

THE SELECTIVE BIBLIOGRAPHY OF FORCED MIGRATION

A Multi-Media Educational Tool

Spring 2021

Deportation and Criminalization

This is a student project created for the Lexicon of Forced Migration course offered at Vassar, Bennington, Sarah Lawrence, and Bard Colleges. The course encourages students to think critically and consciously of the language used to discuss forced migration while staying global in scope and multidisciplinary in methodology. The project below was created collaboratively between Vassar College and Bennington College students.

Research by Logan Ragsdale (Vassar College), Isabel Harper (Bennington College), and Julia Henck (Bennington College)

A full copy of this project presentation is included at the end of this document.

Alex Murillo, “The Judge Thanked Me for My Service to My Country, and Then Ordered Me Deported,” *IMM Print*, a project of Freedom for Immigrants, February 18, 2019

Erica Steinmiller-Perdomo, “Consequences Too Harsh for Noncitizens Convicted of Aggravated Felonies?” *Florida State University Law Review* Vol. 41, Issue 4, 2014

Sandya Nayadhur and Almas Sayeed, “Arrest to Deportation Pipeline,” *California Immigrant Policy Center*, April 15, 2021

Natasha Arnpriester and Olga Byrne, “Punishing Refugees and Migrants: The Trump Administration’s Misuse of Criminal Prosecutions,” *Human Rights First*, January 2018

Nathan, Debbie Nathan, “Hidden Horrors of ‘Zero Tolerance’ – Mass Trials and Children Taken From Their Parents,” *The Intercept*, May 29, 2018

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Leisy Abrego et al., "Making Immigrants into Criminals: Legal Processes of Criminalization in the Post-IIRIRA Era," *Journal on Migration and Human Security* Vol. 5, no. 3, 2017

Mizue Aizeki, "Mass Deportation under the Homeland Security State: Anti-Violence Advocates Join the Fight Against Criminalization of Immigrants," *S&F Online*, Barnard Center for Research on Women, 2019

Samantha M. Montalbano, "The Rise and Fall of the State Attrition through Enforcement Trend: A Story of Arizona Senate Bill 1070 and Arizona v. United States as the Fulcrum of the Trend," Trinity College Digital Repository, 2013

"Immigrants In Arizona," *American Immigration Council*, 2020

Deportation and Criminalization

A look into modern deportation at the US/Mexico border

Isabel Harper, Julia Henck, Logan Ragsdale

Historical Context

- Modern criminalization of the immigration process based on race
- Chinese Exclusion Act (1882)
- Unofficial binary system of “desirable” and “undesirable” immigrants

Alex Murillo: A Case Study¹

- Came to the US as a baby
- Grew up in Phoenix, AZ
- Serves in the US Navy from 1996 - 2000
- Single father of four children



1. Murillo, Alex.

2008 - Alex Murillo is convicted of a low level cannabis offense¹

- Anti-Drug Abuse Act (ADAA, 1988) - Aggravated Felonies that make criminal offenses grounds for deportation²
- Expansion
 - Antiterrorism and Effective Death Penalty Act (1996)
 - Illegal Immigration Reform and Immigrant Responsibility Act (1996)
 - 2001 Patriot Act²



1. Murillo, Alex.

2. Steinmiller-Perdomo, Erica.

By expanding the definition of ‘criminal immigrants,’ the US is able to deport more people based on ‘criminal’ records⁶. This measure of morality relies on the racial profiling and policing of migrant communities^{3, 7}.

6. Abreigo, Leisy, et al.
3. Nayadhur, Sandya, and Almas Sayeed.
7. Aizeki, Mizue.

Three months later - Alex is flagged by ICE¹



- 287(g), Secure Communities, Criminal Alien Program²
- Arrest to deportation pipeline.³
- Communities of color are arrested, prosecuted, and deported at higher rates.³

1. Murillo, Alex
2. Steinmiller-Perdomo, Erica.
3. Nayadhur, Sandya, and Almas Sayeed.

Expedited Trials and Operation Streamline⁴

- OS - allows courts to charge up to 100+ immigrants criminally
- Magistrate judges, no jury, CBP can prosecute w/o attorney
- Guilty plea rate rises from 63% (2004) to 97% (2009), 99.5% (2016) - under “threat of prosecution and a long prison sentence”
 - Must give up asylum/refugee claims
 - Must agree that they have ‘no fear of return’ to country

4. Arnpriester, Natasha, and Olga Byrne.



Expedited Trials and Human Rights⁴

- High client/attorney ratios make adequate counsel almost impossible
- Lack of comprehensive, accurate translation
- 2014 - UN calls to abolish OS
- “[s]eeking asylum is not a crime, and neither is entering a country irregularly.”



