



Photo: CNS/Lucy Nicholson

### **What does “immigration enforcement in the interior of the United States” mean?**

Immigration enforcement in the interior of the United States refers to enforcement that takes place outside of what is considered to be the border regions of the US. The border region of the U.S. is stated as any area within [100 miles](#) of the U.S. border. This means that interior enforcement encompasses all immigration enforcement that occurs in other areas of the U.S. that fall outside of the U.S. border 100-mile zones.

### **Have there been any recent policy changes that would affect interior enforcement?**

Yes. Through the January 2017 [Executive Order \(EO\) on Enhancing Public Safety in the Interior of the United States](#)<sup>1</sup>, the Trump Administration implemented a series of immigration policy changes that redefined interior immigration enforcement operations. These policies have expanded the definition/criteria of who is a priority for enforcement and removal. Specifically, the EO:

- Established new enforcement policies that called for enforcement against all removable aliens.<sup>2</sup>
- The new enforcement priorities prioritize not only undocumented immigrants who have committed acts that are a chargeable criminal offense but also anyone who has an outstanding order of removal.
- The EO also states that the Department of Homeland Security (DHS) will enforce the law against anyone who is removable, meaning that anyone who does not have legal status in the US is at risk for deportation. This could lead to an increasing number of families being separated and communities being disrupted.

### **Have there been any recent increases in interior enforcement due to these policy changes? Are we actually seeing these policies implemented or is it just over-emphasized by the media?**

Yes. Increases in interior enforcement have occurred. For example, arrests of immigrants with no criminal convictions in 2017 have increased [146%](#)<sup>3</sup> from 2016 while arrests of immigrants with criminal convictions have just increased 12%. The broadening of who is a priority for removal has led to several high-profile arrests of long standing community members and is causing individuals to feel insecure and fearful. See for example, the case of [Marta Rodriguez](#), a 53-year-old mother of six from New Carrollton, Maryland. She had been regularly “checking in” with ICE officials since 2009 and hoped to be granted asylum, but in July 2018, she was arrested at her ICE check-in for failing to purchase a plane ticket back to her home country of Honduras and scheduled for deportation,

something her family and members of her community are now fighting. Such policy changes demonstrate an escalation in the federal government's capacity to apprehend, detain, and deport immigrants who have been living here in the US for many years.

### **Is the current regime of interior enforcement different from what we have seen previously?**

Yes and No. President Obama deported record numbers of immigrants with a high of [435,000](#)<sup>4</sup> deportations in 2013 alone. However, the number of deportations or removals began to drop off in 2014 and in 2015, as a result of the Administration changing its enforcement priorities to focus exclusively on those who have been convicted of a crime or deemed a threat to public safety (the [Priority Enforcement Program](#)<sup>5</sup> or PEP). When President Trump took office in 2017, he immediately set out to completely overhaul and expand the federal government's capacity to carry out interior enforcement priorities. President Trump terminated the Obama-Era Priority Enforcement Program (PEP), and instead issued instruction that all undocumented immigrants who have an outstanding order of removal, regardless of whether they have a criminal conviction or not, are priorities for removal.

The executive order called for vast increases in interior enforcement and it authorized state and local law enforcement to carry out federal immigration responsibilities as well as encouraged federal partnerships under the 287(g) program and elsewhere. This program allows state and local law enforcement officers to question a person's immigration status, arrest them for immigration violations, and detain them to provide ICE time to take them into custody. While this program was created under the Bush administration and promoted early on in the Obama administration, President Trump has encouraged its implementation even more so. The stated intent of the program is to strengthen public safety and ensure consistency in immigration enforcement across the country by prioritizing the arrest and detention of criminal undocumented individuals. However, the 287(g) program can create confusion and mistrust between members of the community and local law enforcement, hindering local law enforcement's ability to protect and serve the community.

### **Is this increased interior enforcement something that is here to stay/going to continue?**

Much depends on the level of funding and resources that DHS receives through the appropriations process as well as DHS's success in recruiting local municipalities to cooperate on federal immigration enforcement at the community level. If Congress gives DHS the funds requested in the FY 2019 budget we would see a substantial increase in enforcement capacity and staffing. The president's [FY 2019 budget](#)<sup>6</sup> would supply \$2.8 billion for 52,000 immigration detention beds, \$210.5 million for 750 additional border patrol agents, \$570.9 million for 2,000 additional ICE personnel and 1,312 support personnel, and \$1.6 billion for the border wall.

### **Are there other changes that are negatively impacting immigrant populations living in the interior of the United States that could be considered heightened enforcement or narrowing of due process?**

Yes, recently the U.S. Department of Justice (DOJ) [announced](#)<sup>7</sup> that the immigration cases of newly-arrived unaccompanied children and asylum seekers to the U.S. would be priority cases for adjudication. This decision makes it harder for recent arrivals to properly organize their defense and attain legal counsel. Another change that is negatively impacting immigrant populations in the U.S. is the recently agreed to Memorandum of Agreement (MOA) between DHS and the U.S. Department of Health and Human Services (HHS). The MOA mandates continuous information sharing on unaccompanied immigrant children from the time ICE or CBP takes them into custody through their release from ORR custody. The information shared also includes information on the children's potential sponsors, usually the child's family members, as well as anyone else living with the sponsor. The MOA is a dramatic change from past practices and puts children in danger and at risk for abuse and trafficking as potential sponsors become less willing to come forward, meaning children could also end up spending a longer time in detention facilities.

