

# **The Convergence of Movements to Abolish ICE and Defund the Police**

KATE EVANS: Thanks, everybody, I am so thrilled at the turnout. Thank you, Luis. The student board members of Duke's Immigrant and Refugee Project have been phenomenal partners in organizing this series, and I'm grateful to be able to count on the support of so many of my colleagues and students here in bringing these events together.

We've had a great response across Duke University and from advocates and scholars nationwide to today's event. So we will be recording that. And I know the folks in our communications department plan to develop additional materials based on today's discussion. We just want you to be aware that the discussion today will be recorded.

I could not be more excited to kick off our Fall Speaker Series with this panel of powerful voices for racial justice. At Duke Law, we've been having a series of conversations on the calls and means to challenge racism throughout the criminal justice system, including panels on policing in America, the movement to defund the police, the work of our new Wilson Center on Science and Justice, we have discussions beginning tomorrow with Michael Tigar, who served as defense counsel to Angela Davis and is a leading advocate for reform, as well as the cutting-edge work of advocates in North Carolina to fight incarceration and disenfranchisement due to fines and fees.

Today, we have the opportunity to connect these discussions with similar calls for reform in immigration enforcement policy. I'm honored to introduce three leaders of change who will talk about how at the heart of both movements to abolish ICE and defund the police is a conversation about who is incarcerated, who is criminalized, and how we end the practices that have killed far too many people and endanger thousands upon thousands more.

Beginning first with Tsion Gurm, she's the Legal Director of the Black Alliance for Just Immigration, known as BAJI, the first national immigrant rights organization formed in the U.S. to bring Black voices together to advocate for social and economic justice for Black immigrants.

Tsion is also the Founder and Director of the Queer Black Immigrant Project, a Black radical lawyering initiative which provides comprehensive legal representation to LGBTQIA+ Black immigrants, while creating a safe space for clients to regain control over their voices through a storytelling project. QBIP's mission is to create a systemic response to meet the legal and social needs of LGBTQIA+ Black immigrants, while elevating the narratives that illuminate the global injustices of state-sponsored homophobia and anti-Black racism.

Tsion has received recognition for her work at the intersection of international law, immigration, and racial justice. She is a 2018 Forbes 30 under 30 Law and Policy Honoree, OkayAfrica's 2019 Top 100 Women honoree, and NYU School of Law's 2019 OUTlaw Alumna of the Year.

Rinku Sen is a writer and political strategist. She was formerly the Executive Director of Race Forward and publisher of their award-winning news site ColorLines. Under Sen's leadership, Race Forward generated some of the most impactful racial justice successes of recent years,

including Drop the I-Word, a campaign for media outlets to stop referring to immigrants as "illegal," resulting in the Associated Press, USA Today, LA Times, and many more outlets changing their practice.

She was also the architect of the "Shattered Families" report, which identified the staggering number of children in foster care whose parents had been deported. Her books *Stir It Up* and *The Accidental American* theorize a model of community organizing that integrates a political analysis of race, gender, class, poverty, sexuality, and other systems. She writes and curates the news at [rinkusen.com](http://rinkusen.com).

And finally, Sejal Zota is the Legal Director and Co-Founder of Just Futures Law, a transformational immigration lawyering organization that works to support the immigrant rights and racial justice movements, in partnership with grassroots organizations. With almost 20 years of experience in immigration, Sejal has litigated and argued several high-impact decisions on behalf of individuals and amicus curiae.

She has argued before the Second, Seventh, and Ninth Circuits, as well as the North Carolina Supreme Court and Appeals Court. Most recently, Sejal was the Legal Director of the National Immigration Project of the National Lawyers Guild, where she spearheaded creative legal strategies in the areas of immigration enforcement, crimmigration, removal defense, civil rights, and post-conviction relief.

We will hear comments from each of our speakers in turn, and then we will open up the discussion for question-and-answer. As Luis mentioned, please feel free to submit your questions via the Chat function, which will go to him and I directly. And we will collect those and get through as many as possible during our discussion.

With that, we turn to Tsion Gurmu. Thank you so much.

TSION GURMU: Thank you, Kate. It's an honor to be here participating in such an important conversation about the work behind the movements to abolish ICE and defund the police, particularly during this incredibly unique moment, where we're beginning to hear new promises being made for changes to policing and racist corporate practices in response to really what has been generations of grassroots organizing work and uprisings demanding real anti-racist democracy.

So I think before I go further, I should probably begin by contextualizing how I am personally entering this conversation. I am a Black immigrant attorney deeply entrenched in the immigrant rights and Black Lives Matter movements. Like many of my clients, my family and I fled our home country because we were targeted by the government due to my family's political affiliations.

We were only able to find new life in this country because we were bold enough to imagine a new life where we would be safe from persecution at the hands of the government. And it was not an easy journey. And it was not a simple journey because once we arrived in the U.S., we found ourselves confronted by widespread anti-Blackness, which we'd never known of before,

and a racist immigration system, which were only new battles that we had to develop tools to be able to combat.

