Hi, this is Tanya Domi, welcome to The Thought Project, recorded at The Graduate Center of the City University of New York, fostering ground breaking research and scholarship in the arts, social sciences, and sciences. In this space, we talk with faculty and doctoral students about the big thinking and big ideas generating cutting-edge research, informing New Yorkers and the world.

This week's cast is professor Robert Courtney Smith, a faculty member of the Austin W. Marxe School of Public and International Affairs Baruch College, and the Sociology Department at the Graduate Center of the City University of New York. He authored Mexican New York: Transnational Worlds of New Immigrants, published by California Press, 2006, which won the American Sociological Association 2008 Distinguished Book Award. He is also a recipient of a CUNY Presidential Award. In addition, he has received grants from the National Science Foundation, the Social Science Research Council, Spencer, and other foundations. And has been both a Russell Sage Foundation fellow, and a Guggenheim Foundation fellow.

He's most recent publication is Black Mexicans, Conjunctural Ethnicity, and Operating Identities, published in the American Sociological Review in 2014. Smith's Public Sociology seeks to identify strategic sites of intervention, and the use of social science research to affect those sites. Robert Smith is the founder and board chair of Masa New York, a nonprofit promoting educational achievement and civic engagement in the Mexican community in New York.

Smith is currently writing two books, Horatio Alger Lives in Brooklyn, But Check His Papers, it is an ethnographical study that follows the pass of 100 children of Mexican immigrants through adolescence into early childhood. And This is Still America, Voting Rights and Immigration with Andy Beveridge of Queens College, which analyzes the political integration of immigrants into Port Chester, New York, including the 2007 Voting Rights Act lawsuit against the town. Welcome to The Thought Project, Robert Smith.

Thank you, it's my pleasure to be here.

So, just last month, The New York Times Editorial Board called for undocumented immigrants to become legal and licensed to drive. Now, governor Cuomo has agreed with the state legislature to let undocumented immigrants apply for state financial aid to attend college. Is this the moment that has political support to legally permit undocumented immigrants to drive in New York state?

I hope that it is the moment. Because I think what has happened is a growing awareness of the profound negative consequences to children and families throughout New York state, because so many parents who don't have permanent legal status are unable to get a driver's license, but they still need to drive. You end up across the New York state with parents who end up getting deported without ever having committed any crime. I mean, they've crossed the
border illegally, which is an administrative violation, but other than that, they've been paying taxes, and working, and raising their families just like everybody else.

In fact, one of the statistics in this data briefs that I have written is that, over the course of 15 years, there were 100,000, just over 100,000, people deported from New York State, almost 69,000 of them had never been convicted of any offense. Then, traffic offenses were one of the top five. If there's no offense, what it usually means is, were some interaction with the authorities, and the most frequent one is a traffic stop. Then the person gets reported to ICE, and gets deported.

Tanya Domi: And it's really civil law, it's not criminal law. It's really minor.

Robert Smith: Yeah, I mean, they're getting pulled over, and then it's discovered they don't have a license, and then they're getting deported. I mean, you have people getting deported almost directly, they get stopped, they get put in the system, sometimes ICE is even, I've been told that ICE has been showing up at traffic stops to pick people up. So, it's really quite a profound crisis in lots of places, and we might not feel it quite as much in the city, because most parents don't drive here, but it's not a small number of people in the country. There are over 5 million children who live with at least one undocumented parent.

In New York State we have lots of places where many children have at least one undocumented parent. Those children live in fear of the police. Because they know that the police could do a traffic stop, and they could end up losing their parent. I've been in the field for several years now, and I've heard this story over and over and over again.

Tanya Domi: Yes, your brief points out that children are so traumatized that when they see a police car, they begin to cry.

Robert Smith: Yeah. I mean, there's a case that I profiled here, [inaudible 00:05:51], which is a fake name, but she had been pulled over by the police, and was taken away in front of the children, and then was in danger of being deported over traffic tickets, over having driven without a license. When her kids now, if they see a police officer, they cry, and they tell her to hide, and they're just terrified. Her children, they've had a hard time sleeping, they've had a hard time doing their homework, their school work has suffered.

Tanya Domi: Certainly would impair learning.

