

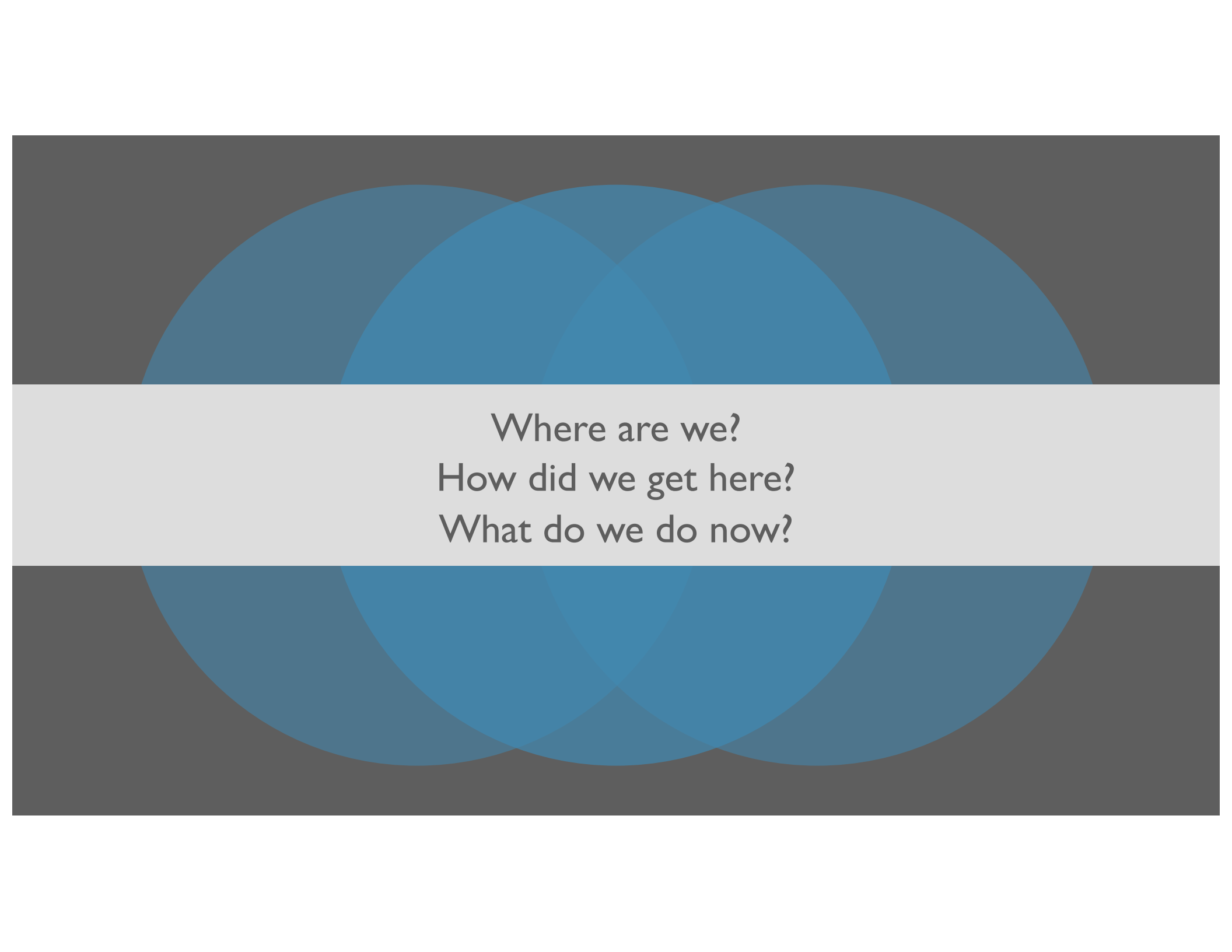


PROVIDING ASYLUM IN THE FACE OF RACISM

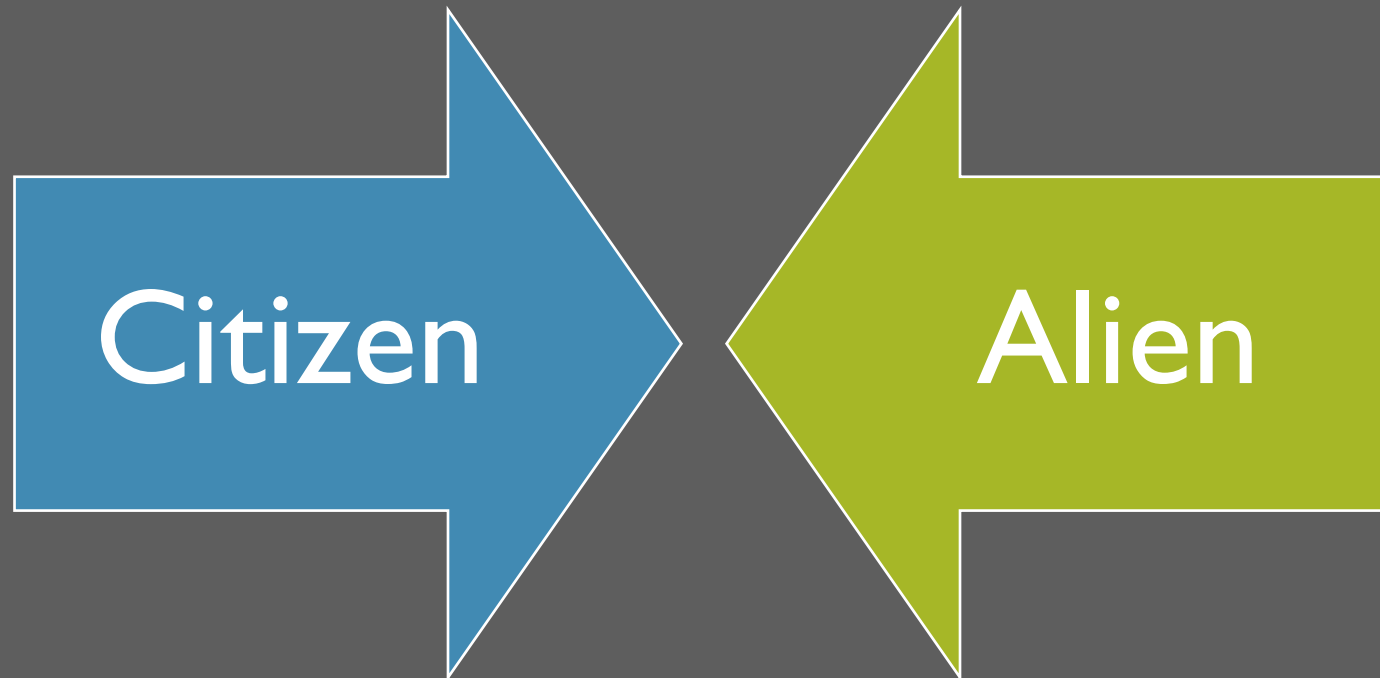
Madeline Lohman
November 2, 2018



DEMOCRATS LET HIM STAY

The image features a dark gray background with three overlapping blue circles of varying shades. A horizontal light gray band runs across the center, containing three lines of text.

Where are we?
How did we get here?
What do we do now?



