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8 ALBERTO LUCIANO GONZALEZ TORRES

9 UNITED STATES DISTRICT COURT

10 SOUTHERN DISTRICT OF CALIFORNIA

11 ALBERTO LUCIANO GONZALEZ
12 TORRES,

Plaintiff,

13 vs.

14 U.S. DEPARTMENT OF
15 HOMELAND SECURITY; U.S.
16 CITIZENSHIP AND IMMIGRATION
17 SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
U.S. CUSTOMS AND BORDER
PROTECTION; Does 1-10, inclusive,

18 Defendants.

Case No. 17 CV 1840 JM(NLS)

**PLAINTIFF'S EX PARTE
APPLICATION FOR LEAVE TO
FILE LETTER ALERTING THE
COURT OF NEWS THAT IS
PERTINENT TO CONCERNS
EXPRESSED BY THE COURT AT
THE HEARING ON PLAINTIFF'S
MOTION TO MODIFY
PRELIMINARY INJUNCTION
[Docket No. 13]**

Hearing: December 12, 2017

Time: 1:30 p.m.

Courtroom: 5D

Judge: Jeffrey T. Miller

1 Plaintiff Alberto Luciano Gonzalez Torres (“Mr. Gonzalez”) respectfully
2 seeks leave of the Court to file a letter alerting the Court of news that is pertinent to
3 concerns the Court expressed at the December 12, 2017 hearing on Plaintiff’s
4 Motion to Modify the Court’s September 29, 2017 Preliminary Injunction Order.
5 This application is supported by the Declaration of John C. Ulin, the proposed
6 letter, and the news articles referenced therein and attached thereto.

7 At the hearing, the Court expressed concerns about the potential adverse
8 consequences, including immigration detention and removal from the country, that
9 Mr. Gonzalez might face if his DACA status is allowed to lapse pending the
10 Court’s opportunity to review whether Defendants’ current rushed termination
11 process complies with the Court’s Order, the DACA SOP, and the Administrative
12 Procedure Act. Defendants could provide no assurance that Mr. Gonzalez would
13 not be subject to such adverse action. And the day after the hearing, a news report
14 explained that just this week ICE has placed a Pennsylvania DACA recipient in
15 immigration detention after his DACA status lapsed due to Postal Service errors
16 with his renewal application, even though he was awaiting a letter from USCIS
17 inviting him to re-submit his renewal application. *See Dara Lind, Exclusive: The*
18 *Postal Service Kept Him From Renewing His DACA. Now He’s In Immigration*
19 *Detention*, Vox.com (Dec. 13, 2017), available at
20 <https://www.vox.com/2017/12/13/16772630/daca-expire-ice-arrest-deport>.

21 This report was not published until December 13, 2017 at 1:00 p.m. PST,
22 and Plaintiff’s counsel learned of it at approximately 11:30 p.m. PST. Mr.
23 Gonzalez therefore respectfully requests that the Court consider the attached short
24 proposed letter, attaching the report and briefly addressing the Court’s concerns,
25 which are far from hypothetical.
26
27
28

1
2 Dated: December 14, 2017

Respectfully submitted,

3 /s/ John C. Ulin

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CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2017, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document should automatically be served on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ John C. Ulin

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9 **UNITED STATES DISTRICT COURT**

10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 ALBERTO LUCIANO GONZALEZ
12 TORRES,

Plaintiff,

13 vs.

14 U.S. DEPARTMENT OF
15 HOMELAND SECURITY; U.S.
16 CITIZENSHIP AND IMMIGRATION
17 SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
U.S. CUSTOMS AND BORDER
PROTECTION; Does 1-10, inclusive,

18 Defendants.

Case No. 17 CV 1840 JM(NLS)

**DECLARATION OF JOHN C.
ULIN IN SUPPORT OF
PLAINTIFF'S EX PARTE
APPLICATION FOR LEAVE TO
FILE LETTER ALERTING THE
COURT OF NEWS THAT IS
PERTINENT TO CONCERNS
EXPRESSED BY THE COURT AT
THE HEARING ON PLAINTIFF'S
MOTION TO MODIFY
PRELIMINARY INJUNCTION
[Docket No. 13]**

Hearing: December 12, 2017

Time: 1:30 p.m.

