

Season 3, Episode 3

Amanda Frost: Welcome to Unsettled. I'm Amanda Frost.

Alex Aleinikoff: And I'm Alex Aleinikoff.

Donald Trump promised a million deportations a year. He said his administration would be removing from the country the worst of the worst.

We know that, like so many things Donald Trump says, these are false boasts. While deportations have ramped up, we now know that the majority of immigrants being deported have not been convicted of serious crimes and are not dangerous to their communities. Recently, ICE's enforcement strategy seems to have shifted.

After the nationwide public outcry and opposition to ICE's actions in Los Angeles and Chicago, and most notably Minneapolis, ICE has moved away from neighborhood and workplace sweeps to targeting individuals for arrest and deportation. This is under the new leadership of Mark Wayne Mullen, who replaced Kristi Noem as Secretary of DHS, and Tom Homan who stepped in for Greg Bovino, who was heavily criticized for his actions in Minneapolis that terrorized the community and led to two shooting deaths at the hands of the border patrol.

To get a better understanding of what is happening on American streets and in American communities we're speaking today with Jazmíne Ulloa, a reporter at The New York Times and author of *El Paso: Five Families and 100 Years of Blood, Migration, Race, and Memory*, published this March. Congratulations on the book, Jazmíne.

With several colleagues at The New York Times, Jazmíne has written a recent article titled “A Quiet ICE Surge Unfolded ‘Everywhere All at Once’ This Summer.” Jazmíne, welcome. We're so glad you could be with us today.

Jazmíne Ulloa: Thank you for having me. I really appreciate the opportunity.

Alex Aleinikoff: I wanna start with the increase in arrests. You note in your article that there really has been a step-up in the number of people arrested. What can you tell us about that?

Jazmíne Ulloa: Yeah. So we've seen arrests by Immigration and Customs Enforcement this summer soar to record heights since the start of the Trump administration. They topped 43,000 in June, more than 49,000 in July, and nearly 51,000 in August–at the same time that officials were cutting or narrowing the pathways to legal residency in the United States and expanding the pool of people eligible for deportation.

Alex Aleinikoff: I mentioned at the top here the change in leadership and change in strategy, and your article goes into depth on these issues. Can you tell us what the change has been and how it came about?

Jazmíne Ulloa: Yeah, so I landed in Minneapolis the day that Rene Good was shot and killed, and I spent the next few weeks, in freezing temperatures, trailing ICE officers, following citizen observers, organizers on the ground.

I was talking to immigrants, who were sometimes in businesses and very startled. And what I remember the most from that time were just the sound of whistles, the sound of tear gas, people chanting on the streets. I just remember it just being very loud out there. It was such a stark contrast from when I landed in Houston this last summer after Lorenzo Salgado Araujo, who was a construction worker, was shot and killed on the streets of Houston.

His death stemmed from a traffic stop. ICE had tried to stop the van that he was driving in. He was driving some of his construction workers to their job site further north in the city, and it resulted in conflicting accounts between what ICE said happened and what the witnesses there observed. But what I remember in covering the impact of that death was just how quiet it was.

People were coming to his memorial, there just like in Minneapolis where these memorials had sprung up for Rene Good and Alex Preti, there was a memorial for Lorenzo in the same street corner where he had died, but it was a very quiet morning. It was in a community that was predominantly Latino, a historic Latino barrio in Houston. And I was doing the same thing. I was talking to organizers, I was out in the community talking to immigrant workers, and they were still describing this, what sounded like this slow-moving crisis. Just like in Minneapolis, people couldn't leave their homes. They were relying on neighbors for groceries and school supplies. Some are taking their US born citizen children to school. And so it was the loudness and the quietness I couldn't let go of. And so we started trying to tackle that in this project that we did. How do we capture how these arrests are unfolding across the United States? And what we found was that this next wave, this next escalation of arrests happened quietly. Unlike these

earlier high-profile raids that drew thousands of protesters into the streets of Chicago, Los Angeles, and Minneapolis, the surge in arrests in June, July, and August was captured, mostly by grainy security camera footage, neighbors recording from behind cracked blinds or inside their own homes or at airports. And that even as we weren't getting these loud scenes, federal agents really were appearing in nearly every corner of daily life, carrying out operations at hospitals and airports, outside suburban schools, along construction sites and truck stops, and that they were fanning really all across the country from these coastal cities in Maine and desert towns in Arizona to these Latino neighborhoods in Austin and Houston all the way down to the southern borderlands.

