

## **Review finding few immigrant deportation cases to set aside**

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### **Body**

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One year after the Obama administration said it would stop deporting some immigrants who are not safety threats, it has dismissed only a small fraction of the deportation cases reviewed under the new policy, disappointing advocates who were hoping for dramatic change.

So far, the administration has reviewed more than 232,000 pending deportation cases since it began using new guidelines granting more discretion in pursuing immigration violators. Less than 2 percent have been closed or dismissed.

The portion of those who receive reprieves is likely to be 9 percent once the reviews are complete, the U.S. Immigration and Customs Enforcement said in a news release last week.

"It's not something that happens overnight," ICE spokeswoman Gillian Christensen said.

Some immigrant advocacy groups predict the number of cases closed will not exceed 4 percent, not much higher than the number immigration judges typically close each year.

The review accelerated June 4 in the Bay Area when San Francisco's busy immigration court partially closed for a two-week scouring of cases. The goal is to weed out the least important of more than 18,000 pending deportations from across Northern California.

Ulises Toledo is among those hoping to be deemed a low priority.

"I'm excited," Toledo said. "Hopefully I'm one of those they give a reprieve."

The deportation net swept up the 21-year-old Chabot College student in 2010 after police stopped him for driving without a front license plate.

'Caught up'

Immigrant advocates hoped when the reviews were announced a year ago that many more illegal immigrants such as Toledo would be helped.

"Be it 1 percent or 10 percent of cases closed, the results are still tremendously disappointing," said Gabriela Villareal of the Oakland-based California Immigrant Policy Center. "We still see hundreds of thousands of people who are part of our communities caught up in the dragnet."

Republicans and other immigration control proponents believe the opposite: Too many illegal immigrants are getting a pass, they say.

## Review finding few immigrant deportation cases to set aside

Having a **case set aside** is not a path to citizenship. Administratively closing low-priority **cases** puts illegal **immigrants** in legal limbo -- they can stay here but not get green cards.

Closing low-priority **cases** helps immigration agents more quickly remove the greatest threats to public safety, Christensen said.

The new approach, she said, is "dramatically changing the composition of the immigration courts and helping to prevent future backlogs."

Most of the people getting reprieves are longtime U.S. residents with family and community ties and clean records, or students brought to the country when they were young. Toledo, a San Leandro High School graduate, came to the U.S. when he was 8 and is related to several U.S. citizens, from his grandfather on down. He believes he fits the bill.

ICE has been seeking to **deport** him to Mexico since Hayward police pulled him and his girlfriend over one afternoon in 2010 near the college campus.

He was behind bars for several days and then taken to an Alameda County jail, which handed him over to ICE. Such pickups have become more common since 2010, when all Bay Area counties joined the federal Secure Communities database, which reports every arrest to immigration agents.

Record **deportations**

The dragnet contributed to a record 396,906 **deportations** last year. Until recently, ICE agents and attorneys rarely made distinctions among **deportation** candidates.

With the focus on discretion, ICE has closed or dismissed 4,363 **cases**, just less than 2 percent of the total **reviewed** as of May 29.

Almost as many -- 3,998 people -- declined offers of relief, which can mean they are seeking to win their immigration **case** with its chance at a green card and citizenship. The alternative is the limbo of a **case** that always can be reopened.

More than 12,000 people offered a dismissed or closed **case** either are undergoing a background check or haven't decided whether to accept. That group brings the total percentage offered a reprieve to 9 percent, according to the new statistics. **Deportation** relief

Here are the main categories of the 4,363 illegal **immigrant cases** in the U.S. dismissed or closed in the year-old federal "prosecutorial discretion" program.

3,302: Individuals with a long-term presence in the United States, have an immediate relative who is a U.S. citizen and have compelling ties and contributions to the United States.

303: Children who have been here for more than five years and are either in school or have completed high school.

290: Individuals who came to the United States when they were younger than 16, have been in the United States for more than five years, have completed high school and are in or have completed higher education here.

173: **Immigrants** deemed very low enforcement priority.

Refused to accept dismissal

3,998: Individuals who have declined offers of prosecutorial discretion, often because they believe they have a better chance at legal residency.

Source: U.S. Immigration and Customs Enforcement

## Graphic

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## Review finding few immigrant deportation cases to set aside

Ulises Toledo Perez, a 21-year-old Chabot College student, shows where he was pulled over outside the Chabot College campus in Hayward, Calif., and placed into deportation proceedings in 2010 for driving without a front license plate on Friday, June 8, 2012. As San Francisco's immigration court begins its second week of weeding out low-priority deportation cases, Perez, who moved to California from Mexico City with his parents when he was 8 years old, is one of thousands hoping to be deemed a low priority. (Laura A. Oda/Staff)

Ulises Toledo Perez, a 21-year-old Chabot College student, shows where he was pulled over outside the Chabot College campus in Hayward, Calif. and placed into deportation proceedings in 2010 for driving without a front license plate on Friday, June 8, 2012. As San Francisco's immigration court begins its second week of weeding out low-priority deportation cases, Perez, who moved to California from Mexico City with his parents when he was 8 years old, is one of thousands hoping to be deemed a low priority.(Laura A. Oda/Staff)

Ulises Toledo Perez, a 21-year-old Chabot College student, shows where he was pulled over outside the Chabot College campus in Hayward, Calif. and placed into deportation proceedings in 2010 for driving without a front license plate on Friday, June 8, 2012. As San Francisco's immigration court begins its second week of weeding out low-priority deportation cases, Perez, who moved to California from Mexico City with his parents when he was 8 years old, is one of thousands hoping to be deemed a low priority.(Laura A. Oda/Staff)

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