So, as a foreign-born Black activist and an immigrant rights lawyer, I think my practice nurtures and claims my own power in immigrant communities that I was brought up in. And now, those are the same communities that I serve. So, I'm constantly trying to channel my individual expertise and power into my practice, where the primary tenet is that migration is a human right.

In my work, I center the humanity and dignity of all immigrants and especially Black immigrants who, like myself, have all too often been devalued by systemic racism in many different forms. So, bringing together my lived experiences in a sub-Saharan African country that tortured and wrongly imprisoned its own people to resettling in the U.S., which engages in many of the same human rights abuses, it's clear to me why there is an international dimension to the core of the abolitionist movement.

Ruth Wilson Gilmore—if you're not familiar with her, she's a brilliant scholar and a teacher about abolitionist movements—she teaches U.S. that the combination of organized violence and organized abandonment has produced so much vulnerability in every single country where inequality is deepest and creates situations that are ripe for mass incarceration and detention of people, like we see here in the U.S. and many other countries.

So, in my work at the Black Alliance for Just Immigration, we are constantly striving to highlight the international dimensions of the abolitionist movement, while simultaneously working to free Black migrants from cages, both in Mexico and the United States. Similarly, in my role as the Founder and Executive Director of the Queer Black Immigrant Project, we're constantly striving to eliminate those same barriers, but for the specific group of queer and trans Black migrants.

So, in contrast to liberal legalist practice, I think both BAJI and QBIP are what I've labeled "Black radical lawyering initiatives" that rest on the assumption that no fundamental societal change can come about solely through legal reform. Rather, it's organized, politicized, Black mass activism from below, aimed at revolutionizing an entire system that can achieve the sort of real social change that we seek in order to be liberated as Black people.

In both spaces, we're working to sort of reconceptualize what it means to be an attorney by radicalizing lawyering and engaging in really meaningful abolitionist work that looks like many different things at different times. I think we're in a space in 2020 that we just did not imagine we'd be. And we've made more progress than perhaps we imagined we'd make in such a short time.

For many people, I think much less attorneys and students who are on their path to becoming attorneys, "abolition" can be a very scary word, because it means tearing down old systems. But at its core, abolition is about imagination and imagining another way, just like my family and I imagined another way when we left our home country.

Ruthie Gilmore teaches us that abolition means so many things to so many people. But if there is one thing that abolition is, it's the presence of life, as opposed to the conditions of organized

violence and organized abandonment that we currently live in and that many of us fled, seeking refuge from what we fled in our home countries. But in practice, this means that abolition is not merely the absence of prisons and detention facilities. But it's the presence of vital systems that support the well-being of all people.

At both BAJI and QBIP, we're aligned with the teachings of Ruthie Gilmore, as well as Angela Davis's group, Critical Resistance, which provides us with a three-part holistic framework for abolition, which is dismantle, change, and rebuild. So, by "dismantle," we mean dismantling oppressive and punitive systems, practices, and tools.

When we speak about change, which can be so many things-- and it is-- it's changing power and the living conditions, particularly of the most vulnerable folks. And when we rebuild, that means we're building solutions to harm. And we're building systems of life affirming support and care, which many of us currently don't have access to.

So, this is not a linear framework. It's all three things happening at once. So, we're building as we're tearing down. Based on my own personal experiences, including family members of mine, I understand that people from vulnerable backgrounds whose lives are constantly threatened by structural and sometimes imminent physical violence, which is often Black and brown people, think that the solution to that vulnerability might be more policing. But as a nation, we're beginning to collectively find that to be incorrect.

And I think also the history of criminalizing people in this country proves that to be incorrect. I'm sure most of you have a grasp of what policing has looked like for folks in this country. But just very quickly, I will say, because I think it's important to center and affirm the history of Black folks in this country-- but criminalization and specifically the act of turning Black people into criminals through the U.S. criminal legal system is rooted in post-slavery America.

I think many of us have learned that, if not from Michelle Alexander, then a series of other scholars who've really brought this understanding to mainstream America. So, after emancipation, there were a series of policies and laws called the "Black codes" that were implemented to preserve the system of slavery. And these laws allowed for local authorities to arrest and convict free Black people for minor infractions.

Since then, we've seen the criminalization of Black folks in the U.S. be used as a tool throughout the years-- to mention a few, there's Jim Crow, the war on drugs, and broken-windows policing-- to maintain a system of white supremacy, despite the fact that racism is never acknowledged in the creation and enforcement of these laws.

So then as we begin to turn our attention to immigrant populations, we find that the same racist policing that incarcerates Black people in America also affects Black immigrants, as well as immigrants of other ethnic backgrounds. Local police are some of the biggest feeders into the detention and deportation systems, and Black immigrants are more likely to be incarcerated by ICE because of racial profiling by local police.

And ultimately, more than 75% of Black immigrants are deported because of over-policing and racial profiling in Black communities. More generally, Black immigrants who have any encounter with the local police may be at risk of deportation.

At BAJI, we've studied very closely how the government's increasing focus on immigrants with criminal records disproportionately impacts Black immigrants who, as I said before, are more likely than immigrants of other regions to have criminal convictions or at least to be identified through interactions with local law enforcement.