Courtroom: 5D

Judge: Jeffrey T. Miller

1 I, John C. Ulin, declare:

2 1. I am an attorney licensed to practice law in the State of California and
3 am admitted to practice in this Court. I am a partner at Arnold & Porter Kaye
4 Scholer LLP, counsel for Plaintiff Alberto Luciano Gonzalez Torres (“Mr.
5 Gonzalez”) in the above-captioned action. I am familiar with the facts and
6 circumstances surrounding this action, and I could and would testify competently
7 as to the matters set forth below.

8 2. Plaintiff’s counsel informed Defendants’ counsel on December 14,
9 2017 via voicemail that Plaintiff would be filing an ex parte application for leave
10 to file a letter with the Court regarding news pertinent to concerns expressed by the
11 Court at the parties’ December 12, 2017 hearing on Mr. Gonzalez’s Motion to
12 Modify the Court’s Preliminary Injunction.

13 3. The report that forms the basis of this request was published the day
14 after the hearing, on December 13, 2017, at 1:00 p.m. PST. Plaintiff’s counsel
15 learned of the report at approximately 11:30 p.m. PST that same day.

16 4. Attached as Exhibit A is a true and correct copy of Dara Lind,
17 *Exclusive: The Postal Service Kept Him From Renewing His DACA. Now He’s In*
18 *Immigration Detention*, Vox.com (Dec. 13, 2017), available at
19 <https://www.vox.com/2017/12/13/16772630/daca-expire-ice-arrest-deport>.

20 5. Attached as Exhibit B is a true and correct copy of Jenny Jarvie,
21 *Deportations of 'Dreamers' Who've Lost Protected Status Have Surged Under*
22 *Trump*, L.A. Times (Apr. 19, 2017), available at
23 <http://www.latimes.com/nation/la-na-daca-deportations-20170419-story.html>.

24 6. Produced below is a Table of Contents of the above exhibits.
25
26
27
28

Exhibit Tab	Exhibit Description	Exhibit Tab Page
A	Dara Lind, <i>Exclusive: The Postal Service Kept Him From Renewing His DACA. Now He's In Immigration Detention</i> , Vox.com (Dec. 13, 2017)	1
B	Jenny Jarvie, <i>Deportations of 'Dreamers' Who've Lost Protected Status Have Surged Under Trump</i> , L.A. Times (Apr. 19, 2017)	9

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 14th day of December, 2017, in Los Angeles, California.

/s/ John C. Ulin



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December 14, 2017

VIA ECF

The Honorable Jeffrey T. Miller
United States District Judge
Southern District of California
Edward J. Schwartz U.S. Courthouse
940 Front Street, Room 5190
San Diego, California 92101-8917

**Re: *Gonzalez Torres v. DHS et al.*, No. 3:17-CV-1840
December 12, 2017 Hearing on Plaintiff's Motion to Modify Preliminary
Injunction [Docket No. 13]**

Dear Judge Miller:

Plaintiff Alberto Luciano Gonzalez Torres thanks the Court for devoting significant time and attention to the important question of whether it will enjoin the termination or expiration of his DACA status and benefits, pending judicial consideration of whether Defendants' current effort to terminate his status through the Notice of Intent to Terminate ("NOIT") process complies with the DACA Standard Operating Procedures and the Administrative Procedure Act. With the Court's indulgence, we write to briefly address a few of the concerns that Your Honor raised at Tuesday's hearing.

First, the Court expressed concern with the pace of Defendants' effort to terminate Mr. Gonzalez's DACA status. It questioned the government's choice to adjudicate an NOIT within the six days before Plaintiff's DACA status was set to expire anyway on December 22, 2017, and the decision to issue a new NTA immediately after Plaintiff filed his reply brief on this Motion to Modify. The Court asked whether, in the event of a decision to terminate or expiration, Mr. Gonzalez might be detained by ICE or CBP, removed from the United States, or otherwise have the removal action that ICE initiated last week proceed apace, before this Court had the opportunity to determine whether he had a "righteous" objection to the termination process under the APA. The government could give the Court no reassurance that Mr. Gonzalez would not be at risk of those precise consequences in the immediate aftermath of a termination decision or expiration. And yesterday, we learned that at least one DACA recipient whose status lapsed through no fault of his own now finds himself in immigration detention. *See* Dara Lind, *Exclusive: The Postal Service Kept Him From Renewing His DACA. Now He's In Immigration Detention*, Vox.com (Dec. 13, 2017) (attached as Ex. A and available at

