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Deportation, Here and Now

by Bob Schober

I'll never understand how destroying families through deportation benefits our society. How we treat the undocumented says a great deal about us as a people and whether or not we'll continue to fulfill the fundamental American promise of equality and opportunity for all.
Conor Oberst, musician

Deportation — a word shrouded in fear forever for undocumented workers, now ratcheted up in pitch with the election of Donald Trump to the presidency. His words during the campaign and actions in office have made undocumented workers here even more wary and fearful.

"The first thing we say is, this is not new, this threat of deportation," said Maru Mora Villalpando, founder of Latino Advocacy in Bellingham. She is affiliated with Community to Community Development, a Bellingham-based resource for grassroots organizing fighting against racial and immigration injustice. "Now with this fascist regime, they have the keys to this vast machine to keep people out, and to banish us from this country."

The Pew Research Center estimates that 70,000 to 80,000 foreign workers, mostly Latino, live in Whatcom County. An estimated 90 percent are undocumented, with the majority working the berry fields, Villalpando said.

To some it may sound like a self-justifying argument to downgrade illegal status, but Luna, a 30-something undocumented worker, said she and others in her community deserve to live here. Her parents brought her to the United States in the late '90s when she was 12; they worked fields in California for a couple years, and Luna moved to Bellingham in 1999 to pick strawberries outside Lynden. Her father was eventually deported, and her mother soon followed him back to Mexico. She now works with flowers.

"I contribute to this community, I pay my taxes," she said. "People need to understand. They think we steal jobs, but we work hard, pay our taxes, get no government benefits. I wish people would get to know what we go through, the hard work in the fields, and appreciate what we contribute."

Enforcement Law History

That machine, defining immigrant status and intensity of enforcement, has been building for decades. People used to go back and forth across the border with few problems, Villapando said. But that started to change under President Reagan, who granted amnesty with conditions that "made it impossible to get a job," she said.

In 1986, Congress passed the Immigration Reform and Control Act that required employers to verify their employees' immigration status and made it illegal to knowingly hire undocumented workers. In 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act, partly in response to the 1995 Oklahoma City bombing by Timothy McVeigh, a U.S. citizen. A report by Human Rights Watch published in April 2016 criticized sections of that law for causing arbitrary detentions, fast-track deportations and family separations.

The act established new grounds for deportations, penalties for crimes of illegal entry and re-entry, mandates for detention of deportable noncitizens (for crimes of varying seriousness) and a framework for cooperative arrangements on immigration enforcement between the federal government and state and local law enforcement agencies. President Barak Obama was named "Deporter in Chief" by several immigration rights agencies for deportation numbers higher than any of his predecessors.

What Donald Trump's record will be remains to be seen, but his campaign promises and executive orders portend even more stringent border enforcement, whether the wall gets built or not, and aggressive deportations. ICE (Immigration Control Enforcement) agents have been sighted in this county, Villalpando said.

There have been deportations from here before. On Feb. 24, 2009, immigration officials raided Yamato Engine Specialists and arrested 25 men and three women, most from Mexico. *The Seattle Times* reported that most of them may have gotten jobs using phony Social Security numbers or other fake IDs. Three were released "on humanitarian grounds," and the others were held in the Northwest Detention Center in Tacoma. That center is under contract with Immigration and Customs Enforcement (ICE) to house detainees pending deportation hearings. That center is privately owned and operated by The GEO Group, based in Florida with 97 facilities located across the country and seven overseas.

About eight years ago, Luna and her sister were stopped while driving by a Whatcom County sheriff's deputy and spent 21 days at the Tacoma detention center. An attorney from the Northwest Immigration Rights Project based in Seattle took their case pro bono and argued in court that the two young women were victims of racial profiling and discrimination, Luna said. They were released on bond.

Here's Luna's account of the incident:
"I was teaching my sister how to drive when we were pulled over," she said. "She had been speeding, and I expected we'd get a speeding ticket. But the deputy asked about our status, and he called the Border Patrol, which came and picked us up."

