



## **U.S. Supreme Court Takes on DACA – and Fate of Nearly 200,000 California Dreamers**

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DACA student Anahi Figueroa Flores, who attends Georgetown University, speaks during a rally defending Deferred Action for Childhood Arrivals (DACA) in front of the U.S. Supreme Court after they walked out from area high schools and universities on Nov. 8, 2019, in Washington, D.C. The Supreme Court will hear oral arguments on President Trump’s decision to end the DACA program on Tuesday. *(Alex Wong/Getty Images)*

These days, Dr. Jirayut “New” Latthivongskorn spends long hours in the adult inpatient unit at Zuckerberg San Francisco General Hospital and Trauma Center, treating patients with cancer, heart failure, diabetes and other illnesses as a first-year medical resident.

But on Tuesday, Latthivongskorn will be in Washington, D.C., at a U.S. Supreme Court hearing instead. He is one of the plaintiffs fighting the ending of Deferred Action for Childhood Arrivals, commonly known as DACA — a program that protects him and more than 660,000 undocumented young adults nationwide from deportation.

“I have to admit, I’m nervous,” said Latthivongskorn, 29, the first undocumented student to graduate from UCSF School of Medicine in its 155-year history. “But I do remain hopeful.”

‘Any little thing in our mind could lead to the possibility of being detained and deported.’ Dr. Jirayut “New” Latthivongskorn

The nine justices will consider whether the Trump administration’s decision to wind down DACA two years ago was arbitrary and capricious, and violated a U.S. law that controls how government agencies can make and change rules.

The administration maintains that the Obama-era program, which grants temporary protection from deportation to young undocumented adults brought to the U.S. as children, is unlawful.

But federal judges in San Francisco, Washington, D.C., and New York ordered the government to keep the protections in place for existing DACA recipients after the University of California, the state of California, DACA recipients and others sued.

The Trump administration appealed, and the fight over protections for so-called Dreamers made its way up to the highest court in the land.

“The last two years have been an extended limbo,” said Latthivongskorn, who fears he won’t be able to work as a doctor if the court allows the Trump administration to end the program.

Nationwide, about 27,000 DACA recipients, including Latthivongskorn, work in health care, according to [a report](#) by the liberal Center for American Progress.

### **Any Little Thing Could Lead to Deportation**

Latthivongskorn was 9 when his family came to the U.S. from Thailand on a tourist visa. They never left: He grew up in Milpitas and Sacramento, where his parents worked low-wage jobs in restaurants.

For many years, the fear of deportation permeated the family's life, Latthivongskorn said.

“We were afraid of going to the doctor's clinic and what that could do. We were afraid of a traffic light that we could get stopped at,” he said. “Because any little thing in our mind could lead to the possibility of being detained and deported.”

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Growing up, Latthivongskorn dedicated his energy to excelling at school. He graduated from high school in Sacramento and won private scholarships that enabled him to get through UC Berkeley.

After college, Latthivongskorn and two other undocumented friends, Denisse Rojas and Angel Ku, founded Pre-Health Dreamers, an organization dedicated to helping undocumented students pursue careers in science and health.

### **Obama Announces DACA**

On June 15, 2012, just a month after Latthivongskorn earned his bachelor's degree in molecular and cell biology at UC Berkeley, President Barack Obama announced [DACA](#).

Undocumented immigrants, who had arrived in the U.S. before age 16 and were under 31 years old, passed background checks and had finished high school or were enrolled in school, would be eligible for renewable, two-year work permits and protection from deportation.

Obama billed the new policy as a temporary fix, while Congress debated a permanent legalization for Dreamers that never materialized.

“This is a temporary stopgap measure that lets us focus our resources wisely while giving a degree of relief and hope to talented, driven, patriotic young people,” he [said](#).

Young, undocumented people came out of the shadows in droves, trusting the federal government with their addresses and personal information.

Then-Homeland Security Secretary Janet Napolitano put the program into action. Now, she is a plaintiff in one of the lawsuits to protect DACA, as president of the University of California, where about 1,700 DACA students are enrolled.

“DACA students are an important part of the university community,” Napolitano said. “They become doctors, they become lawyers, they become teachers, they become taxpayers. All of that return on investment is lost if DACA goes away.”

During her tenure, the university has allocated “several millions of dollars” to support student centers and free legal services for undocumented students, said Napolitano, who recently announced that she will step down from her post next summer.

### **DACA Benefits**

Repealing DACA and deporting its beneficiaries would cost the U.S. about \$215 billion in lost economic growth, and \$60 billion in lost federal taxes over the next decade, according to a 2017 study by researchers at the libertarian Cato Institute.

The vast majority of DACA recipients are employed, and the program helps them support their families. Many of these young adults are parents, with an estimated 250,000 U.S. citizen children, including almost 73,000 kids in California, according to an analysis by the Center for American Progress.

The principle behind DACA enjoys bipartisan support among the public, with a 2018 Pew Research Center survey finding 74% of respondents favored permanent legal status for immigrants brought illegally to the U.S. as kids.

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But Latthivongskorn worries that if the conservative-leaning Supreme Court allows President Trump to end DACA, the prospect of legalization for the additional 10 million undocumented people in the country will become even bleaker.

“If we can’t even hold up a policy like DACA, that has been shown in many ways to have positive impacts on the rest of the country, then that does scare me of what comes next,” he said.

Arguing for the plaintiffs will be California Solicitor General Michael Mongan, and Theodore Olson, a former solicitor general of the United States under President George W. Bush.

Olson’s extensive experience litigating cases before the Supreme Court, including winning President Bush’s recount dispute against Al Gore, and his conservative credentials, will be a plus for DACA supporters before the court, according to plaintiff attorneys.

The Supreme Court is expected to rule on DACA by June 30, 2020.

On Tuesday, hundreds of Dreamers and their supporters are expected to rally outside the Supreme Court, according to organizers with the nonprofit United We Dream. Elsewhere in the country, in Los Angeles, Santa Cruz and other cities, students are planning to stage school walkouts.

Lattivongskorn will take a red-eye flight across the country to attend the hearing in person Tuesday morning before the nine justices.

“So they see me, So I see them,” he said. “So I hear them. I hear exactly how our case, our lives are being talked about.”