INTRODUCTION:
IMMIGRATION IN THE TRUMP
ERA SYMPOSIUM ISSUE

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Southwestern Law Review's Immigration Law in the Trump Era symposium issue highlights concerns

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including young children, in "detention centers" at unprecedented rates.' Children who are too young to speak are incarcerated in jail-like facilities after their parents have requested asylum. Hundreds of thousands of people, including long-term residents of the United States, are deported each year, resulting in U.S. citizen children being separated from their parents, and spouses from one another.3 The federal government has increasingly been conducting workplace raids to arrest immigrant workers, spurring a pervasive sense of fear among immigrant communities.4 Furthermore, some localities have passed "anti-sanctuary laws" designed to require law enforcement officers to target immigrants for arrest, detention, and
removal .'

Much of the groundwork for this enforcement apparatus was laid far before Donald Trump took office. Over three million people were deported under President Obama's leadership as immigration detention rates skyrocketed.6 As C~sar Cuauht~moc Garcia Hernndez remarked at the symposium, "The most liberal president in recent history stood watch while the number of people confined pending a decision on their ability to remain in the United States reached 380,000, then 420,000, before peaking just shy of 478,000 ... [W]here President Obama left off, Trump picked up." The workplace raids the federal government is currently conducting are also nothing new; the government has conducted these kinds of raids for years. Although Obama's administration curtailed their use, they were commonplace under George W. Bush.7

While acknowledging that this path was paved under the leadership of past presidents, the speakers' remarks highlight many ways in which

2. See Geneva Sands, This Year Saw the

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Judicial Checks on Government Power in Immigration Cases

Lower courts have intervened to check the government's power by issuing injunctions to prevent the enforcement of the initial travel ban," to limit the practice of family separation at the border, 12 and to prevent the implementation of former Attorney General Session's unilateral decision that victims fleeing domestic violence no longer qualify for asylum protections.13 A federal District Court recently prevented the implementation of a change to the government's policy regarding Special Immigration Juvenile Status that previously prohibited the policy's application to youth between the ages of eighteen and twenty-one. 4
And, as Dean Kevin Johnson argues in this issue, the Supreme Court is now far more willing to apply constitutional review to immigration laws than ever before. 5 For example, in Dimaya v. Sessions, a case that originated in Southwestern Law School's Appellate Litigation Clinic, the U.S. Supreme Court invalidated a provision of immigration law because it was void for vagueness. 6 This was remarkable because of the long history of judicial deference to the plenary power of the federal government to regulate immigration matters. The high court's willingness to apply constitutional norms to immigration cases has transformative potential. Dimaya was also an important decision because the Supreme Court stood up for the rights of immigrants with criminal convictions despite the widespread dehumanization of this uptSessi3Juvenile more

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