

“Give Me Your Tired, Your Poor, but One at a Time”: Overview of Asylum for Successful Central American Asylees through U.S. Policy

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ABSTRACT

For a period dating back to the 1990s, the United States immigration system has faced an asylum application backlog where 200,000+ people are waiting for their cases to be heard (Human Rights First 2016). Due to this significant case volume, asylum-seekers wait between 2 to 5 years for their cases to be heard by an asylum officer or an immigration court judge. A key demographic affected by this bottleneck is Central America’s Northern Triangle region of El Salvador, Guatemala, and Honduras. Push factors, particularly with gang violence and homicide, have forced citizens from these countries to look for safety and security in the United States (International Crisis Group 2015). Despite the spike in recent years of Central American asylum applicants, not much research has been done to explore the impact of immigration policies on this demographic. Addressing the issue of entry for Northern Triangle asylum-seekers comes with understanding of the violent conditions they face, but more importantly the policies in place that control migration into the U.S. Current legislation has tried to address the lengthy asylum process and social strife by creating legislation to amend asylum law, but to what extent have they helped or harmed Central American asylum-seekers?

The purpose of this project is to explore the impact of U.S. immigration policy over time on the rate of successful asylum cases (number of granted cases/number of applicants) for Central American asylum-seekers from the Northern Triangle. Specifically, I focus on four key immigration policies – Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), Nicaraguan Adjustment and Central American Relief Act (NACARA), RealID Act, and Deferred Action for Childhood Arrivals (DACA)- by using their legal structures and stated intents to categorize them as open or restrictive policies. I then compare the percentages of accepted asylum seekers (i.e., success rate) from El Salvador, Honduras, and Guatemala by year before and after these four policies. My hypothesis was that the restrictive policies will show marked declines in successful asylum cases after their passage, accounting for a time delay in implementation. My analysis consisted of two statistical tests (Independent T-Test for Test 1, Mann-Whitney Test for Test 2), which separately tested the success rates per country and years that the listed policies were the most current legislation. Both tests compare the means of two independent groups, U.S. policy and success rates, to determine whether there is statistical evidence that the associated population means are significantly different. There was a statistically significant difference in success rate of restrictive policies combined per year, specifically indicating a rise in success. The statistical results when the second test was ran restrictive policies at $p = .95$ confidence level with countries combined by policy was $p=.02$.

However, the restrictive policies having a higher success rate based on this analysis contradicts my hypothesis. While these findings do not support my hypothesis, there are certain factors that can affect the data's statistical value and thus the conclusions that can be drawn. Nonetheless, the results are a step in discussing improvements to our immigration system, particularly with regard to asylum policies, and can provide guidance on areas to research further.