



# Out of the Closet, Out of the Shadows:

## LGBTQ Leadership in the Struggle Against Deportation

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# Preface

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**A**s one of the largest funders of pro-immigrant movement groups throughout the country, Four Freedom Fund (FFF) staff and donors have been impressed by the striking number of LGBTQ advocates who have played a transformative role in the push back against unfair enforcement that targets undocumented immigrants and divides families and communities.

FFF commissioned this report, and its companion film documentary, to more deeply examine these efforts and share the lessons learned with philanthropy and the broader immigration and LGBTQ fields. Our goal is to illustrate, through select stories, how LGBTQ immigrant leaders, working at the intersection of immigrant rights, LGBTQ rights and racial justice, have helped drive the fight against detention and deportation. We aim to show how these efforts have been intersectional in their analysis, their organizing and tactics, and the broader alliances that have been built around them. We realize that LGBT people have played leadership roles in *all* aspects of immigration reform. This report and the documentary is merely a small sample of the myriad ways LGBT people have engaged in this fight.

FFF and its parent organization, NEO Philanthropy, have supported alliance building between diverse communities - immigrants, African Americans, LGBTQ, Asian American Pacific Islander, among others - across a wide range of common interests. We have found that individual communities are stronger when their shared interests intersect and their organizing, advocacy and communications reflect that common struggle. Not only is it a more effective strategy, but we believe it is the right thing to do to ensure equality, justice and opportunity for all people in America.

Since 2010, FFF and its donors have invested in work at the intersection of LGBTQ and immigrant rights. Although this alliance building work was driven by an interest in strengthening federal policy advocacy around immigration reform, FFF recognized that both communities face many of the same opponents and similar hateful, divisive attacks and rhetoric. FFF and NEO Philanthropy support efforts across traditional issue silos in order to foster broader, effective, sustainable movements for change.



FFF aims to make progress toward the long-term goal of ending injustice and more fully and humanely integrating all immigrants by strengthening the immigration field overall to stand as a bulwark against harsh enforcement. Our intention is that this rampart of activism will foster greater collaboration between enforcement reform advocates and broader social justice movements. This could lead, we hope, to the dismantling of harsh enforcement policies and practices that result in the excessive detention and violation of rights of all immigrants, including LGBTQ immigrants.

There are numerous prominent and out LGBTQ leaders who are seamlessly integrating their LGBTQ identity and activism alongside their identity and activism as immigrants. Hopefully this project allows us to better understand these leaders, their stories and their place in both movements. We also hope this work sparks a conversation within philanthropy about how funders can support LGBTQ immigrant leaders and cross-movement building. We believe the courageous struggles captured within this report, and the ongoing support of our funders, will have the effect of deeper, longer-term, transformative alliances between LGBTQ and immigrant rights communities — in which both benefit and thrive.



*For a lot of folks, it's one narrow issue at a time. But for us, as immigrants and LGBTQ people of color, it doesn't feel like this honors all of our identities. We come in with the understanding that this work doesn't need to be so narrow, can't be. The question is, can we tackle more than one issue at a time, since we encounter this every day of our lives?*

— Jorge Gutierrez, Familia: TQLM





# Introduction and Summary

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**T**he struggle for immigrant rights is in many ways a struggle over identity. For immigrants, what defines who can stay, who is excluded? What circumstances of their journey draw empathy, or meet with hardened hearts? What are the threads of affiliation that bind newcomers to their adopted home as workers, students, neighbors, family? The identity of the United States is also at issue: our responses to immigration deeply implicate what sort of country we are, and aspire to be.

Just as importantly: who has a stake in the fight? Recent immigrant rights activism has been marked by a striking number of LGBTQ participants who have asserted a common cause and contributed mightily.

This case study seeks to highlight the power of intersecting LGBTQ and immigrant identities<sup>1</sup> in the context of the fight against harsh immigration enforcement. It explores several episodes from 2009 to 2015 that mark increasing resistance to the detention and deportation system that has unfairly targeted and criminalized many immigrants, torn them from their homes and families, and subjected them to inhumane, abusive conditions in detention centers.

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<sup>1</sup> Many interviewees referenced themes of “intersectionality” – a critical understanding of the ways in which oppressive structures are interconnected and are inadequately addressed in isolation. For a primer, see a seminal work: Kimberle Crenshaw, “Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color,” *Stanford Law Review* 43 (1991): 1241-99.



Among the many moments when communities and organizers have been compelled to take action, at times at great risk to themselves, we examine:

- The beginnings of resistance to the Obama administration’s ramp-up of deportations, when two queer immigrant women in Chicago decided to fight back against the impending deportation of a friend.
- Immigrant-LGBTQ collaborations in Georgia that bound together and benefitted both communities, as draconian state-level anti-immigrant measures arose in 2010-11 in the absence of federal immigration reform.
- The “Not1More” national anti-deportation campaign, starting in 2013, in which many LGBTQ groups participated, and continue to participate, to bring widespread attention to the deportation regime and to pressure the federal government to halt deportations.

The impact of this work has been substantial and transformative. In a period of great frustration over the failure of comprehensive immigration reform, these leaders succeeded in raising broader awareness of the harsh and inequitable consequences of flawed immigration laws and policy, ultimately contributing to the pressure on the Obama administration to expand administrative relief for millions of undocumented immigrants in 2014.

Moreover, these leaders have helped reframe how the immigrant rights movement conceives of the path towards change. In a ground-up fight against a very deliberate process of criminalization and exclusion, they have emphasized inclusion of the most marginalized individuals, including LGBTQ immigrants and those with criminal records. The communities most affected – in various ways, in various dimensions – have been front and center, out of the shadows and engaged in active resistance. Their work has shifted the frame from the “illegality” of undocumented immigrants to the injustice of the detention and deportation system. Harsh enforcement

issues – and communities with the most direct experience – are now an important and essential part of immigrant rights work at the grassroots and at the national policy level.

Moving forward, the stories in this case study raise several key points relevant to both LGBTQ and immigrant rights advocacy.

**First, there are many points of entry** for LGBTQ individuals in immigrant rights work. Some of the leaders in this case study started their political activism in immigrant rights, others in the LGBTQ sector. Some were motivated by a personal involvement, others by a sense of common cause. Their multidimensional identities have overlapped and interacted in powerful ways. Especially for members of the younger generation, they are less willing to pigeonhole themselves into predefined categories and



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want to bring their whole selves to the fight, unwilling to leave any part of their identities behind.

**Second, their work encourages breaking out of issue silos.** These leaders are not single-issue people, and they do not take a single-issue approach. Their work is informed by a recognition of many commonalities between immigrants and the LGBTQ community, especially LGBTQ people of color, and other marginalized groups. Areas of confluence include racial justice, profiling, criminalization, discrimination and economic justice. Recognizing common ground allows for an intersectional advocacy that finds strength in alliances, builds a broader base, and addresses root causes.

**Third, intersectional work is not just about the intersection.** LGBTQ immigrant leaders are not only concerned with the plight of LGBTQ immigrants. As one interviewee noted, the point is “not just about making sure

there’s good asylum law for queer people.” While the harsh conditions for transgender detainees, for example, have sparked much activism, the end goal is securing relief and justice for all, not just a few.

Who, then, has a stake in the fight? Stakeholders engaged in the battle include transgender detainees, documented as well as undocumented people in mixed-status families, students, workers, high achieving Dreamers who came of age in the U.S. educational system as well as immigrants who fall outside that category, and the many other immigrants and their supporters, LGBTQ and straight alike. Our companions on the path to social justice are rich and complex beings with multiple ties and affiliations that knit us together. As the work on detention and deportation has shown, efforts that only address part of the community are incomplete, and fall short. Enduring solutions will be built by seizing the opportunity to move forward together.



