

The Journal Times

Deported and back again: How Ricardo Fierro made it back home to Racine

Ricardo Fierro is home

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Ricardo Fierro wants to be here legally. He always has. For about two decades, he lived in the U.S. unperturbed. Then, one day, the U.S. government seemed to change its mind about how to treat immigrants like him.

He was an unofficial adviser to several government entities and elected officials, including former Mayor John Dickert and Racine Unified leaders.

He became a trusted leader for Racine's immigrant community. Fluent in English and Spanish, he could help others with legal and immigration matters. He became a local leader with the nonprofits Racine Interfaith Coalition, establishing its immigration committee that's still active today, and landing a job with **Voces de la Frontera**, a group that supports rights for immigrants and low-wage workers. He also became a president of a council of the **League of United Latin American Citizens**, the largest Hispanic and Latino civil rights organization in the country.

He's a father of five and a husband. He's got a clean criminal record, excluding being cited a couple times for driving without a license.

The son of a semipro baseball player, Fierro, now 42, hates soccer — “it's a waste of time; you play literally all day and it's still zero-zero” — and loves basketball. In July, his Facebook profile photo featured the Milwaukee Bucks amid their championship run.

By all measures, he was a taxpaying member of the Racine community. He just couldn't vote or **get a driver's license**, and was always watching his back for immigration enforcement.

This is his story of coming to America, going back to Mexico, coming back, being deported, and returning home.

The first time

Fierro's older brother, Rodolfo, has a disability, the result of him having been hit by a truck as a 2-year-old. It was a miracle he lived to see his 3rd birthday; even moreso that he's alive today at 46.

After turning 18, Rodolfo didn't have many opportunities. The institutions for people with disabilities in Mexico aren't nearly as robust as those north of the Rio Grande. In Mexico, Rodolfo was only able to land one job as a manual laborer in a factory, and it would have paid him one-fourth of the country's already meager minimum wage — not even enough to cover the cost of transportation from home to the factory and back every day.

In 1995, when Fierro was 16 years old, his parents sent him to stay with a relative in Racine for two weeks as a sort of "scout" for the family, to see if they could make a new life there and also find better opportunities for Rodolfo.

Driving down Durand Avenue with his uncle, the teenaged Fierro thought American homes looked like "Barbie houses." In Mexico, most homes had flat roofs and "were all square." Fierro had never seen slanted roofs except for dollhouses.

He told his parents they could make a life here. And they did. They got tourist visas, allowing them to stay in the U.S. legally but temporarily.

Fierro enrolled at Case High School and graduated from there in 1999. He landed a number of different jobs, at a restaurant, then in a factory and in hotels before getting more involved in advocacy work.

Eventually, the government stopped renewing the visas, but made no effort to remove the Fierros from the country.

Coworkers who also were undocumented told him they had flown to and from Mexico without a problem. So, in 1997, he decided to visit his home country for a couple weeks. When he tried to go back home, he was denied.

It was one of the young Fierro's first encounters with the inconsistencies of the American immigration system.

Rather than stay in Mexico, he wanted to get back to Wisconsin. "There's nothing here for me," he thought of Guadalajara.

In 1998, then 19 years old, got back into the country. A family member who was a U.S. citizen drove down to pick him up. At the border, Fierro said he showed his American ID and Border Patrol let him through.

He spent the next 21 years here.

After decades, he still seemed no closer to being a U.S. citizen.

It's a common complaint. "Since 1991, when the current quotas went into effect, time spent waiting to apply for a green card (i.e., legal permanent residence) has doubled for applicants immigrating through the family-sponsored and employment-based quota categories — from an average of 2 years and 10 months to 5 years and 8 months," states a 2019 report from Cato Institute, a libertarian think tank.

As of 2018, the entire U.S. immigration wait list was more than 4.7 million files long. According to CATO, there's a backlog of more than 1.2 million Mexican green card applicants. "More than 100,000 legal immigrants — 28 percent of the family-sponsored and employment-based lines with quotas — waited a decade or more to apply for a green card in 2018, up from 3 percent in 1991," according to the report.

Wait lines like this have been another factor in why so many migrants risk illegal border crossings, since it's clear to those individuals that they won't have a shot at legal status for years or decades.

The average wait time for a Mexican national applying for a U.S. green card, which was around 21 years in 2018, is expected to be well over 30 years by 2038 unless there are substantial reforms. The cases of Mexicans who applied for green cards that are getting approved now were usually applied for **around 1999**.

Applicants from other places, even high-emigration countries like India and China, can expect wait times of less than half what is expected for Mexicans and Filipinos.

