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Introduction: Immigration Crackdown: Examining the Impact of “Enforcement First” Immigration Policies

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CARDOZO LAW REVIEW
de•novo

INTRODUCTION

IMMIGRATION CRACKDOWN: EXAMINING THE
IMPACT OF “ENFORCEMENT FIRST” IMMIGRATION
POLICIES

Kristina Aragon[†]

The history of immigration law in the United States has been protracted and controversial, including such laws as the Immigration and Nationality Act of 1952, the Immigration Reform and Control Act, and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). Immigration enforcement continues to be an important issue, especially during the current Trump administration, which is focused on restructuring the U.S. immigration system. In President Trump’s first week in office, he issued two executive orders addressing immigration enforcement policies.¹ In recent months, the Department of Homeland Security Secretary, John Kelly, issued two memoranda that focused on border and interior immigration enforcement.² The Trump

[†] Head *de•novo* Editor, Cardozo Law Review, Volume 38. J.D. Candidate (June 2017), Benjamin N. Cardozo School of Law; B.A., Loyola Marymount University, 2012. I would like to thank the authors for their important and thoughtful contributions to the symposium. I would also like to thank Daina Rindler, the *de•novo* Editor, for her steadfast support and dedication throughout the editorial process.

¹ Exec. Order No. 13,767, 82 Fed. Reg. 8,793 (Jan. 25, 2017); Exec. Order No. 13,768, 82 Fed. Reg. 8,799 (Jan. 25, 2017).

² Memorandum from John Kelly, Sec’y, Dep’t of Homeland Sec., to Kevin McAleenan, Acting Comm’r, Customs & Border Prot., et al. (Feb. 20, 2017), https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-

administration's objective concerning immigration is easily summarized in a press release issued on August 3, 2017, by U.S. Immigration and Customs Enforcement's (ICE) Acting Director Thomas Homan, which stated, "ICE does not exempt classes or categories of removable aliens from potential enforcement. All of those in violation of the immigration laws may be subject to immigration arrest, detention and, if found removable by final order, removal from the United States."³

Cardozo Law Review de•novo's online symposium, *Immigration Crackdown: Examining the Impact of Enforcement First Immigration Policies*, provides an analysis of the current immigration landscape in the U.S.; specifically, the enforcement mechanisms used on undocumented immigrants.

Azadeh Shahshahani, the Legal and Advocacy Director with Project South, discusses state and local enforcement tools used in collaboration with ICE to regulate immigration. Shahshahani explains the mechanisms employed to achieve federally-guided immigration objectives, and their effects on local communities, specifically in the State of Georgia.

Kari Hong, Assistant Professor at the Boston College Law School, explores past immigration practices and the tougher immigration enforcement policies employed by the Trump administration. Hong also proposes solutions to immigration issues and alternative measures that can be used to regulate illegal immigration in the U.S.

The purpose of this symposium is to provide an alternative viewpoint for the anti-immigration rhetoric being used in the media. It is important to remember that most undocumented immigrants are people trying to escape a dangerous life in their native country and who come to America and contribute meaningfully to the social and economic fabric of the country. By approaching immigration with a more creative and thoughtful approach, we can ensure the safety of all Americans while maintaining the mutual benefits of immigration.

Interest.pdf; Memorandum from John Kelly, Sec'y, Dep't of Homeland Sec., to Kevin McAleenan, Acting Comm'r, Customs & Border Prot., et al. (Feb. 20, 2017), https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf.

³ U.S. IMMIGRATION AND CUSTOMS ENF'T, U.S. DEP'T OF HOMELAND SEC., ICE ARRESTS 33 IN WESTERN MICHIGAN OPERATION TARGETING CRIMINAL ALIENS, ILLEGAL RE-ENTRANTS AND IMMIGRATION VIOLATORS (2017), <https://www.ice.gov/news/releases/ice-arrests-33-western-michigan-operation-targeting-criminal-aliens-illegal-re>.