

Current Issues and Opportunities in U.S. Immigration Policy

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November 2025

EXECUTIVE SUMMARY

U.S. immigration policy remains one of the most contentious issues in American politics. It is often seen as a crisis or conflict instead of an opportunity for solutions. At the Cisneros Research and Policy Colloquium on Immigration hosted on September 20, 2025, experts from the [Vera Institute of Justice](#) and the [Democracy Power Project](#) discussed how unequal access to justice, harsh enforcement, political influence over immigration courts, and disinformation affect immigration policies. As federal reform has stalled, states and localities have taken steps to support immigrants.

Across all levels of government, immigration policies have historically been driven by false narratives, fear, and harsh rhetoric. Immigration policy should be grounded in evidence. Robust empirical research, such as public opinion polling and data analysis of immigration court trends, is essential to create fair and humane immigration policies.

This brief synthesizes the conversation stemming from the Colloquium and provides policy opportunities for policymakers, advocates, and researchers. It also includes additional resources from the Vera Institute and the Democracy Power Project for further engagement.

KEY THEMES DISCUSSED

- **Access to Justice:** Immigrants who do not have lawyers in immigration court [face worse outcomes](#) than peers with attorneys.
- **Harsh Rhetoric and Narrative Battles:** Throughout US history, [anti-immigrant rhetoric](#), [scapegoating](#), and [disproportionate spending on anti-immigrant versus pro-immigrant ads](#) have created fear that blocks, fair humane policy change. In contrast to harsh rhetoric, polls show most people support [paths to citizenship](#) and [oppose mass deportations](#).
- **Disinformation, Social Media, and Technology:** The current lack of strong rules for Artificial Intelligence and social media creates new dangers for immigrant communities. Disinformation amplifies fear and [undermines democracy](#).
- **State and Local Policy Solutions:** [Right-to-counsel programs for immigrants](#), [bail funds](#), and [policies limiting cooperation between federal immigration authorities and local police](#) demonstrate opportunities, even in the absence of federal reform.

BACKGROUND

Since the 1996 [Illegal Immigration Reform and Immigrant Responsibility Act \(IIRIRA\)](#), and post-9/11 expansion of enforcement, the U.S. has built an [immigration system defined by detention, deportation, and diminished due process](#). This has led to fewer protections for immigrants and overloaded immigration courts.

- As of August 2025, more than [3.4 million cases](#) sit in the immigration court backlog.
- Between July 2024 to July 2025, [75% of immigrants who were ordered removed did not have a lawyer](#).
- From 2018 to 2022, spending on anti-immigrant political ads outpaced pro-immigrant messaging [6-to-1](#), according to Catalyze/Citizens.

KEY ISSUES ANALYZED

Erosion of Due Process

- Protections for immigrants have been weakened. These include harder access to bond, higher bond amounts, tougher Immigration and Customs Enforcement (ICE) enforcement, increased use of expedited removal, and politicized immigration judge appointments.
- Having a lawyer greatly improves chances in immigration courts. Research shows immigrants with attorneys are [10.5 times more likely](#) to have a successful case outcome.

Politicization of Courts

- Recent Supreme Court cases, like [Noem v. Vasquez Perdomo](#), show how decisions can weaken constitutional protections for millions of both U.S. citizens and immigrants.
- The firing of sitting immigration judges and subsequent [appointment of military judges](#) raises questions about fairness in immigration court.

Public Opinion & Narrative Gaps

- Despite [strong majority support for a pathway to citizenship and family unity](#), opponents dominate media spending ([\\$800M vs. \\$125M since 2018](#)).
- [Effective messaging](#) emphasizes solutions, shared community values, and economic contributions.

Disinformation, Social Media, and Technology

- AI and social media platforms can spread disinformation that targets immigrant communities. This disinformation causes real harm with a lack of accountability – for

example, [false rumors spread in Springfield, OH targeted Haitian immigrant communities](#).

- Lack of regulation creates risks for democracy with disproportionate harm to marginalized groups.

INSIGHTS FROM THE COLLOQUIUM

Solutions resonate

People respond well to policies that provide paths to citizenship, personal stories, and immigration's benefits for democracy and the economy.

State and local actions prove effective

Programs guaranteeing government funded legal services for immigrants in [New York City](#) and [California](#) have shown success. They can be copied across states and guide federal policy change.

Research gaps persist

Missing data reported by the Department of Homeland Security (DHS) highlights the need for independent sources tracking detention, court cases, and representation.