Still, it's even harder to become a U.S. citizen while waiting outside the states than it is from inside.

“By February 2020, there were an estimated 15,000 people waiting for the chance to begin the asylum process in cities across the U.S.-Mexico border, some of whom had been waiting for years,” according to an **August 2021 report from the American Immigration Council**.

July 24, 2018

“Don’t open the door.” It’s a lesson everyone who’s undocumented learns. Never open the door for anyone who knocks if you don’t know who they are, because they could be immigration enforcement. If you don’t open the door, they can’t arrest you without a warrant.

When Fierro got deported, it wasn’t because he’d committed a crime.

Undercover immigration agents just showed up one day. Fierro said he’s never gotten a straight answer on why he was targeted.

As he left his mom’s house at about 8 a.m. on July 24, 2018, he noticed two trucks with tinted windows that seemed to be following him. He drove around a little bit longer until it seemed he was no longer being followed before actually going home.

Once inside, he still didn’t feel safe. Soon after, the two vehicles were parked outside his house.

Fierro called the Racine Police Department.

Officers arrived and talked with the people in the trucks. Fierro's suspicions ended up being confirmed: They were agents with Immigration and Customs Enforcement.

The Racine Police Department confirmed this narrative. However, when The Journal Times requested the arrest record, a federal public affairs officer replied in an email "Due to privacy, ICE has nothing we can share regarding this case." ICE has not yet replied to a Freedom of Information Act request from The Journal Times, issued Aug. 24. The officer did not reply to a follow-up email asking why "privacy" was substantive enough reason to not release government documents.

With the trucks waiting outside and his family inside, Fierro decided to cut his losses. He kissed his baby and wife goodbye, made sure to leave his cellphone at home — he didn't want all of those phone numbers and names falling into ICE's hands — and went outside. He was quickly surrounded by agents.

"Don't resist arrest," he was told.

"I'm not resisting anything," he replied, and let himself be led away.

He was one of about half-a-dozen **undocumented people in and around Racine who were arrested** by ICE in summer 2018, according to the Racine Interfaith Coalition.

Waiting for nothing

in Milwaukee, Fierro said that the first question he was asked by the ICE agent was "Where's your cellphone?"

The interviewer claimed she asked the question just to make sure Fierro would be able to call home, but Fierro is convinced ICE wanted his phone to try to track down others in the country illegally.

The U.S. government had been well aware of Fierro's presence in the country since soon after he got back across the border in 1998.

It's not like he was hiding.

This is a common experience. **More than 830,000 people filed petitions** to become naturalized U.S. citizens in both 2018 and 2019. The peak came in 2008 when 1.047 million became citizens. In the 1950s and 1960s, fewer than 120,000 "lawful permanent residents" became citizens per year.

Mexico consistently has been the most common country of origin for new U.S. citizens, with 122,000 becoming naturalized in 2019, a 14.5% share of the country's total, according to the Department of Homeland Security.

The status quo for people in wanting to be citizens already living in the U.S. is just indefinite waiting, hoping eventually your case file would reach the top of the pile.

Fierro believes that the reasons he ended up on ICE's radar are threefold: His elevated status with LULAC, the deportation-happy policies of the Trump administration even for non-criminal people who are undocumented, and Fierro's own willingness to repeatedly critique the Trump administration on Facebook.

The ICE crackdown on non-criminal undocumented immigrants under President Donald Trump was a departure from the status quo. For decades, the norm set under the Obama administration had been that primarily lawbreakers were being deported, while undocumented immigrants would be allowed to live in the U.S. as they slowly moved along the long road to citizenship.

In 2014, then-President Barack Obama characterized his administration's deportation policy as "**Felons, not families.**" Throughout Obama's presidency, the percentage of non-criminal deportations drastically **fell from being 33% of all deportations in 2011 down to 7.7% in 2016.**

Despite that, Obama still earned the moniker "**deporter in chief,**" for having **more people deported under his administration** than any other president before him.

Trump's stricter deportation rules included deporting those who already had a deportation on their record. He also gave more discretion to immigration agents.

“In Trump’s first year (2017),” CNN reported, “U.S. Immigration and Customs Enforcement arrested 109,000 criminals and 46,000 people without criminal records — a **171% increase in the number of non-criminal individuals arrested** over 2016. The Trump administration regularly says its focus is criminals and safety threats, but has also repeatedly made clear that no one in the country illegally will be exempted from enforcement.”

