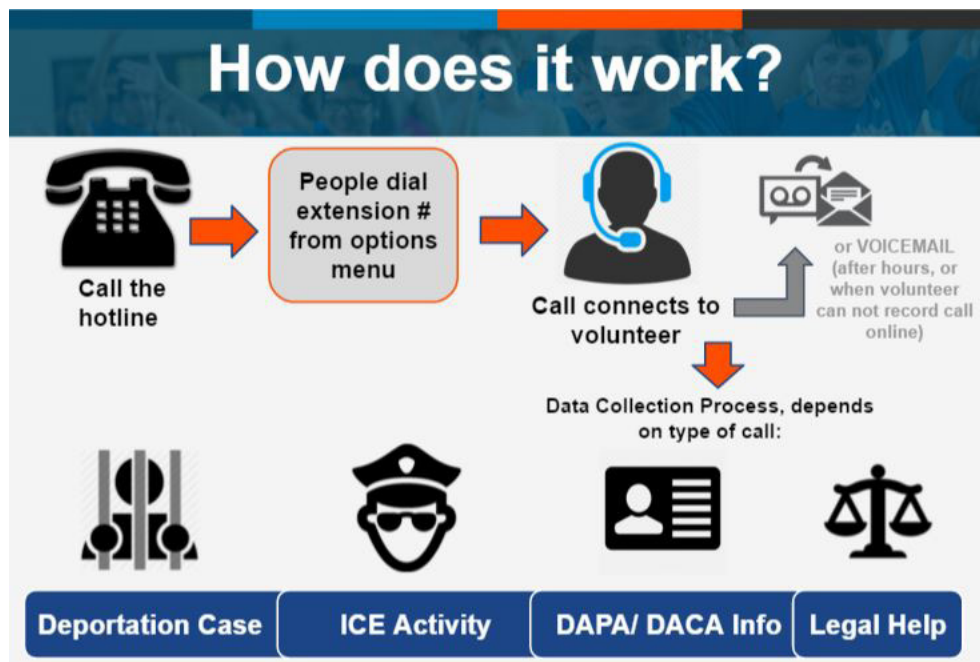
Hotline calls backlog

Understanding the nature of the volunteer-led hotline, not all of the calls will be answered in real time. UWD has developed a call backlog system that allows a response time within 48 hours for every caller, if not sooner. When experiencing a period of increased activity in calls, UWD staff filters calls so that those with ICE activity are prioritized versus callers who are just calling to receive general information.

Hours of Operation

Calls to the hotline are received from 8am to 8pm EST, UWD staff manages the hotline call system and ensures calls are transferred only during designated times by volunteers. After hours, callers will hear a general bilingual greeting that will redirect them to the UWD website (unitedwedream.org/end). Once there, callers are able to leave a voicemail with their contact information.

The Deportation Defense hotline process



Hotline activity during immigration raids

Since the raids were announced in early 2016, the hotline received a spike of activity. UWD predicts that this spike in activity is due in large part to fear and panic that the current raids have raised in immigrant communities throughout the country. Below is a table summary of the UWD Deportation Defense Hotline with reported activity as of January 2, 2016.

- **Total:** Number of total calls automatically registered in the hotline system. All calls are followed up with no later than 48 hours after initial contact.
- **Volunteer handled call:** Number of calls answered and handled by a UWD Deportation Defense Hotline volunteer.
- **Firsthand account of ICE activity:** The caller is the primary source of testimony and was a victim of ICE activity directly or an eyewitness to an ICE Activity.
- **Second hand account of ICE activity:** The caller is a secondary source of information reporting ICE activity occurring to someone they knew; but they were not eyewitnesses at this occurrence.
- **Others:** There are many other reasons why people call our hotline besides just raid activity. The top four reasons include:
 - o **Information on raids:** The caller expressed fear and concern about ICE activity and requested more information about their rights.
 - o **Legal help:** The caller sought legal help or advice about their own or a familiar person’s deportation case.
 - o **Case work:** The caller reports a case of an individual in detention or deportation proceedings.
 - o **Miscellaneous:** The caller contacted the hotline to inquire about other immigration related matters not regarding ICE activity.

