

Crimmigration Law Comes of Age

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César Cuauhtémoc García Hernández, [Crimmigration Law](#) (2015).

For criminal justice enthusiasts, [Padilla v. Kentucky](#) (2010) represented a victory for criminal defendants in an area where there are few. Whereas previously, defense attorneys were under no compulsion to inform clients about the downstream consequences of a conviction, Padilla said that deportation was different. The severity of this outcome mandated that clients be made aware of this possibility before making a guilty plea—it simultaneously served as a mandate for the defense bar. As a result of the ruling, defense attorneys were involuntarily thrust into the world of crimmigration law, with the beneficiaries being those accused of a crime. Now, at a minimum, defense counsel would need the competence to be able to advise clients who face the risk of deportation.

In Crimmigration Law, [César Cuauhtémoc García Hernández](#) has created an immense resource to help ensure this occurs. The work provides a comprehensive overview of a complex phenomenon in American law, namely, how criminal and immigration law converge into a distinct body of law that necessarily involves both.

The book is a “must-read” for practicing attorneys and legal scholars working in this area. It is written with rigor from a fluid pen that is accessible both to undergraduate and graduate students alike. Although scholarship focused on crimmigration law is still in a fledgling state, this book represents a new centerpiece in the discussion that raises the scholarly stakes.

On a personal level, the work might best be understood as embodying the persona of García Hernández himself, whose life is divided between practice and the professoriate. As an immigration lawyer with a practice in Texas, he is entrenched in the practical issues facing migrants and is the author of numerous practical resources for attorneys. At the same time, he is a luminary among scholars working in the area and founder of a nationally recognized blog, [crimmigration.com](#). This book reflects one who straddles two worlds at once, which is united by the desire to achieve greater justice.

The anatomy of the text consists of three topical sections, each of which contains several chapters. The first part, “Criminals in the Immigration Law System” examines various issues in law and practice that have blurred the lines between crime and immigration, paying close attention to laws that subject criminals to immigration law. Next, “Migrants in the Criminal Justice System,” looks in reverse by considering issues that arise when non-citizens violate the criminal law. Together, these sections demonstrate the dialectic between immigration and criminal law; they are not starkly divided spheres, but converging bodies that are sometimes inextricable. The final part, “Enforcing Crimmigration Law” builds from the previous sections by outlining the enforcement aspects of Crimmigration law, including border policing and civil detention. This concluding section caps the study by detailing how even the enforcement apparatus represents a melding of mechanisms found in both civil and criminal law.

The work demonstrates that sometimes, criminal law practice and immigration law practice sit in a symbiotic relationship. Indeed, the immigration system at times mirrors the criminal justice system; simultaneously, what happens in criminal proceedings is critical for determining a migrant’s legal status, including whether one can be deported from the country. This is particularly the case for defense attorneys at the pre-trial phase since, as *Padilla* presumes, knowledge that a conviction will lead to deportation might very well impel a defendant to go to trial rather than plead guilty.

The book's navigation through these and other complex doctrinal issues makes for a solid introduction to the fundamentals of crimmigration law. The writing is laced throughout with helpful practice problems that allow readers to test their substantive understanding of the issues in real time before delving deeper into the text. Each chapter is also designed with additional sources for further reading. As such, the book represents an excellent pedagogical resource for law school courses and clinics in criminal or immigration law.

Taken wholly, this book is valuable and has many laudable achievements, not the least of which is its didactic approach. As such, it represents a tool for lawyers to become better lawyers for their clients, and to achieve better outcomes for the most socially outcast members of society—criminals and immigrants. Unsurprisingly, these out-groups are often the ones with the greatest need for zealous legal representation, yet they often must settle for far less in a system that is stacked against them. This work is designed to help lawyers devise better strategies, achieve better outcomes, and hopefully achieve greater justice for their clients.

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