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# Context: Hope for Immigration Reform Meets Heartbreak of Deportations



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For over a decade, America's broken immigration system has gone through alternating cycles of hope and heartbreak. Even as the broader immigrant rights community pushed for comprehensive immigration reform at the federal level, the detention and deportation of immigrants has increased dramatically.

In 2006, immigrant communities across the country rose up in numerous demonstrations, in part to protest the U.S. House of Representatives' passage of HR 4437, which contained harsh criminalization provisions and an enforcement-only approach. A major theme of the rallies,

"Today we march, tomorrow we vote," resonated across the country as immigrants gained an unprecedented visibility. Mainstream media showed images of immigrants and their supporters claiming "We are not criminals," and "No human being is illegal."<sup>2</sup>

With the election of President Obama in 2008 and Democratic majorities in both houses of Congress, hopes were high for movement on comprehensive immigration reform. Legislative inaction, however, crushed hopes and reinforced the broken status quo. Instead, there was a massive increase in spending on the homeland security apparatus,

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<sup>2</sup> For an overview of the events surrounding the immigrant rights uprisings of 2006, see Ted Wang and Robert Winn, *Groundswell Meets Groundwork* (New York, NY: Public Interest Projects, 2006), and Kim Voss and Irene Bloemraad, eds., *Rallying for Immigrant Rights: The Fight for Inclusion in 21st Century America* (University of California Press, 2011).



including an emphasis on border security and a steady ramp-up of enforcement actions.<sup>3</sup>

By 2010 the failure of the DREAM Act, which would have provided immigration relief for young immigrants brought to the United States by their parents, under certain conditions, confirmed the lack of legislative movement, even as LGBTQ causes gained momentum with the passage of the Don't Ask, Don't Tell Repeal Act of 2010.

Local law enforcement was increasingly drawn into the immigration enforcement apparatus through mechanisms such as Section 287(g) of the Immigration and Naturalization Act, which created a structure for state and local law enforcement agencies to perform immigration law enforcement functions; and "Secure Communities," a program begun in 2008 and escalated under the Obama administration, which required local jails and prisons to fingerprint and transfer custody of undocumented immigrants to Immigration and Customs Enforcement ("ICE"). States also began to

take matters into their own hands with regressive measures to address immigration.<sup>4</sup>

The impact was felt on an individual and a community level. Despite the incongruity of deporting people who would be eligible for relief under proposed legislation, in his first term Mr. Obama's administration deported as many immigrants as the administration of George W. Bush did in two terms; over two million have been deported, more than the number of deportations in the United States from 1892 to 1997.<sup>5</sup> Congress also put into place a requirement that the Department of Homeland Security maintain 34,000 detention beds daily regardless of the need, essentially instituting a quota system.<sup>6</sup>

Belying the president's stated focus on "criminals, gang bangers, people who are hurting the community," the majority of people bearing the brunt of increased enforcement actions have no criminal record, or have only committed minor infractions such as traffic violations.<sup>7</sup> Many are

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<sup>3</sup> Walter A. Ewing, "The Growth of the U.S. Deportation Machine," American Immigration Council, April 9, 2014, <http://www.immigrationpolicy.org/just-facts/growth-us-deportation-machine> (accessed September 9, 2015).

<sup>4</sup> National Immigration Law Center, "State Immigration-Related Legislation: Last Year's Key Battles Set the Stage for 2012," January 2012, <http://www.nilc.org/states-wrapup-2011.html> (accessed September 9, 2015).

<sup>5</sup> Ana Gonzalez-Barrera and Jens Manuel Krogstad, "U.S. deportations of immigrants reach record high in 2013," Pew Research Center, October 2, 2014, <http://www.pewresearch.org/fact-tank/2014/10/02/u-s-deportations-of-immigrants-reach-record-high-in-2013/> (accessed September 9, 2015); Michael D. Shear, "Seeing Citizenship Path Near, Activists Push Obama to Slow Deportations," New York Times, February 22, 2013, <http://www.nytimes.com/2013/02/23/us/advocates-push-obama-to-halt-aggressive-deportation-efforts.html> (accessed September 9, 2015).

<sup>6</sup> Nick Miroff, "Controversial quota drives immigration detention boom," Washington Post, October 13, 2013, [https://www.washingtonpost.com/world/controversial-quota-drives-immigration-detention-boom/2013/10/13/09bb689e-214c-11e3-ad1a-1a919f2ed890\\_story.html](https://www.washingtonpost.com/world/controversial-quota-drives-immigration-detention-boom/2013/10/13/09bb689e-214c-11e3-ad1a-1a919f2ed890_story.html) (accessed September 9, 2015).

<sup>7</sup> Ginger Thompson and Sarah Cohen, "More Deportations Follow Minor Crimes, Records Show," New York Times, April 6, 2014, <http://www.nytimes.com/2014/04/07/us/more-deportations-follow-minor-crimes-data-shows.html> (accessed September 9, 2015).

in mixed status families with members who are citizens, including U.S.-born children; many have jobs and homes in the United States. Families live with the constant fear of separation, and much of the impact has fallen on children.<sup>8</sup>

LGBTQ members of the immigrant community have also felt the brunt of these policies. UCLA School of Law's Williams Institute estimates that there are 267,000 LGBTQ undocumented individuals in the United States;<sup>9</sup> of these, thousands are within the detention system at any given time, although it is difficult to determine a precise figure. A Fusion investigative report estimates that 75 transgender inmates are housed by ICE each night and account for one in five victims of sexual abuse within the detention center network.<sup>10</sup>



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<sup>8</sup> "According to estimates from the Pew Hispanic Center, there are 4 million U.S.-born children in the United States with at least one parent who is an unauthorized immigrant, plus 1.1 million children who are themselves unauthorized immigrants and have unauthorized-immigrant parents. Moreover, DHS estimates that nearly three-fifths of unauthorized immigrants have lived in the United States for more than a decade. In other words, most of these people are not single young men, recently arrived, who have no connection to U.S. society. These are men, women, and children who are already part of U.S. society." Ewing, "The Growth of the U.S. Deportation Machine."

<sup>9</sup> Gary J. Gates, "LGBT Adult Immigrants in the United States," The Williams Institute, UCLA School of Law, March 2013, <http://williamsinstitute.law.ucla.edu/research/census-lgbt-demographics-studies/us-lgbt-immigrants-mar-2013/> (accessed September 9, 2015).

<sup>10</sup> Cristina Costantini, Jorge Rivas, Kristofer Rios, "Why Did the U.S. Lock up These Women with Men?" Fusion Media Network, November 19, 2014, <http://interactive.fusion.net/trans/> (accessed September 9, 2015), citing U.S. Government Accountability Office, Immigration Detention: Additional Actions Could Strengthen DHS Efforts to Address Sexual Abuse, GAO-14-38, Washington, DC: December 6, 2013, <http://www.gao.gov/products/GAO-14-38>.



# Active Resistance in Chicago: Out of the Shadows, Fighting Back

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Some of the earliest game-changing work against deportations was led by young LGBTQ leaders in Chicago, spurring a significant shift from resignation to active resistance. Tania Unzueta and Reyna Wences, two undocumented lesbians who had been active in the DREAM Act movement,<sup>11</sup> started working on deportation cases when a friend, Rigo Padilla, was detained and scheduled for deportation in 2009.