Robert Smith: I can't even imagine if you were to take blood samples of these kids, their cortisol levels would probably be through the roof. But it's a sort of constant stressor that could be remedied by giving the parents driver's licenses.
Tanya Domi: So what's so interesting is that this is not unique to New York State, it's becoming nationally recognized already, there's California, Colorado, Connecticut, Delaware and so on that have systems in place that let residents drive legally, regardless of their immigration status. Now, even states such as Kansas, North Carolina, Minnesota, Texas and Florida, the latter too, are among those that are entertaining the idea of legalizing this ability for undocumented people to drive.

It's become, I think, because the federal government has really failed to address immigration on a comprehensive basis, immigration reform, that states, and cities, municipalities are really charged now with adapting to this situation of people being undocumented, and living their lives, and wanting to contribute to the communities, they're paying taxes, and yet this is a major hindrance to having a normal life, the inability to drive.

Robert Smith: It is. One of the things that's interesting is that there's been an increasing movement among both chiefs of police, and other law enforcement, and of elected officials to support measures like this, this is not something that's only coming from advocates, or religious leaders. It's also coming from law enforcement. Because, I mean, think of it, nobody becomes a cop, or a state trooper, or another law enforcement officer so that they can separate kids from their families, they do it to protect people.

It's interesting, there's a lot of variation in New York State. In some places, if you're driving without a license, and you get stopped, you get a ticket for driving without a license, and that's that. In other cases, in other places, the local authorities call ICE. So right there, there's a massive difference between, so the first case you pay a fine, and the second case your family is permanently separated. I think there's been an increasing recognition on the part of police chiefs and other law enforcement throughout the state that the really negative consequences, and the destruction of the local community that happens because of this, is a thing that can be avoided by changing their local practice.

That's in some ways quite heartening, and I think shows a commitment to the best American values. I think it's very important to recognize that.

Tanya Domi: So tell us about the Green Light Law, and what's going on up in Albany.

Robert Smith: The basic idea behind the Green Light Law is that it would basically remove the requirement that one be a citizen or legal permanent resident, one would have to be an established resident in the same way as anybody else. You'd have to be living in the place for a certain amount of time, and be established, you'd have to pass a written test, you'd have to pass a road test. It would be the same kind of a thing. But what this would do then, and I think most people don't understand how essential a driver's license is, it's kind of like, for most grownups that have one, it's like not realizing how important clean air is, because you have it, right.
If you have a child who gets, [inaudible 00:10:14] say God forbid, a child gets hit by a car, you can't get into the hospital to visit your own child if you don't have a state issued ID that the hospital recognizes. A driver's license would give you that. If you have a parent-teacher conference, for you and the kids' teacher, you can't get into the school in many cases if you do not have a state issued ID, a driver's license would fix that.

Another thing that I think a lot of people don't realize is almost all of these children, I mean, the average kid, we've been doing a study for three years, we have 1,800 people in our database of undocumented, or other documented people throughout New York State, and the average person harmed by the lack of a driver's license is a four to five year old US citizen boy or girl. It's not some, I mean, there's all these images floating around in the media, about what immigrants are, no, that's the face of the people negatively impacted by this.

Tanya Domi: That child is usually an American.

Robert Smith: That child is a US citizen child. The average child. In fact, 91% of the children, of these children, are under age 11, so it's basically an elementary school, a preschool or elementary school US citizen child, who has at least one parent who's undocumented. It's not just the fear of having your parent removed, if in fact your parent is deported ... There's two impacts, one of them is that, a lot of the people I've interviewed have stopped driving because they're afraid of getting deported, it's a perfectly rational response. But what happens then is you have to pay for rides.

I have people who pay 30, 40, I even had someone who paid 60-something percent of their income every month on rides getting to and from work.

Tanya Domi: Work, yes.

Robert Smith: One of the case that I profiled here, the woman and her husband both work 60 hours a week, they brought home between the two of them $3,000 a month, they spent $910 a month on rides. Right, 30% of their income. Before they had sold their car because she was nearly deported for driving without a license. They had paid $300-something a month. They lost $600 of disposable income. That means the difference between having books in the house, it means a difference between buying medicine for the kids or not when somebody gets sick. It means the difference between eating meat once a week, or more than once a week. It has a massive impact.

