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November 22, 2019

Law School News

Tough Talk on Asylum

Honored as keynote at a Lawyers Weekly Newsmaker Reception, Professor Deborah Gonzalez pulls no punches on immigration policies at the southern border.



Professor Deborah Gonzalez (left) teaches at RWU Law's Immigration Clinic in Providence.

November 22, 2019

Michael M. Bowden

The Bravo Bistro in downtown Providence was packed as Professor Deborah Gonzalez – director of the Immigration Law Clinic at Roger Williams University School of Law – keynoted a Newsmaker Reception, warning of the increasingly acute crisis in asylum policy at the United States border with Mexico.

Meanwhile, her colleagues praised Gonzalez's contributions to the field, for which the event sponsors – including *Rhode Island Lawyers Weekly*, the Rhode Island Women's Bar Association and the Hispanic National Bar Association – chose Gonzalez (RWU '04, RWU Law '07) for the honor.

“Professor Gonzalez is admired and respected not just within the confines of the law school, but throughout the legal community at large,” said Professor Andrew Horwitz, RWU Law’s Assistant Dean for Experiential Education. “She is widely recognized as one of the leaders in the immigration law field in Rhode Island, known for her diligent, forceful and passionate advocacy for her clients.”

Horwitz added, “Debbie is incredibly generous with her time, extending herself regularly to organizations and clients on a pro bono basis to assure that they have access to information and to representation. It is an honor and a privilege for me to be able to work beside her.”

“These policies do nothing for Immigration Law, and nothing for human rights.

They do everything for white nationalism and political propaganda.”

~ Professor Deborah Gonzalez

Dean Michael Yelnosky agreed with Horwitz’s assessment.

“I am frankly blown away by the impact Professor Gonzalez has had on the school and the community since she joined the faculty,” he said. “Her immigration clinic is a great learning and service opportunity for our students, and Debbie has also been able to leverage her position into leading and joining efforts across the state and the country to serve the immigrant community. She embodies the spirit and the values of RWU Law.”

A System ‘in Shambles’

Upon taking the podium, Gonzalez minced no words. Referring to President Donald Trump only as “45” throughout her presentation, Gonzalez condemned his administration’s controversial immigration policies for helping create a humanitarian situation that she termed “dire,” and exacerbate the ills of an immigration system that is “in shambles.”

Gonzalez began by summarizing the U.S.’s 50-year history of domestic and international commitments to protecting those “who had been persecuted in their home countries because of their race, religion, national origin, political opinion, or membership in a particular social group.”

An asylum seeker, she said, is largely distinguished from others seeking entry to the country by the fact that they fear returning to their home country. Such individuals have traditionally been entitled to a “credible fear” interview and a hearing. The problem is, the hearings are generally either scheduled too soon – often within weeks, leaving insufficient time to obtain counsel and prepare a case – or rescheduled too far into the future (often years).

While this regime was also a problem under the previous administration, it has steadily worsened under Trump, she asserted.

“The situation at the border is much harsher than it ever was under the Obama Administration,” Gonzalez said. “In my view, Obama was not a friend to immigrants, but he wasn’t the foe that we’ve seen in the past two years.”

An Artificial Crisis?

Gonzalez then rebutted Trump administration claims that record numbers of immigrants are flooding the southern border, offering a flurry of official statistics.

“I know the numbers seem high, but the CBP [U.S. Customs and Border Protection agency] has reported that their highest numbers of immigrants coming in at the southern border came in the ’80s, ’90s, and 2000s, with upwards of 1.7 million people coming in at the southern border. We have not seen numbers in the millions since the late ’90s and earliest 2000s.”

She added that the current spike in the number of asylum seekers – despite Trump’s “draconian” policies – only underscores the desperation of these families and disproves the administration’s claims about their motives.

“It’s an indication that migrants aren’t coming to the United States for our jobs,” Gonzalez said. “They’re not murderers. They’re not rapists. They’re just ordinary people who want to protect their families. They’re coming to the United States because the situation in their home country is so dire. They’re coming because they live in fear and poverty.”

Under Trump’s policies, however, such asylum seekers are summarily denied hearings, separated from their children and sent back to Mexico (not their home country in most cases; many have passed through Mexico from Central American countries to the south) to await hearings in dangerous, disorganized, unhygienic tent cities where hearing notices and other legal service cannot be delivered anyway, making due process impossible. Credible fear interviews often never happen; and moreover, the jurisdiction of U.S. lawyers and immigration courts is thrown into question.

Such policies, Gonzalez said, are at bottom blatantly racist.

“Most of the policies put in place by this administration have been not to curb immigration altogether, but to curb immigration of black, brown, and Muslim immigrants,” she said. “Many of these policies have not been put in place at the northern border. The process is rife with due process of human rights violations. It’s disgusting.”

She added that such policies prioritize political expediency over human rights in a way that clashes with America’s most basic values.

“What this administration has done is a discredit to who we are and who we’ve been as a nation, as it relates to people fleeing persecution,” Gonzalez said. “45 and his advisors are playing politics with human lives. These policies do nothing for Immigration Law, and they do nothing for human rights. They do everything for white nationalism and political propaganda.”