So, as a whole, we see an incredible amount of resources and investment going into criminalizing Black communities, regardless of the crime rates. And when we get more police in our communities, we also experience more deportations. For example, my own community of Brooklyn, we are subject to heavy policing.

And that is a community that's made up predominantly of a lot of Black immigrants, although gentrification is doing its thing and moving us around. But it's still heavily a Black immigrant community. And as a result, we're getting racially profiled more often, ending up in removal proceedings, and ultimately deported at higher rates.

Despite all of this, I always try to highlight the work and resistance that I see on the ground that gives me motivation to keep moving and for organizations like BAJI not only to continue doing the work, but to draw in more people so that we're a larger collective of folks fighting against these systems.

We see Black immigrants in detention facilities continue to be at the frontline of resistance and subsequently, unfortunately, retaliation in detention for speaking out against the prison and deportation systems. I just want to highlight two quick examples so that we can keep that as a source of energy and inspiration moving forward.

In February 2020, when a group of African asylum-seeking women at the Hutto Detention Center in Texas staged a sit-in protest to address medical neglect in the facility, ICE retaliated and transferred them away from their support systems. At BAJI, we worked closely with the women in Texas and then continued to utilize our volunteer attorneys to follow many of those Black women to the other detention facilities that they were transferred to so that we could continue to be a source of support and stand in solidarity with those women.

In June 2020, when Black immigrants at the Mesa Verde Detention Center in California led a hunger strike in solidarity with BLM, ICE attempted to undermine their leadership in a false press statement, which had a lot of racist undertones about how the peaceful protest was ultimately organized.

For me, as an advocate in this field, I'm inspired and energized by Black immigrants and immigrants of all colors whose experiences, both as victims and resisters to violence at the hands of the state, sort of serve as a living testament of our collective duty to fight for freedom.

And I think that despite the range of attacks that we see, both to our immigration system and the ways in which innocent Black folks are constantly dying at the hands of the police with no sort of accountability or justice at the end of that, we can continue to look to these same individuals as the reason for us to continue this work and to really fight in solidarity with them and pull in our resources and all of the-- muster sort of all of the energy that we have to continue fighting for these robust movements, both to abolish ICE and abolish the police.

KATE EVANS: Thank you, Tsion. I appreciate those comments, and I look forward to getting back to all of you with a discussion about how your work influences each other, too. With that, I want to turn to Rinku Sen.

RINKU SEN: Thank you so much. That was really inspiring. I'm going to talk about two things in my initial period. The first one is what are the factors that strengthen the coalition and the alliance and the kind of sticking together of immigrant communities and Black communities, which are, of course, as Tsion just pointed out, sometimes the same community.

And then I want to talk a bit about how we change the story and the narrative around these kinds of punitive practices and institutions and the consistent violating of human rights that they do—so, a quick communications strategy lesson for my part.

So, in terms of stronger coalitions, there are three things that I think we need to be paying attention to and doing as much as we can. The first one is that there actually has to be an actual relationship. We need to invest energy and time and money and strategy chops into actually generating friendships and community between these different communities.

This is a very, very deeply segregated society, the United States. People tend to live in separate neighborhoods. And even in a workplace where you might have lots of different kinds of people working, they could still be segregated in different kinds of jobs.

So, the first order, I think, is to figure out more and more how activists, attorneys, service providers, places of worship, recreation clubs, how we get people into actual proximity with each other so that they can build ties, build binding ties. One of the things that's been really encouraging to me recently is the way that mutual aid has re-entered the world of community organizing, which had stopped.

That is the way it used to be. Immigrant communities, Black communities, Indigenous communities, we took care of each other when the state abandoned us or when the state allowed vigilantism or other attacks or direct state attacks on us. We kept each other housed and fed and educated and spiritually sustained.

So that stopped for about 60 years, over the last 60 years. But it's making a great comeback. And I really, really support that, because organizing takes courage. And you have more courage if you're not alone. And mutual aid reminds us that we're not alone in our suffering and that someone else cares about us as we care about them.

Second thing for stronger relationships is to educate people on the systems, using as little jargon as we possibly can-- so using visuals and memes and panels like this and just really trying to talk in everyday people's language, which is not to say we can't use the words that we use. But often, you want to break the words down and explain what they actually mean.

So, I have found in my own work in communities that people don't really know how the systems work that well. So, lots of immigrants who haven't been here that long don't realize the ways in which the criminal justice system is stacked, the ways that new laws are created to make criminals out of people who previously weren't, those kinds of things, the way that bias works in court among juries and judges.

So, they just don't know. And what they see on TV is not teaching them that. And similarly, I find people who have a stake in ending mass incarceration often don't know anything about deportation rules after convictions and after incarceration-- so educating our people.

And then the last thing is really figuring out ways to organize together around common issues. So whether that is in New York, a coalition of police-reform organizations that included many immigrant groups just got repealed, 50-A, which was the law that protected police officers from having their records be public and shared-- so got rid of that and has been fighting really hard to get ICE out of Rykers Island, which is the holding center jail in New York City-- so really just organizing together.