<https://www.vox.com/2017/12/13/16772630/daca-expire-ice-arrest-deport>). Like Mr. Gonzalez, Osman Enriquez applied for DACA renewal in the September 5 to October 5 window provided by DHS's DACA rescission, but USCIS received his application late due to errors by the Postal Service that impacted many renewal applicants. USCIS ultimately agreed to notify people affected by those errors of the chance to re-submit their applications, but has yet to do so. In the meantime, Mr. Enriquez's DACA expired, and on Monday ICE officers placed him in immigration detention "after a routine traffic stop" for expired vehicle registration. This story presents a stark example of the serious risks of precipitous adverse action that DACA recipients face once their status is terminated. Indeed, it is consistent with DHS's own data, which show that removals of people whose DACA status was terminated tripled in the first two months of the current administration. See Jenny Jarvie, *Deportations of 'Dreamers' Who've Lost Protected Status Have Surged Under Trump*, L.A. Times (Apr. 19, 2017) (attached as Ex. B and available at <http://www.latimes.com/nation/la-na-daca-deportations-20170419-story.html>).

In short, this Court is right to be concerned about the potential for grievous adverse consequences for Mr. Gonzalez once his DACA status is terminated or expires, including Immigration Court litigation, detention, and even removal. Indeed, the rush by USCIS to terminate Mr. Gonzalez's DACA status and the rush by ICE to issue an NTA make clear that such a scenario is on the government's mind. That is the essential reason that Plaintiff asks the Court to enjoin the termination or expiration of his DACA status at least until it has had the opportunity to review the lawfulness of Defendants' termination process.¹

Second, this Court absolutely has the power to modify its Order of September 29, 2017 to assure that it prevents the harms that flow from Defendants' adjudicated APA violations—*i.e.*, the risk that Mr. Gonzalez will suffer adverse immigration consequences and the loss of employment authorization—because, as noted above, those harms are continuing. As the Ninth Circuit has recognized, "where the violation complained of may have caused continuing harm and where the court can still act to remedy such harm by limiting its future adverse effects," the court may do so. *Northwest Environmental Defense Ctr. v. Gordon*, 849 F.2d 1241, 1245 (9th Cir. 1988) (enjoining prospective salmon harvesting practices for the then-future 1989 fishing season to remedy the effects of past violations of fishery management plans during the 1986 fishing season). "The fact that the alleged violation has itself ceased is not sufficient to render a case moot[, a]s long as effective relief may still be available to counteract the effects of the violation." *Id.* And "[t]he plaintiff[is] not required [] to have asked for the precise form of relief that the district court may ultimately grant"—at the time the injunction was requested. The court may fashion or modify its order to redress any harm as to which there may still be effective relief. *Id.* at 1244-45. Here, as in *Gordon*, the Court has the power to remedy unlawful conduct that "has present and future consequences," *id.*²

¹ The preservation of Mr. Gonzalez's DACA benefits will not necessarily determine any issues in the Immigration Court. It will be up to the Immigration Judge to decide on the proper course of action based on all the circumstances, including his DACA status.

² While we maintain that these principles should also relieve the Court's concern that it may not address violations related to Mr. Gonzalez's renewal application because Mr. Gonzalez's Complaint may not be broad enough in scope to cover renewal adjudication, the Court need not

Finally, when Defendants acknowledged that, per the terms of the Preliminary Injunction, a decision by USCIS to terminate Mr. Gonzalez’s DACA status would not become effective “until further order of this Court,” the Court suggested that such further order might be a “ministerial act.” Mr. Gonzalez respectfully submits that it would be anything but ministerial. This Court ordered that “Defendants shall fully comply with the DACA SOP should Defendants elect to reconsider Plaintiff’s DACA status[.]” Dkt. 12 at 13. As noted in our briefing in support of this Motion to Modify, there are already significant reasons for concern about whether Defendants are complying with the SOP. The Court’s assessment of Defendants’ compliance with its Preliminary Injunction will necessarily require consideration of whether they have complied with the DACA SOP and, by extension, the Administrative Procedure Act. That process will almost certainly require briefing by the parties, a hearing, and legal analysis by the Court.

For all of these reasons, and as argued in his substantive briefing, Mr. Gonzalez submits that the consideration of Defendants’ compliance with the DACA SOP in connection with their current effort to terminate his DACA status is a serious and potentially complicated matter. Moreover, the risk of non-compliance is increased by the unusual pace at which Defendants seek to adjudicate his NOIT and renewal application. Under these circumstances, the Court should modify its preliminary injunction to prevent the serious harms that could flow from unlawful termination of Mr. Gonzalez’s DACA status—harms that the Court identified in its Preliminary Injunction Order and which the reinstatement of Mr. Gonzalez’s DACA status was intended to prevent. Specifically, the Court should modify the Preliminary Injunction to enjoin the termination or expiration of Mr. Gonzalez’s DACA status and employment authorization, at least until it has reviewed whether Defendants’ pending effort to terminate complies with the DACA SOP and, by extension, the APA.