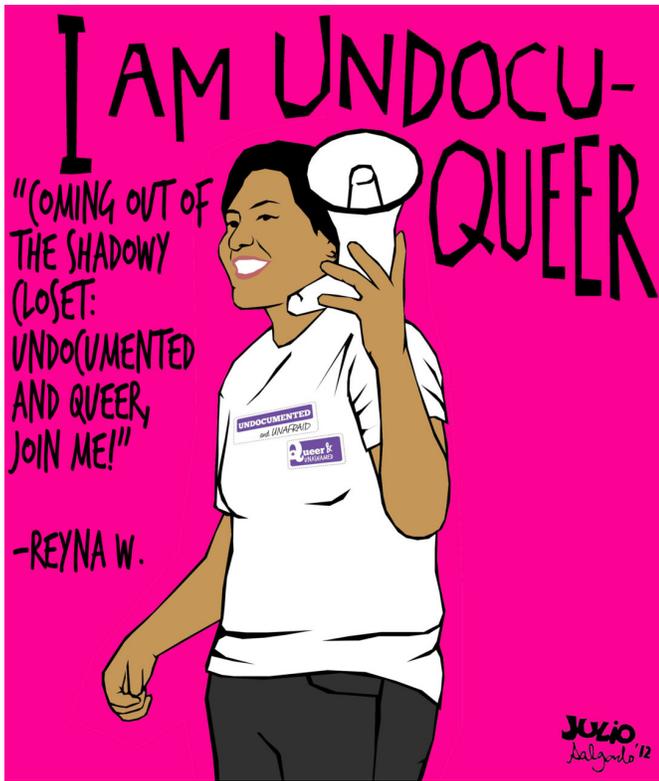
Rigo hardly seemed a threat to the security of the United States; he had immigrated to the United States when he was six years old, had grown up in Chicago, was an honors journalism student at the University of Illinois at Chicago, and had not even realized he was undocumented until his college application process. He had been stopped by police for rolling through a stop sign after a few beers

while watching a football game with friends; although this offense in itself was unlikely to result in a severe sentence, during the booking process it became apparent that he was undocumented. ICE was notified of his status, and he then found himself in deportation proceedings.

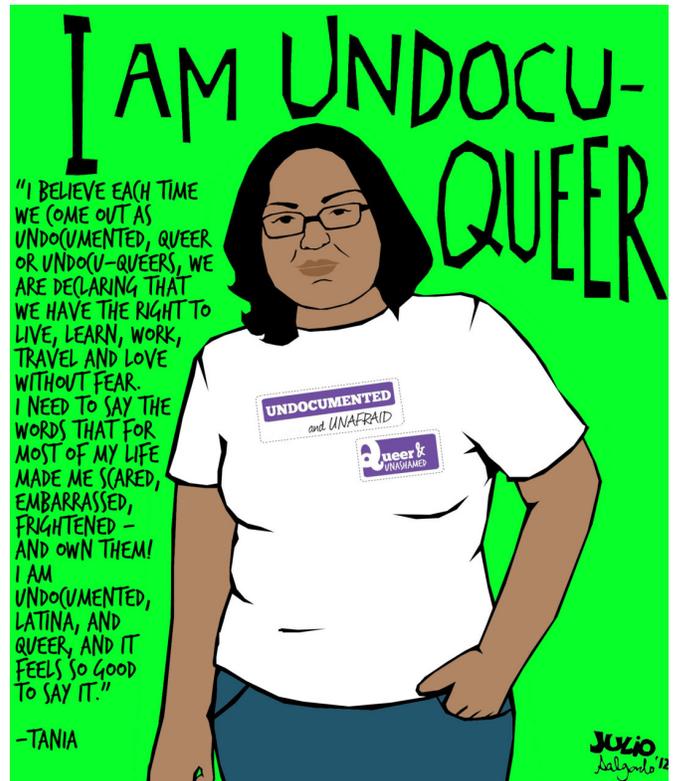
Tania and Reyna were aghast at the potentially life-changing consequences of a relatively minor infraction. Hopes for legal redress were slim. And, at the time, it was unusual to fight back against deportation proceedings. If an undocumented person was caught, they were caught and usually suffered the consequences. The most effective survival strategy was simply to try to avoid entanglement with legal authorities in the first place by staying in the shadows.

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<sup>11</sup> For an overview of queer youth involvement in immigrant rights, see Prerna Lal and Tania Unzueta, "How Queer Undocumented Youth Built the Immigrant Rights Movement," Huffington Post, March 28, 2013, [http://www.huffingtonpost.com/prerna-lal/how-queer-undocumented\\_b\\_2973670.html](http://www.huffingtonpost.com/prerna-lal/how-queer-undocumented_b_2973670.html) (updated May 28, 2013; accessed September 9, 2015).



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For some, Rigo was not a “good” case because he did not fit the profile of the ideal upstanding Dreamer, given the DUI situation. But Tania and Reyna decided to fight back. They organized, with the support of the Illinois Coalition for Immigrant and Refugee Rights. After their advocacy, the Chicago City Council passed a resolution calling for a stay of his deportation. Five members of Congress from Illinois also came out in support of his cause, eventually leading the Department of Homeland Security to stay his deportation in December 2009.

This was quite a feat, and was part of a significant shift in perspective – that one could actually fight back against a deportation case and win.

Tania, Reyna and Rigo, among others, built upon this moment by establishing the “Immigrant Youth Justice

League.” As they moved forward, other undocumented students began to connect with them, remarking how it felt liberating to be in a space where they didn’t have to hide their immigration status, and considering what it might mean to share these stories in a public context to humanize undocumented immigrants.

These conversations led to their organizing the March 2010 National Coming Out of the Shadows Day. In demonstrations, rallies and events across the country, young undocumented students were saying, for the first time, unapologetically, “I’m undocumented and unafraid.”<sup>12</sup> Tanya, Reyna, and Rigo were recognized for their work with a “Freedom from Fear” award in June 2011, created by Taryn Higashi (Unbound Philanthropy) and Geri Mannion (Carnegie Corporation of New York) and administered by Public Interest Projects (now NEO Philanthropy).

<sup>12</sup> In other parts of the country, working independently, activists working under the [DreamActivist.org](http://DreamActivist.org) banner also started anti-deportation campaigns, with similar tactics, including public statements, online petitions and rallies.



Tania, Reyna and others explicitly acknowledged that these activities were directly inspired by LGBTQ struggles and tactics. Writing with Prerna Lal, the founder of the organization DreamActivist (one of the first networks of undocumented youth), Tania noted that “from our lived LGBT experiences, we knew that the way to formal equality for undocumented immigrants was to use our stories as our weapon, to ‘come out’ as undocumented, just as we had come out as gay, lesbian, or transgender.”<sup>13</sup>

This marked an evolution in Tania and Reyna’s relationship between their immigration status and queer identity. In their previous work, these two aspects of their identities were kept in fairly separate circles – in particular, there was a process of determining the degree to which they should bring their lesbian identity into their immigrant rights activism. As Tania noted with regards to DREAM Act activism, “even though I don’t think I was ever told ‘don’t talk about your queer identity,’ there was this feeling that if we ever went off message,” the DREAM Act could fail and it would be their fault.<sup>14</sup> For Reyna as well, there was an initial choice not to share queer identity in immigrant rights spaces. After starting deportation defense work, though, they felt more free to talk about being queer.

By fighting back against detention, by coming out of the closet and the shadows, Tania and Reyna jump-started the reframing of the issues. They asserted the humanity of undocumented immigrants, and turned attention to the flaws and moral shortcomings in the harsh enforcement system. As Tania notes, much of this early work was focused on individuals; as the detention crisis continued, the next stage of the work would involve the engagement of entire communities.

***I made the choice that if I was going to share my story as an undocumented person, challenge the status quo, I couldn’t lie to myself and not talk about my queer identity. I started to see the connections between the criminalization of LGBT folks and immigrants.***

— Reyna Wences, Immigrant Youth Justice League

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<sup>13</sup> Lal & Unzueta 2013.