A couple of resources-- I think one encouraging alliances between Southeast Asian groups and Black American organizations. And you can check out the Southeast Asian Freedom Network for their statements on Black Lives Matter and on police reform.

There's a great organization in Wisconsin called Freedom, Inc., which is a coalition of Black groups and Southeast Asian groups in the state of Wisconsin who do civic education together, fight on local issues, have a food pantry, again, take care of each other in a relationship. And I would also turn you all on to the Solidarity Is podcast, which is designed to bring people of color into closer relationship with each other.

All right. So, here's the quick and very, very quick and dirty communications strategy lesson. When I am making a plan that I want to result in changing the way people think about something and taking an action based on that shift, then there are three things that I have to figure out.

Most of us just think about the message. What's our communication's message? The message is the last of those three things. The first thing is I'm going to figure out a frame for my demands, my campaign, my slogans, the people I want to recruit.

The frame is always about values. It's usually at a fairly high level, like patriotism or family or justice, even. Those are all framing kinds of words and framing language. Frame is your big idea.

The next thing I'm going to think about is the narrative. It's the story that's going to fill in the frame. You can think of it exactly like a piece of art. The frame contains the beauty, but the

beauty itself is the images or the stories or the films or the memes or the quotes that show people what it means to live into that value and what threatens that value, that collective value.

And then the last thing, the very last thing, is the message. And the message relates most closely to action. What do I want people to do? And what am I going to say to get them to do it?

So, a very quick example from the two immigration projects that you mentioned in my bio-- when we were putting together "Shattered Families"-- at the time, we were the Applied Research Center-- the main frame on immigration issues was law and order. The anti-immigrant right had worked very hard for about 20 years to make that the first thing people would think about when they thought of immigrants.

We wanted to shift that frame to family unity. So, instead of talking about law and order, we're now talking about families and whether they can be together. The narratives they had were always about immigrants breaking the law, some of them false, like straight lies. The narratives we had were about people fighting to keep their families together.

And then the messages they had were end immigration, basically, end legal immigration. Sometimes, it was punish illegal immigration. But over the last three years, that line that restrictionists used to draw between legal and undocumented immigrants has really, really blurred. And it's become very clear that they're just about ending the asylum system and the immigration system.

So, our message was end mass deportations. The only way you're going to prevent these family separations is to stop deporting hundreds of thousands of people every year. So that should give you a little bit of a sentence.

When we did Drop the I-Word, again, their frame is law and order. Our frame was human dignity. Their narratives were all about law breaking.

Our narratives were all about resisting the mischaracterization of our communities and resisting the harm of the i-word. Their message was you always have to use the i-word. And our message was take it out of the AP Style Guide.

So, the last thing I want to say on the narratives front is that quite often, when I ask people, tell me a story, what they do is give me a description, instead. So, I'll be working with people on education reform. And I'll say, tell me a story about your kid's school.

And what they'll tell me is everything that's wrong in the school. There's no toilet paper in the bathroom stalls. They have textbooks from 1985. There are no computers.

So that's all interesting, but it's not going to grab me like a story. It's not going to engage me emotionally, unless I'm already there with you. If someone's already with you, you don't have to do all this. But if someone's not totally with you, you really have to do it in order to get them.



So, stories have to have the elements of stories. They have to have characters. They have to have action.

Things have to happen in the story and in the course of the story. They have to have a setting so people can locate themselves kind of in a physical sense. And they have to have an idea or a moral of the story.

So, when we are thinking about how am I going to present myself as a character in a narrative-shifting story, for example, I'm going to want to really lift myself as an agent, as a self-determining person, because that's going to inspire other people to fight like I did. I'm making this up, but I think you get the idea.

We don't want to characterize immigrants and poor people and Black people and people of color as always victims, even though it's true that terrible things are done to us. We want to put-- when we're describing those things, we want to really describe the people who did them to us as villains, rather than just ourselves as victims.

We want to think about what emotion is my story going to evoke. Some emotions are depressing. If I'm really sad, I just want to be in my bed under the covers. I'm not calling anybody. I'm not marching anywhere. I'm just depressed.

And we have a lot, a lot of very sad stories to tell. It's really tempting to wallow in it. But what we need to think about is how are we going to generate through our storytelling the hope, the optimism, the courage, and the outrage that's going to get people to actually take some action.

There's a great article you can google called "Stop Raising Awareness Already" that speaks to the ways in which our efforts to raise awareness about different issues actually does the opposite of driving people to action-- makes them feel like nothing can ever change, depresses them.

There's a whole thread in that article about how suicide awareness campaigns end up causing more suicide, because they don't stress the ways you come out of suicidal ideation, for example. Rather, they talk a lot about how depressed people are and how likely suicide is.

So that's my quick and dirty thing. You've got to think about the frame, the narrative, and the message last. And you want people who are fighting to show up as people who are fighting in narrative-shifting communication strategies.