Amanda Frost: So that raises the question that I had reading that really powerful article, which I should say for our listeners also, you should read and also has some video embedded in it to show you some of these scenes. But it really raises the question for me, you said it's across the country, but they're obviously picking and choosing the places in which the ICE officers arrive and start arresting people. And so my question is, do you know how they're choosing those spots, those places? Are they trying to choose communities or neighborhoods where they think there won't be a reaction? Do you know if they're focusing on red states versus blue states, rural versus urban?

Jazmíne Ulloa: Yeah, so we collected videos from more than 55 incidents across the country, and we were really looking for these cases that were really emblematic of these larger trends we were seeing.

We were really trying to get an in-depth look of how they went down. And what we discovered is like the numbers show, is that it was pretty diffuse. So it was all over the country. So in Republican led states like Texas and Florida where the swell was the strongest, they really amplified their reach through these partnerships with sheriffs and state highway patrol officers.

In Democratic strongholds they managed to intensify activities even in really blue cities, right? Austin and Houston despite laws that were meant to restrict them. And what we were finding, in speaking with current and former law enforcement officers is that a couple of things were at work here. There was this infusion of federal dollars. There's this new technology that allows them to go after people; license plate readers have become very crucial to their operations. And at the same time, there is this willingness, especially in these rural areas, to engage in these local partnerships.

There's incentive for state police departments, local police departments, local sheriffs to participate in these agreements that allow them to become deputized officers of ICE. And that really allows ICE to extend its reach. And so that has made the dragnet more decentralized. And because it's more decentralized, it has attracted less attention.

Amanda Frost: And your article described how these arrests were being carried out as people were going about their everyday routines. They were going to soccer matches or leaving church on a Sunday or having a beverage at a cafe even sometimes outside of polling locations, but how are they picking the individuals they're targeting? Do you have a sense of, is it that these

people had been arrested in the past or convicted of crimes, or were they people that had overstayed their visas? And did they ever make any mistakes that you saw or heard about?

Jazmíne Ulloa: Yeah, so and I think that's maybe changing in recent days, but when we were looking into the surge that happened over the summer, ICE officers said these were more targeted operations, that they were really going after people with crimes. But what the data shows is that most people were not convicted of crimes.

And ICE also says even though they're going into these locations or looking for specific people in these targeted operations, that they will arrest anybody who's in the vicinity who has violated civil immigration laws, these col- collateral arrests. So what we were seeing in speaking with a lot of residents, whether it was immigrant rights organizers who were tracking these or just regular everyday people who happened to witness some of these arrests, what we're seeing is that many of them did not have criminal records or convictions.

They just happened to be what they would say at the wrong place at the wrong time. It's having a huge impact on communities. I spoke with a white business owner who said his business is predominantly Latino immigrants–Roger Hansen. He's the owner of the Little Big Load Laundromat in Madison, Wisconsin. And he happened to see these arrests on his security footage, and he was just so disturbed by the violence of one of those arrests that occurred inside his store that he decided to release it to the press. He was very troubled by how much his business had suffered because of it. He said sales dropped within 50% the next day and that they hadn't really quite recovered. So I think there's a lot of people feeling the impact of these arrests now.

Amanda Frost: I was really struck by one man you described in the story, an immigrant from Turkey who had come legally to the United States on a short-term visa. He said he'd applied to extend that visa and that he was waiting for a decision, and then in the meantime, had married a US citizen, which would potentially, anyway, make him eligible for a green card. All of which would suggest to the person reading the story this person was not an undocumented immigrant, not unauthorized, and not subject to detention.

And yet, the ICE officers in the story said, "No, we view anyone who's overstayed a visa, even if they've applied for a new one and are awaiting a decision, to be unauthorized." I'm curious as to whether that is the policy, whether many people are in that situation? It's certainly not unusual to apply to extend a visa or change a visa while you're in the US, so that strikes me as a fairly shocking view of the law, but I'd be curious what you learned about that.

Jazmíne Ulloa: I know. And ICE told us that as they said in their statement to us that a pending application did not give him legal status, and we've heard that from the agency time and time again. And we've seen these types of cases over and over again. I mean, we've seen everything from US citizens to DACA recipients to people under temporary temporary protected status, which is a temporary humanitarian program for people from troubled nations to stay in the

United States for up to 18 months at a time. They've had work permits. Their TPS has not expired and still they become entangled in these operations.

