

Episode 226 – Dr. Deb Ortega and Dr. Ashley Hannah: Why DACA? Why Now? Pt. 1

[00:00:08] Welcome to inSocialWork. The podcast series of the University of Buffalo School of Social Work at www.inSocialWork.org. We're glad you could join us today. The purpose of inSocialWork is to engage practitioners and researchers in lifelong learning and promote research to practice and practice to research. We educate. We connect. We care. We're inSocialWork.

[00:00:37] Hi from Buffalo. Buffalo is still a city of trees and fall foliage is a real treat around here. But if you really want to be blown away travel about 25 miles north Niagara Falls Gorge or south about an hour to the Canyon of Letchworth State Park or the Allegheny State Forest. It's a fantastic day trip. I'm Peter Sobota in the first of a two part episode. Our guests Drs Deb Ortega and Ashley Hanna provide a solid foundation on which to really understand the Deferred Action for Childhood Arrivals and the current rhetoric surrounding it utilizing the historical context. Our guests describe all things DACA. What is it. Who exactly are the people affected and why DACA finds itself in the political crosshairs. Our guests propose a framework in which to think critically and to cut through the sometimes confusing conversation about how this issue is playing out in our society. Our guests conclude Part 1 of this podcast by describing who benefits from the DACA program and why DACA's a concern for the social work profession and its practitioners. Deb Ortega Ph.D. is professor at the University of Denver Graduate School of Social Work and Ashley Hanna Ph.D. is assistant professor at the University of Nevada Reno School of Social Work. Our guests were interviewed in September of 2017 by Mary Keovisai a Ph.D. student here at the UB School of Social Work.

[00:02:05] Thank you for joining us today we have Dr. Debra Ortega and Dr. Ashley Hanna joining us and we will be talking about the Deferred Action for Childhood Arrivals first. What is that. What does that mean.

[00:02:18] This is actually I can take that question Deferred Action for Childhood Arrivals better known as DACA is not and was never meant to be a pathway towards legalization or U.S. citizenship. It the recipients of DACA have lawful presence which means that they have a Temporary authorization from the Department of Homeland Security to be in the U.S. but. Because they don't hold a lawful that it they're not eligible for federal and most state financially. So ultimately DACA is a temporary protection for a very small select group of immigrants that came to the United States as children. DACA provides a temporary relief or protection from deportation two year renewable work permit and temporary Social Security numbers and access to driver's licenses in most states. To those who qualify. However since Trump's announcement to end DACA the USCIS is no longer accepting an initial request for DACA according to USCIS. There are approximately 800000 individuals currently protected through DACA. But what now we'll see is that over time their protections will expire and these individuals will once again become in constant jeopardy of deportation and won't have authorization to work in the United States.

[00:03:41] Can you speak a little bit about the historical context.

[00:03:44] This is Ashley again and I'm so glad you asked that question because it's so important to the. Issues within the appropriate historical and social context so that we better understand them. Unfortunately many of the U.S. immigration policies and practices since the eighteen hundreds have been based in racist nativism are very closely tied to capitalism and changes in immigration policies and practices. Over time are often implemented to meet the needs of the dominant groups. So in this case I'm talking about white US another constant that we see over history is that many immigration policies and practices have not been based on expert opinion research practices or even

sound reasons. Instead immigration policy in the U.S. has generally been based on racist and nativist public and political discourse. The contemporary world prior to my adult lifetime the U.S. and Latin America the US and Mexico in particular has had a really long history of circular migration where migrants would come to the U.S. worked demand often in the form of agricultural and service work and then returned to their country of origin to live. However ill informed policies and practices in the 1980s and 90s like building the martial law militarizing the border and increasing the policing of immigrants both at the border and within the US greatly contributed to the risk of injury and death of immigrants at the border and also increased crime at the border. These dangers resulting from US policies made it much more difficult for immigrants to come work in the US and then return to their country of origin after they had to fill the U.S. needs for see what happened is ultimately a much larger number of unauthorized immigrants began settling in the United States because of that difficulty to continue that circular pattern of migration. And as is to be expected as migrants begin to permanently settle in the U.S. Some brought their family members including young children. These young children grew up in the United States have been educated within our U.S. educational system and have assimilated into the dominant culture. Many of the children who only now have vague memories of the country where they were born. No U.S. to be their homeland. And it's these children who were eligible for DACA what the DACA program did is it enabled this small group of immigrants allow them to be temporarily protected from deportation and enable them to work legally and access higher education. Unfortunately over the next few years as I mentioned earlier what we're going to ultimately see is that as their temporary protections expire that will greatly limit their ability to participate in the workforce and contribute to society in the same way that they're currently able to because of these protection the recipients of DACA are in a state of limbo and didn't have long term protections which was concerning my ears really had been realized. All those who have participated in DACA are now under attack and living in fear as our government has all of their information. So our government knows where they live. They know where they work. They have their biometric information like their fingerprints and that can be extremely traumatizing for not only the DACA recipients but their families friends and colleagues.