KATE EVANS: Thank you so much, Rinku. And I'm madly taking notes, getting questions ready, trying to also listen. So, I love the many hats that I get to be in right now. And so, we'll turn to Sejal and then come back for our Q&A. Thank you.

SEJAL ZOTA: Yeah. I feel like Rinku, you need to come do a communications training for my organization.

So, I wanted to thank you for inviting me to be part of this really timely and inspiring conversation with voices as powerful and brilliant as Tsion and Rinku's. And so, at Just Futures

Law, we work to defend and build the power of immigrants' rights and racial justice organizers and community groups who are working to disrupt and dismantle our deportation and mass incarceration systems.

And we are grounded in movement lawyering, in the core value that effective lawyering must serve and align with the quickly shifting landscape of movement organizing. And for us, those systems of deportation and mass incarceration are very connected. We very much view the injustices associated with deportation through a racial justice lens, not just an immigration lens.

Similarly, we should talk about the violence and structural problems with the criminal justice system not just as criminal justice problems, but as racial justice problems because, ultimately, both of these systems unjustly separate families not because of what the individuals caught up in those systems have done, but because of who they are.

And so, echoing some of the history that Tsion went through, we see those connections in the racist roots and history of our policing, which originated in slave patrols and enforcing Black codes and militias to keep Indigenous people off their land. And in the 1800s, policing was also fueled by hostility to immigrants.

For example, the anti-immigrant Know Nothing Party swept local elections in 1854 in Boston. And that's when Boston formally established its first police department because of anti-immigrant sentiment. And so, I think as most of this audience knows, policing in this country was born of a need to maintain white supremacy, rather than in response to evolving dangerous conditions.

I think the other thing that's really important to note is that our modern policing system was fashioned on the military. That was the mentality. They're at war. And ICE, too, was created as part of the U.S. government's response to 9/11. It was born as this very militaristic agency.

And so, when you're trained to treat people like a security threat, you're not viewing them as part of the fabric of our communities. You're going to tear families apart. And so, given that history, it's not surprising that the United States has both the highest incarceration rate and the largest immigration detention system in the world. And it is a system that has always just disproportionately targeted, arrested, and convicted Black people, including Black immigrants.

But it all just shows that there are these deep connections between, for example, the violence that we're seeing at Irwin County Detention Center today, where women are being forcibly sterilized, and the long history of violence on all Black, Indigenous, Latinx, Muslim, queer, trans, and all people of color.

And so, the movement to defund the police and protect Black life and the movement to abolish ICE and end detention and deportation of immigrant people, they should be closely linked. And they are becoming increasingly linked. Communities are seeing the connections, and they're using the opportunities to continue to build solidarity and lift up their struggles together.

But there is still a lot of work to do. And I think as we think through the bold ideas going forward, whether that's in the context of a Biden administration or not, I think it's really important for these two movements and the advisors within these movements to come together.

In terms of opportunities for cross-movement work, I wanted to briefly mention I think three ways where Just Futures Law is doing some of this work. And one way is through building intersectional litigation.

An example of that is the case of Wilmer Catalan-Ramirez. That case started when six ICE agents stormed his house without a warrant. They used brutal force against him, and they exacerbated his partial paralysis. And they then locked him up.

And it turned out that ICE had targeted Wilmer because he was in the Chicago Police Department's gang database. Through the litigation and a future audit, we would come to learn that once you're in this database, you're never notified. Two, there's no way to challenge being in the database. And three, there's no way to have your name actually removed from the database.

We would also come to learn that his name was in the database simply because of where he lived. He lived in a high gang neighborhood. And that's why he had experienced that brutal violence.

At Wilmer's request, we worked in partnership with Organizing Communities Against Deportations and devising a legal strategy. OCAD, it's a group of undocumented and unafraid organizers who are building a resistance movement against deportation and the criminalization of people of color in the Chicago area.

And Wilmer's case ended up becoming the centerpiece of this ongoing campaign called Erase the Database and an expanded sanctuary campaign by Latinx and non-immigrant Black-led organizing groups, including Black Youth Project 100, Mi Gente, to dismantle the gang database.

And once the Office of the Inspector General audited the database, we discovered that it contained 134,000 names. 95% of those individuals were Black and brown. We also learned that the database was error-ridden, like a lot of these databases are. That's what we're coming to learn.

There were people listed as zero years old. Many people, there was no listed gang affiliation. And despite the fact that the department admitted how error-prone this database was, it turned out it had been accessed more than a million times by law enforcement officials, including more than 30,000 times by ICE.

And so, it really shows you the power of this very inaccurate racist tool and the devastating impact that it has on Black and brown communities, whether that's through immigration enforcement, whether that's through the loss of a job. We eventually settled the case in exchange for securing Wilmer's freedom and getting his name out of the database. But the campaign continued. The case was really just a tactic in the campaign.

But the case was important because it was intersectional. It expanded the sanctuary campaign, and it fueled an emerging racial justice immigrant rights narrative that highlights the connections between biased policing and immigrants' rights. The case, it went on to become a flashpoint in the mayor's election in Chicago when there were debates around policing. And lastly, it helped revitalize and sustain energy in the immigrants' rights groups to preserve Chicago's sanctuary city policy.