4. Arnpriester, Natasha, and Olga Byrne.

A broader look at Arizona

SB. 1070

- Support Our Law Enforcement and Safe Neighborhoods Act
- Streamlined state-wide police practices
- Allowed officers to ask people to disclose their legal status based on reasonable suspicion⁵
- Undocumented immigrants comprised 28% of the immigrant population and 4% of the total state population
- 1 in 9 children are U.S. citizen living with at least one undocumented family member
- Undocumented immigrants in Arizona paid an estimated \$364.5 million in federal taxes and \$228.5 million in state and local taxes in 2018⁶

5. Montalbano, Samantha
6. *American Immigration Council*

Action Steps - Advocate!

For:

- H.R.536 - The New Way Forward Act
- H.R.1182 - Veteran Deportation Prevention and Reform Act
- H.R.1183 - Honoring the Oath Act

Against:

- H.R.709 - Border Crisis Prevention Act
- The H.R.37 - Voter Integrity Protection Act

Action Steps - Donate!

Florence Immigrant and Refugee Rights Project



<https://firrp.org/>



Puente Human Rights Movement

<https://puenteaz.org/>



Works Cited

1. Murillo, Alex. "The Judge Thanked Me for My Service to My Country, and Then Ordered Me Deported." *IMM Print*, IMM Print, 18 Feb. 2019, imm-print.com/the-judge-thanked-me-for-my-service-to-my-country-and-then-ordered-me-deported/.
2. Steinmiller-Perdomo, Erica. "Consequences Too Harsh for Noncitizens Convicted of Aggravated Felonies?" *Florida State University Law Review*, vol. 41, issue 4, 2014, pp. 1173-1194, <https://ir.law.fsu.edu/cgi/viewcontent.cgi?article=2503&context=lr>
3. Nayadhur, Sandya, and Almas Sayeed. "Arrest to Deportation Pipeline." *California Immigrant Policy Center*, California Immigrant Policy Center, 15 Apr. 2021, caimmigrant.org/what-we-do/arrest-to-deportation-pipeline/#:~:text=Federal%20immigration%20authorities%20rely%20heavily,low%2Dincome%20immigrants%20of%20color
4. Arnpriester, Natasha, and Olga Byrne. "Punishing Refugees and Migrants: The Trump Administration's Misuse of Criminal Prosecutions." *Human Rights First*, Jan. 2018, www.humanrightsfirst.org/resource/punishing-refugees-and-migrants-trump-administrations-misuse-criminal-prosecutions.
5. Nathan, Debbie. "Hidden Horrors of 'Zero Tolerance' - Mass Trials and Children Taken From Their Parents." *The Intercept*, 29 May 2018, theintercept.com/2018/05/29/zero-tolerance-border-policy-immigration-mass-trials-children/.
6. Abrego, Leisy, et al. "Making Immigrants into Criminals: Legal Processes of Criminalization in the Post-IRIRA Era." *Journal on Migration and Human Security*, vol. 5, no. 3, 2017, pp. 694-715., doi:10.1177/233150241700500308.
7. Aizeki, Mizue. "Mass Deportation under the Homeland Security State: Anti-Violence Advocates Join the Fight Against Criminalization of Immigrants." *S&F Online*, Barnard Center for Research on Women, 2019, sfonline.barnard.edu/unraveling-criminalizing-webs-building-police-free-futures/mass-deportation-under-the-homeland-security-state-anti-violence-advocates-join-the-fight-against-criminalization-of-immigrants/.
8. Montalbano, Samantha M.. "The Rise and Fall of the State Attrition through Enforcement Trend: A Story of Arizona Senate Bill 1070 and *Arizona v. United States* as the Fulcrum of the Trend". Senior Theses, Trinity College, Hartford, CT 2013. Trinity College Digital Repository, <https://digitalrepository.trincoll.edu/theses/613>
9. "Immigrants In Arizona". *American Immigration Council*, 2020, <https://www.americanimmigrationcouncil.org/research/immigrants-in-arizona>.