They were taken to an immigration office, put in a room and pressured to admit they were undocumented. "In the end, we had to," she said. "They then put us in a small cell, and we had to sleep on the floor. It was cold, and all we had was a blanket."

"We were treated like criminals. I was scared, because I felt like I wasn't living in a free country."

On Feb. 23, 2017, Gov. Jay Inslee signed an executive order aimed at restricting state workers, including the State Patrol, and agencies from helping to enforce federal immigration laws and not inquiring about immigration status. The order stated that the state will honor a criminal arrest warrant if issued by federal agents.

Villalpando said there has been at least one exception: In Tacoma in February, a State Patrol deputy called ICE on the person who got rear-ended. The case is under investigation, according to the *Tacoma News Tribune*.

The Bellingham City Council passed an ordinance (February 27, 2017, vote #39) stating that it "refuses to allow Bellingham city police officers to be compelled into service as de facto immigration officers." Police officers, however, may work with Customs and Border Patrol agents and ICE in "suspected criminal activity." Does that phrase include traffic stops?

Villalpando said the ordinance is weak because the language is open to interpretation and needs to be rewritten to better protect people's rights. Her group is pushing back by holding Monday noon vigils in front of city hall, the county courthouse and other sites to protest the ordinance.

"We call these 'Dignity Dialogues' where we have people reading the city ordinance and the one we presented so people can see the difference."

Despite this local push back against Trump's deportation promises, most undocumented workers have responded by keeping lower profiles and higher awareness in public. Luna asked that her real name not be used out of concern she might be tracked.
It's also created reluctance to chance crossing the border.

"I haven't been back to visit my family in Mexico for 21 years," Villalpando said. "And now they don't want to come and visit here — and this is happening for people everywhere — because they don't want to be treated this way."

Deferred Action for Childhood Arrivals
Western Washington University seniors Victoria and Olga were 3 and 5 years old, respectively, when their parents brought them to the United States from Mexico City. And for the most important reasons, Olga said: "Our parents were looking for a better future for us."

Victoria's mother, father and sister were undocumented at the time, as was she, and their first years in this country were less than easy. "When I was 3 or 4, we lived in an apartment with about 14 other people," she said.

Both women are planning on professional careers, Victoria in business management and Olga in human services. Both are the first in their families to attend college. And since 2012, both have been accepted into the Deferred Action for Childhood Arrivals program, or DACA.

The Obama administration created DACA for young, undocumented immigrants brought to this country as young children. The program established renewable, two-year periods of "deferred action from deportation" and eligibility for work permits.

Membership requires attendance in school, high school graduation or an honorable discharge from the military. Good conduct is a must: no felonies, serious misdemeanors or threat to national security. The program does not provide a lawful path towards citizenship nor eligibility for federal welfare benefits or student aid.

On Jan. 31, 2016, in this state, 28,733 young men and women were approved for the program, according to U.S. Citizenship and immigration Services. For the United States on that date, 741,546 were approved, or 88 percent of registrations, with the majority filed in California and Texas.

Having the DACA card has made life much easier for Victoria and Olga.
"There's always been extra hurdles for us," Victoria said. "But being undocumented has motivated me and helped me. Before DACA, I would talk with people about things, but now with a DACA card, I feel more secure."

But Trump's election, comments and threats against Mexicans and other immigrants have stoked unease.

"For the first time in 21 years, I'm feeling real fear," she said. "Now there's fear of mass deportations. I am very verbal and public, and my mother and father feel I'm too public."
For Olga, it's the rise of uncertainty that matters. "It's weird how Trump can change on issues, so we have to stay on our toes. We can't afford fear — we need to support ourselves, go out everyday to work."

Both women are members of the WWU Blue Group, which lobbies for immigrant rights and urged the city of Bellingham to declare its sanctuary status. The city council declined.
The local and nationwide pushback to Trump's agenda gives both women hope. People can change policy, and we'll fight back, Victoria said.

"In Bellingham, a lot of people help us," she said. "We don't know what's coming, but we're ready to take on whatever. That's all we have left to do."

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Bob Schober is the managing editor of Whatcom Watch