

# Deseret News

## **Op-ed: When it comes to DACA, why is amnesty a political dirty word?**

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September 7, 2017

On Tuesday, Sept. 5, the Trump administration announced the termination of the Deferred Action for Childhood Arrivals (DACA) program. The DACA program defers deportation and provides work authorization for individuals who were brought to the United States as children and who pass criminal and national security background checks. The termination will not be immediate, but instead delayed six months.

Two days before Attorney General Jeff Sessions announced the eventual March 5, 2018, termination of the DACA program, a prominent conservative congressman tweeted his displeasure with the delayed termination plan, claiming that it would allow Republican leadership to “push amnesty,” which he equated to “Republican suicide.” More important than whether the congressman is correct on the politics, why is amnesty a politically dirty word?

At the core of amnesty is the act of forgiveness. It’s an act of mercy when the letter of the law may improperly demand punishment. As Abraham Lincoln once noted, “I have always found that mercy bears richer fruits than strict justice.”

DACA recipients are exactly the types of people who deserve mercy. By definition, DACA recipients have no criminal record and pose no national security threat. The conservative CATO Institute projected that removing DACA recipients from the economy would conservatively cost \$215 billion in lost GDP. Essentially, these are upstanding members of the community who contribute significantly to the economy.

Perhaps most importantly, according to a recent UC San Diego study, the average DACA recipient arrived in the U.S. at age 6. Under the law, 6-year-olds are generally not legally culpable. There is a reason we don’t criminally prosecute a first-grader for hitting his little brother. For the same reason, we should not punish a DACA recipient for an offense they were not old enough to realize they were committing — particularly where the offense is a civil immigration violation, rather than a criminal offense. While reasonable minds can disagree about forgiveness for undocumented individuals generally, it is much harder to justify punishing individuals for an act for which they were not old enough to be culpable — particularly if they have no connection to their country of birth.

Congress should fix this situation. A number of bills would allow DACA recipients to remain in the United States. The most straight-forward option would be passing the Dream Act of 2017. This would grant conditional permanent residence to DACA recipients and other childhood arrivals with clean criminal records. This would allow DACA recipients to be secure in the only home they have ever known.

To the extent lawmakers are concerned that the Dream Act would incentivize further childhood arrivals, there are other, still merciful, options. This includes the BRIDGE Act. Rather than grant permanent residence, which could lead to citizenship, the BRIDGE Act would provide temporary legal status for DACA recipients for three years.

In essence, Congress has more than enough tools to prevent us from destructively punishing acts committed by unaware 6-year-olds.