<sup>14</sup> Hinda Seif, “Coming out of the shadows’ and ‘undocuqueer’: Undocumented immigrants transforming sexuality discourse and activism,” *Journal of Language and Sexuality* 3:1 (2014): 99.



# Arizona – the Epicenter of State-Based Anti-Immigrant Legislation

Arizona was at the forefront of a state-based backlash against immigrants in which increasingly conservative state legislatures began to propose and implement harsh anti-immigrant measures. Among the first and most egregious was Arizona's Senate Bill 1070 ("SB 1070"), which was signed into law by Governor Jan Brewer on April 23, 2010.

Arizona's SB 1070 was the broadest and strictest anti-immigrant measure in the country at the time. It required immigrants to carry documents; required state law enforcement officers to attempt to determine immigration status during stops or arrests; and imposed penalties on those sheltering, hiring and transporting undocumented aliens. Under these draconian provisions, a U.S.-born citizen could, for example, be arrested for having undocumented parents in her house. Although some provisions were enjoined or later invalidated, a climate of fear had been fostered and anti-immigrant forces emboldened.<sup>15</sup>

SB 1070, along with the federal 287(g) program, served to amplify the anti-immigrant crusade

of the infamous Sheriff Joe Arpaio of Maricopa County, which encompasses Phoenix. Under 287(g), certain federal powers related to immigration were essentially delegated to Arpaio by the Department of Homeland Security.

From the mid-2000's, Arpaio, self-styled as "America's toughest Sheriff," had been outspoken against undocumented immigrants, and had been undeterred by lawsuits alleging racial profiling and other abuses. SB 1070 gave Arpaio more fuel. He created an armed volunteer citizen posse in November 2010. He conducted sweeps through Latino neighborhoods, dubbed "saturation patrols," some of them targeting day laborers. Until 2011, when a Federal District Court injunction halted the practice, Arpaio maintained an "immigrant smuggling squad" which stopped cars with Latino drivers or passengers to check their immigration status. Minor infractions were used as pretexts for arrests, which then led to deportations. Checkpoints and workplace raids also fed the deportation machine, separating families.

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<sup>15</sup> Some, but not all, provisions were enjoined the day before they were to become effective and were later invalidated by courts. Anna Gorman and Nicholas Riccardi, "Arizona immigration protestors hit the streets," Los Angeles Times, July 30, 2010, <http://articles.latimes.com/2010/jul/30/nation/la-na-arizona-immigration-law-20100730> (accessed September 9, 2015). In June 2012, the U.S. Supreme Court let stand one of the more controversial of the SB 1070 provisions, the so-called "show me your papers" provision, which allowed police officers in Arizona to ask people for their immigration papers if they are suspected of being undocumented. Associated Press, "Judge allows Arizona police to check immigration status of suspected illegal immigrants," CBS News, September 18, 2012, <http://www.cbsnews.com/news/judge-allows-arizona-police-to-check-immigration-status-of-suspected-illegal-immigrants> (accessed September 9, 2015).



# Shared Risk and Shared Commitment in Georgia

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**A**s the deportation crisis gathered momentum in 2010, comprehensive immigration reform remained stalled, and the DREAM Act was again defeated, even as the “Don’t Ask Don’t Tell Repeal Act,” worked its way towards passage. In the absence of federal movement, the criminalization of undocumented immigrants, in an increasingly vicious manner, was felt sharply across the country as state legislatures filled the federal vacuum with their own anti-immigrant measures. Arizona was at the epicenter, with its SB 1070, described in the previous text box. Other states followed suit, especially in the South, when Georgia introduced copycat legislation in January 2011, House Bill 87, entitled “Illegal Immigration Reform and Enforcement Act of 2011” (“HB 87”).

In this context, immigrant and LGBTQ organizations in Georgia began building alliances at the community level, motivated by a common experience of discrimination against marginalized communities; this work helped to bridge communities, broaden and energize the base and leadership, and build connections to racial justice issues.

Georgia’s HB 87 sought to allow police officers to check the immigration status of individuals detained on state-law grounds, which could be an invitation to racial profiling. It also sought to implement “e-verify” and other employment verification systems in all workplaces in Georgia. The bill also contained a “harboring clause,” which sought to make it illegal for churches, businesses, and organizations to work with, drive in cars with, or in any way associate with undocumented people.

HB 87, accompanied by political grandstanding, created a climate of fear among immigrant communities. People were hesitant to leave their immediate neighborhoods. Parents would leave instructions for the care of their children in case they did not make it back home from work or chores. Some parents pulled their children from schools.

Southerners on New Ground (“SONG”), a regional LGBTQ person of color organization based in Atlanta, Georgia, had followed these developments closely, and was eager to join the fight.



In response to HB 87, the Georgia Latino Alliance for Human Rights (“GLAHR”) convened a broad group of organizations within the Georgia Immigrant and Refugee Rights Coalition (“GIRRC”) to coordinate legal, legislative, and media strategies. SONG joined the coalition and began working closely with GLAHR, the largest Latino grassroots organization in Georgia with a membership of more than 6,000 mostly poor, rural and undocumented Spanish-speaking immigrants in an extensive network of *comites populares* across the state. Under the banner of “We Are Georgia/*Somos Georgia*,” a strong alliance evolved between SONG and GLAHR to work on organizing and base-building. Groups from Arizona came to provide support, including the National Day Laborer’s Organizing Network (“NDLON”) and Puente Arizona, helping them to “fight against the Arpaio in their own back yard.”

Why did SONG become involved? SONG, an organization dedicated to working for equality for lesbian, gay, bisexual, transgender and queer people in the South, had not previously been engaged in much campaign work, but found that its membership was hungry for this.

SONG had seen its membership reflect the changing demographics of the region.<sup>16</sup> One of the co-directors of SONG, Paulina Helm-Hernandez, is an immigrant from Veracruz, Mexico, who identifies as a queer Chicana. Caitlin Breedlove, the other co-director, comes from an Eastern European immigrant family. SONG itself had been growing beyond its predominantly white and black membership to include more Latinos and other immigrants. Increasing anti-immigrant sentiment in Georgia thus directly affected SONG’s members.

Beyond its increasing immigrant membership, there were also certain common experiences. For SONG members, harsh immigration enforcement trends raised “issues that resonate with LGBTQ documented and undocumented people alike: the isolation of marginalized communities, and the policing and control of people based on identity,” Caitlin notes. “Our sector knows the cost of exclusion.” These similarities motivated non-immigrant SONG members to step up to the plate.

***If we can say as LGBTQ people we understand some of the conditions that our undocumented gay or straight brothers and sisters are facing, what can we do together so that nobody else has to live in the shadows, nobody else has to live in exile, nobody else has to never be able to see their family again? Which is not to say our experiences are the same, because of course they’re not, but that we do have a shared vision and understanding of some of the conditions of oppression.***

— Kate Shapiro, SONG

<sup>16</sup> In the last couple of decades, immigration patterns have shifted beyond the typical gateways along the East and West Coasts to new receiving communities without much prior experience with immigrants. Georgia, for example, saw its Hispanic population increase by 66 percent from 2000 to 2010, to 8.8% of the population. Vanessa Cardenas and Angela Maria Kelley, “The Top Ten Things You Should Know About Georgia’s Demographic Changes and Immigration Politics,” Center for American Progress, March 2, 2012, <https://www.americanprogress.org/issues/race/news/2012/03/02/11191/the-top-10-things-you-should-know-about-georgias-demographic-changes-and-immigration-politics/> (accessed September 9, 2015).



