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Stalled Progress: How Rhetoric and Inaction Has Undermined Immigration Reform

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Executive Summary

Decades of bipartisan inaction on sensible immigration policy have left millions of immigrants and their families in legal limbo, perpetuated harmful stereotypes about immigrant criminality, and led to punitive short-term policies that destabilize communities. These policy failures have not only escalated racial profiling but also exacerbated insecurity at the border by ignoring the structural drivers of migration.

Background

Immigration reform is a national issue disproportionately affecting immigrant communities in border states and major cities. Outdated policies leave millions in legal limbo, strain resources, and worsen inequalities. Since 2000, Congress has consistently failed to enact comprehensive immigration reform, and outside of executive orders issued by Presidential administrations like the Deferred Action for Childhood Arrivals (DACA) program, the country has relied on outdated policies that often harm the very communities they claim to support (Baxter & Nowrasteh, 2021).

Historical Context:

The Obama Era: Executive Actions and Inaction (2009-2016)

Under President Barack Obama, the administration initially pushed for

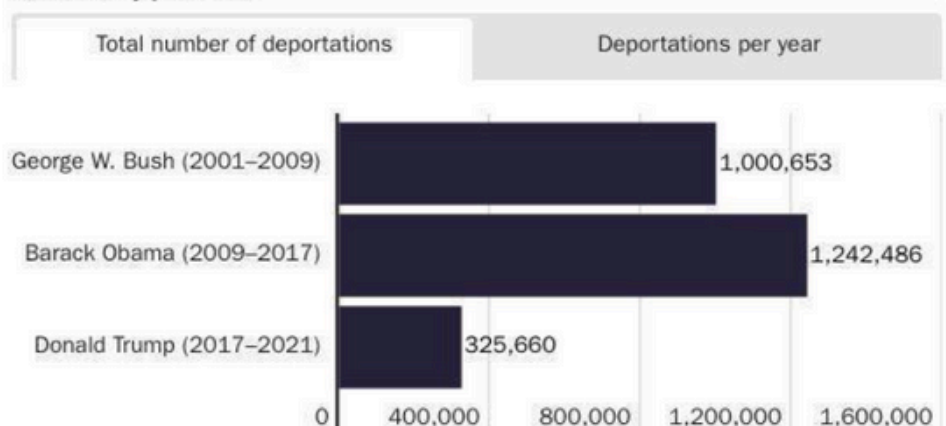
comprehensive immigration reform, but partisan gridlock in Congress prevented any substantive changes. After the DREAM Act failed in Congress in 2009, the administration introduced the Deferred Action for Childhood Arrivals (DACA) in 2012, which provided temporary relief from deportation for certain undocumented immigrants who came to the U.S. as children (Baxter & Nowrasteh, 2021). However, despite a Democratic-controlled Congress early in his presidency, President Obama's inability to pass broader reform further cemented the status quo of inaction. Furthermore, under his administration, millions of undocumented immigrants were

deported, labeling him "Deporter in Chief" by critics of the administration's lack of action when it came to reform and increased deportation rates (Baxter & Nowrasteh, 2021).

The Trump Era: Hardline Rhetoric and Policies (2017-2020)

The election of President Donald Trump in 2016 marked a significant shift in U.S. immigration rhetoric. Trump beat out his more traditional Republican opponents in the 2016 election by adopting a nativist attitude towards immigration and immigrants saying that he would "put America first" by denying entry to immigrants who, he argued, take Americans jobs, commit crimes, and represent

Figure 3
Removals by presidents



Note: President George W. Bush removed 819,964 illegal immigrants from the interior of the United States during the last six years of his administration, equal to an average of 136,661 removals per year. Estimating the number of illegal immigrants deported in 2001 and 2002 based on those deported during the 2003-2006 period shows that George W. Bush's administration would have deported 1,000,653 from the interior of the United States with an annual average of 125,082.

national security threats. These attacks were focused particularly on immigrants from Mexico and Central America. Trump's administration focused heavily on reducing immigration, particularly from Latin American countries. His administration enacted policies like the "zero tolerance" policy, which separated families at the border, the infamous Muslim ban, Title 42, and attempts to end DACA (Baxter & Nowrasteh, 2021).