Family

Work

Diversity

Refugee

LPR

USC



Non-immigrant

Visitor

Student

Worker

Immigrant

Lawful
Permanent
Resident

Undocumented

Humanitarian

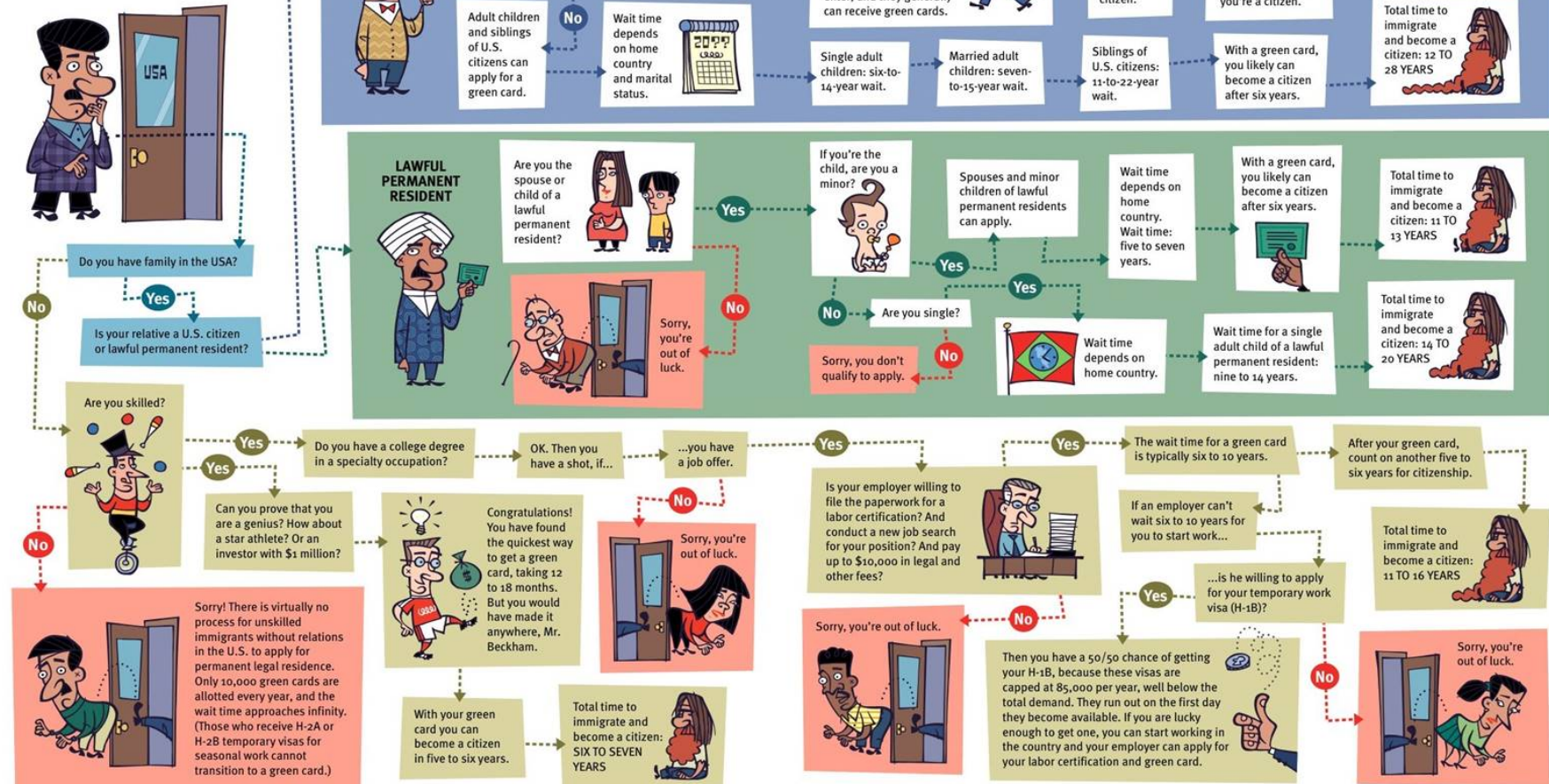
Resettled
refugee

Asylum seeker

Crime victim

Trafficking
victim

Opponents of illegal immigration are fond of telling foreigners to "get in line" before coming to work in America. But what does that line actually look like, and how many years (or decades) does it take to get through? Try it yourself!



(Flynn is director of government affairs and Dalmia is a senior policy analyst at Reason Foundation. This chart was developed by Reason Foundation in collaboration with the National Foundation for American Policy.)

1790-1880

Naturalization Act (1790)

Free white persons in US for 2+ years
may naturalize

1882-1952

Chinese Exclusion Acts & the Asiatic Barred Zone

Exclusion of **convicts, lunatics, idiots, or public charges, anarchists, previously deported, and illiterates**

