

## **Almost There**

An Emerson Collective Podcast

Episode 7: What if we let asylum seekers fix our immigration system?

Conchita Cruz:

Sometimes there are these huge setbacks and you lose sleep over it and you cry, and you get upset, but I always pick myself back up and I'm like, "Well, I've got to keep going."

Dwayne Betts:

Joining us today is Conchita Cruz, a co-director of ASAP, a organization whose acronym is the Asylum Seekers Advocacy Project. It means they represent families who are trying to get asylum and come to the United States.

Conchita Cruz:

I think of what we've done is not that we had some amazing idea and more that we've just been really open to listening to what asylum seekers were asking for and just giving them the support that they needed as much as we could and growing that support over the years, that's why we're a membership organization. Our members have to keep fighting, this is their life.

Dwayne Betts:

She is not just the co-director of ASAP. She's a graduate of the Yale Law School. She's a good friend of mine. If I'm lucky, she will let me read you the poem that I wrote for her and her husband when they got married a few years ago. I'm Reginald Dwayne Betts, and this is Almost There from Emerson Collective. So hey Conchita, how you doing?

Conchita Cruz:

I'm okay. How are you?

Dwayne Betts:

Yeah. I'm pretty good. I find myself in this strange situation of talking to friends publicly and so I get a chance to talk to you today. Now, I know you as Conchita Cruz, Yale Law School graduate, lovely friend, immigration attorney, a person who was one of the co-founders of an amazing nonprofit called ASAP. But I wonder when you introduce yourself to strangers, how do you introduce yourself to them?

Conchita Cruz:

Well, normally I'm not being asked to give a full bio context of who I am. So I guess, when I am asked, I say I live outside DC in Northern Virginia, but I'm originally from Miami. My mom is Cuban, my father's from Guatemala. That's really who I am, and those usually are the most important signifiers I feel like. I guess, my job, I'm the co-executive director of the Asylum Seeker Advocacy Project, ASAP. That's a big part of who I am.

Dwayne Betts:

Now, we went to law school together and you never seemed to be lost in a way that... For real. I'm like, "Where's the office that gives you financial aid?" I understand the process-

Conchita Cruz:

I know where that office, so [inaudible 00:02:42].

Dwayne Betts:

... or really simply, and maybe this is from your career before law school, really simply being a person who understood, who didn't seem to have questions about how to go from point A to point B with their education. I got the law school figuring, "I need to figure out all of it," and it felt like you came to law school already having a sense of purpose and also not needing somebody to direct you.

Conchita Cruz:

That's really nice to hear. I think that I really live by the fake it till you make it, so I didn't feel that way. When I got into Yale, I was working in Congress and I didn't think it was going to be so crazy to go to Yale for law school. I thought, "I went to an Ivy League college. I work in Congress, I've been around elected officials. I'm not scared of anything," I thought in terms of elite or prestige. I was like, "I can talk to anyone, this is fine, whatever." I got there and then it felt really different and I was pretty scared, especially at the beginning and I leaned on you a lot, but I think that I just act like I know what I'm doing. And you know that my focus face of my concentration face is a smile, so people think I'm always happy, but that's actually just me living my life, me thinking really is when I'm smiling. So I probably come off like I have a greater sense of knowing what's going on than I actually do.

Dwayne Betts:

But I feel like you knew what you wanted to do when you came into law school, is that true?

Conchita Cruz:

I definitely knew that I needed to do immigrants rights work and that I wanted to be an immigration attorney for no other reason than just to be able to help my own family that had immigration issues and just to be able to be their lawyer, that was always my focus. I did not think that I would ever start a nonprofit organization. I didn't think that I would necessarily be doing this exact type of work, but I knew for sure going in, "I have to be able to come out of here and help my family apply for immigration relief," so that was a goal coming into it.

And what's actually been really crazy full circle moment for me is that a lot of my cousins from Cuba have come over the last two years to the United States, some across the border, some on tourist visas that they've overstayed. They've sought asylum in the US and I now run an organization that's a membership organization for asylum seekers, and so for the first time, I think my family has really understood what I do at work because my cousins became ASAP members and all of a sudden there was a decision that happened in the courts where you needed to have ASAP membership in order to get a work permit, for almost two years that was the case.

Dwayne Betts:

I tried to become a ASAP member but it turned-

Conchita Cruz:

You got rejected when you were like, "I'm not seeking asylum."