Biden Administration: A Misguided Push for Reform and Continued Partisan Gridlock (2021-2024)

Upon taking office, President Joe Biden promised to reverse many of Trump's restrictive immigration policies, including halting border wall construction and ending the "Remain in Mexico" policy. However, his efforts for comprehensive reform stalled due to partisan divisions in Congress. Despite a Democratic majority early in his presidency, significant legislative progress was unattainable. Biden's increased focus on border security led to higher detention rates (Baxter & Nowrasteh, 2021), and while he initially distanced himself from private detention centers, new contracts extended with these facilities raise concerns about supporting mass deportations, reminiscent of the Trump administration's plans (Olivares, 2024).

The Incoming Trump Administration: A Return to Hardline Policies and Mass Deportations

The incoming Trump administration is expected to return to its previous hardline stance on immigration. Under the leadership of figures like Stephen Miller and Tom Homan, plans are being formulated to accelerate deportations and strengthen border security, including the revival of mass detention practices.

The administration is likely to expand the use of private detention centers, a move that could accelerate deportations and set the stage for a dramatic increase in immigration enforcement across the country. Additionally, the focus will likely shift to curbing legal immigration, with increased restrictions on asylum and family-based immigration processes. As Trump retakes office, the U.S. is poised to significantly escalate its immigration enforcement mechanisms, potentially reversing any incremental progress made under Biden's term (Hesson, 2024).

Problem Analysis

Demonstrating the Problem:

Political inaction has created a policy vacuum that allows harmful myths about immigrants to persist unchecked. Chief among these is the idea that immigrants, particularly undocumented ones, drive crime and disorder. This misconception has become ingrained in the public psyche despite numerous studies showing that undocumented immigrants commit crimes at lower rates than U.S. citizens.

Research shows that undocumented immigrants had lower crime rates than both native-born citizens and legal immigrants. For example, undocumented immigrants were 40-60% less likely to be arrested for violent crimes compared to U.S. citizens (Light, Miller, & Kelly, 2020). Yet this crime narrative continues to shape policy: it allows elected officials to spend time on punitive measures rather than enact effective reform. In short, by doing nothing to address these inaccuracies, politicians on both sides of the aisle effectively endorse them, creating a cycle where the lack of reform allows the narrative to persist and influence policy further to the right, hurting communities while not addressing

the roots of the problem that causes migration in the first place.

The Impact of Federal Inaction:

Congress's failure to enact immigration reform in recent decades has allowed misinformation about immigrants to shape national policies. These myths, particularly the portrayal of immigrants—especially the undocumented—as criminals, have been used as a basis for increasingly punitive measures across administrations.

Recent policy developments under the Biden administration have underscored a bipartisan tendency to perpetuate exclusionary practices rather than seek comprehensive solutions. Despite initial efforts to reverse certain Trump-era policies, such as the "Remain in Mexico" program, the administration has continued to embrace restrictive measures. Notably, in June 2024, President Biden issued an executive order limiting asylum eligibility for migrants crossing the border unlawfully. Republican pressure drove this decision, drawing criticism for prioritizing enforcement over humanitarian concerns (Martínez-Beltrán, 2024). In the same month, the administration also announced two executive orders: one offering relief to undocumented spouses of U.S. citizens, and the other easing access to employment visas for DACA recipients (Pachico, 2023). Opponents quickly challenged these measures in court and the incoming Trump administration overturned them, leaving the asylum ban in place and rescinding protections for immigrant spouses. Additionally, ProPublica revealed that approximately 80 children were separated from their families in 2024 alone, showing a troubling continuity in family separation practices between administrations (Rosenberg, 2024). This highlights

the administration's reliance on punitive measures and ineffective half-measures, driven by unfounded claims of immigrant crime, instead of pursuing systemic reform.

