

CHAPTER TWO

Chicago Migrant Crisis

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Introduction

Chicago received over 23,000 migrants between August 2022 and November 2023.¹ While Chicago has a long history of attracting and aiding migrants, the recent increase of arrivals has caused the city government to struggle to meet their needs.

In response to enhanced crossing by migrants, mainly from Latin American countries, at the US-Mexico border, Texas Governor Greg Abbott launched “Operation Lone Star.” This initiative included a disaster declaration, allowing Governor Abbott to send the Texas National Guard to counties along the Mexican border² and increasing his authority over the management of migrants apprehended along the border. Governor Abbott justified his disaster declaration by citing President Joe Biden’s failure to secure the border.³

As part of Governor Abbott’s challenge to Democratic Party immigration policies, since 2022 the government of the state of Texas has been placing migrants on buses and sending them to Chicago, New York City, Washington D.C., Denver, Philadelphia, and Los Angeles. These cities were specifically selected due to their size, Democratic Party leadership, and “sanctuary city” status.⁴ Cities that have designated themselves as sanctuary cities commit to not asking people about their immigration status, not alerting authorities about undocumented migrants, and not denying services on the basis of immigration status. From April 2022 to October 2023 about 58,000 migrants were bussed by the Texas government to these six sanctuary cities, with New York City receiving about 21,000 and Chicago receiving about 16,000 asylum-seekers.⁵

Following Governor Abbott’s attention-grabbing strategy, other border locations have adopted similar tactics. The city government of El Paso, independently of the Governor’s transfers, has been sending migrants to Chicago and other cities, too, contracting with a busing company for this purpose.⁶ Florida also has a program

that sends migrants out of state; however, Florida's program is smaller than that of Texas because fewer migrants make their initial US entry in Florida.⁷

The relocation programs have led to Chicago being in a major migrant crisis, receiving a wave of asylum-seeking migrants unlike any that the immigrant-friendly city has seen before. In this chapter, I will highlight how the City of Chicago is dealing with supporting the needs of the oncoming migrants. The Chicago government has attempted to create reasonable accommodations and provide support for the new arrivals, but the non-stop wave of migrants has pushed their resources to the limit. I will first establish what the government is doing in terms of housing, schooling, and their planned steps. I will also compare the Chicago policy initiatives with those of New York City, which is experiencing a parallel migrant crisis. Finally, the conclusion of this chapter argues that the city governments are unable to adequately support the new arrivals without federal policy changes.

Seeking Protection

Asylum seekers are different from other immigrants to the United States. Asylum seekers are seeking refuge from their home country due to fear of persecution. Usually, they must prove they have a legitimate reason for fleeing their native country to be approved to legally reside in the United States. The standard protocol for those seeking asylum in the US is for the request for asylum to be made once they reach US territory or a port of entry. Asylum seekers have a one-year deadline (from when they first enter the US) to submit their asylum application.⁸ This request initiates a process that will eventually result in either the grant or denial of asylum. During the time interval in which an asylum application is pending or being reviewed, the migrant is immune from deportation, and after 180 days, they are able to apply for work authorization.⁹ If their asylum application is approved, then they are protected against deportation to their home country; permitted the issuance of a social security card; authorized to work; enabled to request permission to travel overseas; and offered the option of petitioning for asylum status for family members. After a year of receiving asylum, they can apply for permanent resident status, which after four more years, could lead to citizenship. If their application is denied, alternatively, then the asylum seeker is subject to deportation.¹⁰

The asylum-seeking process is different for officially designated refugees, who do not have to reach the US to begin the approval process. Refugees are people fleeing their country of origin due to a fear of persecution, human rights violations, or

armed conflict and must cross an international border to seek safety.¹¹ Refugees also must wait a year, however, before applying for lawful permanent residency.¹²