And the case had that impact because it was part of a larger campaign and because it centered the leadership and advocacy of Wilmer and the partnering groups. I think that's very important. And we're in the process now of building other intersectional litigation that is led by both immigrant and non-immigrant Black- and brown-led groups to challenge other types of policing technology.

But I think the broader idea is that there are ways to showcase how policing techniques target and kill all Black and brown communities, while also providing a space for those groups' individual narratives. And that's really how-- many of the groups that we work with, that's really what they want to see. They want the fight and the campaign and the litigation to be intersectional.

I'll just mention two other, I think, opportunities for cross-movement work. And one is ongoing efforts to end collaboration between ICE and local law enforcement. I think while we work to abolish ICE, we have to continue to disrupt its abusive agenda wherever we can.

And the criminal justice system-- again, this is echoing some of what Tsion was talking about. The criminal justice system, it acts like a funnel into the immigration system. And so, whether it's 287(g) Program or Secure Communities, these programs, they incentivize racial profiling and result in the transfer of people from the criminal justice system to the immigration system.

And so through advocacy and litigation, we've partnered with other groups to disrupt that collaboration. An example is we've been a very active member of the ICE out of DC Coalition to end ICE access to the jail. And the DC Council has passed such a policy.

In North Carolina, we're members of the HB 370 coalition and have helped to defeat a bill that would have required sheriffs to cage immigrants based on a request from ICE, even though those sheriffs were elected on a platform of ending those practices. And in North Carolina, we're also with-- a shout-out to Kate with the Duke Immigrants Rights Clinic. We're hoping to build additional litigation on this to fight against these efforts.

And the last thing I'll note is there's room for cross-movement work in terms of integrated policy demands. A number of coalitions' platforms now include an immigration component. I think there's this growing awareness that defunding the police includes ICE. And that's become all the more transparent now that DHS has been involved in disrupting and surveilling the uprising in Portland and DC in a non-immigration capacity.

And I think a notable example of an integrated platform at the federal level is the BREATHE Act, which is a collection of policies proposed by the Movement for Black Lives. It's a visionary bill that divests taxpayer dollars from discriminatory policing and invests in alternative methods

of community safety and the rebuilding of community, holding law enforcement officers accountable.

And it includes immigration components-- a plan to eliminate ICE, to close immigration detention centers, to disentangle local police from federal immigration enforcement, and to repeal laws that criminalize border entry. Those laws are the most prosecuted federal crimes nationwide, primarily impacting Black and brown immigrants and were originally proposed by white supremacy.

And so, the BREATHE Act is really trying to undo the things that are responsible for the mass incarceration of immigrants. And that is something that Just Futures Law has also been involved in as part of a coalition.

So, I'll just end with saying that, quoting Michelle Alexander, "the injustice of this moment is not an aberration." And so, part of the strategy is recognizing and actualizing that we cannot call for reforms that further entrench and legitimize policing I think in any form as a solution to social, economic, or political problems. It's really time to abolish some of these institutions.

KATE EVANS: Well, thank you all. We have about 10 minutes here. And we might be able to just kind of trickle into a few minutes more to finish up some conversations. We've got some questions coming in.

And I'll try to sort of give you a bucket of questions. And maybe you'll find one of a few here that you want to address. We collected questions from students in advance, so I want to make sure to kind of highlight some of those that have come in.

So, one of the first ones was speaking to what I think is maybe commonly portrayed and understood as sort of tying immigration to exclusively Latinx communities. And one of the discussions that you all are reinforcing is how much more broadly we need to understand these groups and these alliances and the interests that are at stake here.

I'm interested to open up to the panel your perception of whether or not that's true or not and the effect, if you think it is, of sort of tying Latinx immigrants as sort of the exclusive face of these issues. And what has that done to the immigration debate as a whole and some of the broader movements to reduce incarceration of Black and brown people across the board?

TSION GURMU: I'm happy to take a first crack at that question. I think that the sentiment is correct. We do consistently see that immigration enforcement disproportionately affects Black immigrants. Yet mainstream media continues and policymakers continue to frame immigration as a non-Black, Latinx issue, which has led to what is, in my opinion, the intentional erasure of Black immigrants from this larger conversation and advocacy work.

We know that the police are the first point of contact for most immigrants, in terms of their later connection with the deportation system. Yet the immigrant rights movement I think has by and large left the need to confront policing and incarceration to Black organizations and activists on the ground.

I think that is shifting in this moment, where we're now witnessing a shift in language and ideology around policing in this country due to, again, as I stated before, generations of tireless organizing work by BIPOC communities-- that is, Black, Indigenous, and People Of Color-- to dismantle systems that we understand perpetuate white supremacy.

So, I think that it's really critical in this moment for immigrant rights activists to sort of share the collective responsibility of confronting policing and incarceration as a starting point. And I definitely see that happening really rapidly. Organizations are shifting their mission statements, their vision.