State-Level Anti-Immigration Policies:

The absence of comprehensive federal immigration reform has led many states to implement anti-immigration laws that disproportionately harm Latino communities. Arizona's SB 1070, known as the "Show Me Your Papers" law, became a model for recent state-level restriction bills, granting law enforcement the authority to demand proof of legal status based on suspicion (Jawetz, 2023). Florida's SB 1718, passed in 2023, escalated these trends by imposing harsh penalties on employers hiring undocumented workers, criminalizing transporting undocumented individuals, and restricting access to essential services like healthcare and education (Aranda & Ventura Molina, 2024). Such laws foster fear and division, targeting Latino communities and deepening distrust in law enforcement.

The report *A New Wave of Hate* highlights the damaging consequences of these laws, showing how states like Florida and Alabama have enacted policies that push local authorities to cooperate with federal immigration enforcement and restrict services for undocumented individuals. These laws not only divide communities but also erode trust in public institutions, as Latino residents fear that any interaction with authorities may lead to detention or deportation.

The rise of these state-level initiatives underscores the dangers of federal inaction on immigration reform. Allowing harmful narratives

about immigrants to persist has paved the way for states to enact divisive laws that harm communities and fail to address the real challenges of immigration (Montoya Andrade & Serrano, n.d.).

Consequences of Inaction

Impact on Communities: The failure to enact immigration reform has devastating consequences for migrant communities, leaving them in a constant state of instability and fear. Without pathways to legal status, families face insecurity and a lack of protection from deportation. The emphasis on border enforcement and policies that treat immigrants as a "threat" has led to widespread racial profiling and targeted discrimination. In states like Florida, Georgia, and Missouri, legislation has been introduced that further targets BIPOC communities, exacerbating racial tensions and contributing to systemic inequities (Jawetz, 2024).

The mental health effects on immigrant families are severe, as the constant fear of deportation and the threat of separation from

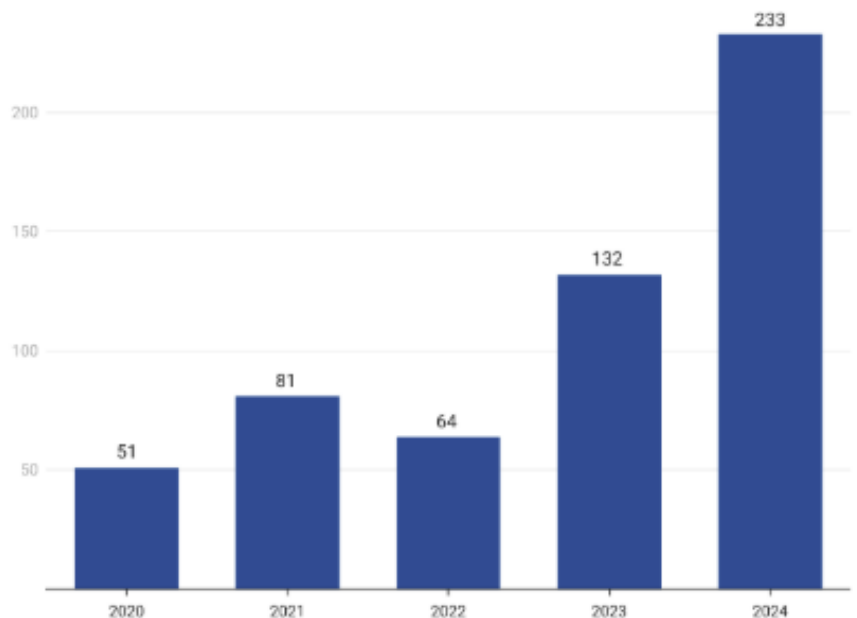
loved ones takes an emotional toll. Additionally, media portrayals and comments from prominent politicians that frequently demonize Latino immigrants as an existential threat to the safety and economic well-being of the country have added to the mental health issues immigrant families and youth face. Studies have shown higher rates of anxiety and depression among immigrant populations, particularly in families where individuals lack legal status (Vaquera, Castañeda, & Aranda, 2021). These harmful policies affect not only the physical safety of immigrants but also the social fabric of communities, where divisions based on ethnicity and immigration status are deepened.

