

Deportations tear some families apart

By William M. Welch, USA TODAY

TIJUANA, Mexico – Few words are needed when Liliana Ramos talks by phone with her youngest daughter, age 11, back in Oregon.

Lily Ramos, awaiting word on her deportation, is circled in prayer by, from left, Julia Fleet, Areli Moreno and John Fleet outside the Homeland Security office in Portland, Ore.

"Mostly we cry," she says. "All the time we cry and say, 'I love you, I miss you.' "

After living for 21 years in the [U.S.](#), Ramos, 39, was deported to Mexico in September, separated from the two daughters and son she has raised as a single mother since her ex-husband left them seven years ago.

She had lacked legal immigration status since crossing the border into the U.S. as a teenager with her parents, so the threat of arrest and deportation was always there. Even so, Lily, as she is known to friends, had hoped her clean record and two decades of work, paying taxes, going to church and providing for her U.S.-born children would allow her a path to legal status or at least avoid deportation.

Like hundreds of thousands of undocumented immigrants, her hopes rose with the Obama administration. In July 2010, [President Obama](#) said mass deportation of all illegal immigrants would be "intolerable" to most Americans because so many have established deep family roots, often with children who are citizens. He said they should be given a route to legal status: "Our laws should respect families following the rules instead of splitting them apart."

In June 2011, the administration announced a policy of focusing immigration enforcement on violent criminals and threats to national security rather than families with children, deep ties to their communities and no criminal records.

Six months after Obama's 2010 speech, federal agents showed up at the Bend, Ore., resort where Ramos worked as a housekeeper, handcuffed her and took her to immigration jail. She realized nothing had changed for her.

A few months after her arrest, when Obama formally announced the policy change seemingly tailored to people like her, it made no difference.

"The immigration people told me, 'No, it's not true, it's only politics,' " she says, tears flowing from her brown eyes as she chats in a small café in the neighborhood where she stays, far from the center of this border town.

The policy shift

Ramos' example points to a growing complaint from immigrant rights activists over treatment of illegal migrants who have lived law-abiding lives for years and have families here with U.S. citizenship.

It is an issue that former House Speaker Newt Gingrich made a flash point in the campaign for the Republican presidential nomination last month. Gingrich said he favors pathways to legal status for such long-standing residents. In words that resonate for Ramos and her children, he said in a debate: "I don't see how the party that says it's the party of the family is going to adopt an immigration policy which destroys families which have been here a quarter-century. I'm prepared to take the heat for saying, 'Let's be humane in enforcing the law.' "

Gingrich's remarks touched off a barrage of criticism from others in the [Republican Party](#), which has taken a hard line toward the estimated 11 million people in this country without legal immigration status.

Advocates for immigrants say Obama's promise of humane discretion in immigration cases hasn't slowed the deportation of illegal migrants who have not been convicted of crimes. The American Immigration Lawyers Association, in a Nov. 10 report, said its examination of 252 cases pointed to an "overwhelming conclusion" that most Immigration and Customs Enforcement (ICE) field offices haven't changed their practices since the directive.

The directive outlined June 17 by ICE Director John Morton set priorities and advised "prosecutorial discretion" in enforcement decisions. It said "particular care should be given when dealing with ... juveniles, and the immediate family members of U.S. citizens."

The [Homeland Security Department](#) announced last month that it would begin training immigration officers and attorneys in how to apply the priorities, will review new cases under the guidelines and start a pilot program in Denver and Baltimore to identify pending low-priority cases to be dropped.

Deportations, mostly to Mexico, reached a record 396,906 in the fiscal year that ended Sept. 30. About 1 million people have been deported since Obama took office, federal records show, continuing an aggressive rise in deportations through the past decade.

Obama, in a speech at the border town of El Paso in May, acknowledged the pace of deportations is a concern for many — particularly Latinos, a voter bloc that supported his election in 2008 and that he is courting for re-election in 2012. He said: "We are focusing our limited resources on violent offenders and people convicted of crimes — not families, not folks who are just looking to scrape together an income."

'We see the lack of action'

Francisco Lopez, executive director of Causa Oregon, a group that advocates for immigrants, says Ramos' case is all too familiar.

"She is a victim of a lack of implementation" of enforcement priorities, Lopez says. "We are very frustrated. We see the lack of action and relief process for cases like Liliana's, mothers with children born here. They need some type of relief in order not to be separated from their children."

ICE spokeswoman Gillian Christensen says the agency was constrained by privacy laws from discussing Ramos' case in detail. However, Christensen suggested that legal proceedings that began years ago — triggered by Ramos' lawful-if-ill-advised request for legal resident status — put Ramos in a priority category.

"ICE is focused on smart, effective immigration enforcement that prioritizes the removal of criminal aliens, recent border crossers and egregious immigration law violators, including immigration fugitives and those who have been previously removed from the [United States](#)," Christensen says.

