

**LWVSNM ADVOCACY STATEMENT ON IMMIGRATION REFORM
(amended in May 2020)**

BACKGROUND

In Southern New Mexico we have witnessed the tragic consequences of the current administration's zero tolerance immigration enforcement policy. We believe immigration reform must be one of the LWVUS's top lobbying efforts until a more just immigration policy is enacted. We are encouraged that LWVUS has recently taken a strong stance on immigration:

“All persons should receive fair treatment under the law and it is critical for the U.S. to encourage immigrant participation in our democracy. We support federal immigration laws that provide efficient, expeditious systems for immigrants to enter the United States. Seeking asylum at points of entry into the United States is part of our legal immigration process and assaults on asylum seekers are un-American. The League of Women Voters stands in solidarity with immigrants and our partners in the immigrant rights community. The 116th Congress must take immediate action to pass common sense, fair immigration policies that end the crisis at our border, ends the separation of families, and provides a path to citizenship.” (<https://www.lwv.org/other-issues/immigration>)

The Remain in Mexico Policy, Metering, the 3rd Country Asylum Rule, the horrible conditions of the detention centers and shelters in Mexico, and the practice of separating families, not only are contrary to the League's Immigration Position, but violate the human rights of those seeking asylum.

The Remain in Mexico Program (Migrant Protection Protocols) has forced thousands of migrants applying for US asylum to return to Mexico while their cases are being processed. U.S. asylum law states that anyone who steps foot in the U.S. at any point along the US- Mexico border may request asylum, yet the practice known as metering, limits the number of people who can request asylum at a port of entry. As a result, families are camped out for months in crowded camps and shelters at border crossings in order not to lose their place in line. Asylum seekers living in these conditions are at increased risk of contracting COVID-19 and becoming sick and dying. In Ciudad Juárez where thousands of asylum seekers are waiting in shelters, reports of kidnappings, rapes, disappearances, and death are common.

In the meantime thousands of beds remain empty at hospitality centers run and largely supported by volunteers in El Paso, Las Cruces, and other cities in Southern New Mexico committed to helping refugees travel safely to families in the U.S. where they may await their asylum hearings.

The 3rd Country Asylum Rule is counter to the League's position, as well. According to this rule, people traveling from Central and South America, for example, to seek asylum in the United States, must first apply for asylum in Guatemala which has been determined a safe country. Yet, the violence, extortion, and corruption in Guatemala have forced thousands of Guatemalans to flee their country, making it far from a safe haven for refugees.

The appalling conditions of the family detention centers, the immoral Family Separation Policy, and the corresponding failure to reunite many families because of inadequate record keeping is unconscionable. These practices have been condemned by many human rights organizations and must be condemned by the League as well.

Finally, it is possible that the Supreme Court will rule to terminate the Deferred Action for Childhood Arrivals (DACA) which grants deferral from deportation to nearly 700,000 young adult immigrants without legal status (Dreamers). That action would result in young adults being forced to leave family and friends to go to countries where they may never have lived and may not know the language.

The immigration system has been broken for many years, but the level of human misery caused by these recent policies is unprecedented. Those of us who live in the borderlands are witness to this suffering and feel that the League must address this humanitarian crisis at the border. We believe the situation has become so dire that we are compelled to reach out to all League members and LWVUS to demand action. These policies are contrary to our values. They are unnecessary, and deliberately cruel. We ask that you please join LWVSNM in adopting the following advocacy statement, and request LWVUS use it's lobbying power to demand change (see attached Advocacy Statement).

Thank you for your consideration,

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LWVSNM IMMIGRATION REFORM ADVOCACY STATEMENT

We propose that the LWVSNM advocate for:

Making immigration reform a top priority in the United States. (see the LWVUS Position on Immigration). We advocate for the development of an immigration system that is efficient, follows due process, and results in minimal backlogs. We oppose deportation of undocumented immigrants who have lived and worked in the US for years contributing to our communities. The League supports an immigration system that applies penalties on employers who hire undocumented workers and allows for an adequate number of temporary work visas that meets the employment and economic needs of our country.

