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Valuing the Undergraduate Research Process:
Reflections from Research on Sanctuary Legislation in New Mexico

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In May 2019 I flew to El Paso not having any idea what to expect when I arrived there. I had never been to that part of the country, never prepared to live that long or far away from home on my own, and felt overwhelmed by my working knowledge of immigration in this country. On the plane, I studied the recent news in an attempt at piecing together what was happening at the border but the headlines were changing so frequently that I found it hard to keep track of. I was sure that the news coverage and investigative journalism of the border would depict an accurate albeit intense image of the region I was about to arrive in. Yet what I found in El Paso was not like what I had read on the news. Yes, the militarization of the border and criminalization of migrants was apparent and tangible. But the full picture I learned that summer was more complex than what I had expected. Much of what I learned I did not see reflected in the news or even in the investigations and visits by politicians. Where were the stories of migrants sent back to Ciudad Juarez as part of the Remain in Mexico program? Where were the community organizers' voices? Where were the borderland communities themselves explaining and responding to the political and media spotlight in their own backyard?

That summer I conducted research with the American Civil Liberties Union (ACLU) New Mexico Regional Center for Border Rights along with two fellow undergraduate students in the program, Esperanza Hernandez and Israel Monsivaiz. This was a three part project that I will explain in more depth below. To prepare for that work, we first spent some time learning about the asylum process and El Paso/Las Cruces region. One of the first things we learned upon arriving in El Paso was that El Paso Processing Center had a 95% rejection rate of asylum applications. It was in this moment that I began to realize the colossal bureaucratic system that community organizers and immigration advocates were up against in El Paso. At that point in the program - when I was taking notes in a classroom fresh from my own semester's finals back in

New York - I wrote down definitions: expedited removal, removal proceedings, reinstatement of removal, credible fear, protected social group. I knew that the learning I would do that summer would not always be in the classroom but I did not have any frame of reference to picture what doing community-based participatory research would look like. I could not yet picture what hearing these terms in court hearings, in conversations with migrants themselves, or in protest settings would look like.

My own research with the ACLU that summer was about the possibility of New Mexico claiming sanctuary state status. To imagine this, we looked at how sanctuary state status had been previously proposed in House Bill 195 and prepared to use Las Cruces and the broader Dona Ana County - an area with welcoming and safe community resolutions - as a case study for positive and beneficial sanctuary policy enactment. We wanted to document the social narrative and realities of migrants in the county through a combination of interdisciplinary academic and legislative analysis, interviews with local elected officials, law enforcement, public school administrators, and professors, court observation of "Operation Streamline" cases in the Las Cruces Federal District Criminal Court, and the conducting of Spanish-language Know Your Rights trainings for asylum seekers at welcome centers in Las Cruces, New Mexico. Our goal was to present an argument for state sanctuary status convincing to the state legislature.

Using Las Cruces and Dona Ana County as a case study for statewide sanctuary made sense both because of our own research scope and parameters and because the community itself was actively contemplating and reflecting on sanctuary (or sanctuary adjacent) policy. Some of that reflection had to do with what language was used in existing resolutions. Keeping our own definition of 'sanctuary' policy constant - that of limited cooperation between local law enforcement and federal immigration enforcement - my group questioned and explored the

complexities of language and the many alternative terms used nationally including ‘safe community’, ‘safe haven’, “welcoming community’, and ‘immigrant friendly status’. One large component of this work was conducting community interviews. We spent a lot of time strategically brainstorming who to ask about sanctuary legislation, whose voices were easily overlooked, and who would be interested in pursuing expanded sanctuary policy elsewhere in the state. We soon set up meetings with Las Cruces city councilors, a Dona Ana County Commissioner, the New Mexico Assistant Attorney General, and a New Mexico House Representative. In these interviews, our conversations spanned from funding allocation to the complexities of policy implementation to narratives of public safety and use of public resources. We inquired about the benefits and limitations of existing policy as well as questioned the acceptance of federal funds such as the Stonegarden Grant, a federal grant given to communities within 100 miles of the US borders that supports enhanced cooperation and coordination among Customs & Border Patrol, United States Border Patrol, and law enforcement agencies at every level. At the time, New Mexico received three million dollars in Stonegarden funding, some of which was allocated to Dona Ana County. Las Cruces has since rejected the distribution of this funding within the city. Other interviews and conversations were conducted with law enforcement, including the Dona Ana County Sheriff, the Las Cruces Police Chief, and a grant analyst in the New Mexico Department of Homeland Security and Emergency Management.