[00:07:23] So this is Deb and if I could add Ashley about this just to really concretize like who we're talking about. So Ashley and myself other researchers who do qualitative research with different Latino populations on different issues. We have done some research on Latinos and educational success and as they sort of unfold their stories of education what becomes clear is that these young people. So I'm talking about 18 and older who are in college or have graduated college may have been recipients of DACA. They talk about why they're in Denver specifically and many of them reference the bracero program in which their grandfathers actually did work in different areas in the United States so we talk about this trans migration experience where people were coming back and forth across the border before it became dangerous because of the increased border enforcement people had roots and connections to different cities. And that's where the families of these youth often chose to settle. So often I think when we think about DACA or noncitizens there is a sense of foreignness that is involved in that discourse. And actually there's less foreign. Not that I personally think that that's bad but somehow that's an underlying discourse that they're not a part of. But in reality their family histories and experiences are rooted in a transnational experience in which they have engaged two kinds of cultures. Mexicans from Mexico. Latino culture American culture in the United States with roots and experiences and connections. So when we talk about who this policy affects which we'll talk a little bit more about in a minute. I think sometimes we think in a box and we think of folks as somehow different or separate but they are everybody in the community. Have uncles or aunts in a different state or that is kind of their experience of trans migration and normally is it just their immediate experience. But it's also generational.

[00:09:39] These families then have been participating in communities for multiple generations

over multiple years. Exactly. What are the prerequisites for an individual to obtain DACA.

[00:09:53] This is Ashley again and I can answer that. Actually before I even get there I just want to point out that because DACA is executive action and not a law the current administration has the broad authority and the program which is exactly what we saw. So as of September 5th of that year Attorney General John Sessions and now the end of DACA. And that means that individuals can no longer apply and nobody is eligible for DACA. The one thing that's still being processed are renewal applications so renewal application will only be considered for applicants that have DACA statuses that will expire between September 5th 2000 17 and March 5th 2018. But all of those applications had to be submitted by October. In terms of your question what were the prerequisite. They're very extensive which is why we see such a small portion of the unauthorized immigrant population that was actually able to apply and even less that were able to receive protections through dockets. So the process was lengthy and on top of that applicants needed to pay an almost 500 dollars fee. Just to apply a lot of the regulations in order to receive Dokka. We're very focused on age and the year that an individual came to the United States. So for one to qualify for Dokka individuals has come to the U.S. before the age of 16 and to be at least 15 years old with the exception of individuals who had been in removal proceedings these applicants could not have had lawful status. On June 15 2012. And in addition individual had have been under the age of 31 and have had been physically present in the U.S. since June 15th 2012. And at the time that their dock application was admitted so those three major points. That's why we see that most people who have received DACA came to the United States at a very young age and have grown up the majority of their lives here some additional prerequisite are that in order to qualify for DACA individuals hatchway have had either a change or have been in the process of obtaining their high school diploma or its equivalent or have had been honorably discharged from the Coast Guard or U.S. forces. Finally to qualify there were lots of regulations around committing crimes so individuals could not have had been convicted of a felony significant misdemeanor or have had three or more other misdemeanors and also have been determined not otherwise pose a threat to national security or publicly. That is a pretty lengthy process to apply. And then on top of that to remain under the protection of DACA those who were accepted into the program had to renew their docket status and pay an additional fee every two years.

[00:12:55] Can you speak a little bit about the assumptions that have led to and in Dhaka and what the alternatives to those assumptions are.