Dwayne Betts:

... but I was like, I would rather be an asylum seeker than a felon. And I had this whole internal conversation about, "Was that a legitimate question to ask the world?" But you mentioned your family though, and I actually feel like... So when I went to law school, actually, I was trying to figure out why I wanted to go to law school and I thought it was to be a public defender, but I specifically thought about a friend of mine named Marquis, and we were in the same cell together. He was 16, 17, I was 16, 17, and he had a 53-year prison sentence. And it wasn't a robbery and it wasn't a rape and it wasn't a homicide, it was an attempted murder. And I remember we wrote to the ACLU because I said, "I'm going to help you get a lawyer."

And we wrote the ACLU a letter. This was July of 1998. And that December, they wrote us back and said, "This is not one of the issues that we deal with." And as I had this really specific story in my head, I literally wrote about it in my personal statement. I wonder, when you talk about your family and the stories that you carried around in your head, is it one story that you carried around the most when you were telling yourself that, "I need to be an immigration attorney because I've got some peoples that needed one and they couldn't find one?"

Conchita Cruz:

This is going to sound cheesy, but I think that my parents in part because they were the first in each of their families to come to the US, they had always been the people to help kids like my cousins kids sign up for Head Start, put them in school, how to learn English like, "I have a class here you can go to. I know about this and that," so much so they were always giving people all of our furniture, that we would move to the US. One day I came home in high school and all my furniture in my room was gone, and my mom was like, "This other family really needed your furniture."

I was like, "That's fine." She was like, "You're going to college anyway. You're leaving my house, who cares?" I was like, "Okay." So my parents were super helpful, but there was a limit to what they could do for people when all of a sudden it became like, "Oh, someone can't get a job because they're undocumented," all of a sudden it became like, "Oh, there's raids in this community and someone I know is in immigration detention." And all of a sudden my parents were getting questions from people that they couldn't answer and they were calling me while I was in college to be like, "Hey, do you know?" And I was like, "What? I don't know anything. What are you talking about?" And I lived in Providence, Rhode Island for college, which actually is an enormous, a huge Guatemalan community, for the first time.

Dwayne Betts:

Did you know that before you went to Brown or-

Conchita Cruz:

No. We found out because this was pre GPS, pre everyone having cell phones. And my parents took me to college and we got off on the wrong exit and my dad was like, "I think everyone around here is Guatemalan." And I was like, "No, don't be crazy. What are you saying? That's a ridiculous thing to say." And he was like, "I really think..." And then I looked around, I was like, "Okay, I think you're right," and it turns out there's a huge Guatemalan population there. The mayor of Providence is Guatemalan American. I taught English as a second language in Olneyville in this neighborhood in Rhode Island, and all of my students were also asking me for help. And I thought of myself as a kid and they were adults and they were so sweet to me, and they would worry about me.

And some of them, the women that I taught would make me food and bring it to me. And then they were asking me for help and I was like, "You think I can help you? You're an adult, I'm a child." And they were like, "Yeah, you speak English. Can you look at this form and tell me what it says?" And I just

realized, "Oh wow, I have, whether I like it or not, a level of responsibility where I've got to learn how to do some things so I can help people who are asking me for help."

Dwayne Betts:

... we are talking with Conchita Cruz who has dedicated her life to fighting for immigrants rights. She's the co-founder of ASAP, the Asylum Seekers Advocacy Project, an organization that helps families seeking asylum in America. And that idea, it had to start somewhere. I remember when you and a number of other law students went to Dilley, Texas to visit this family immigration detention center and do some volunteer work. Can you tell me a little bit about that?

Conchita Cruz:

Yeah. The Dilley Family Detention Center was the largest family detention center in the United States, and there were all these stories coming out of Texas that mothers and children were being detained there. Some people were being forced to have their entire immigration trials while detained, and all of a sudden there was this volunteer opportunity where you could go down and help people for a week at a time. And so I was ready to go anytime Yale would pay for me to go do anything that was related to immigrants rights issues. I was always happy to go, and this ended up being a life-changing experience for the four of us that ended up co-founding ASAP. And this was in 2015 that, I think, at least I learned about what was happening there. Family detention hadn't been happening for that long. I think the Obama administration restarted it in 2014.

Dwayne Betts:

So I think a lot of us won't understand what it means to be in an immigration detention center facility. If you're a parent and you've got your child with you, so when you go there as a student, what is it that you see and what is it that you do?