Another key component of sanctuary legislation in New Mexico that our group soon identified was its colossal impact on education and school systems. We spoke with multiple university professors, as well as the Superintendent and Public Relations Coordinator for local school districts, about what internal sanctuary policy existed, what they considered to be necessary components of any statewide legislation, and what had been included previous debates

about declaring sanctuary campus status. In all of these conversations, we learned that any effective state-wide sanctuary policy had to not only reflect the needs of small communities but also have the full commitment of and buy in from cities, state representatives, and county sheriffs to enforce it. We listened to concerns about what declaring a sanctuary state would mean for New Mexico in receiving federal funding, thoughts about how local law enforcement interacted with CBP and ICE, and ideas for what alternative futures of community policing and partnerships could look like.

My research group realized we needed to respond to these conversations and shift our own vision of what a final research report should look like and include. Although we began the summer with the goal of creating an argument for state-wide sanctuary legislation, our research demonstrated that it was preferable for New Mexico to implement small-scale legislation with assured enforcement rather than a state-wide, declarative, idealistic policy. In our final report to the ACLU, we presented an alternative sanctuary policy model for New Mexico that allowed for creativity on the city and county level and worked in conjunction with a series of complementary policies, such as increased and protected Know Your Rights trainings, access to drivers licenses, a diversified economy, less reliance on federal agencies and specific federal funds, fewer private prisons, and public school guidelines created with undocumented communities in mind (Hernandez, McElhone Yates, and Monsivaiz 2019). Had our research period been extended, we were eager to next talk with community health professionals, grassroots organizers, and public safety officials. We also imagined a research project that would include a survey of community members to understand their perceptions of the word “Sanctuary” in order to conceptualize what the most effective and productive language was when creating truly inclusive and welcoming spaces.

This process of adaptation and reconfiguration was critical to my own learning and research process because it showed how organic and flexible research can and should be. It was not as if many people had not already been thinking about and working on state-wide sanctuary legislation, just that few had the time and unique opportunity that we undergraduate students had: the chance to focus on listening and connecting the dots between this work being done in largely separate, distinct spheres.

As we conducted these interviews and learned what different community members wanted and needed from an effective sanctuary legislation, I learned a series of lessons. First, despite feeling like I was jumping into this research head first without full knowledge of how our findings would be received, the vast majority of our interviewees appeared genuinely interested in and respectful of the work we were doing. This simple observation indicated to me that the community was receptive to ideas about sanctuary legislation. People not only had their own thoughts about past experiences but they also had ideas and wanted to hear what we had learned so far. This community-based participatory research process was also important for my own personal growth and confidence in conducting research. I quickly learned how to best prepare for an interview in order to have a productive and effective meeting. Most importantly, I realized that there is a role in effective community-based participatory research for everyone. As undergraduate students, we knew how to listen, document, and critically absorb information in order to then ask specific questions well. This was a skill I had practiced each day during my time as an undergraduate student in the classroom. It was not one, however, that I had actively appreciated or as being so beneficial outside of a classroom before this summer.

We, as undergraduate students, did not come to this program with any answers. I personally have spent my entire life in Massachusetts and New York, far from these borderland

communities. I did not know how to participate thoughtfully and appropriately in this work. I spent a lot of time reflecting on the hierarchical structures of learning and expertise I had absorbed throughout my own academic experience. How could I actively unlearn those systems and stay true to the framework and approach of community based participatory research during and after my time in this program? One answer involved valuing documentation as its own act of resistance. We were there to listen to the voices of people otherwise unheard - the migrants telling their stories in empty courtrooms to a judge, the notes left out of statistical representations of the "migrant crisis," and the local community not accustomed to living in a national media spotlight - whose lived experiences needed to be acknowledged and documented.

Much of my own experience with documentation processes that summer occurred within Operation Streamline hearings at the Las Cruces Federal District Court. Court observation was the second main component of my research. In Operation Streamline hearings, migrants with the same charges would be brought up in front of the judge in groups as large as seven or eight and answer questions by responding down the line before being sentenced. This meant that the sentences and experiences of those individuals were not always clear, explained, or easy to document because the entire process happened very quickly. We recorded as much information as we could about each individual and occasionally saw the same people at their next hearings later in the week.

These hearings were not always easy to find and we often had to ask multiple people to determine where and when they were scheduled for. Occasionally there were other people in the courtroom observing these cases but many times we were the only ones. Occasionally attorneys, prosecutors, or the judge would acknowledge us and ask what we were doing in the courtroom and we explained we were students learning about immigration policy. Many days, we would

arrive at the hearings after all the defendants were seated right before the judge entered the courtroom. On one Monday in June, we intended to go to an Operation Streamline sentencing hearing and found out that what had been scheduled as a sentencing hearing was actually an initial hearing. We walked into a very empty courtroom and were quickly asked to move aside as 107 defendants entered the room. The border patrol agent we recognized from previous hearings made a quick comment about this being an average Monday. However, we could not wrap our minds around how this many people were about to be tried at once and how no one else seemed to notice.