They are taking tenets from the Black Lives Matter movement and incorporating those policies into the work that their organizations do, while also finding space for Black leadership in organizations that claim to protect Black communities, but that the communities that they claim to serve were never reflected in the leadership of their organization. So, I think there's a lot of intentional change and movement happening within our organizing circles, and I'm really happy to see it.

KATE EVANS: Thank you. Sejal or Rinku, did you want to speak to this issue?

RINKU SEN: I can say something quick about it. So, one thing is that the particular positioning of Mexican migrants throughout U.S. history I think is worth looking at here. Mae Ngai's work, *Impossible Subjects*, dives deeply into that history. And some of what I learned from studying that is the ways in which, for example, in the 1920s, after a couple of decades of restriction, there was a backlash against all the restriction against deportation.

So German-- undocumented wasn't exactly a thing in those days. The systems were very different, in terms of paperwork. But there was a thing happening where Germans who had been in the States for a long time had kids, had businesses, were being deported. And so, Congress came up with a solution, a waiver, an exception that you can apply for.

But they made it so that you had to go-- you had to get out of the U.S. in order to do it. And I think that you had to go to the Canadian border, for some reason. Basically, you could come in through the Canadian border. But Mexican migrants were all in the southern part of the U.S. and couldn't go north.

And because so much of this country was Mexico and, as Mexican-American communities like to say, the border crossed them, there's just a bunch of weirdness and exceptions because of the labor needs of the Southwest that I think it helped me understand a little bit what at least the context of Mexican-American or Mexican immigration was today.

I have a feeling that the right tested different images. And the image of a dark-skinned, kind of Indigenous looking Latino man was the one that ginned up their base the hardest. Even after 9/11, when 9/11 was the excuse for tightening up immigration-- we're going to tighten immigration because we want to fight terrorism-- even then, I think other than images of Arabs and South Asians, the image of a Latino man was the most motivating.

So, I suspect that's part of the reason why we have this. And I think the key is not just to point to non-Latinx immigrants, but to white immigrants. There are a ton of Russians in this country and a ton of Irish people. They never ever, ever have the i-word applied to them.

They are never held up as a threat to national security. And it's as though either they're all perfectly innocent, or we want them. We want them instead of these other immigrants, as the current occupant of the White House likes to say.

So, I agree with Tsion about the need to grow who we're talking about. And I would just suggest that that includes white immigrants, as well as all of us.

KATE EVANS: And Sejal, did you want to add comments there? OK. So, the next bucket-- and I'm going to try to do a pretty-- put a bunch of stuff together here. And you guys can take what you want.

So, we have a set of questions that's very sort of good, law-school like, OK, explain to me how. So, if we abolish ICE, who does it? How do we do it? What's there instead?

What are sort of those-- what's on the flip side of that movement? And I think, Tsion, you spoke to sort of doing many things at once in these calls for change.

So, we have one sort of set of questions that has to do with kind of walk us through what does this mean, what does this look like as law students, and then another set of questions that I think is related, that does have to do with the political climate and the presidential election, which is that we see, again, this law and order narrative and President Trump accusing Vice President Biden of supporting these efforts and therefore advocating not fulfilling a law and order, sort of, agenda; and then, in return, Vice President Biden also trying to distance himself from calls to defund the police, while also being tied to immigration policies that incarcerated a lot of people at immigration, as well as in the criminal justice system.

So how do you see these movements playing out in this moment? And are there voices that you see as being very hopeful in our political discourse, as well?

So, that's kind of two, like how do we understand the law and order conversation critically and how it's playing out in the candidate movement, but also some of the mechanics of what happens through an abolish ICE movement. What is there on the flip side?

SEJAL ZOTA: I can talk a little bit about the first question. Kate and others can add comments.

I think just in terms of the mechanics, I think that Congress holds the purse strings. And they could simply stop funding ICE. Or they could pass affirmative legislation to abolish the agency.

I think, ideally, that would be part of something much broader, like the BREATHE Act, which proposes the elimination of ICE, but also ends the requirement of mandatory detention, ends local involvement in immigration enforcement and the laws of prosecuting border entry, because even if we abolish ICE, as long as we have those laws on the books, they're there.

And the BREATHE Act also has lots of affirmative measures about rebuilding, investing in communities. I think outside of those more comprehensive measures, I think in terms of thinking about it incrementally, the key is to not invest money to continue to build up our racist system of immigration policing, even if it's being dubbed as improvements or reforms.

I don't know. If maybe there is a Biden administration, I don't know. Maybe they're going to try to fix ICE. But I think the strategy really has to be to reduce our investments in those institutions, because otherwise, we're again legitimizing the power of policing as a solution to social, economic, and political problems.

And so, I think concretely, that would mean ending the programs that cause the most harm, 287(g) agreements which deputize local law enforcement as immigration agents. Or echoing Mariame Kaba's call, we'd want to reduce DHS and ICE agents' budgets initially at least by half.