A major policy change occurred in September 2023, prompted by the large number of asylum seekers. Within the current migration wave, a large number of asylum seekers are from Venezuela. Millions have left Venezuela due to its political turmoil and economic instability.¹³ In concert with extending the availability of TPS to migrants from Venezuela due to the continuing difficulties in that country, the United States specified that Venezuelans who arrived after July 31st, 2023, would not be eligible for Temporary Protected Status. Those who arrived before that date are still able to apply for TPS and work authorization.¹⁴ Some immigrants are eligible for Temporary Protected Status (TPS). TPS is only granted to migrants from designated nations, countries determined to be in a condition that would prevent the safe return of the national or be unable to handle the return of the migrant. The designated countries are usually in ongoing armed conflict, struggling with an environmental disaster, or otherwise temporarily subjected to very difficult situations. With TPS, immigrants are protected from removal or detention and can obtain work or travel authorization. TPS does not include a path to legal permanent residency, and must regularly be renewed, with the renewal threatened by improving conditions in their home country.¹⁵

The influx of Venezuelans into the US is also reflected in the demographics of Chicago migrants: Venezuelan asylum seekers are the main group of migrants who are arriving in Chicago. Surely the large non-migrant Latino population in Chicago provides a major advantage for the newcomers: about 765,000 people, or 28.7% of Chicago's total population, are Latino. Even with significant cultural and linguistic overlaps, however, providing housing and other services to large numbers of new arrivals remains a challenge.¹⁶

Housing Migrants in Chicago

One result has been a serious crisis, with the city government unable to adequately service the influx of newcomers in a timely fashion. The main struggle concerns finding adequate shelter, and shelter that is conducive for the provision of services (such as healthcare and security) needed by the arriving migrants.

As of November 2023, the City of Chicago set up about two dozen temporary shelters for newly received migrants, holding about 12,000 people.¹⁷ (By early October about 3,200 migrants were awaiting placement into a shelter, by congregating

either at a police station or one of Chicago's airports.¹⁸) These temporary shelters provide three meals a day, access to community showers, and security.¹⁹ Additionally, the shelters serve as a nexus for the provision of medical care and other requisite services, some provided by volunteers.

The flow of new migrants continues. The Texas state government has communicated with Illinois Governor J. B. Pritzker to expect more migrants to arrive each week. The current (mid-October 2023) expectation is about 25 buses to be arriving each day with a combined potential capacity of up to 1,250 migrants -- more than double the amount Chicago has been receiving.²⁰

With the incoming wave of migrants, Chicago is attempting to prepare new accommodations. In September 2023, the City of Chicago government agreed on a contract with Garda World, a private security company, to create tent cities for the incoming arrivals. The tents would be winterized -- though there are major doubts as to how effective the installations will be against the Chicago winter.²¹ Migrants housed in the tents will also be provided childcare if needed, along with transportation to necessary appointments. The tents will be able to house up to 1,400 people each, providing space for the thousands of migrants currently awaiting shelter. In November 2023, the Chicago City government approved land in Brighton Park and Roseland for the two camps; however, construction for the Brighton Park camp was abruptly stopped when heavy metal contamination was found on the site following concerns raised by the public.²² Plans for the Roseland tent camp continue as the city government searches for another appropriate site.

The Garda contract has received some criticism due to Garda World's experience with other states in building migrant detention centers.²³ While the plan to establish small tent cities would be helpful in shifting migrants from police stations and airports into safer conditions, there is the potential for the tented areas to take on the characteristics of detention centers. Isolated encampments, even if comfortable and secure, could reduce migrant access to transportation and possibly restrict their freedom of movement.

The Garda World tents are not the only avenue Chicago is pursuing to resolve the migrant housing crisis. The city has solicited applications from agencies that can operate temporary shelters and meet additional requirements, including being able to staff sufficient Spanish-speaking workers. The accepted agencies will be reimbursed at a bed rate of \$22-35 per night. The city intends to make up to 15 agency awards, indicating support for many new temporary shelters.²⁴ This initiative illustrates how

the Chicago government is working to overcome the current shortage in accommodations for the incoming migrants.