Messaging requires discipline and storytelling shapes hearts and minds

The Democracy Power Project recommends “*Four S’s*”—soothe anxiety, sequence stories, sway persuadables, saturate with repetition—to shift public perception.

EVIDENCE-INFORMED POLICY OPPORTUNITIES

Drawing from the Colloquium's research insights and the key issues summarized above, the following policy opportunities can contribute to a fairer, more accountable and humane immigration system.

Federal Level

- ***Legal Representation:*** Research on legal representation in immigration court shows that those going through immigration court have a fairer chance when they have representation. Immigrants with attorneys are 10.5 times more likely to obtain a successful case outcome, and between July 2024 and July 2025, 75% of those ordered removed did not have a lawyer.
- ***Funding for Immigration Courts and Immigrants' Rights:*** Immigration courts, legal education programs and services, and community integration of immigrants [are underfunded](#) in comparison to enforcement. Right-to-counsel programs in New York

City and California as noted above demonstrate that investing in solutions like representation improves fairness and can inform federal reform.

- *Data Transparency:* Open data allows for more [transparency](#) in all parts of the immigration system. Best practices around data transparency point to opportunities to publish detailed, disaggregated immigration court and detention data for accountability.

State and Local Level

- *Right-to-Counsel Programs:* Research demonstrates that local initiatives that provide legal help work well and provide [economic benefits like in New York City](#).
- *Bail & Bond Funds:* Bail and bond amounts can cause undue financial hardship to immigrant communities as [empirical evidence demonstrates](#). Bail and bond funds can help pay high immigration bonds and reduce financial harm.
- *Disinformation and Misinformation:* Fight false information by supporting community-led media and trusted messengers across diverse platforms that meet people where they are at (e.g., Spanish-language media, WhatsApp, YouTube). With major social media platforms scaling back fact-checking, (e.g., [Meta stopped its fact-checking program on Facebook](#)), reliable media is vital for immigrant communities.

Crosscutting Across Issues

- *Narrative Reframing:* There are opportunities to change the story around immigration to show its benefits to society. Immigration is part of the bigger picture of American society not as a siloed or partisan issue. There are policy opportunities to solve immigration issues and immigration itself is a solution to several issues in the United States.
- *Technology Regulation:* Given the rise in disinformation and misinformation, there are opportunities to create policies that hold tech platforms accountable for disinformation and mitigate tech-driven harms to immigrant communities.

CONCLUSION

Debates on immigration are still divided, but the research and experience from the Cisneros Institute Research and Policy Colloquium on Immigration point to evidence-informed policy opportunities. By centering fairness, legal representation, transparency, and more inclusive value-based narratives, policymakers and advocates can reframe immigration from a crisis into an opportunity to strengthen U.S. democracy, well-being, and the economy.

ADDITIONAL RESOURCES

Vera Institute of Justice

The Vera Institute of Justice is a national organization that partners with impacted communities and government leaders for change. With offices in four major cities, and a team of hundreds of advocates, researchers, and policy experts, we work to transform the criminal justice and immigration system so that money doesn't determine freedom; fewer people are incarcerated; and everyone behind bars is treated with dignity.

- [Fairness to Freedom: The Campaign for Universal Representation](#)
- [Immigration Court Legal Representation Dashboard](#)
- [Advancing Universal Representation Initiative](#)
- [Profile of Immigrants, by State & Locality](#)

The Democracy Power Project

The Democracy Power Project is a bold new initiative designed to strengthen America's democratic resilience by linking people, policy, and power across diverse social justice movements. The project serves as the home for the Amigos Network, a trusted and growing coalition of grassroots organizers, civic leaders, and policy advocates working in close coordination across states and regions.

- [Disappeared in America: The Faces of Trump's Immigration Dragnet](#)

Cisneros Institute

The Cisneros Institute draws on the intellectual strength of the George Washington University and the resources of the nation's capital to cultivate citizen scholars and innovative research. Research produced by the Institute examines current issues facing our country to encourage the use of empirical perspectives in national dialogue and decision-making, while the Institute's robust curriculum in leadership and professional development prepares scholars to make a difference as leaders for their communities. The Institute produces and elevates multidisciplinary, empirical scholarship, while building a pipeline for deeper engagement in research for everyone.

- [The Im/migrant Well-Being Scholar Collaborative](#)
- [Caught in the Clock: Time and Justice in Immigration Cases of Unaccompanied Children](#)
- [Caminos al Bienestar](#)
- [The Immigrant Youth Project](#)