I spoke with two people who had TPS status, and they were from El Salvador, and it hadn't expired, but they were held anyway for a brief amount of time because some of the officers on the ground were unclear about the status, and some of them saw it as that they weren't here with authorization even though they were.

So that's, it's, I think it's a case by case basis. Some officers are more knowledgeable than others about the type of humanitarian status. We're seeing a lot of new ICE recruits on the streets who don't have a lot of training based on the interviews that we conducted. And that's why e- even US citizens are getting entangled in these arrests.

Alex Aleinikoff: As you interviewed these people around the country, what did they tell you happened to their children? What did the families say when a member was taken off, arrested, and detained? What impact did that have on the families?

Jazmíne Ulloa: It's had a tremendous impact on families. Many Latino and immigrant families live in mixed status families, so people have varying immigration status. There's US citizens in the family, there's people with legal residency, there's people with no documentation at all. And so that can really wear on family members. Sometimes families had to leave their children behind with other relatives. Many of the families I've spoken with actually already have emergency plans for these types of situations. Sometimes they'll have relatives or neighbors who can pick up their children from school if anything were to happen. I've heard it over and over described as a crisis in these immigrant communities or as a second pandemic for a lot of families. They're having to go to church virtually. They're having to take their immigration court check-ins virtually because they're afraid to get stopped in these locations even though some of them may have temporary protection status or limited legal residency. They're just not sure that they will be believed because there have been people taken in who have these legitimate documents and still have been detained.

Those warnings are flying widely on, on social media. In Houston I spoke with immigrant workers who check their phone every day before they go to work. They have influencer sites, and check ICE activity before they even get in the car. So it's really changed a lot of people's routines. In the story, we spoke to a family from Salt Lake City where there was a very dramatic arrest. They had tried to detain the father at a gas station and they followed him all the way home and made their way into his house as his 15-year-old was present, and you can hear the cries of the son in the video. And later his sister told us that he had been very depressed in the days after, watching his father taken away in these black- tinted SUVs, running down the street trying to helplessly stop him. And his sister said he just hadn't been the same after that. And again, that's a story that echoes throughout many of these arrests across the country.

Amanda Frost: I'm curious about where these arrestees are being taken. I know that often they're moved around to different jurisdictions, and there's also been recent reports that ICE is

no longer making available to families the database that allowed people to track where those arrested were being taken.

So anything you know about where these individuals are being held and if their families know where they are?

Jazmíne Ulloa: All of these individuals were taken to holding facilities and detention centers across the country. There was one woman who remains held without bond in Kansas, and she was arrested with her seven-year-old son in the car. It was her and the father of her son who were driving on a Saturday morning. And the father of her son told us that she had been violently arrested, her face had been shoved into her lap as she was put in the vehicle, that she bit an officer as they drove her away. And so that incident has kept her from release. There were another two women in Florida who were arrested in a hospital after a crash on the highway. They've since been deported to their native country.

I believe most of them remain detained. That's the other thing that the administration has been doing, is making it harder for people to be released on bond, and it's fast-tracking cases in the courts right now. So it's making it harder for people to make their claims and fight their claims in court

Amanda: Yeah, and it looks like the Supreme Court will hear question about the degree to which people are eligible for bond probably this term we'll get a decision on that. You mentioned several times different communities and advocates that were mobilizing in response to these arrests. On the other hand, you also mentioned that there had been a lot less visibility to these arrests as compared to the ICE activities in Minnesota. So I just wonder if you could speak a little bit to the activist response to those who are trying to protect their community or their neighbors. Have they coordinated with each other? Did you see evidence that they were trying to figure out what was going on and protect those who either have a legal claim to stay or who have families here and deep roots here?

Jazmíne Ulloa: Yeah. So immigrant rights groups and these rapid response networks that have formed really since the first Trump administration and have been, getting wider and bigger and more diverse I'd say too. There's just a lot more people that are interested in the issue of immigration and what's happening in their communities are continuing to assemble and organize and coordinate, but they describe a state of crisis really within their organizations. There's just too many incidents to respond to, and it's very difficult in some states to get from place to place. It's not like Minneapolis, which is a much smaller city where it was easy for people to quickly assemble and gather and take video from all angles.

In some places, in rural Iowa, in rural Texas, it's hard. By the time a call comes into the dispatch center, volunteers get dispatched. By the time they arrive, sometimes there's nothing left to record; and so it's really difficult for these groups to know who exactly is getting arrested where, and what's happening to people. And this was another trend that we saw throughout the arrests

was that ICE was releasing very little information about who was being taken, and so that adds another layer of distress in already distressed communities.