While new shelters being constructed, thousands of individuals, as noted, were awaiting placement (as of October 2023), while being housed in even more temporary conditions.²⁵ The majority of the otherwise unhoused, around 2,400 migrants, are living at Chicago Police Department stations; about 800 are living at the O'Hare Airport, and a few others are at Midway Airport.²⁶ All of these arrangements are intended to be temporary, with migrants staying for short periods of time until they are selected for a spot in the shelters; even if short-term, however, these expedients have been leaving the migrants in potentially unsafe, inadequate conditions. At O'Hare airport, the people are given cardboard pads to sleep on in the shuttle bus center. Airport security conditions make it more difficult for volunteer groups to be able to help the migrants. Additionally, the private company in charge of monitoring the migrants provides only rudimentary health care, with first aid or calling an ambulance being the sole options. (Further, sicknesses can spread quite quickly in cramped living conditions.) Migrants housed in Midway airport must walk 2 miles to the nearest police station if they need any clothes or services.²⁷

The migrants living at police stations also find themselves in a complicated situation, where there can be inadequate communication or cooperation between the officers and the migrants. In some cases, the lack of cooperation can lead to conflicts, which have escalated to the point of asylum-seekers being arrested.²⁸ For many precincts, while the migrants are allowed to sleep at the station, they must vacate the premises every day by 10 am for cleaning -- and remain away until it's time for bed again. At precinct 12 in West Chicago, there is one bathroom containing only a toilet, a sink, and a mirror -- and technically the 10-15 families living in the station are not meant to use that bathroom.²⁹ One asylum-seeker with two children stated to a reporter from The Guardian that she fills up a cup of water to pour over her and her kids to get clean, given the absence of access to showers. Like her, many migrants do their best to not be noticed in these precincts, out of fear that they will no longer be allowed to sleep there. Migrants living in the police stations are heavily dependent on the work of volunteers, who drop off clothing and other necessities.³⁰

Temporary residence in a police station presents a risk of conflict with the police. In such conflicts, the migrants are disfavored, as any arrest could potentially affect their immigration case.³¹ In July 2023, the Civilian Office of Police Accountability (COPA) in Chicago began an investigation after there were multiple

allegations of sexual misconduct from police officers. One allegation was that a 29-year-old officer engaged in a sexual relationship with a 17-year-old female migrant, who was being housed at the police station.³² During the investigation, allegations emerged of other officers also engaging in sexual misconduct. Several months later, COPA closed the investigation due to a lack of evidence. COPA indicated that no victim had come forward, nor had any witnesses.³³

Asylum seekers are already in a vulnerable position: they are not guaranteed legal status in the US and often they faced major challenges in reaching Chicago. Housing migrants in the police stations is an untenable policy, one that places migrants in potentially difficult situations, with compromised opportunities to advocate for themselves.

For migrants currently residing in city shelters, the situation became even more precarious at the end of November 2023. Chicago's city government announced that shelter stays would be limited to 60 days.³⁴ For most of the shelter residents, work authorizations will not arrive before the evictions from shelters begin, and could take many months longer. The need to pursue informal employment will become acute. The crisis will not be resolved anytime soon if migrants do not have a legal way to support themselves.

New York City

The City of New York has been hit hard with a migrant crisis of its own. From the spring of 2022 to October 2023, there have been more than 100,000 new arrivals to the city; about 21,000 of the new migrants have been sent to New York through Texas Governor Abbot's Operation Lone Star. About 65,000 migrants are being housed in the city's shelters.³⁵ While the city government has worked hard to provide housing – opening 213 new housing shelters – it is still struggling to provide adequate help. In March 2023, New York City established a new Office of Asylum Seeker Operations and a 24-hour welcome center.³⁶ The Office of Asylum Seeker Operations handles the services granted to the migrants living in New York. On its website, it indicates locations where migrants can find free food, help with school enrollment, or be granted identification cards.³⁷

Since the 1980s, New York City has recognized a legal obligation to provide housing for anyone who requests it, a "Right to Shelter" mandate.³⁸ The ongoing migrant crisis has put the mandate to the test, with the City government beginning to

fail in their obligation. New York City Mayor Eric Adams has requested for the suspension of the mandate, as a necessary emergency measure.³⁹