[00:13:02] Ashley and I talked about this a little earlier today and like why DACA why now. Talked about how people who receive DACA are almost like us probably of any immigrant. Interestingly of course we all protect our family members all different ways. But it's not an uncommon experience for us to find that they're not citizens when they have to apply for a driver's license or when they are getting ready for their college experience and they go to fill out their FASFA form and their parents say we can't do that because we actually came when you were young even though you don't remember one of the misconceptions and assumptions is that somehow the people who have received Dokka are not. And when we can think like that we think oh they're going back to their country. In some cases they've never experienced that country and because of their status they haven't actually travel outside the US perhaps because families are often afraid. In reality we act as if sending people who have been raised here for practically their entire life or a large chunk of their lives are not harmed by the threat and actuality of deportation and because we are really primarily a monolingual country. It's hard for us to imagine that someone who learned Spanish from their parents doesn't function at the same level as every other educated adult in the country on which their parents came from. We're essentially sending back people who may speak Spanish not a formal banner. They most probably don't write Spanish in a professional way. We have lots of accents in different tenses that might be used that when it's written out it might look different nor be able to read. So this is actually a really common experience. I have a young person

in my life who is eligible and has DACA as her status. Sometimes she'll get e-mails from her brother who live in Mexico and I actually have to read it to her and once she hears it she knows exactly what he's saying but she can't read it herself because it doesn't actually make sense to her in the same way. Also there's this idea that somehow Bell just fit back into Mexican society or whatever Latin American country they come from. And in reality they're are not getting back into anything because never had the experience of fitting into that country. They can be targeted because they don't fit and misunderstood. Also experienced bias. Then there's the complicated problem. If people are going back to places that are really dangerous or where there's high levels of femicide where they end up going back to places in which there's not safety because of the drug trade or gang involvement or any of these things. And we're sending people back to really dangerous places. Beth also one of those areas in which you know it's beyond harm. This is life threatening. I think another one of the assumptions about that ending of DACA is that somehow we will be better off without the recipients. People who have great potential opportunity are now eliminated from our society. Why would we be attacking essentially people who know exactly where they live. We have their fingerprints. We have their pictures. We know everything about them. They're interested in staying and contributing to U.S. society. They can lose their status. Actually they can be deported if they commit crimes. Why is that our focus in my opinion it's our focus because we are most threatened by someone who seems most like us but we perceive to be foreign foreign people of color. It's not a surprise to me that at a time when the population of Latinos in the United States was growing at a great rate that anti immigrant sentiment has targeted them 67 percent of the population in the United States is white. And they're afraid they're going to lose their power. We could double our population and Latinos are people and we would still be at a numerical disadvantage. It's so interesting because I don't know if you've listened to some of the MPR sort of interviews where they go they talk to the person on the street. And I heard just recently I was flabbergasted. I remember what the interview was about. I just know that they were interviewing white gentlemen. They were talking about maybe me or him talking about DACA and immigration. But his response was I am so sorry to say this but white people are the minority in the U.S. now. I mean that's so far from the truth. But he believes that to be true because that's the rhetoric that's put forth. Those are the kinds of assumptions that we're trying to protect U.S. citizens. And I think what we're talking about really we're not talking about U.S. citizens. We're talking about white U.S. citizens. We're talking about power structures. Ultimately when we pull the bedsheets back and look at what's under the covers what we're really talking about is race. So we have to really interrogate these assumptions and when we start to interrogate these assumptions what happens is there's some really ugly truth that actually emerged the politician from Kansas he actually said something about DACA recipients and having welfare. I'm always puzzled by this. Well I guess I should preface by saying if you've ever gone to a public school in this country you're a welfare recipient because everyone pays into it. You pay into it your whole life right. You pay taxes. It funds schools. Maybe a lesser in Vermont but basically everyone contributes where you have a child or not or whether your child goes to a public school or not into the school system. So if you've had public school you're a welfare recipient. So I suppose in that sense people are welfare recipients but in actuality of what this politician was talking about that somehow they're accessing a system which they don't deserve to access. And ironically it's actually just the opposite. So for instance people who are recipients of DACA are also eligible for work permits that they put into Social Security and taxes not just the regular way that anyone whose body is in the U.S. pays taxes like sales tax property tax. You know all the kinds of taxes we pay they're unrelated to work but also those that are related to work pay for many services the streets police those they may access. But when we start to talk about something like health care they can't access that unless they have healthcare through work insurance but if they don't they are paying for everyone but themselves. We actually rob them to some degree of their resources to pay for other people and yet other than emergency care they actually can't access so many of these myths. We need to understand these myths. We need to understand anti immigrant sentiment. I would say especially as social workers but I would say especially as people who have the right and the privilege because we happen to accidentally be born in we need to understand and be able to be