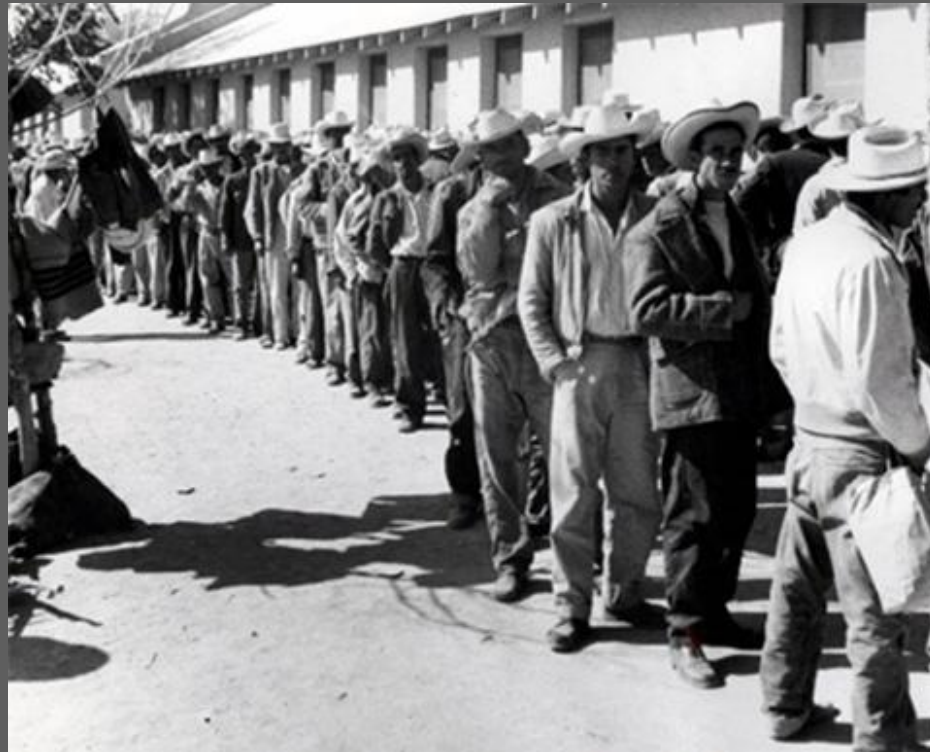
1924

National Origins Quotas

Immigration allowed up to 2% of population reported in 1890 census

Western Hemisphere not included

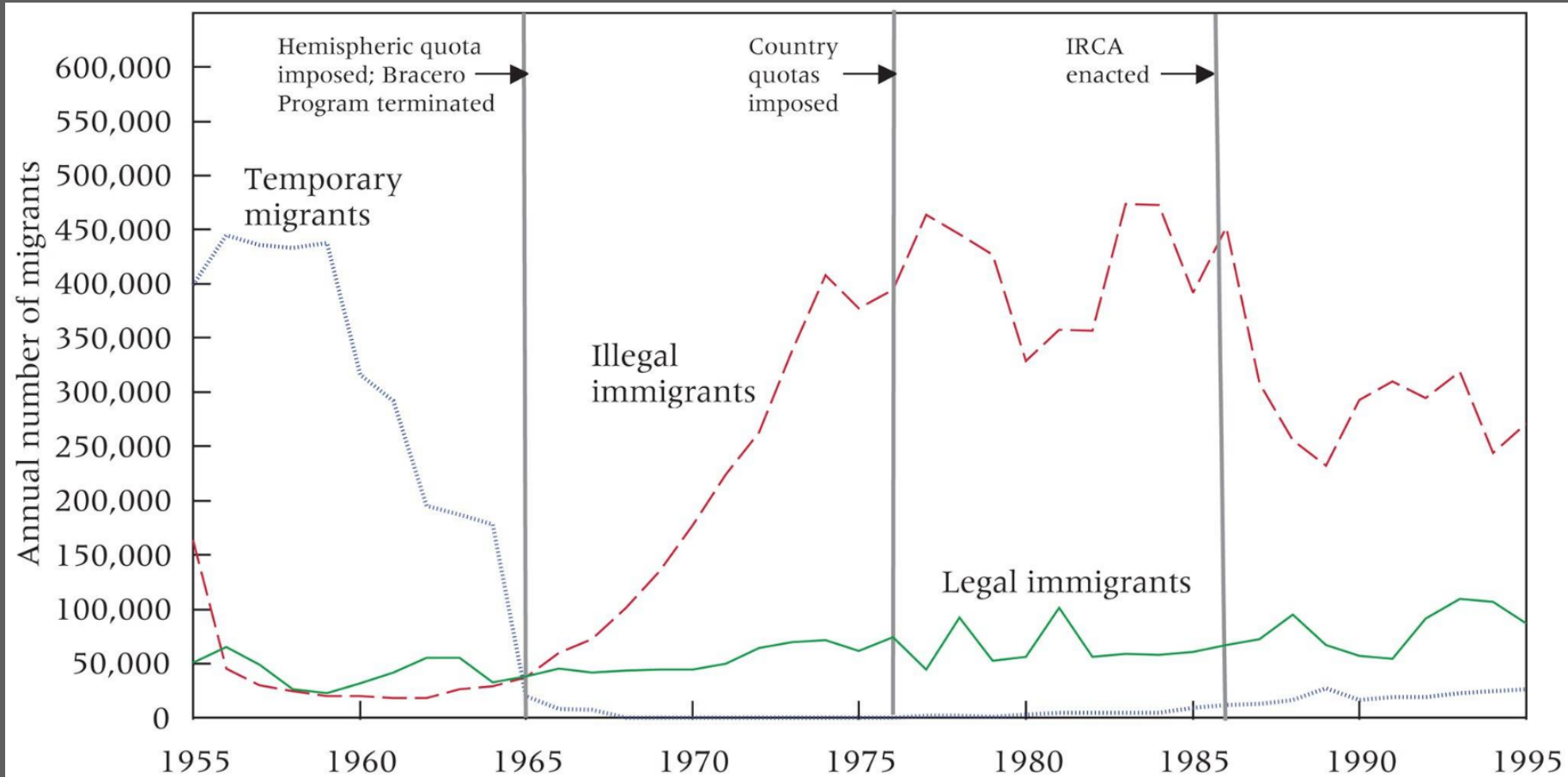
BRACERO PROGRAM 1942-1964

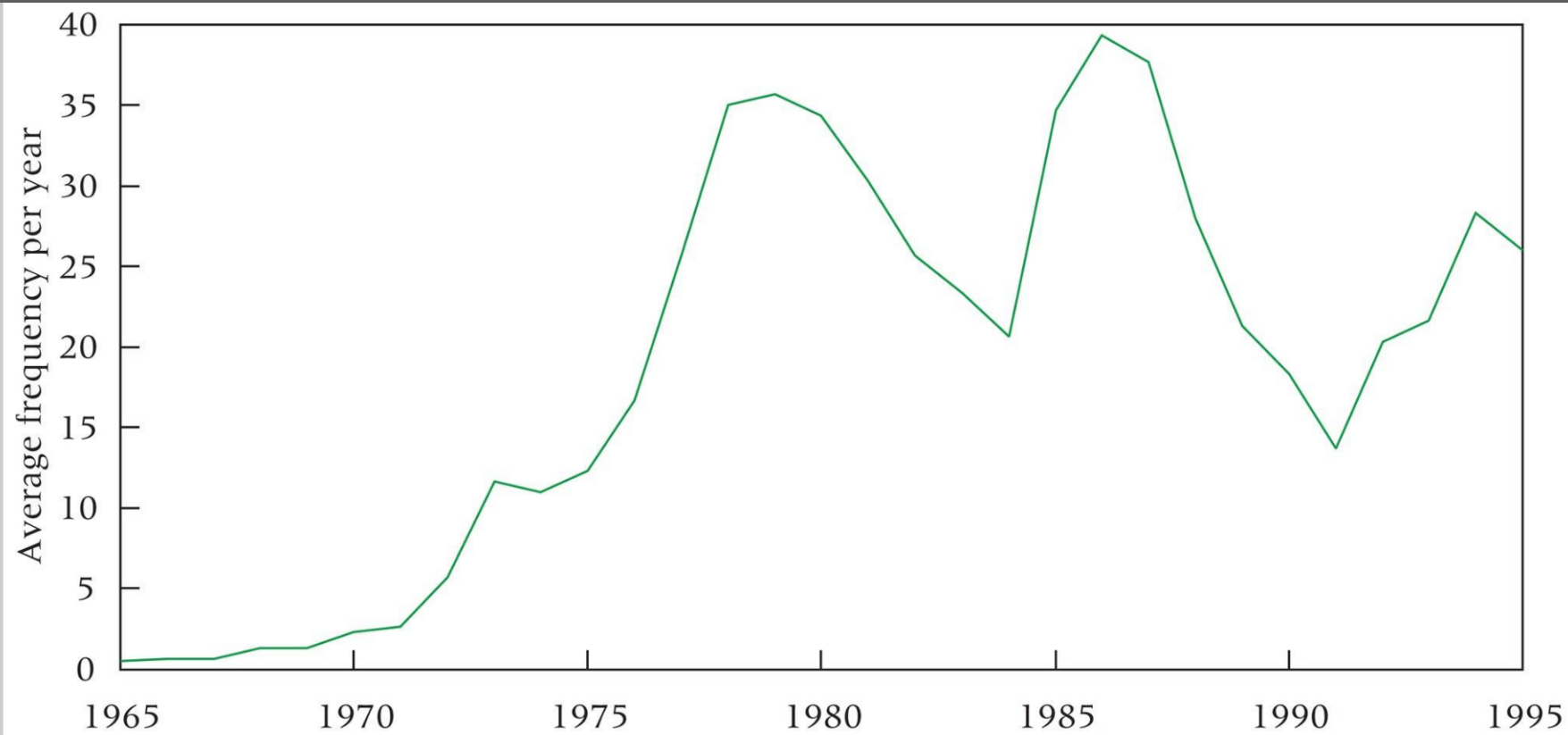


1965

1965 Immigration & Nationality Act

- Established **family-based** (85%) and **employment-based** (15%) preference system
- **Worldwide cap** on immigration levels for all countries including Western Hemisphere
- Created **Diversity Visa** program





