

Cloud lifts over young immigrants seeking legal status, but concerns remain

By Matt O'Brien San Jose Mercury News San Jose Mercury News

The force field protecting Jirayut Latthivongskorn comes from a glossy, federally issued work permit that wards off deportation and lets him get a job, overcoming the legal barriers that have long clouded his ambitions and shadowed his life.

Mailed to homes in fast-growing numbers, the cards are changing the lives of about 300,000 young immigrants, a quarter of them from California, who took a leap of faith this fall by revealing their presence to the U.S. government.

Latthivongskorn's plastic card, with its 2014 expiration date etched between his fingerprint and photograph, symbolizes what he calls his "two-year lease on life in America" -- permission to live and work under President Barack Obama's reprieve for young illegal immigrants brought to the country as children.

"It feels really weird," said Latthivongskorn, excited by his freedom but nervous about its two-year limit. "Now, I have this clock that's ticking."

A rapidly changing postelection political landscape is bolstering the hopes of the nation's more than 1 million illegal immigrant youths. They have a president who says he has their backs and a chastened Republican Party openly reconsidering its harsh opposition to giving them a break.

Emerging everywhere, in cities and affluent suburbs, are people like Latthivongskorn, a UC Berkeley graduate who dreams of becoming a doctor, and Daniel Nuñez, a San Jose leaf blower who hopes for a life in the corporate world.

The government has awarded more than 53,000 permits since September.

For some, though, the reprieve is easily lost. Soccer player Diango Itzun Reyes could have applied but now is fighting deportation after one enormous mistake -- driving drunk, one of many crimes that disqualifies reprieve applicants.

For years, the young immigrants have tiptoed through their lives, trying to avoid risks that would expose their illegal status to employers, police officers, even friends. They've skipped R-rated movies because they lacked IDs.

For those who obtain work permits, the labels "illegal" and "undocumented" no longer apply. And their future has never seemed brighter.

Here are their stories:

Daniel Nuñez

Three years ago, Nuñez applied at the GooglePlex to wash dishes for the caterer that feeds the Mountain View Internet giant's army of tech workers.

It was hardly the community college student's dream job, but it seemed more exciting than blowing leaves off the grounds of Silicon Valley industrial parks, which he has been doing since his teens.

The job offer appeared imminent until he reached a familiar barrier: the background check.

"I just got scared and told them I wouldn't be able to accept it."

Then, over the summer, the Obama administration announced it would grant work permits and not deport illegal immigrants 30 or younger who were brought to the country as children and meet basic requirements, such as graduating from high school.

The two-year, renewable permits don't confer citizenship or permanent residency, but they were the opportunity of a lifetime for people like Nuñez, among the first in the Bay Area to apply and be accepted.

Now, he is looking for a job and studying for his driver's license exam, because California is among several states that let the protected immigrants drive.

Nuñez's mother had brought him illegally across the U.S.-Mexico border when he was a toddler.

Growing up, he hung out with fellow video game-playing geeks at his San Jose school, got decent grades and stayed out of trouble.

Nuñez remembers apologizing profusely when a police officer pulled him over for not wearing a seat belt. He escaped with only a ticket and quit driving without a license, riding his bike to classes at Evergreen Valley College in San Jose.

"It's not like it's life or death, but sometimes I feel like it's life or death," Nuñez said. "If I do something wrong, the life that I know could be gone."

For years, he blamed his mother for the legal mess that stuck him in a menial job, until she told him about the abusive marriage that drove her from rural Mexico to San Jose.

"I realized that this issue, it's not anyone's fault," Nuñez said, sitting beside his mother and sister in their suburban San Jose home. "She did it because she wanted us to have a better life."

Jirayut Latthivongskorn

The jazz band was playing when Latthivongskorn walked into UC Berkeley's Golden Bear Center this month. Undergraduates and professors he knew mingled with wealthy donors sipping red wine and nibbling appetizers.

"Berkeley is your campus. You belong here. You can, and will, succeed here," Chancellor Robert Birgeneau told the crowd.

The party celebrated the opening of the Robert Haas Jr. Dreamers Resource Center, a tiny drop-in office for the 195 UC Berkeley students who are in the country illegally.

"In some ways, since I came to Berkeley, the single most impressive undergraduates I've met have been undocumented," Birgeneau said before his speech.

All of them "earned admission against enormous odds," he said.

He was speaking of people such as Latthivongskorn, who maintained a 3.7 grade-point average and held a job at a Thai eatery near campus.

When Thailand's economy crashed in 1997, so did the Latthivongskorn family's business.

"It was a moment of desperation for my family," said Latthivongskorn, whose first name means "long fighting." Everyone calls him "New."

He was 9 and thought he was on vacation when he landed with his sister and brother in California in 1999. They were here to stay, his parents later revealed.

The five of them crowded into a one-bedroom Milpitas apartment. The children struggled to learn English and adjust at school. They kept their immigration history to themselves.

He graduated from UC Berkeley in May, after majoring in molecular and cell biology, and is applying to medical schools. He frequently returns to campus as a co-founder of Pre-Health Dreamers, a burgeoning national network to help promising illegal immigrant students pursue medical careers.

"I don't like for people to be discouraged from what they want to do because of these barriers," he said.

Diango Itzun Reyes

"I made a horrible decision that night," Reyes said, standing on the College of Marin soccer field sideline. "It definitely changed my life."

He projected his voice to the bleachers, where more than a dozen sweaty teammates listened intently.

It was odd to see their co-captain, nattily attired on a sunny Monday in Marin County, announcing his looming deportation.

If you drive drunk, you can hurt or kill someone, he told them. You can hurt career opportunities. Or, like Reyes himself, you can get banished from the United States.

Born in the Guatemalan village of San Carlos Sija during the country's civil war, Reyes, now 22, was 2 months old when his family brought him to San Rafael.

He grew up making diverse friends, earning accolades from teachers and parents who appreciated his warm demeanor.

"I made a really horrible decision of deciding to drive," said Reyes, who had offered to take friends home after watching an NBA game at a bar in San Francisco's Marina district. They were nearly home when police pulled him over on Highway 101.

His fingerprint check at the county jail confirmed his illegal status. An immigration judge, he learned during his incarceration, had ordered him and his whole family deported. And the DUI was a crime that specifically excluded him from Obama's reprieve. It was time for him to go to Guatemala.

He found a lawyer to help him fight the deportation, and the Board of Immigration Appeals is reviewing his case.

Reyes was in jail when he learned about the deferred deportation program announced a few days before his arrest.

"I really regret it," Reyes told his team. "This is my home. I have everything here."

Deferred action

The Obama administration is granting deportation reprieves to young illegal immigrants brought to the United States before they were 16. Law-abiding immigrants who are 30 or younger, graduated from high school or served in the military, and who have lived in the United States continuously for the past five years, are eligible. California and some other states will grant driver's licenses to the same group. The relief does not confer permanent residency or citizenship, but President Barack Obama said Wednesday he wants Congress to pass a permanent solution, the long-sought measure known as the Dream Act, along with broader immigration reforms.

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