For example, Ashe Helm-Hernandez, a SONG member, was initially brought into immigrant rights work because of her wife, Paulina, the co-director of SONG. As an African American, she saw “a lot of parallels with the issues that brown people have always had to face, from the legacy of slavery, civil rights, voter rights, discrimination and racial profiling – there’s a lot that’s similar to the barriers around immigration and documentation.”

In one of the major activities protesting HB 87, a large July 2011 march that brought out around 10,000 people, Ashe and other SONG members participated by serving as security marshals. She was eager to use her privilege as a citizen to help another marginalized community. As she said, “[w]hen you do the work, put your body on the line for someone, that’s what’s understood. As black and queer people on the front lines of the HB87 march, we were saying ‘we’re willing to be the buffer between you and the police.’”

SONG’s involvement was appreciated by the immigrant community. As noted by Eva Cardenas, an organizer with GLAHR:



*One of my concerns was that our community members would not understand the importance of having the LGBTQ community involved. But they never questioned why. They were rather, “yes, this is the right thing to do.” When our members saw that people from SONG were coming in, they were grateful, they were happy. SONG was committed and involved because they understood the importance of it. For them it wasn’t just about coming in and taking the space, but saying “we’re committed to this and our commitment is such that we are willing to put our people at risk.”*

— Eva Cardenas, GLAHR

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Further GLAHR and SONG collaborations included work on boycott strategies as well as sanctuary campaigns that pulled in churches and lesbian bookstores. With SONG's encouragement, Charis Books, the South's oldest independent feminist bookstore, in Atlanta, was the first business in Georgia to declare itself a "sanctuary zone" in defiance of HB 87, and was followed by other LGBTQ-allied businesses.

SONG's other support of the activities against HB 87 included bringing "a narrative of its consequences to light" through the documentation of relevant stories to raise the visibility of affected communities. SONG conducted outreach and education sessions from trailer parks in rural Georgia to Atlanta-based town halls to collect stories. In doing so, SONG sought to change the public face of immigrant rights by centering poor, undocumented, rural and LGBTQ immigrants. They also stressed intersectional elements by connecting HB 87 to the climate of hate and repression of other marginalized communities.

Although the campaign was unable to keep most of HB 87 from passing, in particular the status-verification provisions, GLAHR and SONG's work helped push for an injunction

against the most egregious element, the anti-harboring clause, such that a U.S. citizen would not be at risk of arrest for giving her undocumented parents a ride in her car.

The shared commitment and shared risk continues. In a November 2013 joint action outside of the Atlanta ICE holding center, for example, GLAHR and SONG members chained themselves to the fence to disrupt ICE operations, resulting in arrests. As Adelina Nicholls, the director of GLAHR noted, "A strong connection came via actions, not words, when we had a civil disobedience together. At the end of that day, everybody was friends with everybody."

Beyond building a relationship with GLAHR and fighting for immigrant rights in Georgia, this work has been a vehicle for SONG to increase its overall capacity to fight for change. As Kate Shapiro, a SONG staff member, observed, the deportation work has been "transformative for SONG as an organization as well as for our leadership and membership" by tapping into work that allows the membership to participate in working for social justice on a broader level, as they continue their immigration work and also engage in the Black Lives Matter movement.



© GLAHR, 2013



## An Undocubus Named Priscilla: “We Can’t Afford to Stay in the Shadows”



© Diane Ovalle, 2012

A major step out of the shadows and onto the national stage was the 2012 “Undocubus,” inspired by the Freedom Riders of the Civil Rights era.

Members of NDLO, Puente Arizona, and other activists and community members decided to raise the visibility of deportation issues leading up to the Presidential elections. They fixed up an old tour bus, dubbed it “Priscilla,” and painted butterflies and the slogan “Sin Papeles, Sin Miedo” (“No Papers, No Fear”) on the side.

Leaving Phoenix in late July, they embarked on a route that deliberately sought out communities where there were strong anti-immigrant developments, including implementations of 287(g) (delegating certain immigration functions to local law enforcement). They conducted rallies with communities in these locations, led know-your-rights trainings, and also aimed to raise awareness of injustice on the national level. The goal was to broadly humanize undocumented immigrants, as well as to challenge and provoke authority in order to highlight the consequences and inconsistencies



of the broken immigration system. It also marked a significant expansion of the use of civil disobedience to protest detention and deportation.

Although it had not been planned that way, many of the Undocubus participants were LGBTQ, including Marisa Franco of NDLO, Tania Unzueta, Julio Salgado (an artist whose work in various media has raised up “UndocuQueer” youth and other immigration issues), Kemi Bello, an undocumented Nigerian writer, and others, including Puente member Gerardo Torres.



© Diane Ovalle, 2012

Many were moved to come out of the shadows by the degree of anti-immigrant invective in Arizona and elsewhere. Gerardo Torres, for example, had recently come out to his family about being gay; the Undocubus was the vehicle for him to come out as an undocumented immigrant. As he noted, the status quo was no longer an option for him.

***The Undocubus experience was almost split half and half between queer and straight people. We had this mixed group of folks, mixed age, mixed education level, some people spoke English and Spanish, some people didn't. One thing that really was a through line between everyone was that they had done this because they decided that they no longer wanted to hide. And the piece that went further for the queer folks is that they were willing to do this, but they were unwilling to do it not being their full selves.***

— Marisa Franco, Not1More Campaign

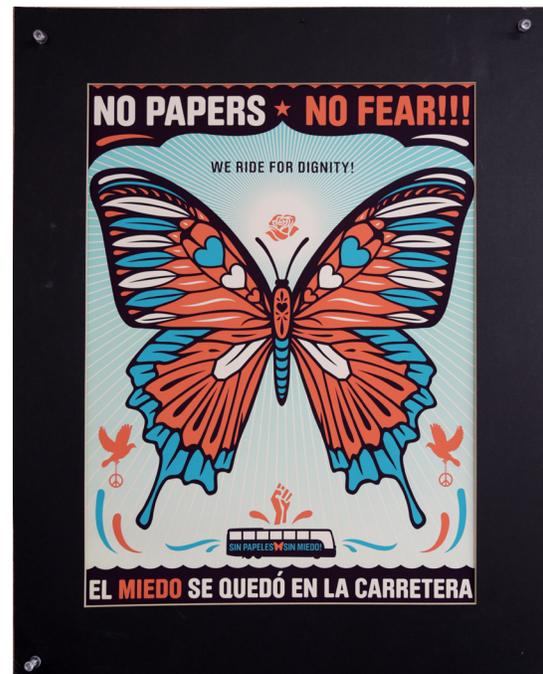
***I decided to participate because I was tired of politicians in Arizona chasing the undocumented community in the state. It's time for me to express my opinions – I'm a member of the gay community and I want everyone to know that my community is also affected by these laws and the discrimination happening in Arizona.***

— Gerardo Torres, Puente Arizona



As with any act of coming out, there were risks, especially since the visibility and route of the bus did not shirk confrontation. Indeed, the goal of the trip, according to a statement from the organizers, was to “confront publicly what we risk every day, being arrested by the police and separated from our families. . . . We are undocumented and unafraid. We hope to inspire others in our own community to lose their fear, to come out of the shadows, and to organize.” Another rider on the bus noted, “The question to ask is not whether undocumented immigrants face risks when we come out, the question we asked ourselves before getting on the bus was whether we can afford to stay in the shadows.”<sup>17</sup>

At the conclusion of the route, Undocubus riders conducted an act of civil disobedience by blocking traffic outside of the Democratic National Convention in Charlotte, North Carolina. Ten were arrested, including Gerardo, with “No Papers, No Fear” tattooed on his arm. Though prepared for potential deportation proceedings, they were, fortunately, released the next day.



© Ernesto Yerena

By placing themselves on the line, the Undocubus riders forcefully stepped out of the shadows to confront authorities with their existence, presaging strategies, alliances, and commitments that would only intensify going forward.