Conchita Cruz:

When we went down, basically you get to what looked like a series of trailers. They're in a rural area in Texas with a big parking lot. You come in and you walk into a trailer where you have to go through security and there's metal detector, and then you walk into what is known as the legal trailer, so a trailer where mothers and kids can meet with attorneys to get legal advice. And so that's really where work, I guess, happens when you go to volunteer, is that you can help someone prepare for an interview where they have to basically show or talk about why they came to the US and that they're an asylum seeker, that they were fleeing persecution. And so there was one family, one mom who was being forced to have her entire immigration trial while she was in detention, her name is Sunni Rodriguez, and we met her and represented her that week. In part because there were so many volunteers that week that the regular volunteer activities were taken.

And at the end of the week, Sunni won her case and we were packing up, I think this was right before our summer internship started. And she said, "What happens to all of the other mothers? What happens to my friend who has her trial in two weeks?" We were like, "Oh, I don't know. We've got our internships," we made some lame excuses. And she was like, "I don't know. I think you can help. It seems like you could help, so you should think about that." And so she really kept pressing us, and so we talked to the attorney who had gone down with us supervising us, Elora Mukherjee, and she was like, "Yeah, I'm down. Let's keep doing this," and so we kept volunteering the families at that facility who were being forced to go to trial until the end of that summer of 2015 where basically all the families that were forced to go to trial had won.

There was a lot of media attention around it. The Obama administration, I think, felt like they looked bad because they had been saying that the people coming across the border weren't asylum seekers, that they were economic migrants, but then everyone was winning their cases there, so they actually started releasing families all over the US, and we had been helping moms and kids prepare their asylum cases and all of a sudden they were being released to areas where there was just no legal aid.

There were very few organizations, if any, that could help them, and so we felt like we needed to keep in touch with them that there needed to be some sort of mechanism for us to help them once they got to where they were going, and they became the first ASAP members. We recognized like, "Oh, we may not be able to represent everyone, but we've got to keep in touch with people and make sure that they know that they can ask questions, get good answers, instead of just asking someone on the street wherever they're going who might lead them in the wrong direction," And so that was how ASAP started at the very beginning. It's changed a lot, but-

Dwayne Betts:

That's what I was going to ask you. If somebody asked you to describe what ASAP does now, how would you describe that work that is really helm by multiple, really talented and gifted women that decided to do this work that arguably wasn't being done in quite the same way as anybody else?

Conchita Cruz:

... I think there were four of us that started the organization, but before it was an organization really, we were just four people who were spending a lot of time responding to requests for help from asylum seekers and getting our friends to help, and getting them to volunteer. And I think that because we were at Yale, there were people in the administration who were like, "Hey, so it seems like you guys have really started almost like an organization. Are you thinking you're going to do that?" And we were like, "Oh, I mean, I don't know. Can we do that?" And they were like, "Yeah, I think so. Why don't you really think about what that would mean and what that would look like?" And we turned to our professors and to the school administrators, and they really, I will say, did a lot to support us. Our first fundraiser, I don't know if you remember, but it was-

Dwayne Betts:

At Mike Wishney house.

Conchita Cruz:

... one of our professors house at Mike Wishney house.

Dwayne Betts:

Yeah, I remember.

Conchita Cruz:

And our professors were the ones donating, who first donated to ASAP as a huge vote of confidence that we could do it. And so I'll always be so grateful that they believed in the four of us, but really I think of what we've done is not that we had some amazing idea and more that we've just been really open to listening to what asylum seekers were asking for, and just giving them the support that they needed as much as we could and growing that support over the years. That's why we're a membership organization. I don't get to decide, the other co-founders don't get to decide what the organization does.

Our members get to decide what the organization should do, and then also they're the ones thinking of ideas on how to make it happen. They're making it happen with us in partnership.

Dwayne Betts:

How many members do you guys have?

Conchita Cruz:

We now have 400,000 members. We actually just hit 400,000 members.

Dwayne Betts:

That's amazing. I do think it's something to be said though about how the stories around the work that we do transform and deepen how we think about ourselves, how we think about our families, how we think about our history, I wonder if it's a success story that you had with ASAP that's particularly moving for you.

Conchita Cruz:

Yeah. I mean, I think one thing that I'll probably carry with me for the rest of my career is we worked with this mother who had been separated from her son during family separation, and they'd actually been separated for over two years, and we were working really hard to try to get her back to the US because she'd been deported and he was actually still here in the US and he was in foster care. To me, one of the most memorable moments of my work has been, she was in Guatemala, has been going back to Guatemala to travel with her and a group of other parents who were allowed back in the United States because of a court order. So we'd been working with the ACLU to get this court order so she could get back, but it was still during the Trump administration.

