

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/daca-was-never-the-end-goal-liberation-is>

### Public Facing Advocacy Writing

The U.S. Supreme Courts recent decision on [DACA](#) the Deferred Action for Childhood Arrivals immigration law impacted 650,000 young people, including us, four DACAmented Verans. We are relieved that the Court blocked efforts to end the program, leaving it intact for the near future. But for us, DACA was never the end goal. We are fighting for something greater than citizenship. Here are our personal reflections on DACA and what comes next.

#### Jacqueline Fernandez:

DACA, simply put, allowed me to do some of the basic things like work and live without fear of deportation, that select citizens and others with documentation get to do freely. The difference is we have to fight for these basic rights, and there are still limitations. Black communities in the United States have long suffered inequality and are the original advocates for these basic rights. American citizenship was constructed by white settler communities and their desire to exclude. This white supremacist tool, in conjunction with explicit anti-Black laws, were designed to erase, eliminate, and assimilate BIPOC (Black, Indigenous, and People of Color) /immigrant communities.

The first time I experienced family separation, I was four years old and thought I would never see my parents again. The first time I saw myself as an undocumented person, I was disqualified from a high school internship due to my immigration status. The first time I felt worthy in the eyes of the United States, I received a full scholarship to attend college. I wrongfully accepted the illusion that I had to be exceptional to be worthy of citizenship, and my educational achievements fulfilled American exceptionalism.

The first time I claimed the unapologetic and unafraid undocumented identity, I did so in community with other undocu-amistades. Claiming the undocumented identity held the system accountable for creating exclusionary citizenship and other-ing laws. The first time I realized I had, in the words of Assata Shakur, nothing to lose, but my chains, I marched in solidarity with immigrant rights and Black Lives Matter activists to fight for the human dignity we all deserve.

The June 18, 2020, Supreme Court decision was a win for immigrant rights activists across the country. But activists acknowledge that this was only a step in the right direction. Because I am constantly reinventing my identity, I am constantly reimagining the creation of better, supportive systems while abolishing those that rely on anti-Blackness and were created to harm us. Our communities fought and continue to fight for our liberation and the human dignity we deserve, unapologetically and unafraid.

#### Mayra Melendez:

I look back to how I felt as a child when my familys application to become permanent residents was denied, and it's even more painful because I can recognize exactly what my emotions and reactions (insomnia, disassociating, etc.) were. Only in 2012, after becoming involved in immigrant rights organizing, did I start to feel okay again. Immigrant rights organizing dissipated the feeling of loneliness and filled me with empowerment. DACA was announced on June 15, 2012. I cannot deny the elation and relief I felt, at the same time coupled with guilt and disappointment because my parents got nothing. An article by Prerna Lal encapsulated my growing irritation at the movement for pushing the narrative that we DACA recipients were "deserving" of citizenship and putting that forward as the only end goal. I hated that all my dreams, efforts, and actions dwindled down to wanting to be "American" and "deserving" of citizenship.

Years later, when I was 21 and moved to New York to be a Board of Immigration Appeals representative, I noticed clearly how helping my clients get citizenship and green cards did nothing to change their other circumstances. They were still facing eviction, harassment, food insecurity, and institutional racism at their children's schools and doctor's offices. This is why I say today DACA will never be enough. It is hard to celebrate DACA when a few days later, the Supreme Court issued a decision barring asylum seekers from the right to a hearing before a judge. When United States Citizen and Immigration Services issues racist statements and delays accepting new applications from the hundreds of people who never even got a chance to apply for DACA. When people are dying at the hands of police and in detention centers. Yes, DACA granted us a temporary relief. But we need to push our vision wider and not be afraid to dream and organize radically.

#### Sergio Rodriguez:

U.S. immigration law and policy has always been *designed* to be exclusionary; DACA is no exception. Given its focus on undocumented youth with arbitrary eligibility requirements, DACA creates a hierarchy among immigrants, suggesting that one group of people is more deserving of sympathy, value, and recognition. We must reject the idea that some immigrants are worthy of status based on their education and/or perceived value more so than others.

The answer is not a path to citizenship for the 650,000 DACA recipients. Citizenship does not automatically confer full access to rights,

dignity, or freedom from state violence, as is seen in the historical mistreatment of Black citizens in America. Although the fight for citizenship continues to be a priority in the immigrant rights movement, there are those who argue that fighting for citizenship is inherently anti-Black because American citizenship is historically rooted in white supremacy. We must stand in solidarity with Black lives and reject the idea that a pathway to citizenship is a comprehensive solution for immigrants living in the United States. What we are fighting for is bigger than that.

We crave to dismantle white supremacy in immigration policy, to have the ability to travel freely, to have access to our families, to create systems that shift accountability back into our communities, and most importantly, to eradicate a policing and detention system that disproportionately affects communities of color, specifically the Black community.

We ask you all to stand with us in advocating for something greater and help us reimagine a world where we value human lives above profit and punishment where every person lives the life they want to live, free from systemic violence.

If we can design such an exclusionary system, we can dismantle it.

**Jason:**

While we celebrate the Supreme Courts decision on DACA, we must not forget that the decision is not a lasting victory for DACA holders. The decision provides the framework for the administration to end DACA. In fact, less than 24 hours after the Court rendered its opinion, the administration and the U.S. Department of Homeland Security threatened to start the process of rescinding the DACA program again.

This decision prevents the immediate threat of deportation, but it is only a brief respite. We continue to face uncertainty, and our collective futures lie in the hands of those who prefer to negate our humanity, making us caricatures of criminality.

DACA was a band-aid solution to humanitarian issues that ultimately affect millions of lives. Make no mistake: DACA has provided a lifeline for thousands of young people like me. But the program itself was a Faustian bargain. By uplifting the few who qualified for the program as the standard of what immigrants should be, it overlooked and neglected the millions who were left out of the program.

This is why we must continue the fight, and our fight must be inclusive. Our future doesnt exist in a vacuum; it is inexorably tied to the struggles of our parents, brothers, sisters, friends, allies, loved ones, and the very communities were part of. We cant forget those who were left out of the program, the millions who continue to face the burdens of our nations harsh immigration enforcement policies, and the generations that are still haunted by the legacy of racism rooted in the foundations of our nations immigration and criminal legal systems.

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