© Margot Seigle, CC BY 2.0, 2012

<sup>17</sup> Rose Cuison Villazor and Elizabeth Glazer, “A First Step to Understanding the Challenges of Illegal Immigrants,” *New York Times*, August 1, 2012, <http://www.nytimes.com/roomfordebate/2012/08/01/is-getting-on-the-undocubus-a-good-idea/a-first-step-to-understanding-the-challenges-of-illegal-immigrants> (accessed September 9, 2015).



# Not1More Means Not One More: An Inclusive Campaign to End Deportations

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**L**GBTQ leadership also played a strong role in pushing for policy change at the national level through the Not1More campaign, launched in 2013. Building on experience honed in individual deportation cases and community-based activism, the campaign used tactics from LGBT, racial justice and other struggles to push for relief that was still achingly out of reach.

Despite President Obama’s announcement of the Deferred Action for Childhood Arrivals (“DACA”) program on June 15, 2012, which temporarily stayed deportation and provided work permits for certain undocumented young people (see text box, below), the pace of detentions and deportations had continued unabated. Communities were still under siege. There was an increasing sense that there was more at stake, and less to lose.

In this context, organizers who had been participating in local and state-level anti-deportation work decided they needed to address forcefully the national stage, coalescing their work into a ground-up national campaign under the “Not1More” banner. Core members of the team included Marisa Franco, an out lesbian who had been working since

2010 with the National Day Laborer Organizing Network (“NDLON”) to support the community’s fight against detention and deportation in Arizona; Tania Unzueta of the Immigrant Youth Justice League, who joined NDLON as an organizer; and B Loewe, the communications director of NDLON at the time.

The campaign was a call to action: “not one more family destroyed, not one more day without equality, not one more indifferent reaction to suffering, not one more deportation.” There were two major goals: sharing the hard-won detention defense expertise of groups such as NDLON and Puente Arizona with local communities across the country, and also amplifying pressure for policy change at the national level – specifically, pressuring the Obama administration to use its executive powers to stop deportations. It featured an increasing use of civil disobedience, policy advocacy, arts and cultural strategies, and a deep engagement of LGBTQ individuals and organizations.



© Not1More Campaign

Initially housed at NDLO, the Not1More team leveraged their growing network to share experiences, provide technical support, and advise on strategy on individual cases. The [NotOneMoreDeportation.com](http://NotOneMoreDeportation.com) website served as a hub for communities across the country. It allowed grassroots groups to create pages advocating for community members who were in detention proceedings, with profiles of the detainees, social media infrastructure, and notifications and documentation of local actions.

The objective was to support a “trans-local” campaign by sharing the expertise in deportation defense that organizations such as Puente had gathered in working on the detention cases of their own members.<sup>18</sup> The

Not1More infrastructure helped local communities adapt this information to their own situation and needs.

The campaign also built visibility and support on a national level as the grassroots organizations that plugged into the Not1More infrastructure to support their community members became part of a growing network of communities working together against the broader detention and deportation system. The campaign amplified these efforts to apply increasing pressure for policy change. With its network of grassroots members, the Not1More campaign engaged in a series of highly visible actions across the country to maintain a sense of urgency about the human cost of deportations.

<sup>18</sup> The organizers have also described the campaign as “open source.” Marisa Franco, B Loewe and Tania Unzueta, “How We Make Change is Changing: Open Source Campaigns for the 21st Century,” June 30, 2015, <http://www.scribd.com/doc/270118990/How-We-Make-Change-is-Changing#scribd> (accessed September 9, 2015).



## Arts and Culture as Tools in the Arsenal

Arts and culture have been a strong component of the anti-deportation work, helping to reach hearts and minds and lift up the human side of the immigration debate. In keeping with recent arts activism in other spheres, this work goes beyond decorating the movement, helping to reach audiences beyond the usual stakeholders with music, visual art and poetry. In turn, these efforts foster the cultural underpinnings for enduring progress. As activists and academics have noted, “cultural change precedes political change.”<sup>19</sup>

The Monarch butterfly has been a consistent, potent symbol of the campaign, from signboards at rallies to a tattoo on Gerardo Torres’ shoulder, above “No Papers, No Fear.” Julio Salgado, a graphic artist who works with CultureStrike, has generated endearing and heartrending portraits of “UndocuQueers;” as a participant in the 2012 Undocubus tour he documented the journey through blogs, sketches, and posters.



© Julio Salgado

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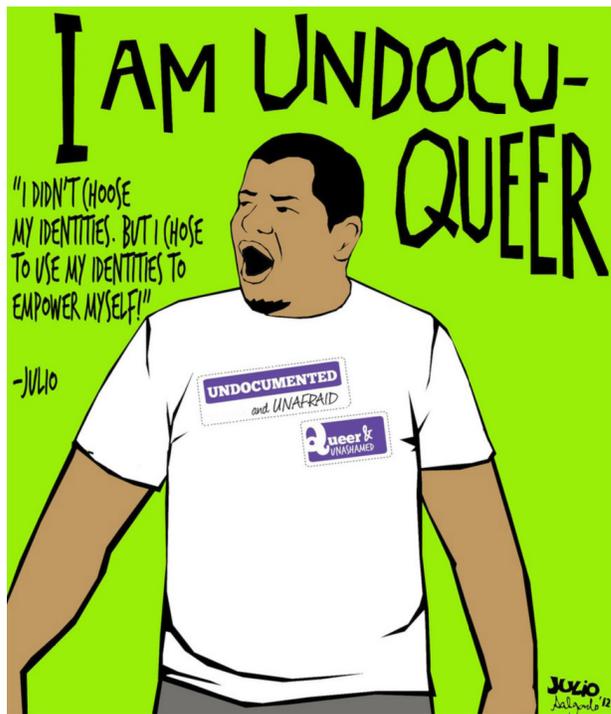
<sup>19</sup> See, e.g., Jeff Chang and Brian Komar, “Culture Before Politics,” *The American Prospect*, December 6, 2010, <http://prospect.org/article/culture-politics> (accessed September 9, 2015) (“Cultural change is often the dress rehearsal for political change. Or put in another way, political change is the final manifestation of cultural shifts that have already occurred.”) See, also, the work of The Culture Group, “a collaboration of social change experts and creative producers who believe that cultural change is essential to social change.” <http://theculturegroup.org/>.



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The structure of the Not1More campaign allowed for many points of entry. It created a space in which LGBTQ organizations – some immigrant, some not – have come into their own and asserted their stake in a just immigration system in ways that not only served their specific constituencies, but which also broadened the larger discussion. Several LGBTQ organizations joined the core working group of the Not1More campaign, including SONG and Familia: Trans Queer Liberation Movement (“Familia: TQLM”).

*To change the politics we realized we had to change the story. Part of that was really putting out in a more holistic way, in a more real way, in a more honest way, who our community is. And to do that without apologies, to do that with pride, resilience, support and unity.*

*And so it was deeply important and deeply powerful to have the campaign be a place where people could come to and it didn't matter if you weren't a typical “good immigrant” who is constantly put forth as the example. It didn't matter that you weren't the valedictorian or the aspiring lawyer who was just wanting to get admitted to be able to practice law.*

— Marisa Franco, Not1More Campaign

Many of them also participated in Not1More events, such as the dramatic direct actions targeting ICE facilities. In these coordinated actions, protestors targeted detention centers in over a dozen cities across the country. They blocked deportation busses outside Washington D.C., and in Chicago, and held demonstrations outside of detention centers in Phoenix, Los Angeles, and Fairfax County, Virginia, asking that President Obama impose a moratorium on all deportations. As mentioned above, SONG, in an action led by GLAHR (and with the support of Project South), shut down the ICE office in Atlanta. Caitlin Breedlove, the SONG co-director, was arrested alongside two GLAHR members.