In the spring of 2023, Mayor Adams issued an executive order to relax some of the shelter requirements. The order voided rules that require families to be placed in private rooms with bathrooms and a kitchen. It also established a 10 pm nightly deadline to request a bed.⁴⁰ The city has also placed limits on how long people are able to stay in their shelters: adults have a 30-day limit, while families have a 60-day limit.⁴¹ At the end of their time, the migrants are forced to leave and find housing elsewhere, or to reapply for housing. Some of the waiting rooms in NYC's emergency shelters are full of people awaiting a placement. The shelter shortage seems to be deterring people from seeking housing in the city: of the 5,000 migrants who have exceeded their time limit as of late October 2023, only about 1,000 have reapplied.⁴²

Even first-time seekers of housing in New York are having trouble finding a shelter with available beds. Some migrants are being directed to a “reticketing” office, where the city offers to buy a one-way ticket to a different city, anywhere, for the migrant.⁴³ The NYC government has also been distributing flyers along the southern border of the US, announcing that there is “no guarantee” that a migrant will be provided housing if they decide to travel to New York. Some flyers state that New York is a very expensive city to live in and advise migrants to travel elsewhere.⁴⁴ The NYC government is hoping that this counter-advertising will decrease the number of migrants arriving in New York. Overall, New York is being hit with an unprecedented situation, where the City continues to struggle to find solutions. In an October 2023 interview, Mayor Adams stated that it is unavoidable that migrants will be sleeping on the streets since there is no longer room anywhere in the city.⁴⁵

As New York contends with the migrant crisis, it has made financial and policy requests to the federal government. New York has been struggling to keep up with the financial burden of housing thousands of people, spending about \$5 billion from 2022 to 2023 for housing and feeding migrants. New York expects that the response to the migrant crisis will cost the city \$12 billion over the next couple of years if the migrant flow continues at the current pace.⁴⁶

The state government is also struggling to help New York City; the Governor Hochul administration has publicly stated that it will cut back on how much financial help the state will provide.⁴⁷ This statement comes after months of speculated tension between Governor Hochul and Mayor Adams, both blaming the other for the gravity of the crisis in New York. Governor Hochul claims Mayor Adams was slow to act on

establishing housing (like more tent camps) and that the City does not adequately support migrants in filling out important paperwork such as work permit applications, leaving thousands who could potentially already be working unable to.⁴⁸ On the other hand, Mayor Adams has criticized Governor Hochul for not doing more to help the city, like requesting other cities in the state take in migrants to ease the serious NYC crisis.⁴⁹ While there is some disagreement on how to handle the situation in New York, both city and state administrations have turned to the federal government to provide help.

The perceived lack of response by the Biden administration has frustrated the New York state and city governments, especially after the Department of Homeland Security (DHS) investigated the NYC emergency housing operation. The DHS recommended that the city increase its collection of information on migrants, increase access to information about work permit applications, and provide additional support (such as legal assistance) to help migrants leave the shelters.⁵⁰

Chicago's Call for Help

The City of Chicago government is trying to meet the needs of the migrants while still caring for its established residents: some 5,100 asylum seekers were resettled in Chicago between May and October 2023.⁵¹ In an effort to increase public resources for migrants, Illinois Governor J. B. Pritzker wrote to President Biden in October 2023, requesting additional federal funds and for TPS application fees to be waived for those who cannot afford them since migrants must pay \$50 to \$545 (depending on age and whether requesting a work permit). Pritzker also urged the President to decrease the wait time for work authorizations to be approved.⁵²

Work authorizations are vital. Without them, migrants are pauperized, with no ability to work legally until their asylum or TPS case has been resolved. Migrants now are typically waiting about 15 months after their US arrival for work authorization.⁵³ Migrants who are willing and even eager to work to support themselves and their families, while awaiting authorization, face increased dependence on the government and private volunteers. The importance of the work permits grew following Chicago's 60-day shelter limit beginning to be implemented in late November 2023. As migrants are kicked out of their temporary form of housing, they are not provided enough time to legally work, leaving many without a way to support themselves.

Those migrants who pursue under-the-table jobs put themselves at risk of not being properly paid or fairly treated. One 65-year-old asylum seeker told a Chicago

Tribune reporter that he worked for two weeks completing various jobs for a single employer; however, that employer suddenly stopped contacting him, and the migrant was still owed about \$600.⁵⁴ Dangerous work or exploitative conditions are other risks, beyond wage theft, that threaten migrants working without authorization. Further, a migrant with a pending asylum or TPS case who is found to be illegally working could find their asylum case compromised – especially if the work was undertaken with false documentation.