thoughtful and have information about what we are told to be able to make good choices and to be able to advocate in right ways for who we hope or for what we hope we are as a country. Land of the free home of the brave. So there are so many assumptions you can dehumanize one group you can dehumanize another that example I used where the Kansas politician was talking about DACA recipients being on welfare. That message is really also about class right. If you're poor and struggling there's something bad that you're on welfare even though the you have the right to have you may have worked for years and put into that system. It's those kinds of attitudes that then make people who are already sometimes feel powerless point at people who are other are different color citizenship sexual orientation and make them less as if they're broken or standard or ultimately not as good and those things hurt us as a country as a people. Our leaders are talking about people in ways that are scary.

[00:21:53] I'd like to add and because when Deb and I. were talking before this conversation she brought up a really good point when hearing politicians and those responsible for making policies and laws saying things that are true dehumanizing and demonizing individuals that should be a flag to us that we really need to question the laws policies and practices that are in play and think critically about them. So dead made such a great point to me earlier today that I want to bring it up that just because something is the law or is in the law that does not make it correct or the right thing to do. And conversely if something is illegal that doesn't necessarily mean it's bad or wrong and to really think critically about the rule of law in this country and what that means and this is especially important for social worker because social workers were guided by a code of ethics. And so for us if we're faced with a law or a policy the right thing to do sometimes is not following that policy. And we're seeing these very dehumanizing ways that people think about individuals surface and laws that allows us to incarcerate people at extremely high rates and a disproportionate rate. And so that's another assumption that is very important to think about. And then also the alternative to the SO. Ok that is what. The assumption is. Then that means that it's correct to follow that law. But really it's citizens it's our duty to think critically about that. And if that lies on just. To make movement to change that law to contact politicians to make sure these politicians making these unjust laws are not voted back to their position.

[00:23:46] Can you discuss the impact that DACA had on not just the recipients but also their families and other undocumented individuals who may not have been eligible for DACA.

[00:23:56] This is Deb. Yes I'm happy to view that. It's interesting sometimes how we do policy. You know part of American culture is really about being individualistic and the way we talk about talk as a policy is as if it only affects the individual who qualifies for the policy. I think in that way it makes it easier for us to not think about the larger impact. In fact it actually gets the greater impact that the people who actually receive DACA but also everyone that's connected to them and then as a society we think about it this way. As Ashley said Duckett began June 2012 so you figure if you applied for deferred action for childhood arrivals at age 16 now in 2017 you're 21 years old. So let's just consider one place we might really think about. So for people who might have Dokka status and are serving in the army which is I believe the one military branch that actually accepts Ataka recipients say because your timelines vary right you might have just renewed or maybe renewed a year ago and you have a year left and you're serving in the army. Your status expires on the day of expiration. You become according to the U.S. government are illegal and ineligible for military service. What happens if you're deployed overseas. Like what's that consequence or if you're discharged from the army because the government has changed your status. Is that still serving honorably and if you have served honorably and this affects you. What impacts to your benefit. Or are we once again actually going to have people contribute to a system and pay for a system. And in this case oftentimes with their own life in a way that makes them ineligible to access the benefits of the system. Maybe we'll just make some kind of exception. And again we have people who don't have access to benefit and we actually don't think they're actually good enough to

