

## **BEWARE!!! HIDDEN DEPORTATION PROVISIONS IN ALL SENATE AND HOUSE BILLS, including HAGEL-MARTINEZ!**

Dozens of hidden detention and deportation traps in the Senate and House bills could sabotage “legalization” programs and take away our fundamental rights to liberty and due process. We believe:

- ❖ Our basic rights should not be part of any compromise immigration bill.
- ❖ No bill that contains these provisions can truthfully be a “pro-immigrant” legalization bill.

***We demand that Congress strip these outrageous provisions from any bill that moves forward.***

### **WHAT DO THESE HIDDEN DEPORTATION PROVISIONS DO?**

#### **Could make thousands ineligible for “legalization” programs**

*Example:* The mother of a U.S. citizen child needs a job to support her family. She uses her sister’s social security card to fill out her I-9 form. If she later applies to adjust her status – through her citizen husband or through a new program – she will likely be asked about her past employment. Revealing this information means she risks rejection of her application and deportation.

#### **Create dozens of ways to make noncitizens deportable, even if you have a green card**

Under these new laws, more conduct turns into criminal conduct, making people vulnerable to deportation. Example: a green card holding supervisor at a construction company drives his crew, some of whom are undocumented, to their jobs. He could be prosecuted criminally – and then face mandatory deportation as an aggravated felon, and his citizen family and coworkers would not be allowed to speak on his behalf.

#### **Deport people faster without a hearing before a court, even if they have lived here for years**

The bill has created many new systems for people to be deported without a hearing. One way deports any noncitizen who cannot prove that they have been here for more than 14 days and have been caught 100 miles within the border.

#### **Enact more “mandatory” detention**

More people will be detained than ever before. For example, people (except for Cubans, Mexicans, and some asylum seekers) entering “illegally” will be detained. DHS has sole power to decide whether to release you or not, with no way to challenge their decision.

#### **Allow U.S. military bases to be used for detention space**

The Senate bill allows 10,000 people to be detained in military bases, like Guantanamo. Right now, over 20,000 people are detained at any given time in jails and prisons across the country, far from their families and lawyers.

#### **Turns police into immigration agents**

It gives local governments “inherent authority” to enforce immigration laws, encourages agreements between DHS and local police in every state, and allows immigration information to be entered into NCIC, the federal criminal database. This would be a public safety disaster. Immigrants would be afraid

to turn to social service agencies, local police and even emergency services. Local cops could arrest people based on immigration information from a database known for mistakes and that they cannot interpret.

### **Overturn Supreme Court decisions by legalizing indefinite detention**

People who have final orders of removal who can't get deported (example: embassy won't give traveling papers) won't be able to get out, meaning that they could stay in jail for years. Currently, 1,500 people are being indefinitely detained. Thousands more will be affected.

### **Construct a massive border fence**

This bill expands the current \$30 billion border enforcement strategy which has failed to deter illegal entry and has directly resulted in the deaths of nearly 4,000 migrants over the last 10 years.

## **WHAT'S THE BOTTOM LINE?**

*The new provisions make it easy to take green cards away from people that already have them and strip them from people that just got them.*

*These provisions whittle away against the AMERICAN ideal that every person should have their day in court. How? They strip the courts of their authority and transfer vast amounts of power to the Department of Homeland Security, the police and other federal agencies.*

*The Senate and House bills will make lives worse for families by permanently separating children from parents, partners from each other. How? Laws are already very harsh. The effects on children who are left behind or for parents who suddenly become "single parents" are devastating. These bills will make a bad situation worse.*

*The Senate bill lines the pockets of the prison industry.*

The private prison industry has made huge profits detaining noncitizens. A good chunk of the estimated \$206 to \$230 billion to detain and deport noncitizens will go straight to local prisons, private prisons, and county prisons who detain noncitizens.

## **WHAT SHOULD YOU DO?**

CALL CONGRESS – Say "All these immigration bills are **NOT** acceptable. I DO NOT support an immigration bill that expands detention beds, increases mandatory detention, expands the definition of aggravated felony, turns police into immigration agents, changes the law around the power of the courts to review immigration cases, expands expedited removal, and overturns Supreme Court case law on indefinite detention. I do support amendments correcting results from current harsh immigration laws. Your Senator/Representative can be contacted at: (202) 224-3121.

TALK ABOUT IT! Let people know about these hidden provisions. And let them know where they can go to find out more about them!

**For more information about these bills, go to:**

[www.detentionwatchnetwork.org](http://www.detentionwatchnetwork.org),  
[www.nationalimmigrationproject.org](http://www.nationalimmigrationproject.org)  
[www.immigrantdefenseproject.org](http://www.immigrantdefenseproject.org)

\*\*This flyer was produced by the National Immigration Project of the National Lawyers Guild.\*\*