We didn't know if she would get detained when she got back, she was really brave and was like, "I don't care. I want to see my son again. I'm going to go." But I flew there to help bring her back to the US and to be there in case she and other parents got detained in case they tried to interview them at the airport. We didn't know what would happen, and so working on getting her back to the US and then knowing that she was then able to reunite with her son after being away from him for years, I think I'll always carry that. And I think about it a lot in part because my mom was separated from her mother for 20 years. My mom left Cuba as a kid through the Peter Pan Program, and my grandmother stayed in Cuba. And so my mom just really didn't see her mother, grew up without her mom.

I didn't want this kid to grow up without his mother the way that my mom did because I know how difficult that was for her, but also so many other families that have been torn apart because of family separation, because of other policies, immigration policies that separate families. But I just think about that a lot because I know that my mom still carries that with her now, and it's something that has always been a shadow over my mom and her family and their history and our relationships, and so I think about that moment and knowing that we were able to help bring that family back together feels, I don't know, particularly impactful.

Dwayne Betts:

I didn't know that about your mom. And it reminds me, in a way, of just how much we don't know about the people that we care about. And you wear so many different hats because I think if you would've went in the corporate law, it's nothing probably in the day-to-day cases that you would work with that would constantly make you think about your cousins, your nieces and nephews, your uncles, your

grandparents, your mother, your father. Your work wouldn't make you think about home. I wonder if you find that your members believe it's important that their narratives get out into the world. And then the other piece of that is I wonder if this has made you think that it's important to tell your mother's story, even just that bit of it because I find that we don't hear those. I find that I don't hear those stories enough, and it might just be that I'm not listening, but I wonder how you feel about that.

Conchita Cruz:

Yeah. I think that's a good question. Everyone is different is the first thing. And our members are, there's 400,000 of them. They live all over the US. They're from lots of different countries. They're from 175 countries. Some of our members are software engineers and doctors and lawyers, and some of our members are-

Dwayne Betts:

Police.

Conchita Cruz:

... working in the service industry or working in trucking. People have really a lot of different jobs, and so it's a really diverse set of people. And also the reasons why they came to the US are different. Sunni who we were talking about, she came to the US because she was seeking asylum because of political issues, so she had spoken out against the Honduran government. That's a person who's been telling their story already. Their story didn't start when they got to the US. She was already out there holding the government accountable in Honduras, and so she was going to hold the government accountable in the US because that's who she is.

And so we have other ASAP members who came to the US fleeing domestic violence or really terrible sexual violence that maybe they don't want to talk about that, and so it really depends on the person and it depends on where they're at in their journey in their life. But for some people, I think it's a huge healing aspect of telling their story and making sure that other people know that they're here and not just telling their story for the sake of telling their story, but also to help other people, like the mom that I was talking about that we worked to help her and her son reunite, her name's Leticia. She was separated at the border and she has this beautiful quote that she gave to the Washington Post where she said, "I would tell my story over and over and over again for all of these other families until they're reunited. I would tell my story time and time again."

And I know that it pains her to do it, but she has said to me, "It gives me a lot of power to do it because I'm using what happened to me to help other people," so I think it depends. Everyone is so different and that's great about ASAP is that it takes all kinds of people to be in a collective and not everyone has to play the exact same role. And there's going to be some of our members that really want to speak out, and there's going to be others that don't, but it doesn't mean that they can't be part of that same collective. And at the end of the day, when someone Leticia speaks out, it's all the more powerful that there's 400,000 people standing behind her saying, "We're all members of the same organization," so they don't all have to tell their stories.

Dwayne Betts:

And what about you? And not that you have to tell your story, but what about you and your family? Because I do feel like your work is a part of home in a way that is not the case for some people and in a way that's not the case for us if we choose to do different things. It seems like it might be a burden that

you walk into and a joy, but it might be a burden that you walk into every day when you get confronted with these stories that might remind you of your past and your family's past.

Conchita Cruz:

I think that for me, I'm not a natural storyteller. I don't find it easy to talk about the why I'm doing what I'm doing. I'm a person who likes to just get wrapped up into doing more so that I don't have to think about the why. That being said, it's like this experience of being a co-founder of ASAP has forced me to look at the why I'm doing it and look at what happened to my family. Sometimes it brings me a lot of joy. Other times it really makes me really sad, but my personality is just to keep it moving.

Dwayne Betts:

No, [inaudible 00:24:45].

Conchita Cruz:

I don't think of myself as a good storyteller. I think of myself as a good behind the scenes person. I like to put things together. I like to make things happen behind the scenes, that's where I feel the most comfortable.

Dwayne Betts:

I wonder, is it harder when you work for a politician and you fail? I mean, you know it's his failure. You have to know that you don't have to carry the weight as the chief of staff, as the calmest person, that it's his failure.