### **Who is being affected?**

There are currently approximately 11 million undocumented people living in the United States. Some of the undocumented may be national security or community safety threats as well as convicted felons. However, a majority of 11 million are neither national security or community safety risks but instead people whose only crime is a civil immigration violation. Many are mothers, fathers, church leaders, business owners, and school children who have lived in their communities for many years and have U.S. Citizen children or have U.S. citizen siblings. They are people like [Roberto Beristain](#), husband, restaurant owner, and father of three young U.S. children, who was separated from his family and deported back to his home country of Mexico after living in the US for over 15 years. Or [Erik Javier Flores Hernandez](#), a 17-year-old who came to the US after fleeing death threats in his home country. Erik was

taken into custody by ICE officials despite filing for asylum and upon his 18<sup>th</sup> birthday, was transferred to an adult detention facility, his future uncertain and case at a standstill. Both Roberto and Erik's cases represent a very concerning trend of interior enforcement that is separating families and often is not in our national interest nor reflective of our immigrant history.

### **Why does this affect the Church?**

The individuals that the Catholic Church serves includes those being affected by these indiscriminate interior enforcement policies. Simply put, many interior immigration enforcement targets are neighbors, members of parishes, and leaders within the Church and community. The Bible calls the Church to love and act justly toward those who are the margins of society. When it sees families torn apart and children harmed the Church must advocate for change and call for people to support and identify with migrants instead of pushing them away. Pope Francis has [highlighted](#) this point by emphasizing the importance of encounter, and said that encounter “returns to each person their dignity as children of God, the dignity of living”. Part of the call for solidarity, accompaniment, and encounter starts within the Church herself. CARE offers a way for Catholics to help assist fellow Catholics and support them in this moment.

### **What effect does this have on the community?**

The increase in interior enforcement has many detrimental impacts on the community. The constant threat of immigration raids and deportations leaves community members often feeling more fearful and mistrustful of public institutions, as well being less likely to participate in social services, schools, and churches. This uncertainty and anxiety can also leave individuals emotionally-taxed and children feeling anxious and depressed, hurting not only the individual's well-being but the community's as well. It can also lead to feelings of [isolation](#) and lack of understanding about what many immigrants are facing in this moment.

### **What can be done to help community individuals?**

- **Prayer:** Pray for a more humane immigration system that protects human dignity as well looks to integrate families who are in need of support.
- **Education:** Distribute know your rights resources to help educate individuals on what rights and protections they have under U.S. Constitution. Help your fellow parishioners learn more about our immigration system and [Catholic Social Teaching on Migration](#).
- **Accompaniment:** Provide support to individuals who are attending their ICE check-ins and immigration hearings, both emotional and spiritual support.
- **Access to Services:** Make access to services like an attorney and family care resources more available and affordable. Organize volunteers at the parish and diocesan level to assist with such services where possible.
- **Advocate:** Talk with your fellow parishioners and other members of your community about the current immigration enforcement reality to raise awareness about the challenges many immigrants face.

### Endnotes

1. U.S. President Donald Trump, Executive Order: Enhancing Public Safety in the Interior of the United States, the White House (Jan. 25, 2017), available at <https://www.whitehouse.gov/presidential-actions/executive-order-enhancing-public-safety-interior-united-states/>.
2. The term “alien” is a legal term created by the Immigration and Naturalization Service and used by the Department of Homeland Security to describe “any person not a citizen or national of the United States”, available at <https://www.dhs.gov/immigration-statistics/data-standards-and-definitions/definition-terms>.
3. American Immigration Lawyers Association (AILA), Cogs in the Deportation Machine, AILA (April 24, 2018), available at <https://www.aila.org/infonet/aila-report-cogs-in-the-deportation-machine>.
4. Muzaffar Chishti, Sarah Pierce, and Jessica Bolter, The Obama Record on Deportations: Deporter in Chief or Not?, Migration Policy Institute (Jan. 26, 2017), <https://www.migrationpolicy.org/article/obama-record-deportations-deporter-chief-or-not>.
5. U.S. Immigration and Customs Enforcement (ICE), Priority Enforcement Program, ICE (June 22, 2017), available at <https://www.ice.gov/pep>.
6. U.S. Department of Homeland Security (DHS), FY 2019 budget-in-Brief, DHS (Feb. 27, 2018), available at <https://www.dhs.gov/publication/fy-2019-budget-brief>.
7. U.S. Attorney General Jeff Sessions, Memorandum for Federal Prosecutors along the Southwest Border, Office of the Attorney General (April 6, 2018), available at <https://www.justice.gov/opa/press-release/file/1049751/download>.