Respectfully submitted,

/s/ John C. Ulin

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currently reach the renewal issue in order to enjoin the effects of termination pending judicial review of whether the NOIT process complies with the DACA SOP.

EXHIBIT A

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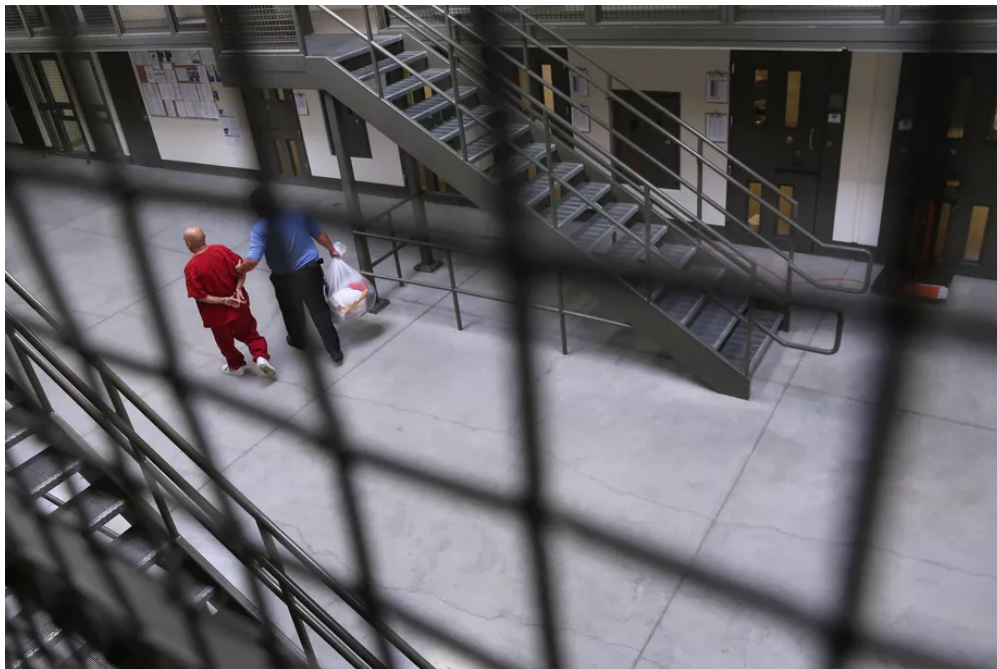
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Legal

Exclusive: the Postal Service kept him from renewing his DACA. Now he's in immigration detention.

Pennsylvania father Osman Enriquez was waiting for a letter telling him to reapply.

By Dara Lind | dara@vox.com | Dec 13, 2017, 4:00pm EST



A former DACA recipient who was waiting to reapply for deportation protections, after his initial application was rejected due to postal service delays, is currently in the custody of Immigration and Customs Enforcement in Pennsylvania, Vox has exclusively learned.

Osman Enriquez, who was picked up by ICE Monday morning after a routine traffic stop, is one of the estimated 12,000 immigrants who have lost their DACA protections since the Trump administration started winding down the program in September.

In theory, these immigrants were given a chance to apply for one last two-year extension of their protections and work permits. But many missed the tight deadline imposed by the administration — just one month from the day they announced the sunset of the program — and **others saw their applications rejected by the government for being late, after languishing for weeks at a United States Postal Service processing center in Chicago.**

Enriquez is among those immigrants. According to the Trump administration, he's supposed to wait to be invited to reapply by US Citizenship and Immigration Services. Instead, he's being put on the road to deportation. (DHS did not respond to a request for comment.)

Enriquez might be the first known case of an immigrant getting detained by ICE after his DACA expired under the administration's new rules. He's almost certainly the first known case of an immigrant getting detained while waiting to reapply for DACA renewal.

His presence there is perhaps the most vivid reminder yet that as Congress drags out what to do about DACA recipients, it will probably be too late for some.