Restoring fair access to the U.S. asylum system and treating refugees humanely. The League requests that the federal government adhere to US and International Law that protects the rights of asylum seekers. It is illegal to bar people seeking asylum at any point along the US-Mexico border. We oppose such practices as the Migrant Protection Protocol (MPP), and Metering which place already vulnerable families and individuals seeking asylum at risk of being kidnapped, extorted, raped and murdered. We oppose the 3rd Country Rule applied to Northern Triangle Countries, nations which the U.S. government has determined to be dangerous. The outbreak of COVID-19 and subsequent closing of the Southern border have emboldened the Trump administration's strategy to drastically reduce access to asylum. Credible fear hearings, formerly conducted by trained asylum officers, are now conducted by ill-trained Border Patrol agents. The screening process has become dramatically truncated and tainted with bias leading to very few people being allowed to pursue asylum claims. We urge Congress to complete its investigation into the abuses of MPP and to send regular delegations to border shelters, tent courts, and ports of entry to monitor abuses.

Ending the deportation of unaccompanied children and teenagers without due process. Amid the coronavirus pandemic hundreds of migrant children and teenagers have been swiftly deported without the opportunity to speak to a social worker or plea for asylum from the violence in their home countries. Young migrants have been deported within hours of setting foot on U.S. soil. Others have been taken out of U.S. government shelters in the middle of the night and put on planes back to their home countries without notifying their families. The Trump administration justifies these new practices under a 1944 law that grants the president power to block foreigners from entering the country in order to prevent the "serious threat" of a dangerous disease. But among the children being expelled are migrant children and teenagers who were already in the United States when the pandemic-related order came down. We oppose the practice of separating families and of impeding family reunification.

Releasing all detained migrants from ICE detention to ensure they do not contract COVID-19 and become seriously ill or die. In mid May 2020, over 1,073 detainees in 49 detention centers in the U.S. had contracted Covid 19 and at least one had died. Forty-four ICE employees tested positive for the coronavirus. This reflects a true crisis. Migrants in detention should not be subject to a life-threatening medical condition. In the past, asylum seekers were released to

family members in the U.S. to await their asylum hearings, and this practice should be reinstated, to protect this vulnerable population.

Increasing resources to processing centers. The League requests more funding be allocated for judges and support staff to speed the asylum process as well as funding for adequate shelters, food, and health care for those waiting to be processed.

Eliminating the use of for-profit prisons to detain migrants and asylum seekers. Asylum seekers have committed no crime when they come to the U.S border to request asylum, yet they are treated as if they are criminals and detained in conditions worse than many prisons. Reports of racist, anti-immigrant, and even neo-Nazi sentiments among guards and others entrusted with the care of detained immigrants and asylum seekers put them at great risk of abuse. Detainees have reported nooses in their cells, improper and overly restrictive segregation, and inadequate medical care. Since these prisons are profit-making organizations, they are willing to cut back on many basic services, such as food and medical care. Many have died in detention due to lack of proper medical care. Far too many have resorted to suicide due to desperation and loss of hope.

Creating a path for citizenship for Dreamers. Deferred Action for Childhood Arrivals (DACA). It is likely the supreme court will rule to terminate the Deferred Action for Childhood Arrivals (DACA) which grants deferral from deportation to nearly 700,000 young adult immigrants without legal status (Dreamers). That action will result in young adults, who have contributed to our communities, being forced to leave family and friends and “return” to countries where they may never have lived and may not know the language. The league supports creating a path for citizenship for Dreamers.

Increasing resources to address the root causes of poverty and violence in the Northern Triangle. The League advocates for increased support of NGO’s and Government Agencies such as Anti-corruption Programs, Education and Training Programs, and Small Business Development Programs that have a proven track record of aiding the citizens who are vulnerable to poverty and violence. Until the US addresses the root causes, we will continue to see an increase in asylum seekers.

LWVSNM supports:

- making immigration reform a top priority in the United States
- ensuring fair and humane treatment under the law for all persons
- restoring fair access to the U.S asylum system for those escaping violence and persecution, including repealing Operation Streamline;
- reunifying families and ending the deportation of unaccompanied children and teenagers without due process;
- ending deportations of unauthorized immigrants with no criminal record;
- working towards decriminalizing undocumented entry and re-entry
- eliminating the use of for-profit prisons to detain migrants and asylum seekers;
- creating a path for citizenship for Dreamers (Deferred Action for Childhood Arrivals);
- providing for unauthorized immigrants already in the country to earn legal status;