be citizens. Even though they were maybe came here when they were three months older they came here when they were 16. This is the only experience they ever had as adults as young people. You're not good enough to be a U.S. citizen but you're good enough to die for the country a country that prohibit you and your family members who are not citizens from actually accessing resources that some people pay for right through their lives. When you think about just military service the amount the messages we're giving we think about those initial recipients of Daco who are now like 21 or older. They may have chosen to become parents. Right. So they have children in the United States. So now their children are citizens. So there's not a second parent who's available or who's not a citizen and their status expires and now they become susceptible to deportation. What happens in the child welfare system for these children they end up without a parent. They come into the system. How deplorable the outcomes are for children of color and Latino children once they get into the system and we pay for that service. If you think about it this way you have a parent who used to be a doctor a recipient. Their status has expired. They're deported. The other parent is unable to carry the financial burden. Well then we pay for the care for citizen children through a disabled child. There are so many ways that we don't actually even think about the immediate family impact. There's even a broader impact Ashley and myself because of our research and scholarship or social work practice experience and each of us because of our family structures. Even though Ashley identifies as white people connected to us in our families in our communities who are affected by immigration policies and anti immigrant sentiment. So we know their stories and we know their stories of being in families in which if you consider their parents and their siblings. Some people are not eligible for citizenship there's no pathway to citizenship for them. Some people have had DACA status which just was harder to deport you policy and then you have citizen siblings. When you see in the marches that are about supporting immigrant immigration reform and immigrants in this country there are often many signs that say something like keep families together. And it's our lack of consciousness that people have a variety of experiences in one family that gives them the opportunities to be citizens or not. And what does that mean. I have an example that I frequently think of when we start to have this conversation. Actually Ashley and I were both involved in a research project in which we interviewed people about what the impact of increased policy enforcement around immigration and immigration detention centers or immigration jails essentially had on people with a qualitative study. And in one of the stories that was told person who is a college educated man who actually had received DACA he talked about his parents were deported. His sister his youngest sister who was apparently a star in high school got really fired up. You know it was really of course upset that her parents were deported but fired up because she was a citizen and she thought she had power. She was a citizen. This sort of amoral this amazing status that she had that no one else in her family had she thought was going to be able to help her family whom she loved and what she discovered was couldn't even find out which immigration detention center they were in they actually weren't even sure they were in an immigration detention center because they couldn't figure out how to get the information because it's complicated and for a while they thought their parents might be dead. So they found their parents. Their parents did not return. At that point and for her the citizen child she became despondent. She actually quit participating. I mean she went to school but she wasn't participating and giving the grades that she was before because she felt like she'd been deceived basically that she had something that was so special. And yet when it really counted her citizenship status made no difference to the protection of her family. She's a citizen. I in my heart of hearts think that all people should be able to live and achieve their human potential. Some people in this country think citizens should be able to do that. Only citizens should have the resources to reach those potential. Doesn't matter who you agree with. The truth is this is someone through law was born in this country and what she learned was that the narrative about what it means to be an American failed her and traumatized her. So someone who had great potential not only doesn't actualize that potential because they're traumatized by being separated from their parents who will now not be able to visit them or if they do run the risk of being assaulted murdered raped crossing the desert. Now she's wondering what kind of country has she been born into in this way DACA affects all of us. When students of color can get through our high

school system which is pretty brutal on them and they can be successful and they can compete at a college level. In some ways eliminating their ability to compete and if you really think about who DACA recipients are there what we would call that description of the most desirable immigrant in this country is someone who really can assimilate can be as American as anyone else. Yet here we have this policy that protects people who are the most like us citizens and we want to remove them and actually remove them from competing in the marketplace in ways that they actually probably would have access to. So we're losing some amazing potential contributors to our country to our economy to our communities. People who have the potential to be social workers to be nurses we know that there are people who have the status of DACA that in the most recent times of flooding have risked their lives to protect others. And I don't think when they were helping others they were asking them if they were citizens or not. The impact actually impacts all of us. It's just easier not to see it when we call it DACA or when we think about it as just an individual. When we say doc or a person with Dokka we don't have a face to that. We don't have necessarily connection to people's real lived experience to their contributions in their community. I guess in summary the policies that are happening around immigration and specifically what is happening to people who are eligible for DACA affects each and every one of us.

[00:32:52] You've been listening to Deb Ortega and Ashley Hanna discuss the DACA program at inSocialWork. Look for part two of this podcast coming soon.

[00:33:09] Hi I'm Nancy Smyth Professor and Dean of the University of Buffalo School of Social Work. Thanks for listening to our podcast. We look forward to your continued support of the series. For more information about who we are as a school our history or online and on the ground degree and continuing education programs we invite you to visit our website at www.SocialWork.buffalo.edu. And while you're there check out our technology and social work research center you'll find that under the Community Resources menu.