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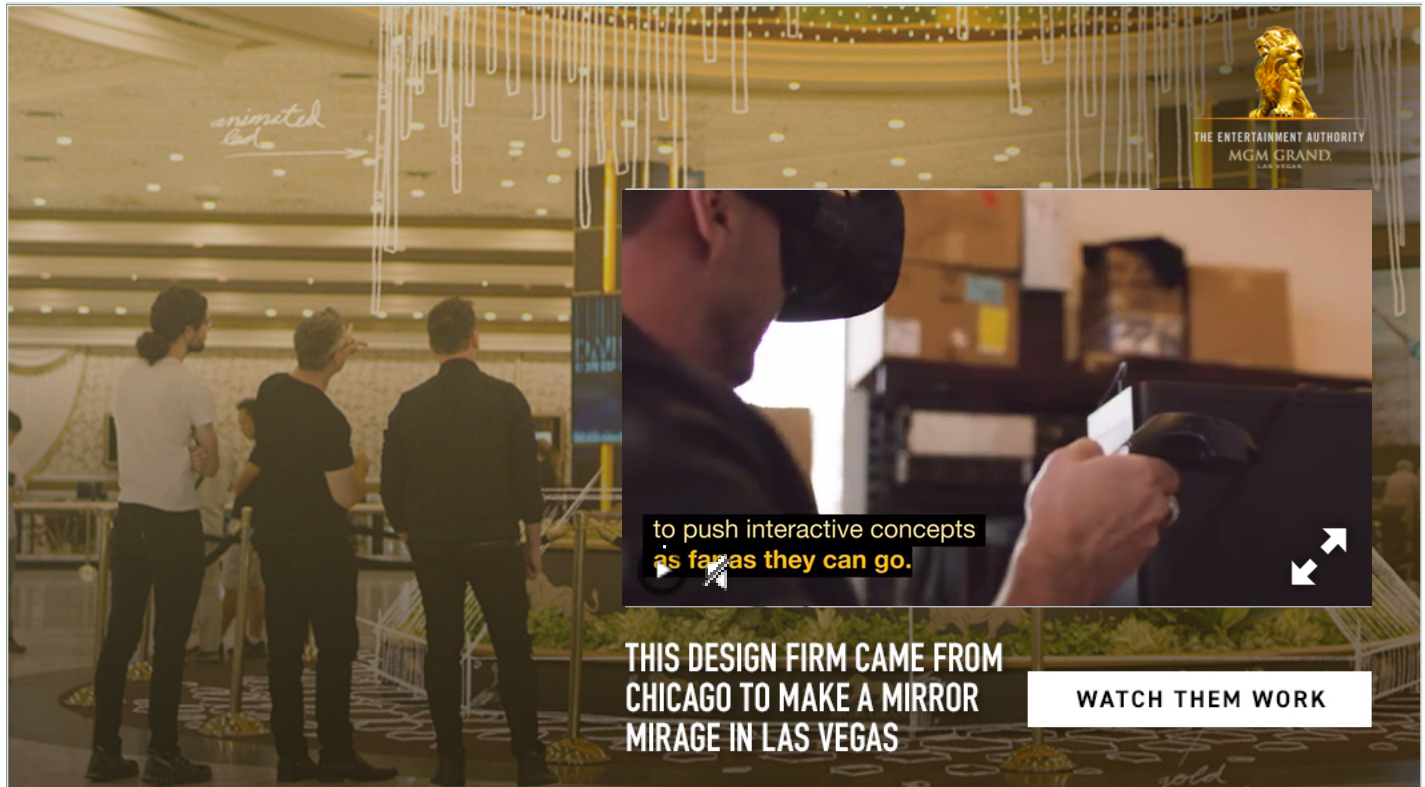
Thousands of immigrants are losing their DACA protections already

Senate Republicans' DACA counterproposal doesn't look like much of a compromise

A typical DACA recipient becomes a detainee

Osman Enriquez is a pretty typical DACA recipient. He's a 27-year-old from Guatemala who graduated from a Lancaster, Pennsylvania, high school and now works in stonemasonry. He was convicted of a "summary offense" (a minor crime) as a juvenile, but it wasn't enough to stop him from qualifying for, and getting, protection under DACA. His fiancée has a green card, and their son, who's not quite a year old, was born in the United States.

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When the Trump administration announced on September 5 that it would end DACA, Enriquez's work permit was set to expire in a little over a month — on October 15. According to the administration, that made him (and 154,000 other DACA recipients whose work permits were set to expire before March 5, 2018) eligible to apply for a two-year renewal of protections — but **only if they got their applications in by October 5**.

