

Advocates concerned about potential problems, fraud with Obama's new deportation policy

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By **Stephen Stirling/The Star-Ledger**

David Nachman is swamped.

The immigration law attorney called his Ridgewood office to check next week's schedule, only hours after President Barack Obama unveiled his plan to ease immigration laws for undocumented youth Friday.

"I'm booked solid," he said. "Every single day, I don't have anything left."

Obama's announcement that he would cease deportation prosecutions against an estimated 1.4 million young undocumented immigrants and offer them temporary work permits has sent state attorneys and service groups scrambling to understand its implications. Meanwhile, they're bracing for a deluge of state residents without Social Security cards, desperate for any form of legitimacy.

"We haven't even talked about how we're going to handle the number of people calling our office," said Wendy Melendez, director of personal development at La Casa De Don Pedro, a Newark social service group. "The phones are going to be going crazy. But there's still so much we don't know."

The same is true for the estimated 60,000 people in New Jersey who the reforms may affect — specifically the children of immigrants who came into the country illegally.

The policy is effective immediately, but it will likely take months to implement, according to legal and immigration experts. There's no procedure to follow or form to fill out yet. And with much still unknown and hopes riding so high, advocates are deeply concerned about the potential for fraud. They fear undocumented immigrants, anxious to legitimize the status of themselves or loved ones, will be duped by promises of expediency made by scam artists.

"People are so desperate that sometimes they're sort of willing to go to anyone," said Lori Nessel, a law professor at Seton Hall University. "There's always a danger of people who are unscrupulous trying to make a lot of money off of this."

Nachman said because of the restrictions on the plan, not everyone is going to be happy.

"There's going to be a lot of shaking out and figuring out who it applies to," Nachman said. "Unfortunately, a lot of the people that will be coming in to talk to me probably won't be eligible for this."

The reform targets a particular portion of the undocumented immigrant population: Only those who were brought to the United States before the age of 16 and are under 30; have lived here for at least five years; have not been convicted of a serious crime; and are in school or have a high school diploma or GED are eligible for what's being referred to as "deferred action."

For a period of two years, those who qualify will not face deportation and they will be eligible for a work permit, which will allow them to obtain sought-after government identification such as a driver's license and a Social Security number.

"This is something that puts these people in the dance," Nachman said. "This is not an amnesty program. But from a bird's eye view, right now, the benefits are going to outweigh the potential disadvantages."



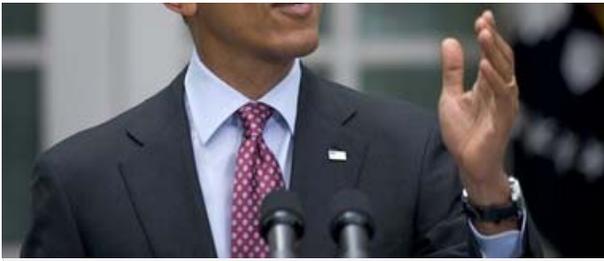
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Sergio Baron, 17 of Elizabeth, pictured with his siblings Andrea Medina and Sabastian Medina, stands to benefit from a policy announced by President Obama that would allow hundreds of thousands of illegal immigrants who came to America as children to work here legally.



The plan will only affect about 12 percent of the 11.2 million undocumented immigrants estimated to be living in the United States, according to the Pew Research Center. New Jersey has the fifth highest number of undocumented immigrants in the country at



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President Barack Obama delivers a statement in the Rose of the White House in Washington today.

approximately 550,000, according to Pew. The Migration Policy Institute, a nonpartisan think tank in Washington, D.C., estimates about 60,000 of those could qualify.

Another concern is the temporary nature of the reform. While it can be renewed after two years, the next presidential administration could also repeal it. That, coupled with the nearly 400,000 deportations that occurred in the United States during the last fiscal year — a record — may make some hesitant to step forward.

"People are understandably fearful," said Nessel, of Seton Hall. "I think it's wonderful, but it's temporary. How the federal government applies it and uses it to build a more permanent solution is going to be very important over the next few years."

Dan-el Padilla Peralta, 27, understands the apprehension. The Dominican Republic-born Princeton University graduate and current Stanford University student made headlines in 2006 when he revealed to the Wall Street Journal that he entered the country illegally.

"What I'm interested in, and what a lot of us are interested in, is the longer-term implications of the policy," he said. "It remains to be seen how this affects individuals who are either transitioning into new status, or who currently hold a status but that status holds certain restrictions."

While both state and national conservative groups have derided Obama's decision as a partisan move amid an election season, New Jersey Republicans, including Gov. Chris Christie, have thus far remained quiet on the topic.

Regardless of the election-year politics — and the national backlash that has come with it — proponents say the immigration reform is a cautious victory.

"It's a very initial step, but a positive one," said Anastasia Mann, director of the program on immigration and democracy at the Eagleton Institute at Rutgers University. "At the very least, hopefully it will give some people solace for the moment."

Star-Ledger staff writer Peggy McGlone contributed to this article.

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