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Immigration

How To Not Get Deported

By Brantley Hargrove Mon., Feb. 27 2012 at 10:48 AM Categories: Immigration

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So, you're an undocumented immigrant. Your great hope is to stick around, make a living and, some day, become naturalized. Unfortunately, our immigration laws are a tangled morass of inscrutability, insensible to the realities of a globalized world.



You may have watched last week's Republican debate in Arizona with a growing sense of foreboding as the candidacy swung its collective, penetrating gaze from America's kibbles-n'-bits to border security. Presumptive nominee Mitt Romney endorsed Gov. Jan Brewer's American Legislative Exchange Council-penned immigration law, designed to do little other than line the pockets of private-prison operator Corrections Corporation of America by filling its detention facilities.

"You know, I think you see a model in Arizona."

It'll be bad enough if primary voters can stomach pulling on the Mittens of Last Resort, but even if they can't, the GOP -- these days the party of craven, isolationist xenophobia -- has a majority in the U.S. House of Representatives. And because the Democrats have neither the political will nor capital to do anything about immigration reform, you're stuck with the current state of things.

But it's confusing out there. Buzzwords like "prosecutorial discretion" keep cropping up. What do they mean? And how, above all else, do you stay in this country and out of CCA's privately run pokeys you keep hearing such awful things (rape) about? To that end, Unfair Park chatted with local immigration attorney Furqan Sunny Azhar. Here's what we took from the conversation:

**Prosecutorial Discretion:** "Immigration court" and "termination of charges" probably sound pretty good together, right? But don't get your hopes up. The exercise of prosecutorial discretion isn't going to get you work authorization or a green card or any kind of legal status. All it means is that they're not going to prosecute you ... at this time. It's a step in the right direction. A teensy, mincing step.

**Maintain Your Vehicle:** It helps to have a driver's license, but if you don't, make sure

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your tail lights, brake lights -- hell, even your dome lights -- are working. In some North Texas 'burbs, DWB (Driving While Brown) is probable cause. Don't give them an excuse.

**Stay Away From Irving:** No, seriously. The Irving Police have historically been pretty inquisitive when it comes to folks' nationalities. You know, while you're at it, stay away from Carrollton and Farmers Branch too. The police there have 287(g) agreements with U.S. Immigration and Customs Enforcement, metamorphosing every patrol cop into a de facto ICE agent (at least for now).

**Avoid the Greyhound Bus:** They do get pulled over and searched from time to time.

**Don't Speed:** Remember -- No Probable Cause.

**Don't Drink and Drive:** You really shouldn't do this anyway, but definitely not as an undocumented immigrant. Prosecutorial discretion will not apply when you go before the immigration judge. It'll be all aboard the bus headed to Oakdale Federal Detention Center.

**Don't Beat Your Wife/Girlfriend:** Again, something you shouldn't do anyway, but you'd be surprised how often undocumented immigrants get picked up for this. It may not be the politically correct thing to say, but if I had a dime every time an immigration attorney told me that ... Perhaps the moral of the story here is to avoid boozing in excess and the stupid things you may consequently do.

**Avoid Checkpoints:** Avoid any kind, but especially the ones in South Texas and at state border crossings.

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