Enriquez went to the Lancaster office of immigrant advocacy and legal services organization Church World Service for help with his renewal application. According to **Carrie Carranza** of CWS, his application was mailed September 18. "His application was mailed out at same time as many other DACA applications that have now been approved," she told Vox on Wednesday.

But Enriquez wasn't so lucky. His application arrived at the USCIS service center in Chicago on October 10 — three weeks after he mailed it, and five days after the deadline. It was rejected.

At the time, **Carranza** says, they didn't really understand what had happened; "We told him, 'We're so sorry this happened; you did everything right; it was just a fluke, a debacle, out of your control.'"

It turns out the scope of the “debacle” was beyond anything she could imagine. It is likely that thousands of DACA renewal applications were mailed in advance of the deadline but were slowed down by USPS delays — including many that were received at government dropboxes on October 5 but were rejected because they were not picked up until the next day.

When reports from the **New York Times** and **Vox** highlighted the problem in November, **USCIS reversed itself**, declaring that immigrants whose DACA renewals had been mailed on time would be given the chance to reapply.

In guidance issued at the end of November (and included in the current **FAQs about DACA on the USCIS website**), the government says, “The USPS is working with USCIS to identify DACA requests that were received after the deadline due to USPS mail-service delays” — like Enriquez’s.

“As soon as USPS completes its assessment, identifies such requests, and provides this information to USCIS, USCIS will send affected DACA requestors a letter inviting them to resubmit their DACA request. If you receive such a letter, you will have 33 calendar days from the date of the letter to resubmit your request.”

The FAQ estimates that the Postal Service assessment will be done by “mid-December,” and that USCIS will send invitations to reapply about a week after that.

But in the meantime, Enriquez was in limbo. His work permit had expired, but he still had to work to support his family; his driver’s license had expired, because it was only valid as long as he had DACA, but he still needed to drive to get to work.

On Monday morning — six days before his son’s first birthday — as Enriquez drove down Route 83 to his contracting job, he was pulled over by a Pennsylvania State Police officer. The officer told him his vehicle registration had expired. Enriquez’s fiancée says the family thought they had kept their registration current; since Pennsylvania doesn’t put registration-date stickers on license plates, Carranza speculates that the only way the trooper would have known Enriquez’s registration had lapsed would be if she’d run his license plates when he drove by.

Enriquez was ultimately issued a ticket not for the expired registration, but for his expired driver’s license. But in the meantime, Carranza says, the state police officer had called Immigration and Customs Enforcement to come pick up Enriquez. ICE agents took him to

the York detention center and served him with a notice to appear in immigration court — formally starting deportation proceedings against him.

Two days later, Enriquez is still in detention. Unless something changes, he'll miss his son's birthday on Saturday.

The Trump administration made this inevitable, and only Congress can stop it from getting worse

Advocates and Democrats, extrapolating from USCIS numbers, have estimated that 122 immigrants will lose their DACA protections every day between October 5 and March 5. (That doesn't count the immigrants arrested by ICE despite still having DACA, or whose DACA protections have been stripped from them after an arrest.)



But despite fears that ICE would use the information contained in DACA applications to track down and arrest immigrants, there don't appear to have been any cases (at least, not any known to the public) in which immigrants who have lost DACA after September have actually been detained. Until now.

But what happened to Enriquez is the inevitable outcome of the way the Trump administration wound down DACA. It gave immigrants an unusually short amount of time to apply for renewal, then enforced stricter-than-usual rules about what counted as a timely application. Their current plan to allow some immigrants affected by mail delays to reapply still puts many immigrants at risk of a gap between one work permit expiring and a new one being issued. And during that time, working, driving, and existing in the US put DACA-eligible immigrants at just as much risk of deportation as any other unauthorized immigrant.

You can't understand the current debate in Congress over how and when to help DACA recipients without understanding this phenomenon. Elected Democrats are extremely aware that people are losing DACA every day, and many moderate Republicans also note that the program is less effective the longer it's allowed to wind down. But Republican leadership isn't thinking about the program's efficacy; it's focused on the March 5 "deadline" set by the White House, and sees no need to take action before then.

At present, Democrats are trying to figure out if the urgency of DACA is enough to withhold votes on a must-pass government funding bill days before Christmas — risking a government shutdown — or whether to allow the issue to fall into 2018. If they pick the latter, they'll have to hope that Republicans see the March 5 deadline as a serious deadline, like a government funding bill, and not a “deadline” like funding the Children’s Health Insurance Program (which Congress has allowed to lapse for 73 days and counting).