Conchita Cruz:

I always carry the weight, Dwayne. I always think it's my own failure.

Dwayne Betts:

[inaudible 00:25:17], maybe it's different because I'm just like, "This is on that one year when I worked for President Obama." No, I never worked for President Obama. But it feels like it's worse when you have 400,000 members and you have to deal with a failure. So I guess, my question is, in terms of thinking about how different it is to have one leader who you are supporting trying to accomplish things for a hundred thousand, 200,000, 300,000, a million people, is it more weight when you actually have these members that you represent and you actually view them as the principal? Do you have to carry more weight when things don't work out the way you want when you have a member who doesn't get a asylum?

Conchita Cruz:

Those are the things that sometimes keep me up at night. I like to think of it as waging an advocacy campaign and it's not going well or we have a setback. I really feel a level of responsibility about that, but I really also am an eternal optimist, which helps me. And so to me, the things are setbacks but they're never failures. It's like, "Okay, well, this didn't work out, but we're going to keep going," and I think that that keeps me going to work every day but also, that's how most... I worked in Congress, I worked in state government, and most things don't happen fast when you think about advocacy, when you think about policy, progress can be slow and it takes a long time. So just because it doesn't work the first time...



I think about a bill that I worked on with my old boss in New York, in the State Senate, and we actually passed it his first year in the State Senate and the governor vetoed it, and I was really upset. And then the next year we passed it again, but this time we worked with the governor's office to fix some of the issues in it and it got done. And it was actually about revolving funds for charitable bail fund, so this was in part something that we worked with Bronx Defenders on and the Bronx Bail Fund on to help people be able to make bail and have an organization that could exist to post bail for people who didn't have the money, and to allow that entity within New York State law.

Dwayne Betts:

So wait, so you are responsible for the existence of the Bronx Bail Fund?

Conchita Cruz:

No. I would not say that, Dwayne-

Dwayne Betts:

[inaudible 00:27:45].

Conchita Cruz:

... but I'm saying the Bronx Bail Fund existed before we did this work, and then it got shut down. They were saying that it went against New York law, and what I'm saying is I helped the state senator that I worked for, Gustavo Rivera, passed legislation that would allow it to operate again. But what I'm saying is sometimes there are these huge setbacks and you lose sleep over it, and you cry and you get upset. But I always pick myself back up and I'm like, "Well, I've got to keep going." And I think that our members have to keep fighting, this is their life. So just because it doesn't work out the first time or just because something goes wrong, it doesn't mean it's over, and so I think that's a really important attitude to have.

Dwayne Betts:

And I guess, I'll end with this, when you talked about how challenging the work is, you said that you have to keep going and you don't think about it as a failure or a setback, and I think that you can't keep doing something that doesn't bring you joy, and even if the joy is just the expectation of reuniting with your child, I mean, that's real joy. And so it feels like it's something to be said about Leticia saying, "I will keep telling this story, keep telling this story, keep telling this story if it prevents somebody else from suffering this way," I think in that way it is probably painful for her to keep telling it, but it's probably a bit of joy knowing that telling the story has the potential to reunite some families.

Listening to Conchita talk made me realize that the work of ASAP has always been about bringing families together and bringing them together in this country where they want to be and want to thrive. It makes me think about her wedding, and I was dancing with her mom who immigrated to this country from Cuba. I was with her father who is from Guatemala. I was with her aunts and her uncles and her cousins, and I was welcomed. And so many of us had come from different places to find not just solace and opportunity, but to find the people that we love. I wrote her a poem at her wedding, and I read it, and I'm going to read it to you.

Emeralds in a grove. And after, when the dances have been danced, when for a moment everyone is still and rose pedals drift on a breeze towards tomorrow after this, when a dusk has come and the ceremony is more memory than moment, still is the everything we have come to know how this is a love so deep that your hand upon her chest is hers, that when you close your eyes, he dreams your dreams. In the

circles that you will carry around your hands, bands of gold that shimmer about reminders of what has no beginning, no ending to name, a story of the fierceness of everything that is green, and how one day here where there is no snow home became anywhere you walk together, and two emeralds in a grove of green became one. Almost There is produced by Jesse Baker and Eric Nuzum at Magnificent Noise for Emerson Collective. Our production staff includes Eleanor Kagan, Paul Schneider, and Kristin Mueller, along with Patrick D'Arcy, Alex Simon and Amy Low from Emerson Collective. Special thanks to Nia Elliot. I'm Reginald Dwayne Betts. Thank you for listening.