The waiting was the worst

Fierro was in ICE detention for a year. The waiting was the worst part. He believes the design of the system is intentional: to make the jail time so grueling that people just give up hope and rescind their right to try to stay in the country.

“I never did anything. I help people. Why am I here? Why am I being punished? What did I do?” he thought to himself in his first days behind bars, trying to fight off a bout of depression.

“You’re not in control of yourself, your space.”

On the outside, he’d made a career helping others. Behind bars, “I don’t have a way to help myself out.”

Once you give up the right to due process, you’ll be on a plane, headed back usually to your country of birth in less than a week. Decide to fight the allegations in court and it will take months (if not longer) for your case to be heard. “The **average stay** in immigration detention for people in fast-track removal was 11.4 days from October 2017 through September 2018,” the Associated Press reported.

“To me it would be not good to just leave. I had to fight,” Fierro said. He ended up spending 374 days locked up.

Rallies were held and letters were signed in Racine — led by his supporters, elected officials and his families — calling to stop the deportation. Racine Mayor Cory Mason and County

Executive Jonathan Delagrave came to his defense. None of it made a difference other than bring attention to the issue.

There were four judges in immigration court in Chicago that could have heard his case. Fierro's landed with the one most likely to deport.

After the first six months, Fierro's case came up. The strict judge ruled Fierro be deported. Fierro remembers his whole family crying that day.

He appealed the decision. More waiting.

Another six months passed. Six months of sitting in Kankakee Jail, about an hour south of Chicago. Six months of playing the Uno card game so much the color almost vanished from his deck. Six months of rats squealing underfoot. Six months of smelling human urine 24/7. Six months of helping non-English speakers fill out their paperwork.

He spent time almost every day in what was called the "law library," helping fellow inmates fill out paperwork in English. "I used to write type up their stories, translating them from Spanish to English, to send them to an attorney."

Legally, Fierro said, government officials are supposed to treat documents filled out in Spanish the same way they would documents filled out in English, but in reality writing stuff in English is going to give you a better shot.

"If you turn it in in Spanish, the judge won't like that," Fierro said with a knowing laugh. "ICE will very likely not consider any document that is not in English. Try to get every document you submit translated into English," writes the Southern Poverty Law Center.

Like in Racine, Fierro can't stop himself from helping others. He's one of those people who can't say no to things.

"I think these people needed help," Fierro said of his fellows in lockup. It gave him purpose in the monotony of incarceration.

Despite trying to do everything right, Fierro lost the appeal. An attorney told him he'd have maybe a 10% chance of winning on re-appeal, and he'd be in jail for at least probably another eight months.

"That's too long," Fierro remembers thinking.

In jail, with the bland walls and repetitive routine and unchanging environment, "You're kind of brain dead. Nothing is happening." He saw people who'd been there for two years who seemed to just be "not there mentally ... They were more like zombies."

Fierro didn't want to end up like that. "I'm not fighting anymore," he said at the time.

Within a week, he was back in Mexico, a country he hadn't stepped foot in for two decades.

"Many times we don't understand why decisions could be unfair but we accept them with maturity," he **wrote in a letter home** after being deported.

Days after being deported, "**I feel calmer** because if it is a very strong stress to be detained," Fierro told Telemundo Wisconsin. The waiting and his time as an inmate was over, even if the result wasn't to be desired.

A bus dropped him in a **Reynosa — a dangerous, gang-ridden Mexican border city**, on Aug. 2, 2019. His family secured transport back to the suburb of Guadalajara where he grew up.

He spent the next two-plus years staying with an uncle and later in a house his parents still owned down there.

He also spent it 1,8000 miles away from his five children, watching them grow up through phone calls and video chats and photographs.

Homecoming

Fierro told members of the Racine Interfaith Coalition during a meeting earlier this month that "the law" is what sent him out of the U.S. He wanted to get back in the same way he was kicked out: legally.

At one point, he was contacted by a New York law firm. The firm's goal was to bring back three groups of people: **deported U.S. military veterans** (of which there are **hundreds**), deported former **recipients of DACA** (Deferred Action for Childhood Arrivals, i.e., people brought into the U.S. as children) and deported community leaders such as Fierro.

At first, he ignored the voicemail, writing it off as some kind of scam.

But then, by happenstance, he read about that same law firm in **Guadalajara's local newspaper, El Informador**, giving some credibility to that random phone call he'd received.

The law firm has declined to be interviewed for this story. "They did it, like, very privately," Fierro said. "They don't want to go public," at least not in the U.S.

So, he belatedly responded to the call. The firm told Fierro about something he'd never heard of: Humanitarian Parole.