Reported activity as of January 2, 2016

Number of calls:	319	242	27	24	158	30
Call information:	Total	Volunteer handled call	Firsthand account	Second hand account	Other	Casework from Hotline

Since the beginning of April, the hotline has received calls about ICE activity from 13 states including Texas, North Carolina, Georgia, California, Washington, Oregon, Connecticut, Florida, New Jersey, New York, Iowa, Kansas, and Illinois. The vast geographic spread of incoming calls point to a widespread national worry among immigrant communities. The following are examples of calls received by volunteers of the hotline:

January 5, 2016
6:04pm EST
Morganton, North Carolina

Caller reported ICE knocked on his mother's door for ten minutes. The caller's Mother did not answer the door after reporting seeing two agents outside of her home at approximately 3:55pm EST. Previously, ICE agents had been seen the day before near a store close to the home. Caller reported having sister-in-law in an ankle bracelet and a brother currently undergoing immigration court proceedings. All of the individuals reported live in the same household and are from Guatemala.

January 5, 2016
6:00am EST
New Brunswick, New Jersey

Caller reported ICE agents entering their mother's home during daybreak. Agents stated to be looking for a person with the last name "Rodriguez." Caller and their mother did not open door, at which point 10-15 agents forced their way in and handcuffed caller's father and took caller's 21-year-old brother, a DACA recipient, into custody.

January 6, 2015
9am PST
Redmond, Oregon

Caller reported ICE presence in public spaces. Caller reported that one family, with a family member currently in immigration proceedings, received a home visit by ICE agents. Family did not open the door and agents left after a couple of minutes.

Recommendations

ICE raids have immediate and lasting effects on immigrant communities nationwide. In addition to those directly apprehended, often with excessive use of force and wrongful use of warrants, their loved ones and the community members they interact with on a daily basis suffer extraordinarily. As this report indicates, there are serious problems with the current way DHS and ICE selects their targets for removal, the lack of due process for individuals, and the fear promulgated by raids throughout communities. The administration should:

Put an end to all immigration raids

At a time when mistrust between law enforcement and communities of color and immigrants is at an all time low, the invasion of people's homes and neighborhoods sows fear and distrust, and subjects immigrant families and children to even further trauma. Countless studies show the negative impacts raids have on whole communities that come to a standstill due to fear. DHS must end these inhumane tactics.

Ensure due process and protections of rights

The administration claims that the current targets for the raids are people who have exhausted all of their legal options and have been issued orders of removal. However, we know this not to be the case. The current immigration system leaves children and other vulnerable people to defend themselves in court and many individuals are issued final orders of removal in absentia. All individuals in adversarial proceedings should have access to an attorney and the administration should reopen cases and ensure due process and meaningful legal representation.

Provide broad relief for refugee families

It is time for the administration and DHS to respond to the situation as it really is: a refugee and humanitarian crisis. Many of the refugees arriving to the U.S. fleeing violent conditions in their home countries should qualify for asylum, DHS should also consider other protective measures. These measures can include the expansion of Temporary Protected Status³⁹, expanded humanitarian parole, and the use appropriate prosecutorial discretion instead of blanket removal policies of all recently-arrived people.

Promulgate clear DHS oversight and accountability measures for agent conduct

DHS is the largest law enforcement agency in the U.S. and it continues to use harsh enforcement tactics against immigrant communities. So far, DHS and ICE continue to operate in the dark with little to no clear supervision or accountability for their conduct on field operations. The administration must commit to establishing an outside review process to investigate DHS agents to ensure due process, the proper use warrants, and report on measures that prevent agents from using excessive force, weapons, or coercion in raids.

Conclusion

The current immigration raids by DHS and ICE have led to concentric circles of negative effects and terror in communities nationwide. Over half of the 121 individuals apprehended since the beginning of the operations have been deported, where they may face violence or even death in their home countries, while the remainders await their fates in family detention centers. As of the publishing of this report, serious problems regarding effective access to representation have prevented the administration from deporting more individuals.

Additionally, ICE activity involving raids, checkpoints, and agents in public spaces has led to widespread panic and confusion among immigrant communities. Reports of excessive use of force, misuse of warrants, collaboration with local law enforcement, and other violations have dropped trust between immigrant communities and government institutions to a low point – students have stopped attending classes and immigrant owned businesses continue to suffer.

UWD's Deportation Defense Hotline has collected, and will continue to collect, the experiences of the immigrant community during the raids and provides startling statistics to the number of people that have been caught off guard. In order to restore trust with immigrant communities and make sure the administration keeps its promise of ending harsh enforcement tactics, the President should end the use of raids, guarantee access to legal representation, provide broad relief to all individuals facing violence and humanitarian crises in their home countries, and ensure oversight and accountability for DHS.

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