

Honors Perry Service Learning

Mr. Soeder

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"Working with an Always-Changing Puzzle: Immigration Laws and their Twisted Fates"

Hours before a scheduled interview with a student at Perry High School to discuss the impact of new immigration policies on immigration law, Richard Drucker sends an urgent email asking to delay the interview.

"I just had a client arrested and have to appear in court at 8:00 a.m.... Can we delay the interview until 9:00 a.m.?"

Such is the life of an immigration attorney trying to work alongside the current immigration laws.

In 2018, Immigration, Customs, & Enforcement (ICE) arrested over 158,000 illegal immigrants – an 11% increase over the previous year and the most since 2011. This increase corresponds with an end to the prioritized enforcement program rolled out by the Obama administration that only targeted illegal immigrants with criminal records. Currently, aliens do not have the right to a free lawyer so they have to either find their own or go the courts solo.

After graduating law school, Richard Drucker joined his father's family business to focus on criminal defense and more recently, immigration defense. However, after the passing of his father, Drucker chose to continue his career and joined the busy law firm, known as Margaret W. Wong & Associates.

In 1989, a client charged as a criminal hired Drucker to represent his case. The man, in college then, drove with his friend to a heroin deal, not knowing the 'client' was an undercover police officer. Although he was only along for the ride, the man was charged with possession of heroin with the intent to distribute and thrown in jail from 1986 to 1989. Soon after being hired, Drucker won the case and was rehired to fight for his client's immigration status.

The stakes were high because the client became a well rounded and prominent person in society with a wife and kids. He participates in politics, owns an Arabic newspaper, translated for the United States Armed Forces and was a person of special interest for the United States government.

Such is the hardship of immigration cases today. Immigrants settle down and create families, making the government seem like the 'bad guy' for ripping apart the families. According to Mr. Drucker, "[It] Can be satisfying when you save a family member. If they have roots and you cannot do anything, it's hard."

According to Immigration Customs and Enforcement (ICE), immigration law firms, like Margaret W. Wong & Associates, are overpacked with requests due to the shift in how ICE tracks and detains immigrants. Under the previous administration, ICE was required to track down the most threatening

of immigrants before going after the less-threatening aliens. With the current administration though, no certain person is their top priority so everyone they come across is being detained.

Due to the current administration, Mr. Drucker says his workload has doubled and there is no doubt in his mind that solving the cases does not become easier.

When Mr. Drucker wakes up in the morning, he might stop for some breakfast on the way to court for one client and then head to a different court for another client. Afterward, he usually eats lunch in his car or at his desk and spends the rest of his day researching, preparing and interviewing clients for the upcoming cases in days or months. However, the only person that changes his level of success for the day is the judge and how they choose to interpret the law behind them.

While Mr. Drucker believes the laws are fair, it's the participants that determine if the laws work. In this sense, if the judge is not fair-minded, and Mr. Drucker has come across a few of those, then the laws will not be interpreted in a fair and just way.

Upon entering the courtroom for the client who was arrested back in 1986, Mr. Drucker knew the case would be tough. He has spent over thirty years finding different loopholes to keep his client here. Currently, the client resides within the United States, granted withholding removal. He is also allowed to work, but he does not have a status, nor is he a United States citizen. On the bright side, the government cannot remove him and send him back home and he is also safe from going home to a country that may otherwise torture him for helping the American government.

While the client is also awaiting approval from a presidential pardon, Mr. Drucker works endlessly to help other clients in similar situations under the law that only works when those interpreting it choose to play fair.