These are people working 60 hours a week, right, the profound impoverishment of families that end up ... because they don't have a driver's license, we could raise the level of well-being and income in these families immediately by passing the driver's license law, and giving these parents the right to conduct their lives legally. They want to do that. The other thing is a lot of them pay
taxes. They have ITIN numbers, Individual Tax Identification Numbers, and most of them that I've interviewed are paying taxes.

Tanya Domi: I would think that the governor, who's sided, there's like a $2.3 billion deficit, because of the Trump tax, the tax shift from what the federal government is getting from the state of New York, would see this as a boom, because people would be paying not only fees to the Bureau of Drivers Licensing, but they would be paying for insurance, they would be paying tax on gasoline purchases. So this would have a residual benefit to the state. There is an approximation of like $26 million, something like that, I don't know.

Robert Smith: Yeah, it's not a small financial boon. It would be a very positive bump in the state coffers. But that's immediately. In addition, think about this, children who grow up with constant stress, who are living in the equivalent of like, it's like a PTSD kind of context, because you're constantly afraid that your parents are going to be taken from you.

Tanya Domi: Taken away from you, yes.

Robert Smith: Those kids don't do as well in school. They're less likely to go on and go to college, and contribute more to the economy. It's just a negative situation. If it was fixed, there would be lots of downstream consequences. You'd have healthier kids who did better in school, you'd have a strengthening of community, and you would have the creation of a context where everybody could go around with some dignity, instead of always being afraid of the police.

I have police officers in my family, I have military in my family. They do not want, they didn't become cops, or military men, so that they could separate children from their families, they did it because they wanted to serve the community and serve the country. If we pass this law, it will make those police officers more able to do that mission instead of them ending up doing stuff that ends up harming families without them even necessarily meaning that to be the outcome.

Tanya Domi: Well, I mean, I think it's a plus up for everybody, and quite frankly the fact that we have 5 million children probably going to bed every night afraid is just torture. I mean, it's mental torture. I mean, there's a lot to be said about what we're doing to kids with this kind of omission by our government. But it does seem, even in New York State, that there was efforts made by Eliot Spitzer, former Governor, he really tried to push this over 10 years ago, and recognized the benefit that it would bring to New York for not only families, and communities, but how it would benefit public safety as well.

You indicated that it's shown that there was a drop in driving under the influence, there were fewer accidents where people flee the scene, because, you know, they don't have a driver's license, they don't want to get deported, so they flee, which makes sense. Would [inaudible 00:17:04] that motor safety
itself would be created in more safer conditions because people were properly licensed, and they learned how to drive, and to take the test.

Robert Smith: Yeah. Most people haven't really thought about this issue, because it doesn't really affect their lives. But we're not being radical here, there's at least 12 states that currently offer this. New York is not a leader in certain sorts of immigrant policies, contrary to what we think, we just passed the Dream Act now, the New York Dream Act, which allows kids that have gone through our schools to get New York State funding for college.

Tanya Domi: You finally got a democratically controlled legislature.

Robert Smith: That's going to help a lot of children, a lot of families. But I think that most people just don't think about the idea that children are being harmed. Don't think that there's US children, citizen children being harmed, or that families are being broken apart, they just think, "Of course you shouldn't drive without a license." But there's no way for most of the people in the study that I am looking at, there's no way for them to actually get legal status. It's not that they don't want to, it's that they don't have the means to do it.

Tanya Domi: They don't have the avenue to do it.

Robert Smith: There's no road open. And the fact that they're paying taxes, even though they don't, income taxes, I don't just mean sales taxes, they're actually filing their income taxes every year. When I've asked them like, "Why do you pay your taxes?" They say, I want to be right with the government, and I tell my kids what I paid to the government is how they pay for your school. So that's an expression of feeling of membership in the community and of being a responsible citizen.

Tanya Domi: Citizen, right, exactly.

Robert Smith: I do think that most people confronted with the kind of facts that I have laid out here will think, "Geez, I never thought it was harming kids this way, and I never thought it was harming families this way." At least I hope. Maybe we should do this. Maybe it would be helpful. I think it's quite compelling.

Tanya Domi: I agree. Tell us about the advocates who are working on this campaign, and given your elucidation of those situations, I think that you should be up in Albany testifying. Tell us about the advocates and the campaign that's happening right now.