And in the meantime, Osman Enriquez, and perhaps others like him, will be waiting in a detention cell for Congress to make up its mind.

CORRECTION: This article originally identified the CWS staffer in Lancaster as “Carrie Hussein,” a name she no longer goes by. Her name is now **Carrie Carranza**.

Was this article helpful?  

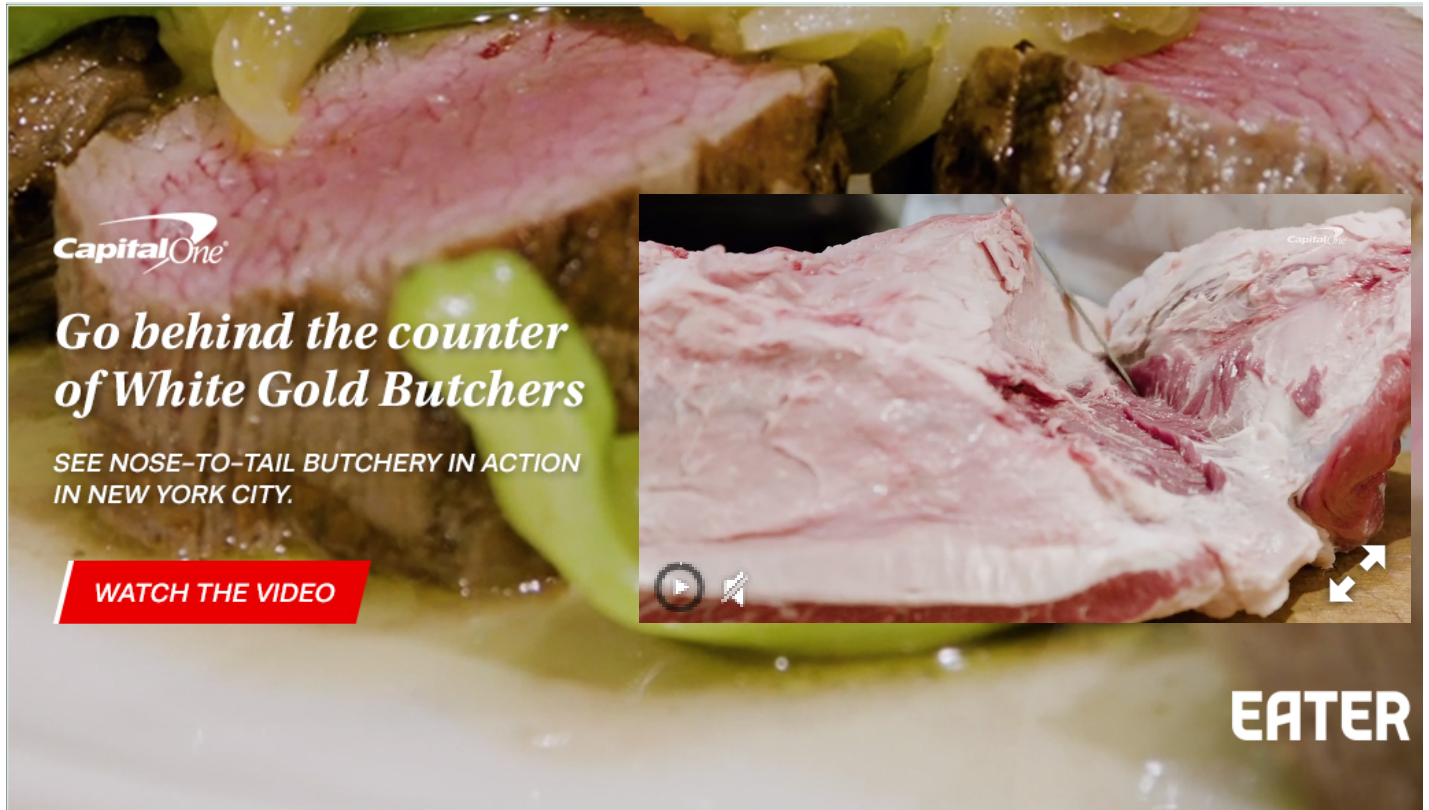
IN THIS STORYSTREAM

Trump administration ends the Deferred Action for Childhood Arrivals (DACA) program

- Exclusive: the Postal Service kept him from renewing his DACA. Now he’s in immigration detention.
- Immigration activists are pressuring Democrats to pass the DREAM Act, even if it means a government shutdown

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EXHIBIT B

Deportations of 'Dreamers' who've lost protected status have surged under Trump



President Trump signs an executive order in January on border security and immigration enforcement. (Pablo Martinez Monsivais / Associated Press)

By **Jenny Jarvie**

APRIL 19, 2017, 4:30 PM

The number of “Dreamers” deported after being brought illegally to the United States as children and losing their protected status because of criminal behavior appears to have soared in the first few months of the [Trump](#) administration.