Critics of the administration's immigration policy say it is providing back-door amnesty by allowing low-priority cases to be set aside, and that the act of being in United States without legal papers should be enough to warrant deportation.

"The administration ... is saying unless you commit this other crime, we're creating administrative amnesty for you," says Ira Mehlman, of Federation for American Immigration Reform (FAIR), a group that seeks a crackdown on illegal immigration and limits on legal immigration.

Barbara Ghio, a Salem, Ore., immigration lawyer who represented Ramos after her arrest, says Ramos' troubles could be traced to an application for political asylum filed by Ramos and her husband in 2003. Not only was it rejected, as nearly all such applications from Mexican nationals are, she says, it brought Ramos to the attention of the agency, which then began deportation proceedings against her.

"It was basically knocking on the door of immigration" authorities, Ghio says.

After an appeal was rejected, a deportation order was issued in 2005. Ramos says she was not informed of that order. She says her ex-husband, who since has returned to Mexico, filed the papers without her consent. That asylum application, Ghio says, was based on erroneous street gossip in immigrant communities that suggested asylum was a path to legal status. She says any immigration lawyer would have strongly advised against it.

"The only thing that made her a priority was she was labeled a fugitive, and the only reason she is a fugitive is because she filed this (asylum request) without an attorney," Ghio says.

Ramos was released after her arrest in January and won a few more months to line up care for her daughters, Karleen, 11, a sixth-grader, and Ashley, 16, a high school junior. A son, Brian, 19, is looking for work and hopes to enter community college. Two relatives care for the younger children .

In September, Ramos bid a teary farewell and drove across the U.S.-Mexican border at [San Ysidro](#), Calif., to a country where she had little connection or family. She has been sleeping in a room lent by the friend of a friend and lives off her small savings. She has been unable to find a job or get the necessary Mexican documents, including a birth certificate, that she needs to work.

Ramos says her children have discussed joining her in Mexico but she is against it. Her kids are U.S. citizens and don't know enough Spanish to transfer to Mexican schools without repeating several grades, she says. Without a job, she has no way to support them.

"The whole way we live now is different," says Brian Tapia, her son. "My sisters are going through depression. ... My little sister is crying a lot. We're all really sad. ... It's really hard, being without her."

Aside from the human cost, such deportations can cost U.S. taxpayers, Ghio says. Ramos is no longer paying U.S. taxes, and without a parent, her minor children could require state assistance in the future.

"The only parent they had, who was working and making some money, not a lot but some, can't support them now," she says.

Mehlman, of the FAIR group, says deported parents such as Ramos should take their children with them, even if the children are U.S. citizens. "If you are removing the parents from the country, and families are being broken up, it means the parents made that decision to break up families," he says. "They can take kids with them. They should take their kids with them."

Rep. Luis Gutierrez, D-Ill., who supports immigrants fighting deportation, says deporting mothers such as Ramos, if they take their children, amounts to "de facto deportation of U.S. citizens."

ICE says 55% of those deported in fiscal 2011 "were convicted of felonies or misdemeanors," and 90% were in a priority category. But Ghio says ICE lumps serious, violent offenders with minor offenses and traffic cases.

Ghio says she sees heartbreaking cases regularly. She has one client now, a high school senior brought to this country when he was 9 months old, who faces deportation to Mexico after receiving a citation for possessing a small amount of marijuana. He doesn't even speak Spanish, she says. "Most people are being deported for very, very small crimes, regardless of what people are saying on TV."

In Tijuana, a sprawling city that abuts [San Diego](#) and is scarred by drug-cartel violence, it's easy to find other recent deportees. Many pay 15 pesos a night, or a little more than \$1, to sleep on a hard bunk or floor of a flophouse in a decaying neighborhood a block from the border. They arrive by the hundreds every day, some in hopes of regaining entry, others trying to get back to homes elsewhere in the country.

"It's hard living here," says Richard Escobar, 45, formerly of Montebello, Calif., who says he was deported in March after failing to renew his legal resident papers. He says he arrived in the United States with his parents at age 8. "I don't know if it's being punished by God or not, but it's tough."

Ramos, driving her SUV and dressed nicely, looks like a middle-class American of Hispanic descent, so much so that other deportees can scarcely believe she shares their predicament.

She attends church almost every night. She talks at least once a day to her family in Oregon. She is hoping a miracle will allow her to return to the United States and her family, though Ghio says her legal chances are slim, and that barring a waiver or change in the law, or marriage to a U.S. citizen, she is subject to a 10-year waiting period before she can apply for re-entry.

"My daughter says, 'What happened to us? Why did this happen to us?' " Ramos says. "I miss my kids."

<http://www.usatoday.com/news/nation/story/2011-12-04/illegal-immigration-deportation-obama-gingrich-homeland-security/51646680/1>