Government and Systemic Impact:

The lack of reform has placed agencies like U.S. Immigration and Customs Enforcement (ICE) and the Department of Homeland Security (DHS) in a reactive posture, rather than allowing them to take sustainable steps in managing immigration. Without clear frameworks, these agencies are left to deal with border crises as they occur, escalating

Anti-Immigrant Proposals from 2020 to 2024

Total number of bills and resolutions per year



humanitarian emergencies that could be mitigated through reform. ProPublica's reporting on the Biden administration's continuation of family separation policies highlights how reactive immigration enforcement fails to address the underlying issues at the border, further contributing to the crisis (Rosenberg, 2024). DHS's forced focus on enforcement rather than long-term solutions has resulted in strained resources and overwhelmed systems, leading to inefficiencies in responding to humanitarian needs at the border.

Effects on Public Perception: The migrant crime narrative fosters public fear and resentment, justifying further enforcement-based measures. Media outlets and certain political figures contribute to this myth, leading to racial profiling and social division. The study *Legal and Ethnoracial Consciousness* shows how news media portrayals of immigrants shape public perception, particularly within Latino communities, creating experiences of discrimination and fear of deportation. This portrayal as a "threat" increases scrutiny and exclusion of immigrant populations, eroding trust between communities (Vaquera, Castañeda, & Aranda, 2021).

Despite the media and political perpetuation of this false narrative, UnidosUS and Pew Research polling shows overwhelming public support for humane immigration reform. UnidosUS polling reveals that 81% of Latino voters support pathways to citizenship for Dreamers, and 72% support protections for undocumented essential workers (Ramon & Olah, 2024). Pew Research also finds that 57% of Americans favor granting permanent legal status to undocumented immigrants, and 65% support increased pathways

for highly skilled workers (Mukherjee & Krogstad, 2024).

Conclusion and Policy Recommendations

The costs of continued inaction on immigration are unsustainable. By failing to pass any sort of comprehensive reform and to confront the false narratives surrounding immigrants, policymakers have not only neglected their responsibilities to migrant communities but have also allowed misconceptions to shape public policy. The perpetuation of the migrant crime myth has led to the adoption of punitive measures that harm communities, rather than addressing the root causes of migration. However, there is still hope for reform. Public support for fair and humane immigration policies is clear, with a growing demand for fair solutions.

The political gridlock in Congress should not overshadow the public's desire for meaningful change. As the country emerges from the election, there remains an opportunity to realign the conversation around immigration and push for comprehensive reform. While the future remains uncertain—especially with the re-election of President Donald Trump—there is potential for progress if political leaders act on the will of the people. While the challenges to achieving a just immigration system are greater than ever, there remains a clear path forward if lawmakers choose to act in the best interest of their constituents.

Policy Recommendations:

- **Bipartisan Immigration Reform:** Establish a bipartisan task force to craft comprehensive immigration reform, prioritizing humane treatment and long-term solutions over enforcement-heavy measures.

- **Pathway to Stability:** Provide a clear pathway to citizenship for DACA and Temporary Protected Status (TPS) recipients, moving beyond temporary protections to ensure stability for immigrant families.
- **Humane Border Security & Immigration Courts:** Enhance border security through technology and additional agents while ensuring the dignified treatment of migrants. Appoint more judges to increase immigration court capacity and reduce asylum backlogs.
- **Combat Misinformation:** Launch initiatives to counter harmful immigration narratives by disseminating accurate data on crime rates and immigrant contributions. Partner with media and community organizations to promote factual information and foster public understanding.

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