According to data released this week by the [Department of Homeland Security](#), 43 immigrants whose protection under the Deferred Action for Childhood Arrivals (DACA) program was terminated were deported during the first two months of the Trump presidency, from Jan. 20 to March 25.

That’s a much higher proportion than under [President Obama](#), when former Dreamers were being deported at a rate of about seven a month since the program got underway in September 2012.

President Trump has stated his administration will not target DACA, an Obama-era program that allows immigrants brought into the country illegally as children, who attend school or have graduated, to apply to the

Deportations of 'Dreamers' who've lost protected status have surged under Trump, *NY Times*
federal government for a two-year work permit and protection from deportation. An estimated 742,000 Dreamers have been given protection under the program.

At issue are those former DACA beneficiaries whose protected status was canceled either because of a criminal conviction or gang activity.

Immigrant advocates say the rise in deportations of former Dreamers is likely a result of Trump's executive orders tightening border security and immigration enforcement.

The Obama administration prioritized deportation of immigrants who were deemed a danger to public safety, convicted of a serious crime, a threat to national security or who had recently crossed the border.

"Given the Trump administration's rhetoric and policies, I'm not surprised that more people are being targeted — including individuals who are longtime residents who pose no danger, contribute to our society and economy, and have U.S. citizen families," said Lucas Guttentag, a former senior advisor at the Department of Homeland Security under Obama who now teaches law at Stanford University.

The Department of Homeland Security says its policies on DACA have not changed.

"The grounds for DACA termination have not changed since the inception of the program," Gillian Christensen, acting Homeland Security press secretary, said in a statement. She said many of the former DACA beneficiaries deported this year probably had their protected status terminated before Trump became president.

"Individuals who pose a public safety threat due to their criminal history or gang affiliation are subject to DACA revocation," she said.

Yet it appears clear that those whose DACA protection is terminated are more likely to be a target for deportation now that Trump has set new priorities for enforcement. Under the Obama administration, Guttentag said, someone could have his or her DACA status terminated yet remain a non-priority for removal if not seen to pose a danger or convicted of a serious criminal offense.

"The fact that they abandoned priorities didn't change DACA," Guttentag said. "But if a DACA recipient does something to lose eligibility, that could not make him or her vulnerable."

Under Trump's Jan. 25 executive order, immigrants in the country illegally can be deported if they are merely charged with a crime, as opposed to having a criminal conviction. All 43 former Dreamers deported since Trump's inauguration had been convicted of crimes or found to have gang affiliations, Christensen said in an email. She declined to provide any breakdown of the crimes that prompted their DACA status to be revoked.

More than 670 former Dreamers currently face removal proceedings, with 90 detained in custody, according to Homeland Security data.

The deportation figures released by the Homeland Security Department show that while 43 former DACA immigrants were deported from Jan. 20 to March 25, 20 were allowed to remain in the country.

While a total of 365 were deported during the four-plus years the DACA program was carried out under Obama, more than 500 were released from immigration custody.

Jessica Vaughan, director of policy studies at the Center for Immigration Studies, a Washington-based research institute that advocates stricter immigration policy, cautioned that it is too early to know how deportations will proceed under Trump.

“We have years of data on Obama policy and only weeks of data on Trump policies,” she said. “But it does appear if you have DACA and it was revoked, you are more likely to be deported under the Trump administration than the Obama administration.”

In addition to deporting former Dreamers with criminal convictions, Vaughan said she would not be surprised if the new administration also starts going after those who have not renewed their DACA status or are found to have obtained it fraudulently.

“The Obama administration put a lot of restraints on ICE,” Vaughan said, referring to the Immigration and Customs Enforcement agency. “The Trump administration is starting from the standpoint that anyone here illegally is potentially subject to deportation. ICE officers are not going to be turning the other way.”

ALSO

[A 23-year-old 'Dreamer' sues the Trump administration over his deportation to Mexico](#)

['Dreamer' threatened with deportation in Seattle is released after weeks of detention](#)

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