Observing in the courts, I was immediately struck by how young so many of the migrants were as they stood there with chains around their wrists, waists, and ankles attempting to argue for their own futures in front of a judge who would only say a few words before dismissing them or issuing their removal (and therefore, their deportations back to the places they fled). This is something I still have to take a moment to process each time I read through my notes from that summer and it is one of the most important things I believe we documented and reflected on. These Operation Streamline cases greatly informed how I now conceptualize the larger border apparatus as being militarized and criminalized.

I spent one day observing asylum hearings at the El Paso Processing Center (someplace other students from the program returned to in their own work with other organizations). I reflect on this day often, though, because it so succinctly highlighted how broken the asylum application process is. We documented the entire hearing, beginning with what it was like interacting with the border patrol agents asking us why we were observing these hearings and what we observed when being escorted down the long white hallway into the small courtroom. In the hearing, the judge made offhand comments and jokes about his work both in front of the migrants and when

they left the room. We watched and noted as defendants decided whether to proceed with the hearing in Spanish (often without knowing the language well and being asked to decide between conducting the hearing in a second language or spend more time in detention awaiting an interpreter). We also heard the Spanish spoken by the migrants and the occasionally inaccurate English translation from the struggling interpreter as there were fundamental misunderstandings between the defendants and the judge. Of the twelve migrants who were interested in applying for asylum that day, only two continued with the application process by the end of the two hour hearing. The judge was outspoken about when he thought defendants were making mistakes in wanting to go forward with the process, complaining in English about “only [being able to] hold their hand so much,” and comparing being granted asylum to winning the lottery. That day was the first day I noted hearing many defendants thank the judge after he ordered their deportation, to which he would reply “you’re welcome.” In my reflection that day, I wrote about how surprised I was to hear these interactions and how hard it was throughout the hearing to stay quiet and simply observe what was being said without being able to assist or clarify what was happening.

My entire understanding of legal processes and immigration law changed that day. It was an isolating, overwhelming, and extremely frustrating thing just to observe. No attorneys were present: only the judge, a prosecutor from DHS, her intern, the clerk, an interpreter, and us students furiously taking notes in the back of the room. The prosecutor from DHS explained to the room that she had left ICE to be a border security team member and criminal prosecutor in hopes of one day being an immigration judge. I could see how desensitized the judge was to the experience of the individuals testifying in front of him. Before that afternoon, I had been

interested in working in court in some capacity. This afternoon changed my mind on that entirely. Yet for others in the program, it motivated them to want to work in those spaces and make sure that not everyone in the room came directly from ICE and CBP backgrounds.

With no one else in the courtroom remotely advocating for these migrants, we knew we were the only ones writing down their stories at that moment. Yet I must consider how many hearings do not have people there recording what is happening or listening to people's stories; how many stories and statements never leave those long hallways. That is why we need to consider documentation an act of active resistance and advocacy and what I have tried to take with me in my own work after this program concluded.

The third part of our project - and arguably the part that I took the most from that summer - was presenting Know Your Rights trainings at the welcome centers for asylum seeking families in New Mexico. These trainings were conducted in Spanish with the information available in English, Spanish and Portuguese. Our responsibility was to explain the Constitutional protections granted in the First, Fourth, Fifth, and Sixth Amendments and familiarize the groups with the rights they have if officers go to their home, if they are stopped in their car or at a border patrol checkpoint, and if they are approached in a street or public place. We emphasized the importance of recording or taking pictures of interactions with law enforcement and presented the differences between ICE warrants and judicial warrants. Though many people in our workshops started out quiet and few wanted to participate, they loudly and confidently answered practice questions and acted out scenarios by the end of the presentation. Seeing people's confidence in articulating their rights develop throughout the course of these workshops was moving and humbling. It is many of those moments that I remember best and most fondly from our work that summer.

Being trained to give these presentations originally seemed to be a daunting process. As someone still learning Spanish, I felt a great deal of pressure and responsibility to speak clearly and correctly when giving this important information. I felt very vulnerable presenting this important information in Spanish but knew that it was important to put aside my own feelings in order to give these presentations well and make sure that each person there felt confident and heard. Furthermore, although I had a general understanding of these rights before working with the ACLU, what mattered now was knowing the details of those rights, anticipating answers to any questions, and knowing the strict limitations over what information we could give and where other people - namely, lawyers - would have to intervene to answer questions about any individual's specific situation. When we first learned this material with the ACLU, we had simultaneous conversations about border militarization and the structures of federal agencies within the Department of Homeland Security that helped us contextualize Know Your Rights workshops within our other project components.

