

## Featured: When Illegal Immigrants Are Jews

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In the **June 2011** issue of **Sh'ma**, immigration lawyer **Douglas Hauer** notes that illegal immigration is a "Jewish issue" not merely because of American Jewry's *history* with immigration, but also because of the *present* situation of many Jewish illegal immigrants:

What both sides of the debate seem to agree on is that illegal immigration is not *specifically* a Jewish problem... Few associate the names Bernstein or Cohen with being an illegal immigrant. But we should. Although little is written on illegal Jewish immigrants, they exist. They are also invisible.

As an immigration lawyer, I have met Jews who are living without lawful immigration status. They are from Israel, Romania, Russia, Latin America, Canada, and other places. What they share in common is an inability to become legal residents of the United States. A future green card is precluded. Many came lawfully on visas, but lost their status after a layoff or the breakup of a marriage. There are no statistics on illegal Jewish immigrants. Their Jewishness is erased when they are counted with other illegal immigrants.

How would any of us react if a family in our congregation were to be arrested and detained for overstaying a visa? I have met entire families in the Jewish community who face exactly this risk in America, the *Goldene Medina* — the land of golden opportunity...

...Absent from any statistical data is important information about the subjective fear of bureaucracy that inhibits some of these individuals from seeking any resolution to an expired visa... Our U.S. Customs and Border Protection officials have become especially zealous in the past few years. Just last month, I spent many hours at an airport while my client, a Holocaust survivor from Israel, was interrogated about her visa and her

intention to stay here only temporarily. It is hard to justify interrogating an Israeli Holocaust survivor on the pretext of security or law enforcement. Even as a lawyer who practices in this field, I am intimidated by the behavior of our government officials. This feeling of intimidation must be so much more personal and frightening for Jews who have experienced persecution...

...We need broad, sweeping immigration reform. Punitive state laws, such as Arizona's AZ SB 1071, which would require law enforcement officials to collect racial and ethnic information from each pedestrian or driver of a vehicle they stop, are driven by populist sentiments and angry voters, not by justice. These laws target primarily Latino communities and are unconstitutional. Instead of repairing a problem, these laws are costly, and they produce litigation. Our community needs to speak out against these laws. We should do so as Jews and as fair-minded Americans, and especially on behalf of the invisible illegal Jewish immigrants who have no voice.

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