I think in terms of what we have in its stead, abolishing ICE, it's really about demilitarizing our immigration system and, again, diminishing the political power of policing. I myself, I don't have an exact blueprint for restructuring the federal government. But I also don't need that to know that ICE is an immoral, unaccountable, and dangerous agency that really should be dismantled.

I think that our immigration policy should be grounded in human rights and that we should be building alternatives, where we can imagine what our communities actually need to be safe, free, and to live in their fullest humanity. And I think that folks have posed a number of solutions around restorative justice.

And they go to the lack of jobs, and they go to poverty. And they involve investments in education and housing and health care. And I'll just note, I think going back to what Rinku was saying, folks are already doing and building those things.

In this particular moment where the government has chosen not to provide any sort of protection to people in this pandemic, we've seen the rise of mutual aid. We can take care of each other in that sense. Evolution is not this farfetched thing. We just we need to make all of those things more consistent.

KATE EVANS: Thank you. Did either of you, Tsion and Rinku want to--

RINKU SEN: The only thing I want to say is a really important lesson I didn't mention in my communications overview is that you don't want to be repeating the opposition's messages in any form. So, if they're saying law and order, you don't want to say law and order at all. You want to talk about safe communities or redistribution of resources or bringing honor back to the immigration system or demilitarizing immigration.

I remember this tweet I saw when Trump was saying about a year and a half ago, there are caravans coming through Mexico. And there's a crisis at the border. And I remember seeing an advocate's tweet that just repeated a million times, there's no crisis at the border. All I can think about after that is crisis at the border.



So, it's really tempting, especially I think for lawyers, actually, because you're trained to directly address arguments and to be straightforward about it. And I'm grateful that you do it.

But from a communications standpoint, the more you repeat the other frame, even to dislodge it, the harder it's going to stick. And that takes some rigor, because it's really automatic. They say law and order, we say Joe Biden's not for defunding the police. We just repeated their assertion. So, don't do that.

KATE EVANS: And Tsion, did you want to add anything here?

TSION GURMU: I think Sejal and Rinku covered it perfectly. I don't want to add more.

KATE EVANS: So, a final question to sort of go out here-- and I want to make sure for recording purposes, we get your thoughts on this. We have questions from student groups and then coming in from audience members, too. What can law students, young lawyers, do?

We're hearing your conversations about the role of mass mobilization, movement lawyering, some of the shortcomings of traditional legal strategies. So, what do you see as effective forms of action to support these movements and specifically for lawyers and law students?

TSION GURMU: So, I'm happy to just repeat a sentiment that I shared earlier, which is to support the work of the abolitionists and the attorneys and the organizers on the ground who've been doing this work for generations.

I think that now that there's a lot of attention being placed on these movements, there's a desire to create something new and to, some way, enter this space in a way that perhaps co-ops or downplays the work that's really been invested in these movements for so long, specifically the work of Black women, femmes, LGBT folks. And we've seen that happen time and again with minority-created movements.

And so it's just a bit of a cautionary tale against what Charles Blow calls "cosplaying consciousness" and making sure that you're not sort of just immersing yourself in the issues of the moment, but really taking the education and knowledge that folks who have been doing this work for so long have to offer and finding a way to complement what is happening now and finding new opportunities for collaboration and working across movements. As all of U.S. spoke to throughout the panel, I think that's really a valuable way to contribute to what's taking place now.

KATE EVANS: Rinku or Sejal, did you want to--

RINKU SEN: Sure. I think just be in really close relationship with organizers. Make friends. And approach the work with some humility, I guess, is what I would say, because the legal imperatives and the organizing imperatives are not always exactly the same.

Sometimes, they need some navigation and negotiation. And it's not true that the legal strategy is always going to be better than the organizing strategy. Ideally, you want them to hit different

aspects of the problem. But they need to work together closely. And it can't be like the lawyers win all the strategy fights.

KATE EVANS: Sejal, did you want to add anything? Or no, you're very conscious of that, too?

SEJAL ZOTA: Yeah, I would just echo what both Rinku and Tsion have said, that we're an organization that's really trying to expand capacity around movement lawyering. And there is this growing sector of lawyers and legal organizations that are trying to use their skills to build the power of social movement.

And I think this is a really important time in which to be thinking about that, if you're not doing that already. And I think the key is really instead of viewing yourself or ourselves-- lawyers, we often view ourselves as saviors. We're leading the cause. It's about this case. Really, it's about lawyers seeing themselves as scaffolding under the feet of these powerful collectives who are fighting for the transformation of their own lives.

So, I think it's really about creatively using legal tools to build the power up, to make space for, to validate, bolster, defend, and protect social movements and like in the movements we're talking about right now, defunding the police and abolishing ICE. And that really potentially allows, I think, lawyers and law students to have a much larger impact than in any one particular case.

KATE EVANS: Well, thank you all. Thanks for staying a few minutes here to allow me to ask some of the questions that have come to us. And thank you for pushing me personally in thinking about the ways that we as a clinic, me as an instructor can be doing this work and thinking of our roles differently and more broadly and hopefully more effectively for these leading movements.

I'm really honored to have you with us and to have you speak to so many folks here. So, thank you for your time.