1980

Refugee Act created statutory refugee and asylum process

Well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion



Sanctuary Movement

| 1986-today

1986

Immigration Reform &
Control Act

**50% increase
in border
patrol**

**Employer
sanctions**

**Legalization of
2.7 undoc
residents**

1988

Anti-Drug Abuse
Act

**Creates
“aggravated
felony”
ground of
deportation**

1990

ImmAct90

**Raises legal
admissions by
50%**

**Limits
deportation for
ideological
reasons**

**Expands
“aggravated
felony” definition**

1994

Violent Crime
Control and Law
Enforcement Act

**Increases
penalties for
alien smuggling
and illegal re-
entry after
deportation**

**Increases \$ for
Border Patrol**

1996

Antiterrorism and
Effective Death
Penalty Act

**Expands “ag
fel”
definition
and
establishes
expedited
removal**

1996

Illegal Immigration Reform and Immigrant Responsibility Act

- **Adds new grounds of inadmissibility and deportability, expands “ag fel” definition, limits judicial review.**
- **Expands mandatory detention, increases penalties for unlawful presence.**
- **Increases Border Patrol.**
- **Limits public benefits and creates SAVE.**
- **Creates 287(g) program.**

**Criminalization
of migration.**





IMMIGRATION ENFORCEMENT

In 2016, ICE completed **240,255** deportations with an average of **28,449** people in custody every day in 2015

If deported by immigration enforcement, individuals are barred from returning for at least ten years.

In approximately **37%** of all removal cases between 2007 and 2012, the accused immigrants were **unrepresented in court**

"Illegal migrants are placed in holding facilities before they are returned to Mexico." Border Patrol/Gerald L. Nino,
http://www.cbp.gov/xp/cgov/newsroom/multimedia/photo_gallery/afc/bp/35.xml.

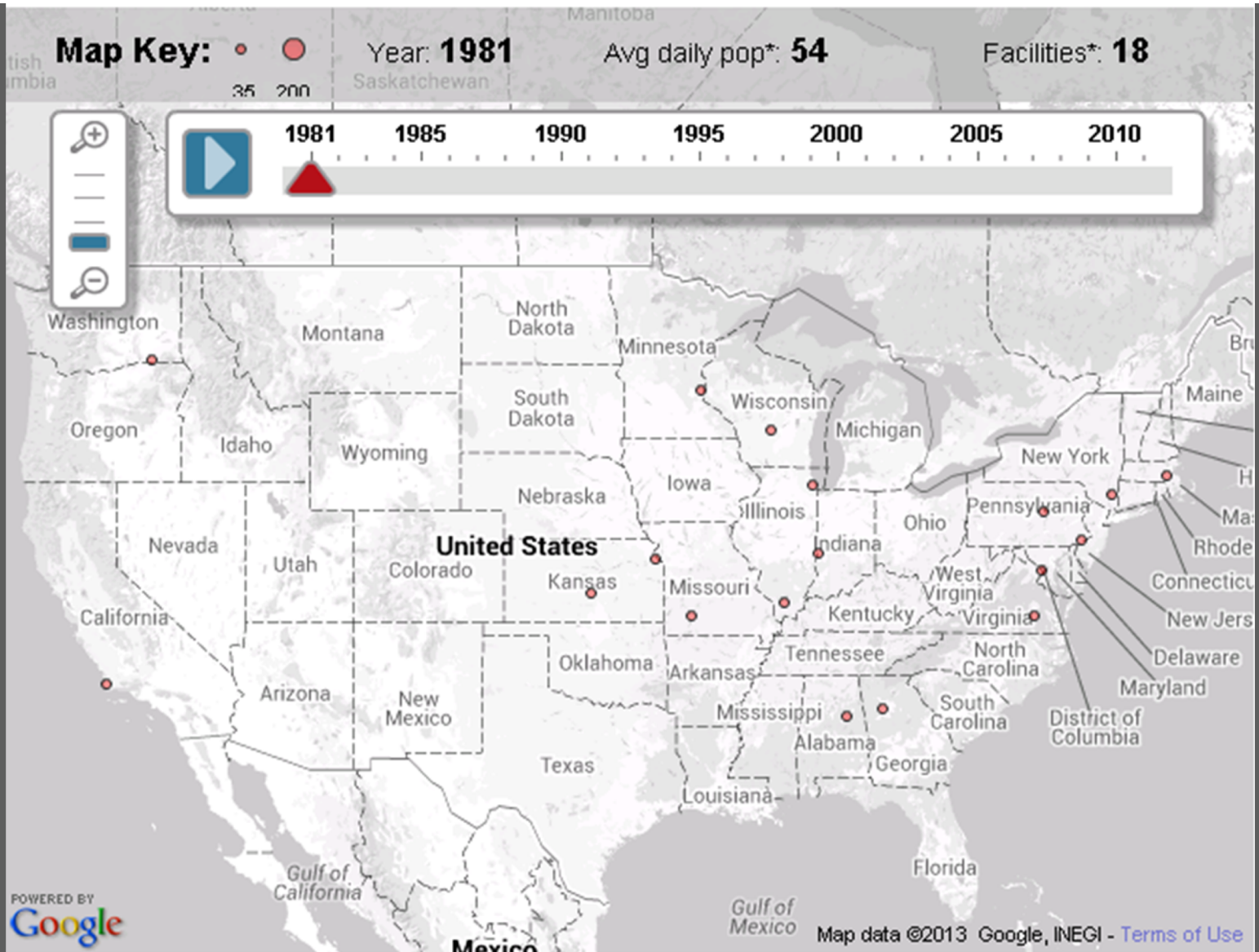
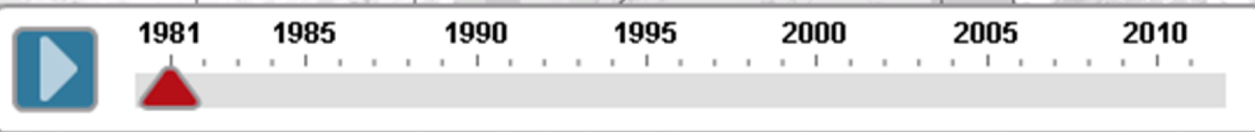
Map Key:



Year: **1981**

Avg daily pop*: **54**

Facilities*: **18**



POWERED BY
Google

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Map Key:



Year: **1990**

Avg daily pop*: **6,532**

Facilities*: **155**



1981

1985

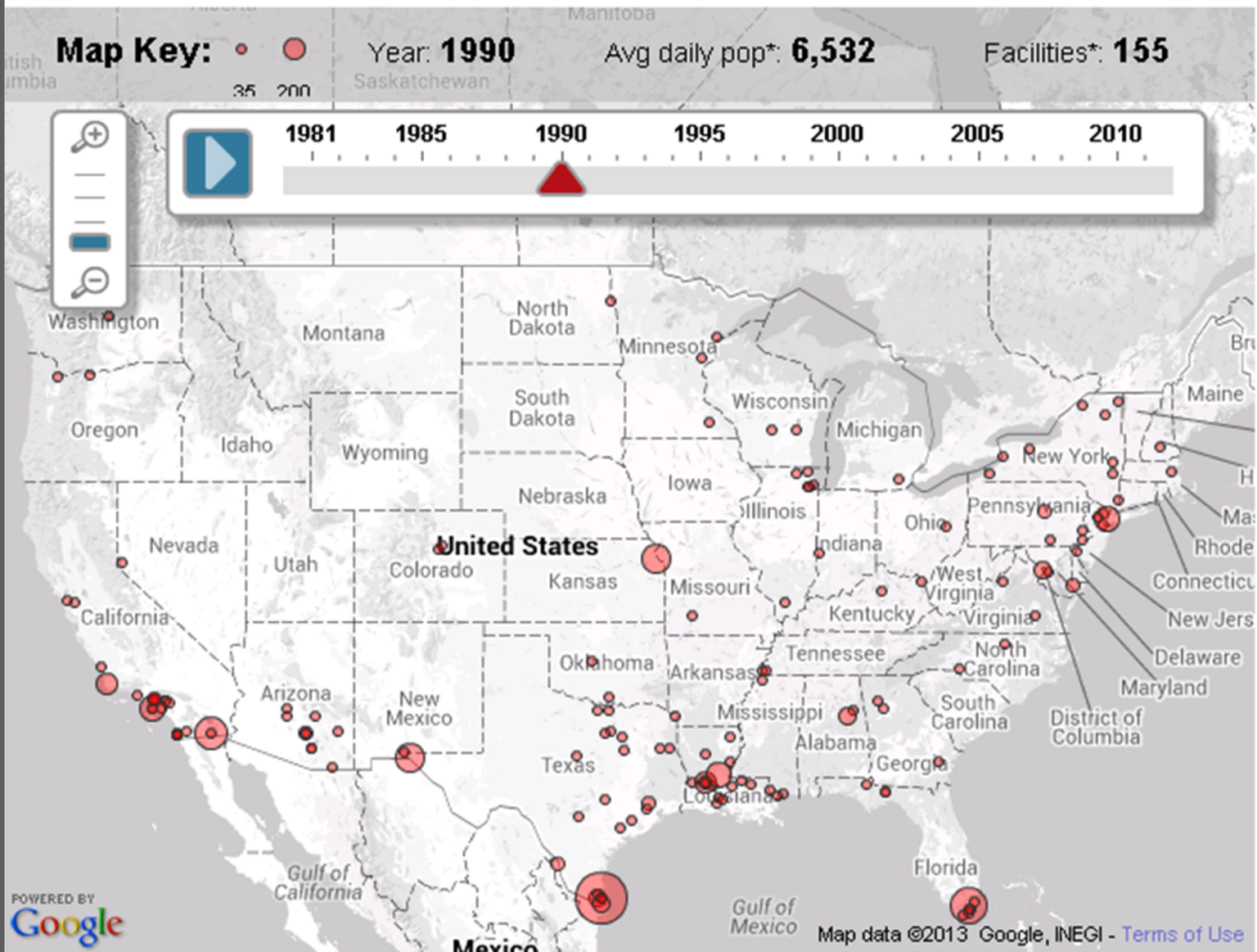
1990

1995

2000

2005

2010



Map Key:



