

The Honorable Robert C. Brack – U.S. District Court Judge
A Border Court Judge Looks at Immigration
June 9, 2015 – Good Sam Arts & Crafts Room

The Honorable Judge Brack provided his perspective of “one day” in his courtroom of immigration issues in a border Court in Las Cruces. Judge Brack, for 12 years, has been dealing with the criminal side of immigration although he is not an immigration Judge. The majority of the defendants he sees are Mexican citizens who have come to the United States without permission, have been deported and then, upon a subsequent return, are eligible for prosecution under Felony Reentry, 8 U.S.C. & 1326.

The need for reform was strongly stressed and acknowledged it is broken and must be reformed. The V.R. Program (Voluntary Return), a V.R. is what we do when we catch someone coming into the country without permission. The past policy was 15 V.R.'s. Several examples were given of those who have consecutive VR's and yet have most of their family in the U.S.; some were heart-breaking and he too struggled to make the best decisions regarding these cases.

Every day, in the five border districts, and across the country, families, like these, are being torn apart. He noted that we are a nation of immigrants and the story of migration is the story of humanity. The reasons vary – economic, political, climatic, and armed conflict . Worldwide, 232,000,000 people migrated in 2013, primarily for economic reasons, as per the International Organization for Migration. Migration is a force of nature; as long as there is work available at higher wages that can be earned – they will come. Judge George Kazen, says that Americans have an insatiable appetite for cheap labor and drugs. There are laws criminalizing the hire of illegal immigrants, and yet, for obvious reasons, employers have no fear of prosecution. The immigration problem will persist because we lack the political and economic will to impose a real fix.

The very presence of these hardworking people subsidizes our lives in countless ways; they work in construction, agriculture, in the dairies, hotels, and restaurants, often working off the books for less than minimum wage. The Immigration issue is complex, bound up in a checkered history and compounded by the rancorous shouting that passes for dialogue in America today.