In another action, for the entire month of April 2014, activists maintained a presence in front of the White House, demanding the reunification of their families and



© Julio Salgado



a halt to deportations. As the administration held endless meetings and attempted to downplay the real impact of deportations on immigrant communities, those with direct experience gave visibility to the human cost and suffering behind the debate.

As one result of LGBTQ involvement, the campaign engaged a broader range of non-immigrant LGBTQ organizations in the detention and deportation fight through briefings, conference calls and sign-on letters. There was a push for inclusion.

***When talking to LGBTQ groups that didn't have a large immigrant membership, often times we would find them sympathetic, but we had to overcome a different sense of priorities. People would say, "yes, we're progressive, but these are not necessarily our issues." In talking to them, the deportation defense work has been a big game changer, getting them to realize, "yes, these are your issues."***

— Caitlin Breedlove, SONG

In order to reach out to other LGBTQ groups, SONG, Familia: TQLM and others had to overcome a visibility issue – essentially, to remind people that immigrant communities contain LGBTQ members, and that LGBTQ individuals could

also be immigrants. They also argued that fighting for the LGBTQ community meant fighting for the broader social justice issues that impact them. Commonalities were also drawn between experiences of criminalization.

In early 2014, pressure mounted on the executive branch to sidestep Congress and pursue relief through further executive action. Familia: TQLM and other participants in the Not1More campaign seized the opportunity to engage the Congressional LGBT Equality Caucus at the end of July 2014. Although members of the Equality Caucus were considered pro-immigrant, the Equality Caucus had not come out with any official statements on deportation. SONG, Familia: TQLM, and Puente members – including Gerardo Torres – coordinated a sit-in of the Equality Caucus offices, demanding that the Equality Caucus send a letter to the President asking that he ensure LGBTQ immigrants benefit from and are included in the broadest relief possible for undocumented people, including an end to solitary confinement and expanded protections for LGBTQ individuals in detention.

After the seven hour sit-in, the members of the Equality Caucus agreed to send a letter to the president, which included a request that “[a]ny executive action taken by the president to address immigration should institute anti-discrimination policies for at-risk communities, including undocumented immigrants who are lesbian, gay, bisexual and transgender. In far too many places, LGBT people around the world are at great risk for harassment and physical violence because of their sexual orientation, gender identity or HIV status; they should not experience the same harassment while undergoing the immigration process in the United States.”<sup>20</sup>

These activities were part of a drumbeat to highlight for LGBTQ communities and the larger public the untenability

<sup>20</sup> Congressional LGBT Equality Caucus, “Statement on Potential Executive Action on Immigration and Inclusion of LGBT Immigrants,” August 1, 2014, <http://lgbt-polis.house.gov/media-center/in-the-news/congressional-lgbt-equality-caucus-calls-for-inclusive-immigration-reform> (accessed September 9, 2015).



of the deportation system, including the inconsistency of continuing to deport many people that would otherwise be eligible for relief under asylum law or proposed immigration reform legislation.

Pressure on the administration escalated, and also came from the ongoing work of United We Dream activists, the women-led We Belong Together campaign,<sup>21</sup> and legal organizations such as the National Immigration Law Center, among others. The head of the National Council of La Raza, Janet Murguia, publicly called the president the “deporter in chief,”<sup>22</sup> and a student, Ju Hong, interrupted a Bay Area speech by President Obama by saying he had the power to stop deportations.<sup>23</sup>

These efforts spurred the announcement of an expanded DACA program and Deferred Action for Parents of Americans and Lawful Permanent Residents (“DAPA”) on November 20, 2014. The programs were expected to provide relief to more than 4 million additional people.

The president’s executive actions, while a great step forward, were imperfect and incomplete, temporary stopgaps pending actual immigration reform. Beyond the injunction blocking the implementation of expanded DACA

and DAPA, the detention and deportation system remains in place, bed quotas still exist, and communities continue to suffer.

In this context, the Not1More campaign has maintained its relevance and participants continue to speak out. Much of the recent work has drawn attention to how the consequences of a broken immigration system are magnified for LGBTQ immigrants. (As mentioned above, researchers have estimated there are 267,000 LGBTQ undocumented individuals in the United States, of which thousands are within the detention system at any given time.<sup>24</sup>)

The challenges facing many LGBTQ individuals, especially individuals of color – family rejection, hostile schools, employment discrimination, economic and social instability, homelessness, police misconduct, negative interactions with the criminal justice system<sup>25</sup> - are compounded for undocumented LGBTQ individuals. These factors often lead to criminal records or other barriers to gaining legal immigration status,<sup>26</sup> and a greater likelihood of entering the detention and deportation pipeline. In addition, detention, which is meant to be a part of the removal system, not a punishment, continues

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<sup>21</sup> Esther Yu-Hsi Lee, “More Than 100 Women Arrested While Protesting for Family-Friendly Immigration Reform,” Think Progress, September 14, 2013, <http://thinkprogress.org/immigration/2013/09/14/2609481/100-women-arrested-capitol/> (accessed September 9, 2015).

<sup>22</sup> David Nakamura, “Obama: I’m the ‘champion-in-chief’ on immigration reform,” Washington Post, March 6, 2014, <http://www.washingtonpost.com/news/post-politics/wp/2014/03/06/obama-im-the-champion-in-chief-on-immigration-reform/> (accessed September 9, 2015).

<sup>23</sup> Sarah Wheaton, “Obama Calls for Quick Action on Immigration, and So Does a Heckler,” New York Times, November 25, 2013, <http://www.nytimes.com/2013/11/26/us/obama-calls-for-quick-action-on-immigration-and-so-does-a-heckler.html> (accessed September 9, 2015).

<sup>24</sup> Gates, “LGBT Adult Immigrants in the United States.”

<sup>25</sup> Aisha C. Moodie-Mills, “Infographic: Why Are So Many LGBT People and People Living with HIV Behind Bars?” Center for American Progress, May 7, 2014, <https://www.americanprogress.org/issues/lgbt/news/2014/05/07/88950/infographic-why-are-so-many-lgbt-people-and-people-living-with-hiv-behind-bars/> (accessed September 9, 2015).

<sup>26</sup> Crosby Burns, Ann Garcia, and Philip E. Wolgin, “Living in Dual Shadows: LGBT Undocumented Immigrants,” Center for American Progress, March 2013, <https://www.americanprogress.org/wp-content/uploads/2013/03/LGBTUndocumentedReport-5.pdf> (accessed September 9, 2015).



# DACA, DAPA and Expanded DACA

In the absence of Congressional movement on comprehensive immigration reform, the Obama administration has taken several steps to provide administrative relief to certain undocumented immigrants.

On June 15, 2012, in the face of ongoing Congressional intransigence – and under pressure from Dreamers and other activists – the Obama administration exercised its prosecutorial discretion to create the Deferred Action for Childhood Arrivals (“DACA”) program, which temporarily stayed deportation and provided work permits for certain undocumented young people who came to the United States as children. This applied to youth who, among other conditions, had entered before the age of 16, were undocumented, were in school, had graduated at least from high school or obtained a GED certificate, had not been convicted of a felony or significant misdemeanor, and had lived continuously in the United States for a certain period, and were under the age of 31 as of June 15, 2012.