Robert Smith: There's a Green Light Campaign, and if you google Green Light New York, you'll find it. New York Immigration Coalition has been one of the leaders in coordinating this. My entry into this is through the data as a scholar, I have analyzed what I have found to be the negative outcomes, and so I'm not an advocate. I advocate policies, but I'm a scholar, I decided what I think got to be
the policy based on this. But I think these guys have been working very hard. I
mean, I think some of the objections, there's a lot of people, I've been told, and
I've talked to people upstate, they're afraid that somebody, who has a driver's
license, could get on an airplane who might be a terrorist.

People have a fear, they have a fear, right. This license would not allow you to
get on an airplane, it would only be enforced for driving privileges in New York
State, you couldn't use it for federal identification, you couldn't use it to get on
an airplane. You couldn't use it for anything else. It would only give you
permission to drive. There's going to be three different levels of driver's
licenses.

Tanya Domi: I see.

Robert Smith: There's two that are more enhanced security, that could be used for that kind of
thing.

Tanya Domi: To get on an airplane.

Robert Smith: Then the lowest level is this sort of standard license, where you can't. I think it's
important for us to recognize the fears that people have and respond to them,
because if people, I don't know, I think that's what you need to do in a
democracy, and in a community, to listen to people who disagree with you and
try to talk with them. I think that would be one way to talk to them.

Tanya Domi: To reassure them.

Robert Smith: And I think the other one is to point out that this is really a negative impact, the
harms being done to New York State, US citizen children are tremendous and
long lasting, and they are easily remedied, they would be substantially remedied
by this law. We can fix these problems.

Tanya Domi: We expect that there's an anticipation here that the law will be brought up for a
vote, and the last day scheduled for session in Albany is June 19th, and we'll
wait and we'll monitor this situation.

Robert Smith: Call your state representative.

Tanya Domi: Call your state representative.

Robert Smith: Tell them to vote for it. The frustrating thing is that I think so often the right
news channel, and the other news channel, and there's soundbites about things.
But most of the time, when I've had conversations with people, whose political
views are different than mine, and I discuss with them, the impact of this is
harming children. They often say, "I didn't know that, I don't want that to
happen. That wasn't my intent." I say, "Okay, what are the next steps? What
should be done?" I think this is a case where if there was a clear [inaudible 00:22:46] debate based on the facts of the case, the case would be quite compelling, I think, to most people.

Tanya Domi: Let's see what Albany does. But you are a sociologist who has specialized on immigration issues, and you're known for your expertise on the Deferred Action for Childhood Arrivals policy. Can you tell us about DACA, and changes in DACA status, and what that could mean, how that affect people, who would have a change in their status, or not getting it, or having it, or losing it? You've done a study on this, your research is quite extensive.

Robert Smith: The data that I've been drawing on in this conversation comes from the study of DACA, and the question there is how does lacking, gaining, losing, or having legal status affect your life outcomes. It's interesting, because getting DACA really has, and DACA is not full legal status, it's deferred prosecution, and what it basically says is you could still be deported, but while you have DACA, you can't, or at least shouldn't be deported. You get work authorization, you can get a social security number, and in New York State, with that, you can get a driver's license.

It gives you substantive inclusion in key institutions from which you would've otherwise been excluded. One of them is the labor market, another one is this identity document of a driver's license, which is a necessary key to almost all activities outside of New York City in New York State.

Tanya Domi: We're [inaudible 00:24:33] seeing DACA students may even be able to get financial assistance to go to university.

Robert Smith: We are. They should be able to under the New York State Dream Act. That's a huge improvement in their situation. Think of it, DACA kids are not kids that got here yesterday. In order to get DACA, you had to come in before age 15, and you had to have been here in 2007 up to 2012. The people that are renewing now, after September, the new president ended it in September 2017, so there have been no new applications for DACA from then. Everyone who has DACA now is a renewal of the original.

Tanya Domi: These are people that are really adults, they're in their 20s.

Robert Smith: Yeah, some of them are in their 30s now. Right.

Tanya Domi: Yes. Yeah.

Robert Smith: Because you could apply up to age 30 when it was passed. You could be in your mid 30s now. We've had cases where we've had students who ... we've had dramatic successes in this study, and more modest success. We have a kid who was a super high achiever, who was having this crisis because she couldn't go to college, she thought, because she was undocumented. She was an A student,
and when she got DACA, the relief on her face, you could just see it, it looked like 1 million pounds had been lifted off her shoulders, that she could now go become a nurse the way she wanted to be, and that's exactly what she's doing now. She's midway through college, or most of the way through college. We need more nurses.