Humanity is not the only spur to speeding up work authorizations. The labor market in the US and in Chicago is extremely tight by historical standards: some industries are desperate for workers. The hotel industry has 1,800 open jobs available throughout Chicago – jobs hotels hope to fill once more migrants become eligible for legal employment. Some business owners have even handed out their phone numbers to migrants, so the migrants can reach them immediately when their work authorizations come through.⁵⁵ Legislation to shorten the work authorization waiting period could alleviate the ongoing migrant crisis as well as the labor shortage.

Instability for Migrant Children

While the Illinois state government is advocating for quicker processing of work authorizations for migrant adults, migrant children are still stuck dealing with the negative repercussions of housing insecurity. Many families currently await placement into temporary shelters. Their children not only struggle from the lack of a stable and safe residence, but they can also face difficulty enrolling in and regularly attending school. Reliable access to transportation to school is an additional source of uncertainty for children residing in the temporary shelters.

Chicago Public Schools (CPS) is itself struggling to serve the influx of migrant children, given the limits to CPS resources. CPS attempted to prepare for the 2023-2024 school year by opening a welcome center at Clemente High School, in the west of the city, in July 2023. The center aids newly arrived families with enrolling their children in nearby schools. At the center, CPS can measure the child's English proficiency, provide free meals, and conduct trauma assessments.⁵⁶ CPS is hoping this center streamlines the enrollment process for the many children they are expecting to continue arriving, children whose parents are unlikely to know what steps to take to enroll their kids into a Chicago school. The center requires an advance appointment, however, making it somewhat less accessible for parents.⁵⁷

Along with enrollment struggles, Chicago Public Schools seem to be having difficulty providing adequate language and trauma support for the newly arrived students. CPS is working to increase the staff at schools who can provide language support by allocating \$15 million for bilingual instruction for the 2023-2024 academic year in preparation for the increased enrollment of children who need language assistance.⁵⁸ Nonetheless, certain schools appear to be insufficiently prepared. At Emil G. Hirsh High School, two students who temporarily live at a nearby police station enrolled -- but did not receive any help with language learning. A couple of the Hirsch teachers spoke Spanish and were able to help at the beginning of the day, but for most of their school day the students must rely on Google Translate to understand the content of their classes.⁵⁹

Other schools have turned away migrant students, partially due to a lack of Spanish-speaking support. Emmet Louis Till Science and Math Academy, a public school near Woodlawn, did not allow eight migrant children to enroll, even when they arrived with the necessary filled-out forms. The eight children had been living in the 3rd district police station with their parents. The parents had gotten help on the paperwork from volunteers; however, when the students arrived at the school, they were told that the specific, completed forms were outdated. Instead of simply completing the updated forms at that time, however, the families had to return at a different time: the student enrollment was postponed because no school officials spoke Spanish.⁶⁰

In response to public outcry, the Till Science & Math Academy indicated that they were working to recruit help for the enrollment of newly arrived children, yet volunteers in that district stated they had not been approached. Chicago Public Schools also released a statement, emphasizing that they are prioritizing the enrollment and transition for students with temporary living situations. CPS indicated that such students could immediately enroll into any school, even if they lack immunization or school records, proof of guardianship, residency, or other normally required paperwork.⁶¹

Another challenge for CPS is providing sufficient trauma support for their students. The newly arrived children often have endured a very complicated and harsh journey to reach Chicago. Months of upheaval in their lives would be hard for anyone to adapt to, and more so for young children. In addition to the language support budget, CPS increased the funding to support students' social and emotional health by \$35 million. With the funding, 123 new counselors have been hired, mainly at

elementary schools. CPS is also working to ensure each school has a full behavioral health team, which includes a nurse, a psychologist, along with a counselor or social worker.⁶² Behavioral teams could also potentially be helpful if students must transfer schools as their living situation changes.