- providing for student and work visas;
- incorporating immigrants into our communities by providing access to education;
- endorsing the development of secure identification documents;
- respecting the right of state and local law enforcement personnel to perform their duties without the burden of enforcing federal immigration policies;
- increasing resources to address the root causes of poverty and violence in Central America

LWVNM Immigration Position – New immigration position (adopted by concurrence with LWVNM)

- promoting reunification of immediate families;
- meeting the economic, business and employment needs of the United States;
- providing due process for those facing political persecution or humanitarian crises;
- providing for student visas;
- ensuring fair treatment under the law for all persons;
- incorporating immigrants into our communities by providing access to education;
- endorsing the development of secure identification documents;
- respecting the right of state and local law enforcement personnel to perform their duties without the burden of enforcing federal immigration policies.

In transition to a reformed system, LWVNM supports provisions for unauthorized immigrants already in the country to earn legal status.

LWVUS Position

The League’s Statement of Position on Immigration, as announced by the National Board, April 2008:

The League of Women Voters believes that immigration policies should promote reunification of immediate families; meet the economic, business, and employment needs of the United States; and be responsive to those facing political persecution or humanitarian crises. Provision should also be made for qualified persons to enter the United States on student visas. All persons should receive fair treatment under the law. The League supports federal immigration law that provides an efficient, expeditious system (with minimal or no backlogs) for legal entry of immigrants into the United States. To complement these goals the League supports federal policies to improve economies, education, job opportunities, and living conditions in nations with large emigrating populations. In transition to a reformed system, the League supports provisions for unauthorized immigrants already in the country to earn legal status. The League supports federal payments to impacted communities to address the financial costs borne by states and local governments with large immigrant populations.

Criteria for Legal Admission to the United States. The League supports the following criteria for legal admission of persons into the United States: • Family reunification of spouses or minor children with authorized immigrants or citizens; • Flight from persecution or response to

humanitarian crises in home countries; • Economic, business, and employment needs in the United States; • Education and training needs of the United States; • Educational program opportunities; and • Lack of a history of serious criminal activity.

Administration and Enforcement. The League supports due process for all persons, including the right to a fair hearing, right to counsel, right of appeal, and right to humane treatment. The League supports: • Improved technology to facilitate employer verification of employee status; • Verification documents, such as status cards and work permits, with secure identifiers; • Significant fines and penalties for employers who hire unauthorized workers; • Improved technology for sharing information among federal agencies; • More effective tracking of individuals who enter the United States; and • Increased personnel at borders. The League also supports programs allowing foreign workers to enter and leave the United States to meet seasonal or sporadic labor needs.

Unauthorized Immigrants Already in the United States. In achieving overall policy goals, the League supports a system for unauthorized immigrants already in the country to earn legal status, including citizenship, by paying taxes, learning English, studying civics, and meeting other relevant criteria. While policy reforms, including a path to legal status, remain unachieved, the League does not support deporting unauthorized immigrants who have no history of criminal activity.

League History. The 2006 Convention voted to undertake a study on immigration. After study and consensus, the new position was finalized in 2008 and sent to Members of Congress. In the 111th Congress (2009-2011), the League lobbied in support of the DREAM Act (Development, Relief, and Education for Alien Minors) that would provide a path to citizenship for young immigrants who complete a college degree or serve in the military, thereby enabling them to be a fully productive part of American society. The legislation passed the House but lacked enough votes to overcome a filibuster in the Senate. Because of a request made in 2016, the League clarified part of its position on immigration “to mean that simple illegal re-entry is not considered a ‘serious crime’ for League advocacy purposes.” In the 115th Congress (2017-2019), the League opposed the rescission of the Deferred Action for Childhood Arrivals (DACA) policy by the Trump Administration. In response, the League again advocated for passage of a clean DREAM Act in Congress. The LWVUS Lobby Corps lobbied both the House and the Senate on this issue. The League also opposed the Securing America’s Future Act of 2018, which would have put immigrant youth at risk of deportation while supporting actions at our borders to separate children from their families at the border and funding a wall at our southern border. During the 2018 Convention in Chicago, IL, League members marched in support of immigrants and families while protesting this and other pieces of related legislation. The League also opposed the Trump Administration’s “Public Charge Rule,” which directed immigration officials to limit the entrance of immigrants who they deemed would become: more dependent on government funding” to meet their basic human needs.