Most importantly, conducting these trainings allowed my group the opportunity to talk to migrants directly and listen to their stories. We asked them about their experiences so far and where they anticipated going in the United States next. While the presentations were only given to adults, we occasionally spent time before or after volunteering in those shelters and playing with kids. The shelters were set up as temporary spaces for asylum seeking families to stay before travelling to their sponsors across the country. For this reason, people cycled through the space often and we rarely interacted with the same people more than once. Sometimes, our conversations were not about their experiences with border patrol or migration at all. One man and his young son spent a long time with us ahead of a presentation talking about music and playing on the drums set up in the corner of the room. We talked about his son's love of music

and the future he imagined for their family. In those moments, I was able to connect and ground all of the work we were doing about sanctuary and through court observation more explicitly than I had before.

I was eager to work with the ACLU because I was drawn to their research approach and the issues they were tackling within the community. They approach their work with clear and specific goals and methods. I left our early meetings with them that summer excited to help brainstorm approaches to policy and envision a clear legislative impact from our work over the summer. Looking back, I learned about much more than policy creation. Over the course of the summer, some of the most meaningful moments came from what slips between legislative decisions. I learned first-hand that small acts of kindness and taking the time to listen to people's stories are just as important, especially when changing legislation seems too far out of your control.

My own learning about immigration policy and border communities also did not stop with the end of the work day. It became obvious to me and others very quickly that we could not isolate the work we were doing during our work days from how we were spending our time after returning from interviews, court, and workshops. We attended numerous protests and community engagement events in the local area, be those tours of local nonprofit organizations, protests at border patrol facilities, visits to migrant shelters in Ciudad Juarez, or town hall style meetings with community organizers. In those spaces, I felt a responsibility to absorb what was happening around me and, when appropriate, tell the stories of our own research process and what we were spending our days documenting. These conversations and events are where much of my own learning occurred. I witnessed what effective community engagement looked like, saw how protests were planned and organized, and felt what it was like to be politically engaged within a

like minded community. I had participated in political protests before, including for immigration policy reform, but I had never done so against the physical US-Mexico border or in front of border patrol officers. Yelling for the fair treatment of children detained in processing centers by standing at their gates was something I did not - and arguably could not - prepare for from my own organizing experience in New York and Massachusetts.

Even back at our own apartments, the other students in the program and I spent many hours reflecting on our days, asking questions, and writing our field notes. I quickly realized that my initial concern arriving in El Paso about not being able to fully catch up and comprehend the news coming from this region was shared by others. We were doing work that was evolving and meant responding to events, decisions, and presidential statements far out of our control. Not only was each day of work different but it was also at times incredibly difficult to process. Rather than only relying on the news headlines and what was being shared in the national political debates, we supplemented and questioned those sources by teaching and learning from each other. Sharing our thoughts and processing all that we had observed each day honestly and openly as a group was something I am incredibly grateful for. It also fundamentally shifted my idea of what effective research and genuine learning processes should look like.

In the years since concluding this program, I have thought extensively about how holistic learning can and should look for undergraduate students like myself. Following the community based participatory research approach was critical for disrupting the hierarchical structure of expertise that I had internalized as a student and also centered the work I was doing so that it could be grounded in what the community around me wanted and needed. Importantly, this approach was also fundamental to my ability to thoughtfully reflect on positionality and space, especially for those of us learning these research and advocacy techniques within a limited time

frame in a community that was new to us. In both individual and group reflections, I grappled with the privilege afforded to me to travel and learn from activists and migrants while then returning to my own higher educational institution, the gravity of the subjects I was researching, the complexities of documenting court cases while feeling at times like a spectator to others' lived experiences, and the process of learning to feel comfortable asking questions without always having or expecting answers.