I have another kid who was failing out of high school, cutting a lot because he thought, "Why should I keep going to school? I'm not documented."

Tanya Domi: There's no reason to be invested.

Robert Smith: He got DACA, he was not an awesome student, but he graduated from high school, he went on to community college, he has a job, he's life is moving along in a way where it had been derailed before. There's a lot of positive things that are coming out of this. The stress levels that people report are just much, much lower than they were before that. What's interesting is that the design of our study, we're also following people who qualified for DACA, or who would have qualified, or qualified and didn't apply. So people that never got DACA, but are otherwise equivalent to the DACA getters, and their lives are not improving in the same way. They're still excluded, they're still paying money for rides instead of driving a car.

They make less money. They're less likely to be able to continue in school. There are significant negative consequences from this. These are not people that just got here yesterday, these are people who came in as children, on average, in one study I saw, age six, and they've been here for their whole lives. In my study, nobody who was DACA eligible has ever left the country. There's 1,800 people in this study, it's a fairly-

Tanya Domi: Significant sample.

Robert Smith: ... it's a good sample. It's a very good sample for a variety of reasons. They're not newcomers, they are established New York State residents, their kids have gone to school with our kids, and gone to church with our kids, all this kind of stuff. They're still being excluded if they don't have legal status, or they couldn't get DACA. If they do get DACA and legal status, their prospects improve dramatically.

Tanya Domi: They're much more integrated into communities, and their personal lives, I'm sure, have also become much better as a consequence of having that security.

Robert Smith: Yes, I think that's right. I mean, this is not like a major thing, but there's a lot of people I've talked to in my studies where they're afraid to marry, they might be in love, and they might have been dating someone for years, they don't know if they're going to get deported. When they get DACA or other legal status, you're able to make plans for a life together, that you couldn't make in the same way.
before. I'm a middle age man, now, right, so I look at young people in love, I just really wish them the best, I really want them to have good lives.

It's really kind of heartbreaking to see people who feel they can't marry, or they don't want to have children, or their father has just been deported, and so they have to drop out of college, or even high school-

Tanya Domi: To support.

Robert Smith: ... so that their younger siblings have a roof over their heads, and food. No kid should have to be making that kind of decision. This driver's license law could help remedy those problems.

Tanya Domi: So, driver's license now probably on the legislative agenda by democratically controlled legislature, in Albany, it would seem that the governor is probably leaning in that direction, it's not like New York is going to get out in front of anybody else in the country, this is already happening in a number of states, including being considered by Florida and Texas, something I would not have thought. Your research, in your public sociology, you also have founded an organization NGO called Masa New York, and you've probably met a number of your DACA subjects there, people there, no?

Robert Smith: No.

Tanya Domi: No?

Robert Smith: No, no. They're separate parts of my work.

Tanya Domi: Of your research.

Robert Smith: No, the one is not research, the one is just straight service.

Tanya Domi: Sure.

Robert Smith: Then, the research is separate from that.

Tanya Domi: But, you've led a scholarly life and you've presented it also in terms of public sociology, this is important information, the public would benefit by having your research and your knowledge. We hope to have you back after the vote.

Robert Smith: I really appreciate your inviting me onto the program, and giving me a chance to share my ideas about this. I think there are preventable harms being done to New York State children, US citizen children, and it doesn't matter to me what type of child is being harmed. But some to people it matters. But there's a lot of harm being done, which could be fixed by this law, it could have a tremendous impact, positive impact on lots of families and communities in New York State.
So I think to me it's a no-brainer. I really do hope that it passes the legislature, I think it's the right move and I think all of the legislators, and the governor, I applaud them for putting their names behind this, because I think it's the right thing to do.

Tanya Domi: Thanks for being here today.

Robert Smith: Thank you.

Tanya Domi: Thanks for tuning in to The Thought Project. Thanks to today's guest, Professor Robert Smith at Baruch College, and at the Graduate Center of the City University of New York.

The Thought Project is brought to you with production, engineering and technical assistance by Sarah Fishman. I'm Tanya Domi, tune in next week.