Alex Aleinikoff: Jazmine, this is such an important article I think talking about something that's actually come off the front pages of most newspapers, and we've gone back to business as usual, but you show us that's not the case at all. Are you working on some other stories that are coming out in the future, you and your colleagues? Will there be more on this? I hope so.

Jazmíne Ulloa: Yes, definitely, definitely. It's a challenging job right now trying to capture the broader systematic changes that are transforming the courts, transforming immigration enforcement while at the same time, remembering that these are human stories and trying to really capture the human impact of what's happening. So it's like a constant balance. And we're hearing of cases every day of people either getting stopped at airports or parks, and it's just impossible to cover each and every case.

Alex Aleinikoff: Jazmine, thank you so much for being with us today, and congratulations to you and your colleagues on the reporting and to you on your new book. And thanks for keeping us so well informed on these issues.

Jazmíne Ulloa: Thank you. Thank you for having me.

Alex Aleinikoff: Amanda, that conversation just, I got a knot in my stomach thinking about what she's describing. I mean, we all knew about these awful, what were called area operations of bunches of border patrol or ICE officers moving into a parking lot or a neighborhood or somewhere and just asking people for papers and arresting them. And Minneapolis happened, and the absolute horrors in Minneapolis, and the community rose up. And we thought something had changed. And it had changed. It's gotten worse in a way. I mean, it's gone undercover. More people are being arrested now than before. We hardly hear about it. It's being done in a very clever way of targeting some individuals and picking up other people near them who may be without documents. And we're kinda just letting it go. I'm just appalled by this story and what she's written.

Amanda Frost: Yes. I mean, I found Minneapolis, the reaction of that community uplifting in the sense that it showed you what a community could do to protect their neighbors and the people who lived among them. And it also showed that at least some ICE officers were out of control, using extraordinary violence, and while I'm sorry to say it, it was killing a citizen, I think several citizens, that woke the public up.

And as you said, now the response has been not to stop engaging in this behavior, but rather to do it in a way that avoids the community response and the public reaction, which is antithetical to the way a democracy should work not to mention the way the police should work. We should be aware of what they're doing and aware of their tactics, and we should have a chance to weigh in as a community the way that Minneapolis did. And all I can say is that the reporting of The New York Times is essential to bringing the public's attention to this.

Alex Aleinikoff: Yeah. I think the most chilling sentence in what she said was that this has become the new pandemic for these communities. They're just not going out. They're just staying locked in their homes, fearful that at any moment they could be arrested, and even some people perfectly legally here could be arrested and have to go through a process to be released.

Amanda Frost: What would you do if you lived in one of these targeted areas, if you were the kind of person that would be targeted based on skin color or accent or language or what have you? And I was reminded of the, I think it was from Minneapolis, a photo of children being sent to school with their passports in these clear plastic bags around their necks. The fear you would have, even if you have a legal status, a right to remain, like temporary protected status, which gives you the right to remain until it's taken away. Somebody who's applied for an extension of a visa is, under the Immigration and Nationality Act without other qualifications, they're allowed to stay.

So the question is, if you're one of these people, how do you go out of your house? Because you know the people enforcing this, they're not lawyers. They're not steeped in immigration law. They tend to be young. And who are they going to look to enforce, and what are the pressures on them to meet a quota? Reading the story, it just made you feel like if you lived in that community, the wisest choice would be to stay inside regardless of your status if you were likely to be targeted.

Alex Aleinikoff: I think the solution here, and I guess I say this every podcast, is legalization for many of these people. And hopefully if there's a new Democratic Congress, that will be pressed, and eventually we'll get to the point where these millions of people who have been contributing to the community and are full-fledged members of a community can finally have a little more peace and security and stability in their lives. But it's gonna be a while.

Amanda Frost: One more influence potentially on the future here would be the effect it has not just on these individuals and their families, but also on the broader community. We heard Jazmine tell us about businesses that were seeing far less business because people weren't leaving their houses. Obviously , when you lose workers and it becomes more expensive to hire, all the prices go up. So to the degree that this has an economic effect that is felt more broadly than the individual effect of having family members arrested, that may also be an influence in future elections and future decision-making by political leaders.

Alex Aleinikoff: We're gonna keep talking about this on *Unsettled* We're not gonna let this go under the radar. But yeah, it was really great to hear from Jazmine. ‘Til next time, friend.

Amanda Frost: It was great to talk with you, Alex.