On November 20, 2014, the President in his “Immigration Accountability Executive Action,” announced an expanded DACA program and Deferred Action for Parents of Americans and Lawful Permanent Residents (“DAPA”). These programs removed the age limit under the original DACA program, as long as the applicant arrived in the United States before age 16, and extended work authorization to three years instead of two; under DAPA the U.S. government would not deport certain undocumented parents of U.S. citizens and parents of lawful permanent residents.<sup>27</sup> The programs were expected to help an additional 4 million people beyond the 1.2 million eligible under the original DACA program.<sup>28</sup> This would have covered nearly half of the estimated undocumented population. The implementation of the new programs, however, was temporarily blocked by a federal district court in the Southern District of Texas on February 16, 2015.<sup>29</sup> The original DACA program remains available for those who are eligible.

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<sup>27</sup> Office of the Press Secretary, “Fact Sheet: Immigration Accountability Executive Action,” *White House*, November 20, 2014, <https://www.whitehouse.gov/the-press-office/2014/11/20/fact-sheet-immigration-accountability-executive-action> (accessed September 9, 2015).

<sup>28</sup> Migration Policy Institute, “As Many as 3.7 Million Unauthorized Immigrants Could Get Relief from Deportation under Anticipated New Deferred Action Program,” *MPI*, November 19, 2014, <http://migrationpolicy.org/news/mpi-many-37-million-unauthorized-immigrants-could-get-relief-deportation-under-anticipated-new> (accessed September 9, 2015).

<sup>29</sup> National Immigration Law Center, “Texas v. United States: The Federal District Court Decision Regarding the DACA and DAPA Initiatives,” February 17, 2015, <https://www.nilc.org/TXvUSdistrictdecision.html> (accessed September 9, 2015).



to be rife with horrendous conditions and abuses that disproportionately impact transgender detainees.<sup>30</sup>

As noted in a letter from SONG, Familia: TQLM, the Transgender Law Center, and the TransLatin@ Coalition, “While transgender women only make up 1 out of 500 detained immigrants in this country, they make up a horrific 1 out of every 5 confirmed sexual assaults in immigration detention.” The tragedy of these conditions is amplified for LGBTQ detainees by the fact that many flee persecution in their home countries on account of their sexual orientation or gender identity. Yet conditions are often so unbearable that many transgender women in desperation accept deportation and risk near-certain violence upon return to their birth countries rather than continue in ICE custody.

In Arizona, young organizations such as Arcoiris Liberation Team and Mariposas Sin Fronteras, consulting with the Transgender Law Center, visit detention centers regularly to provide moral support and deportation defense to LGBTQ detainees. Familia: TQLM, Puente, and Not1More staff members continue to protest conditions at a “pod” where transgender detainees are held in Santa Ana, California. And Jennicet Gutierrez, a founding Familia: TQLM transgender woman also representing GetEqual,<sup>31</sup> interrupted a speech by President Obama at a June 24, 2015 White House event for Pride month, calling for an end to deportations before being escorted out.

While the detention and deportation crisis has hardly been resolved, the work of LGBTQ leaders has changed the landscape by bringing public attention to the injustice of the deportation system and the humanity of those affected, forcefully, continuously, unapologetically. Paulina Helm-Hernandez, SONG co-director, notes that now “there’s a lot more political room for us to dream bigger, be bolder, and have strategies that we actually see move. . . . Some of our wins vindicate the vision of ending detentions and deportations in the U.S. in a way that people three years ago didn’t think was possible.”

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<sup>30</sup> Sharita Gruberg, “Dignity Denied: LGBT Immigrants in U.S. Immigration Detention,” Center for American Progress, November 2013, <https://www.americanprogress.org/wp-content/uploads/2013/11/ImmigrationEnforcement.pdf>, (accessed September 9, 2015). ICE convened a working group regarding the treatment of transgender detainees, resulting in guidance regarding identification and processing, record-keeping, and housing. U.S. Immigration and Customs Enforcement, “ICE issues new guidance on the care of transgender individuals in custody,” news release, June 29, 2015, <https://www.ice.gov/news/releases/ice-issues-new-guidance-care-transgender-individuals-custody#wcm-survey-target-id> (accessed September 9, 2015). Considerable skepticism remains, however, about the sufficiency of ICE guidelines and their practical impact, given that they have no enforcement provisions to ensure that the private and government facility operators change long-standing practices. See, e.g., Lambda Legal, “Response to New ICE Guidance on Treatment of Transgender Detainees,” June 30, 2015, [http://www.lambdalegal.org/blog/20150630\\_new-ice-guidelines-treatment-transgender-detainees](http://www.lambdalegal.org/blog/20150630_new-ice-guidelines-treatment-transgender-detainees) (accessed September 9, 2015).

<sup>31</sup> GetEQUAL is an LGBT rights movement-building organization.



# Conclusion

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**L**GBTQ activists and community members have been stepping up for immigrant rights – in the fight against detention and deportation and elsewhere. There have been many points of entry, reflecting the diversity of the communities involved and the complexity of identity. As LGBTQ people, immigrants, students, workers, artists, parents, siblings, their engagement has been driven by a hunger for justice.

Even as their leadership, engagement and contribution have become increasingly visible, there has been a general understanding that the welter of issues are linked. This is not about ever-narrower special interests. As noted by Olga Tomchin, formerly an attorney at the Transgender Law Center working on detention and deportation issues, the work is not about “queer exceptionalism;” LGBTQ engagement in immigrant rights is “not just about making sure there’s good asylum law for queer people.” A sense of injustice in one sphere raises awareness in another, builds common cause across communities, and strengthens us all.

***What SONG has learned from GLAHR and groups like Puente in Arizona is just an incredible gain for us. We’ve had the opportunity for our members, a lot of whom are not necessarily working class Latino immigrants, to really understand what it’s like for organizations to have each others’ backs even when your constituencies look really different. Part of that is shared struggle, shared risk and showing courage together in a real way that’s meaningful. That’s been deeply transformative.***

— Caitlin Breedlove, SONG



From a common experience of being marginalized, criminalized, having to hide part of one's identity in order to survive, these leaders and their communities are finding power by bringing all facets to the fight, asserting the value of embracing whole selves and whole communities.

More than that, our companions on the path toward social justice are rich and complex beings with multiple ties and affiliations that knit together our chosen families, our biological families, and the communities within which we thrive. As the work on detention and deportation has shown, efforts that only address part of the community are incomplete, and fall short. Enduring solutions will be built by seizing the opportunity to move forward together.

***The campaign brought to the table the idea that anyone could fight for their own life, and that this was about everyone, not just one particular group of people in our community. As the country evolves around LGBTQ equality, how do we keep immigrant issues in the light? We have to move forward at the same time.***

— Jorge Gutierrez, Familia: TQLM

Rather than arguing who is worthy of inclusion and who should be spared deportation, their work has lifted up the core humanity of immigrants being victimized by the current immigration system. It has shifted attention to the immorality and deep flaws in the laws and systems that target immigrants, a point that has risen from the grassroots to the editorial board of the New York Times, which has called for an end to the detention system.<sup>32</sup>

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<sup>32</sup> “[T]he system breeds cruelty and harm, and squanders taxpayer money. It denies its victims due process of law, punishing them far beyond the scale of any offense. It shatters families and traumatizes children. As a system of mass incarceration – particularly of women and children fleeing persecution in Central America – it is immoral. . . . No one can expect such reforms soon from Congress, which by law requires the Department of Homeland Security to maintain, at all times, 34,000 detention beds, no matter the need. But the problem has to be acknowledged: the inhumanity and wasted expense of imprisoning people who could be working and providing for their families. The American immigration system should reflect our values. The detention system does not do that.” Editorial Board, “End Immigration Detention,” New York Times, May 15, 2015, <http://www.nytimes.com/2015/05/15/opinion/end-immigration-detention.html> (accessed September 9, 2015).





# Author Bio and Acknowledgements

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For more information about this report and a companion video, please visit: <http://www.theneodifference.org>, and <http://bit.ly/LGBTimmigrant>

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