NATIONAL IMMIGRANT JUSTICE CENTER
A HEARTLAND ALLIANCE PROGRAM

A New Immigration & Refugee Landscape

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The Ohio Immigrant Family Experience
Families & Communities Interdisciplinary Seminar
September 2017

www.immigrantjustice.org

Agenda

- NIJC's Unique Approach
- Immigration-Related Executive Orders
- Three Current Crises
- Good News
- How You Can Help

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NIJC

- Provides legal services to immigrants, refugees and asylum seekers
- Advocates for systemic change through impact litigation to ensure human rights protections for noncitizens
- Serves nearly 10,000 individuals annually with the support of a legal staff of 70 attorneys and professionals and a network of 1,500 *pro bono* attorneys

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NIJC's Unique Approach

- Show violations of human, constitutional rights
- Collaborate with community organizations
- Provide recommendations to policy makers

- Use federal litigation to challenge laws, policies, and practices that violate the Constitution or U.S. immigration laws

- Teach immigrants re: their rights
- Provide low-cost or free legal representation to immigrants

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January 2017 Executive Orders

- No more "priorities" for enforcement: all undocumented immigrants placed in fear of deportation
- Increased use of immigration detention, for longer periods
- Threat to defund cities resisting sharing information with the federal government & expansion of program to deputize local police to enforce immigration law
- Potential penalties for people who help undocumented immigrants stay in the U.S.
- Refugee program halted, travel ban asserted (case pending at U.S. Supreme Court; oral argument this fall)

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Prosecutorial Discretion (PD)

- Under the Obama administration, DHS could exercise PD in certain matters, prioritize other sorts of matters for removal

PD Eligible	Priorities for Removal
• Long-term community members • Current or future relief eligibility • Other compelling facts	• Serious crimes • Threats to national security • Recent arrivals • Prior removal orders

- The Trump administration will not exercise discretion in the same way…or at all

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DACA: Background

- Established in 2012
- Temporary "solution" for millions of undocumented immigrants who have grown up in the U.S., but due to Congress's failure to pass fair immigration reform, had no opportunity to legalize their status
- Since 2012: provided work authorization and reprieve from deportation to nearly 800,000 young men and women who met the program's stringent requirements; nearly 10,000 approvals in Ohio

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Rescission of DACA

- On September 5, 2017, the Trump Administration rescinded DACA effective, March 5, 2018
- National loss of $460.3B in GDP over the next decade

NIJC Client Daniela

"While my friends were getting their driver's licenses and thinking about college, I was becoming increasingly fearful of being separated from my family. Thanks to DACA, I have the opportunity to study, work, and pursue my dreams. Today, I'm an honors student at Noble Street College Prep with plans to continue my education and pursue a degree in entrepreneurship."

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Enforcement Actions in the Community

- Small-scale home raids: common for years
- Recent threats of large operations ("Operation Mega")
- "Collateral" arrests (anyone who happens to be nearby)
- Target parents and sponsors

60% of the undocumented population has lived in the U.S. for more than a decade.

Impact:

- Create fear and anxiety
- Chilling effect

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Where does ICE conduct arrests?

- Neighborhoods
- Places of Work
- Jails
- Homes
- Courthouses
- Probation/Parole Appointments
- Checkpoints

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Detained Immigrants

- Since December 2016, reports estimate the adult detained population at 40,000+ (compared with 29,786 in 2007; 20,600 in 2002 and 7,444 in 1994)
- Approximately 800 – 1,100 immigrants detained within the Chicago Area of Responsibility's jurisdiction, (Illinois, Indiana, Wisconsin, and Kentucky)

Women and children sit in a holding cell at a U.S. Border Patrol processing center after being detained by agents near McAllen, Texas

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Sanctuary

- No single definition of "sanctuary"
  - City of Chicago Welcoming Ordinance: city agencies and employees do not cooperate with federal immigration authorities in implementing immigration law
  - Houses of Worship: discuss housing for people in imminent danger of deportation while an attorney requests a "stay of deportation"
  - Schools: safe places for students; prohibit ICE in institution unless it has a warrant; not releasing student information without a subpoena

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Good News…

- **State laws**
  - restrict local law enforcement from collaborating with federal immigration enforcement agents to detain anyone without a judicial warrant (Illinois Trust Act)
- **Lawsuits**
  - holding government accountable to follow the law, uphold the Constitution
- **Funding for legal services**
  - Investment by states and cities - strengthens communities
  - ABA-approved a resolution calling for government appointed counsel

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What Can You Do?

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Immigrantjustice.org/action

Immigrantjustice.org/donate

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What Can You Do? (con't.) Know Your Rights!

Regardless of your immigration status, you have the right to:

- **REMAIN SILENT***
  - **ONLY GIVE YOUR NAME AND BIRTHDATE**
  - ➢ You are **NOT** required to give this information, but it can help family members locate you. You do **NOT** need to answer any further questions
  - ➢ If you wish to exercise this right, say loudly, "I exercise my right to remain silent"
- **SPEAK WITH AND BE REPRESENTED BY AN ATTORNEY**
  - Police/Court : Public Defender or your own attorney at your own expense.
  - Immigration Court : Attorney at your own expense
- **REQUEST A LOCAL TELEPHONE CALL**
  - Memorize phone numbers of family/friends with legal status
    - › **Preferably someone who knows/has your Safety Plan.*
  - Contact your Consulate- List of consulates and phone numbers is available at detention centers

What Can You Do? (con't.)

- **Be involved** w/faith-based communities
- **Support** legal representation
- **Interpret**
- **Visit** immigrants in detention
- **Teach English**
- **Contact** your elected officials
- **Donate to local organizations helping immigrants**
- **Be** informed

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