

# Issues of Fragmentation & Wickedness of DACA Policy

Megan McEnery

Mentor: Dr. Radha Modi, Interdisciplinary Social Sciences

## INTRODUCTION

- Patterns of fragmentation arise from DACA including but not limited to; ideological conflict and a culture of deservingness
- Unintended negative consequences that effect undocumented individuals of all identities
- DACA is an important policy that would be irresponsible to eliminate entirely, a more permanent policy needs to be created in order to account for uncertainty

## HISTORY OF DACA

- Origin: DREAM (Development, Relief, and Education for Alien Minors) Act
- Introduced in Congress in 2001 to provide a pathway to citizenship to select undocumented immigrants who migrated as children
- Created from an Executive Order given by President Obama in June 2012; update: USCIS will not **grant** new requests after July 16, 2021

### **Criteria**

- Under the age of 31 (must be at least 15yrs or older to request)
- Came to US before 16th birthday
- Have continuously resided in US
- Physically present in the US on June 15, 2012 & at the time of filing
- Had no lawful immigration status on June 15, 2012 & at time of filing
- Currently enrolled in school, graduated/obtained a certificate of completion from high school, obtained a GED, or honorably discharged veteran
- Have not been convicted of a felony or significant misdemeanor

### **If USCIS does not grant**

- Cannot appeal
- "If your case does not involve a criminal offense, fraud, or a threat to national security or public safety, we will not refer your case to ICE for purposes of removal proceedings except where DHS determines there are **exceptional circumstances**"

## METHODS

- **Conducted policy analysis to determine:**
  - long-term & short-term negative & positive consequences of DACA on recipients
  - the differences of DACA consequences on different identities
  - patterns of fragmentation
  - how DACA fit within the criteria of wickedness

## RESULTS

### **Wickedness (Head)**

#### **Complexity**

- Affects certain states more than others

#### **Uncertainty**

- Changes of executive branch
- Supreme Court

#### **Divergence (media debates)**

- Deserving vs not deserving
- 'Unfair'

### **Patterns of Fragmentation (Beland)**

#### **Ideological Conflict**

- Turns DACA into a double-sided argument instead of being multifaceted

#### **Checks & Balances**

- Shifting of responsibilities between different branches of government

### **Intersectionality**

#### **Class**

Higher economic class allows for better resources; 15% relied on private attorneys

#### **Gender**

Women recipients

- more responsibilities, surveillance, uncertainty
- benefit more from DACA
- Achieved higher education
- Employment in higher-skilled occupations

#### **Race**

Certain ethnic groups receive better benefits from DACA

## CONCLUSION

- Vast size of individuals currently still receiving benefits from this policy, it would not make sense to take these benefits away from them just to pacify the harms caused
- Create an equal line of benefits that do not differentiate between states
- Find a way to pause parents' deportation to prevent DACA recipients from stress
- Cement DACA permanently so there is no factor of uncertainty

## REFERENCES

- López, G., & Jens Manuel Krogstad. (2017, September 25). *Key facts about unauthorized immigrants enrolled in DACA*. Pew Research Center; Pew Research Center.
- Head, B. (2008). *Wicked Problems in Public Policy* (1st ed., Vol. 3, pp. 101–118) [Review of *Wicked Problems in Public Policy*]. Palgrave Macmillan Cham.
- Gonzales, R., Terriquez, V., & Rusczyk, S. (n.d.). *Deferred Action for Childhood Arrivals (DACA) Deferred Action for Childhood Arrivals (DACA)*.
- Patler, C., Hamilton, E., & Savinar, R. (2020). *The Limits of Gaining Rights while Remaining Marginalized: The Deferred Action for Childhood Arrivals (DACA) Program and the Psychological Well-Being of Latina/o Undocumented Youth*. Social Forces.
- Capps, R., Fix, M., & Zong, J. (2017). *Executive Summary The Education and Work Profiles of the DACA Population*.
- Morales, J., & Garcia, Y. (2021). Beyond undocumented: Differences in the mental health of Latinx undocumented college students [Review of *Beyond undocumented: Differences in the mental health of Latinx undocumented college students*]. *Latino Studies*, 19, 374–399.
- Béland, D., Howard, C., & Morgan, K.J. (2014). The Fragmented American Welfare State.
- Gonzales, R., Terriquez, V., & Rusczyk, S. (n.d.). *Deferred Action for Childhood Arrivals (DACA) Deferred Action for Childhood Arrivals (DACA)*.