Challenges with Public Opinion

As the Chicago government is working to be able to serve the new arrivals, some tensions have arisen with existing residents. Several lawsuits have been filed challenging the housing of migrants. One September 2023 lawsuit argues that using public buildings for migrant residences creates a nuisance for the community and violates federal Occupational Safety and Health Administration standards.⁶³ Another lawsuit was filed by residents in West Town in October 2023, arguing that the city government's plan to waive zoning laws to establish a temporary shelter in an industrial building is a wrongful use of the mayor's emergency power. The lawsuit also asserts that the migrants who will be housed there could pose safety and health risks for the community.⁶⁴ Moreover, following the approval of the Brighton Park land, a lawsuit was filed stating that the land was contaminated and unsafe for anyone to live on. This eventually led to the cancellation of construction on the site given that there was heavy metal contamination which could not be properly removed.⁶⁵ These lawsuits and other forms of neighborhood opposition could make it more complicated for the Chicago government to create new temporary shelters as migrants continue arriving.

Some Chicago government officials have also expressed reservations or opposition to the City's plans for dealing with the migrant crisis. In November 2023, as Chicago begins experiencing the first of its cold winter weather that is very threatening to those who live or must spend a lot of time outdoors, the now abandoned Brighton Park tent area plan met opposition within the City Council; some of the opposition was based on perceived zoning violations.⁶⁶ Further, there has been a broader debate over Chicago's sanctuary city status. Some aldermen urged for a referendum to be placed on the March 2024 election ballot, asking voters if Chicago Eventually, the Council chose not to go forward with the sanctuary city referendum, which applied directly only to undocumented immigrants, not legal asylum-seekers.⁶⁷ (The sanctuary referendum was unlikely to take place in any event, as there were already three referenda questions planned for the Spring 2024 ballot, the maximum quantity allowed. All three were put on the ballot by Mayor Brandon Johnson, leading

to questions as to whether this was a purposeful tactic to preclude a vote related to the sanctuary city status; Mayor Johnson denies having such a motivation.⁶⁸) Other aldermen noted that official sanctuary city or not, the buses of migrants will continue to arrive in Chicago.⁶⁹ Continued or enhanced political divisiveness could make it more difficult to craft and implement policies to adequately assist migrants.

A further challenge will occur as the city's allocated money for the crisis runs out. In November 2023, Mayor Johnson's first budget was voted on and approved, though some aldermen raised concerns over how the money was appropriated. The \$16.77 billion plan designates \$150 million to the migrant crisis; however, the crisis is currently costing about \$40 million each month, prompting some questions as to what the plan will be in a couple of months when the earmarked money is expected to run out.⁷⁰ The city government is hoping that state or federal aid will come in before they exhaust their funding. If there is no aid before that occurs, the political divide will likely increase as more money will need to be spent on the crisis.

Conclusion

Chicago has been hit with a migrant crisis, straining the resources of the city government. After looking into the city's struggle, it seems that they are unable to provide sufficient assistance to the new arrivals without increased support from the federal government. For both New York and Chicago, being able to provide housing for migrants is their main challenge. Chicago and NYC have resorted to enacting limits on how long people can stay in shelters, placing more pressure on migrants to find jobs or relocate. The Chicago and the New York limits of 60 or 30 days are not enough time for work authorizations to be issued, likely causing many migrants to turn to under-the-table employment with its own attendant risks.

Chicago is dealing with an unprecedented situation, which requires help from multiple levels of government. Since the beginning of the crisis, the city government has attempted to provide adequate support for arriving migrants; however, it falls short in some areas due to the large amount of people requiring the help. As the crisis continues, it is up to the Chicago government to work to prepare for the continued flow of migrants and establish a long-term plan for housing. Compared to New York, Chicago seems to be experiencing more cooperation, or less tension, with the state government. As mentioned, both Illinois Governor Pritzker and Chicago Mayor Johnson have turned to advocating for shorter work authorization wait times to alleviate the number of migrants dependent on the help of the city government.

Without any federal policy change soon, especially following the implementation of the shelter limits, migrants in Chicago will be left to fend for themselves – and possibly forced into homelessness – since their legal form of income will be months away. Now the challenge for the Chicago government will be to provide shelter, potentially including tent camps, that can stand up against the full range of Chicago’s annual weather, and before the number of unhoused migrants escalates.

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