What I have come to realize since participating in this program is that it is not that my experience doing research along the border completely contrasted with doing research in the classroom, but that thoughtful learning in academic spaces needs to be a combination of the two research methods. I felt - and continue to feel - a responsibility to take back these experiences and methods to my own academic study. While many people - activists and academics alike - frequently question whether their two spheres can exist congruently, I gained an appreciation in this program for the many places they overlap. This was a unique opportunity for students like myself to capitalize on our time and identities as undergraduate students within community advocacy spaces. Frequently, the success of our day's research relied on the specificity of our notes, us asking informed questions and seeking multiple sources to confirm what we learned, and our willingness to put the work in: to show up to every event, be present, work together, be frustrated, and identify moments of clarity. Though we were in courtrooms and community meetings rather than behind desks, this role was familiar to us. These characteristics of being a student that I have often taken for granted within the traditional classroom were distinct and powerful in our field work. In asylum courts without defense attorneys, for example, our presence and active note taking in the courtroom was an intentional demand for accountability. By observing court proceedings in this way, we were able to both signal to the immigration judge

and prosecutors that people were watching and to the defendants - the vast majority of whom were quickly deported - that their stories, experiences, and voices mattered and would not be lost in the United States' bureaucratic immigration system.

During our research period, each student was asked to keep comprehensive and detailed field notes that included both the details of each activity and our personal reflections. This document served its purpose of recording the parts of our research that may otherwise have been forgotten by the time we sat down to write our report, and it has also served as a guide and reference document for me as I continue to have conversations about migration and border studies since. Having these detailed notes is why I am able to reflect in detail today and continue to share what we documented and learned. In these field notes, I can see my own thought process and confidence develop, writing one week into the program that the court observation process was "uncomfortable but okay because we were clearly part of a class" and, by the end of the program, that I felt I could "confidently convey our research and why it matters" to a variety of audiences including the county Sheriff and a Department of Homeland Security grant analyst in a series of self-initiated interviews. These field notes continue to remind me about how effective community-driven research is conducted, allowing me to apply the PAR model to my own papers, projects, and discussions. The assignment to track my own reflections within my notes is an educational technique I now value and seek out in other classes. Incorporating my own feelings, emotions, and senses into my notes and learning process once felt irrelevant and indulgent. It now feels necessary, especially when it comes to actually conveying a situation or information with nuance and specificity.

I am incredibly grateful, honored, and humbled to have participated in this program and research that summer. It was the first time I envisioned working in immigration research after

college and therefore gave me new goals for my own education and career. I gained confidence in my own ability to do community-based research and public speaking. Despite often feeling nervous when stepping out of my own comfort zone during this research process, I learned how to channel those feelings into my work and convey why this research and documentation process was so important. I also learned that it does not require much to reach out to others and make sure their stories are seen and heard. When the work got particularly overwhelming, I was reminded that there are communities of people doing activism and research who were reflecting on their experiences similarly and working together to figure out a path forward.

I have since applied the approaches and lessons from this program to my academic and extracurricular experiences, making an intentional effort to convey what I learned, recognize my own privilege to go to college and participate in a program like this, be aware of and connect community resources, and lift the voices of others in an attempt to blend community activism with my own higher education. This includes working with the Consortium on Forced Migration, Displacement, and Education (CFMDE) on expanding conversations about forced migration at higher education institutions. In the fall of 2019, CFMDE organized a series of exhibits entitled “Know Your History and Geography” inspired by the 30th anniversary of the fall of the Berlin Wall. I co-curated “Know Your History and Geography: Students, Artists, and Activists Narrate the U.S.-Mexico Border” along with Professor Rick Jones in an attempt to highlight how local Vassar College students and Hudson Valley activists contextualized, represented, and responded to the U.S.-Mexico border. I invited some of the organizations that our summer program worked with to also contribute materials and bridge connections between our two communities. I have continued to bring conversations about migration and immigration policy to my campus with CFMDE in the years since. I have also joined national networks of student advocacy groups who

are continuing these conversations and seeking increased pathways for immigrant and refugee students to access higher education.

The summer of 2019 was a particularly intense time to be working in immigration reform in El Paso: it was the time of ongoing family separation and an extended Migration Protection Protocol (Remain in Mexico) program, the introduction of the “safe third country” agreement, fast track deportations, increased CBP presence along the border and ICE raids across the nation, as well as many other policies that made the El Paso region a hub of political and media attention. Over the course of the summer, however, what stood out to me most was the number of people who work each day to combat harmful policies and support both migrants and the greater borderland communities while doing so. Within these organizations and amongst the individuals I met, there was an overwhelming and humbling sense of determination and hope. I feel very honored to have been quickly included within local circles of community activists. It was by their example that I began to understand what successful community advocacy can look like and how I, a student far from home, could best learn and participate.

Hernandez, Esperanza, Ava McElhone Yates, and Israel Monsivaiz. “Sanctuary in New Mexico: Imagining a State-Wide Policy” (unpublished report, NSF-REU Site Program on Immigration Policy and Border Communities, July 2018).