According to U.S. Citizenship and Immigration Services: "Humanitarian Parole is used to bring someone who is otherwise inadmissible into the United States for a temporary period of time due to an emergency."

Despite Fierro's firsthand knowledge and having read extensively about immigration law while locked up, it still took lawyers dedicated to immigration law to get people like Fierro back into the country, and to do it legally — a sign of how incredibly complex and confusing America's immigration policies are.

Fierro's strong community ties, lack of criminal history and status as a well-known local figure made him a **prime candidate for Humanitarian Parole**. The pandemic served as the "emergency," especially since his mother had suffered from COVID-19, was hospitalized and survived, but continues to have health issues that Fierro can help with, since he speaks English the best out of his family.

The law firm got Fierro an appointment at the border.

He showed up at the Border Patrol station between Brownsville, Texas, and Matamoros, Mexico, documents in hand, along with clothes and a backpack — it's important in certain parts of Mexico, especially border towns, to never travel with luggage, for fear of looking wealthy and thus becoming a target for kidnappers.

He handed over his Mexican ID and Mexican passport to the immigration officials. It was a Friday.

Then came 4 hours in a waiting room as his papers were checked, and rechecked, and checked again. Fierro couldn't do anything but wait, fully expecting a fruitless endeavor and to be sent back to Guadalajara — it would've been a "miracle" to be allowed to reunite with his family in Wisconsin. His wife, while getting closer to citizenship stateside, was still at least a year away from being allowed to travel to visit him in Mexico without risking her residency in the U.S.

After 4 hours, someone came out and asked him who he'd be living with in the U.S. He told them he'd be with his wife and family in Racine, Wisconsin. Another 90 minutes passed.

Then, he saw the agent pass the folder to a supervisor. He flipped through the papers quickly.

Fierro then was handed a form to sign. A nurse performed a health exam. His fingerprints were taken. An agent showed him to a door pointed north, the door to the United States. He was free to re-enter the country.

He crossed the border bewildered. He doesn't remember the walk.

On the American side, he met with a humanitarian group, the **Angry Tias & Abuelas**. They gave him a place to spend the night, then helped him secure a flight from Brownsville to Houston, and then from Houston to Milwaukee.

Of the 48-hour whirlwind, and taking a shot with attorneys from New York he'd never met to get back to his family, "I didn't understand what was going on ... It was God that made that happen," Fierro admitted, having been raised Catholic but not being a particularly religious man

nowadays. “It was my only chance ... I guess I don't know what that was that made that happen. I don't know. It's more like a miracle. Maybe not.”

Landing in Milwaukee on Saturday, Aug. 28, he was met with hugs and tears from his parents and wife. Ricardo Fierro was home.

One year of legal status

Under Fierro’s Humanitarian Parole, he has one year of legal status in the U.S.

He’s in the process of petitioning for legal status. His name, presumably, will soon be at the bottom of the massive backlog of applicants, years away from being taken up for consideration by U.S. Citizenship and Immigration Services.

While Fierro was away, his wife’s file reached the top of the pile. She's now one step closer to full legal status and one step further from the threat of deportation.

With Joe Biden in the White House as opposed to Trump, Fierro hopes the end of his own path to citizenship could now be years away, rather than decades; although of late Biden's attempt at building a reputation of being immigrant friendly is **faltering**.

Of the myth that undocumented immigrants bring rises in crime, Fierro noted “When you don’t have papers ... you don’t want to be noticed.”

According to a **study from The Police Foundation**: “Since the early 1990s, as the immigrant population — especially the undocumented population — increased sharply to historic highs, the rates of violent crimes and property crimes in the United States decreased significantly, in some instances to historic lows: as measured both by crimes reported to the police and by national victimization surveys. Moreover, data from the census and a wide range of other empirical studies show that for every ethnic group without exception, incarceration rates among young men are lowest for immigrants, even those who are the least educated. This holds true especially for the Mexicans, Salvadorans and Guatemalans, who make up the bulk of the undocumented population.”

Smart girl

Two weeks before Fierro got let back into the country, the youngest of his five children — Josephine “Joshie” Rose, a friendly but reserved small-faced and curious 3-year-old, who really only got to know her father through computer and phone screens — told her mom and grandparents that her dad was going to walk her to school next week.

They figured the preschooler’s imagination was getting the best of her.

On the first day of school this year at **Bull Early Education Center**, her abuela dropped her off. A week later, Fierro bent down to hold her tiny hand as he walked Joshie Rose into the building on DeKoven Avenue.

The 3-year-old’s premonition was right, just a week early. Daddy was coming home.