



Carlos Robles  
LENNY GILMORE, REDEYE PHOTOS

# IN THE MIDDLE

THEY DIDN'T CHOOSE TO COME HERE—NOW THEY JUST WANT TO BELONG

By Kyra Kyles

REDEYE

Carlos' face is wider and rounder, giving him a more youthful appearance, though, at 21, he is the eldest brother.

Twenty-year-old Rafael's face is angular and dimpled in at least two places when he smiles.

It's important to note the faces of the Robles brothers, as they sit side by side, in the downtown offices of their attorneys at the Heartland Alliance's National Immigrant Justice Center.

The two, parties in an immigration legal battle, are among the public faces of the DREAM Act debate that last month was introduced to a Senate committee after having been in the wings for a decade. The DREAM (Development, Relief and Education for Alien Minors) Act is a legislative proposal that would provide a path to citizenship for undocumented immigrants who arrive in the U.S. with their parents. In its most recent versions, it requires anyone seeking to stay in the country to meet some secondary and college education requirements as well as military obligations.

Opponents have described the measure, which has come in fits and starts for about 10 years, as amnesty for individuals living in the country illegally. They say undocumented students take resources from U.S. citizens and should not be allowed to remain in the country.

"Students brought here illegally by their illegal alien parents are lawbreakers as their parents are," said Kristen Williamson, a spokeswoman for the Federation for American Immigration Reform. "The best recourse for them is to go to back to their home country and use the skills they learned [in the U.S.] to be of help to their home country or apply to be re-admitted legally."

But supporters of DREAM, including its original 2001 sponsor, U.S. Sen. Dick Durbin (D-Ill.), say undocumented immigrant students deserve a path to legal residency or citizenship because they contribute to the country.

"The DREAM Act would make our country stronger by giving undocumented students a chance to earn legal status if they came here as children, are long-term U.S. residents, have good moral character and complete two years of college or military service in good standing," the senator's office said in a statement.

As of now, the students can be deported if they are found out. President Obama, who had promised to have an immigration bill in Congress within his first year in office, has so far not gotten momentum behind the act. During a speech to Latino voters Monday in Washington, D.C., the president said he "will keep up this fight," Reuters reported. The Illinois General Assembly has sent a state DREAM Act to Gov. Quinn which has not yet been signed.

"It can vary by situation, but for the most part there is no clear path to residency, let alone citizenship, if you are an undocumented immigrant," said immigration attorney Soh Yoon Atac, of Chicago-based Atom Law firm. Atac is not involved with the Robleses' case. "And it is really almost impossible if you do not come here through some kind of a visa and are, therefore, not inspected or admitted by a [U.S.] customs agent. That is a big no-no and if you are deported, you will likely not ever be able to return."

The Robleses—who attended Palatine High School and participated in sports and volunteering efforts—came here as tourists, and recent events have called into question their ability to

## CHAIN REACTIONS

Where did the DREAM Act come from and where is it now on a federal level? RedEye provides a timeline of key moments in this proposal's history, dating back to 2001. KK

**2001:** The Development, Relief and Education for Alien Minors Act, now known as the DREAM Act, was introduced into the U.S. Senate by Dick Durbin (Ill.) and other lawmakers on both sides of the aisle.

**2006:** Senate Judiciary Committee approved the DREAM Act as an amendment to a bill focused on comprehensive immigration reform.

**2007:** Durbin filed to make the DREAM Act an amendment to the 2008 Department of Defense Authorization Bill. Opponents said the bill should not be tied to defense matters, despite the fact that it included a requirement that all males affected by the DREAM Act sign up for military selective service. Later that year, Durbin worked with two Republican lawmakers, who all tried unsuccessfully to get it passed.

live in the U.S. much longer. The brothers were raised in Mexico until the ages of 13 and 14 when their father obtained a six-month tourist visa and took his family to America.

The family, who live in Palatine, never returned to Mexico once that visa expired. That placed the brothers among the ranks of approximately 65,000 high school graduates per year who are undocumented immigrants, according to a National Immigration Law Center estimate.

Rafael and Carlos said their teen years were not much different from those of their friends in Palatine who were born and raised here. And their lives might have continued without incident had it not been for a chain of incidents that began about a year ago on Rafael's birthday.

"We never expected what happened to happen," Rafael said softly.

Carlos and Rafael were traveling by train last year to Harvard University to meet a friend from high school. On March 20, the Robleses were waiting in line for breakfast around 7 a.m. when they were approached by immigration officers who had boarded the train in Buffalo, N.Y.

One officer approached the brothers and asked if they were U.S. citizens.

"We said, 'No, we were Mexican citizens,'" Carlos recounted, with Rafael chiming in almost simultaneously with the same response. "It never occurred to us to lie about our status."

That candor cost the Robleses 24 hours in a detention facility, and then another day in a New York jail while former schoolteachers, coaches and their parents scrambled to secure their release.

"We thought they were going to put us on a plane and send us to Mexico right then and there," Carlos said. "Even after we got out, we were so scared of being deported. It is all we could think about."

Only last month did the brothers exit what they describe as a legal purgatory. In early June, their attorneys let them know they'd received a deferment on deportation proceedings.

As long as the Robleses keep up their grades, maintain employment and stay out of legal trouble, they can stay in the U.S. pending an official hearing on deportation. As part of the conditional arrangement, they must go through a renewal process once a year, one of their attorneys, Eleni Wolfe-Roubatis, told RedEye. The brothers are not out of the woods either, according to Atac but they are not being fast-tracked for removal from the country.

"It was like a burden off my shoulders," Carlos said. "I felt relief more than anything," Rafael added. "I was just happy to be able to keep going to school, get a work permit and get a degree. We can get back to a normal life."

Normal life for Rafael is pursuing an architectural degree at UIC, where he was accepted after finishing two years at Harper College in Palatine. Carlos said he is excited to go from part time to full time at Loyola University, where he is studying secondary education.

The other thing the brothers are eager to do, they said, is speak up on behalf of other students who are counting on the DREAM Act to pass in order for them to continue their lives in the country they consider home. Durbin has taken up their cause.

"The Robles brothers are a great example of why the DREAM Act must become law," Durbin said through a statement. He pledged to keep fighting until DREAM is passed. "They were brought to the U.S. as children and grew up pledging allegiance to our flag and singing our national anthem."

Both young men now appreciate how easily that almost slipped between their fingers.

"When we first got arrested, I know a lawyer tried to tell my mom not to post our bond, but to give him \$10,000 and he would get us out and get us citizenship," Carlos said. "It's not that easy, as a matter of fact, right now it's impossible for us to become legal citizens, and we learned that from this process. I'm so glad we had teachers who knew what to do and who to call. I don't know where we'd be."

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Carlos Robles



Rafael Robles

**2008:** President Obama, then a Democratic contender for the White House, mentioned the DREAM Act in a campaign speech.

**2009:** The DREAM Act was reintroduced to Congress.

**2010:** Joint Committee on Taxation and Congressional Budget Office release report estimating the DREAM Act could reduce deficits by \$1.4 billion during the next decade.

**2011:** In May, the DREAM Act was reintroduced to Congress but with a provision that the bill includes a critical provision that restores individual states' authority to gain information on students' residency to decide whether they are eligible for college benefits, including scholarships.

**2011:** In June, Durbin oversaw a DREAM Act hearing in the Senate.

SOURCES: TRIBUNE, WASHINGTON POST, ACLU