Year: **2000**

Avg daily pop*: **19,244**

Facilities*: **407**



1981

1985

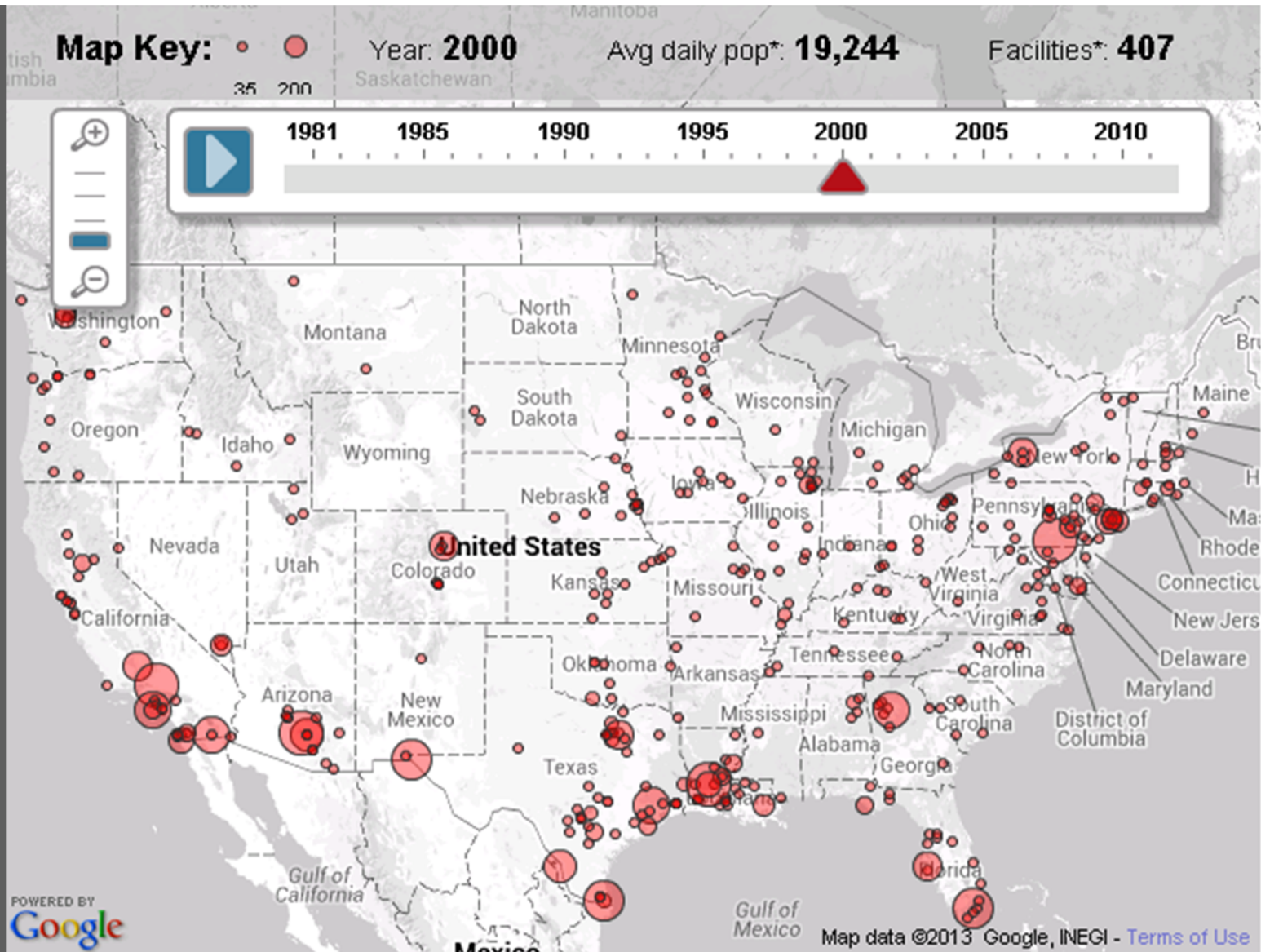
1990

1995

2000

2005

2010



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Map Key:



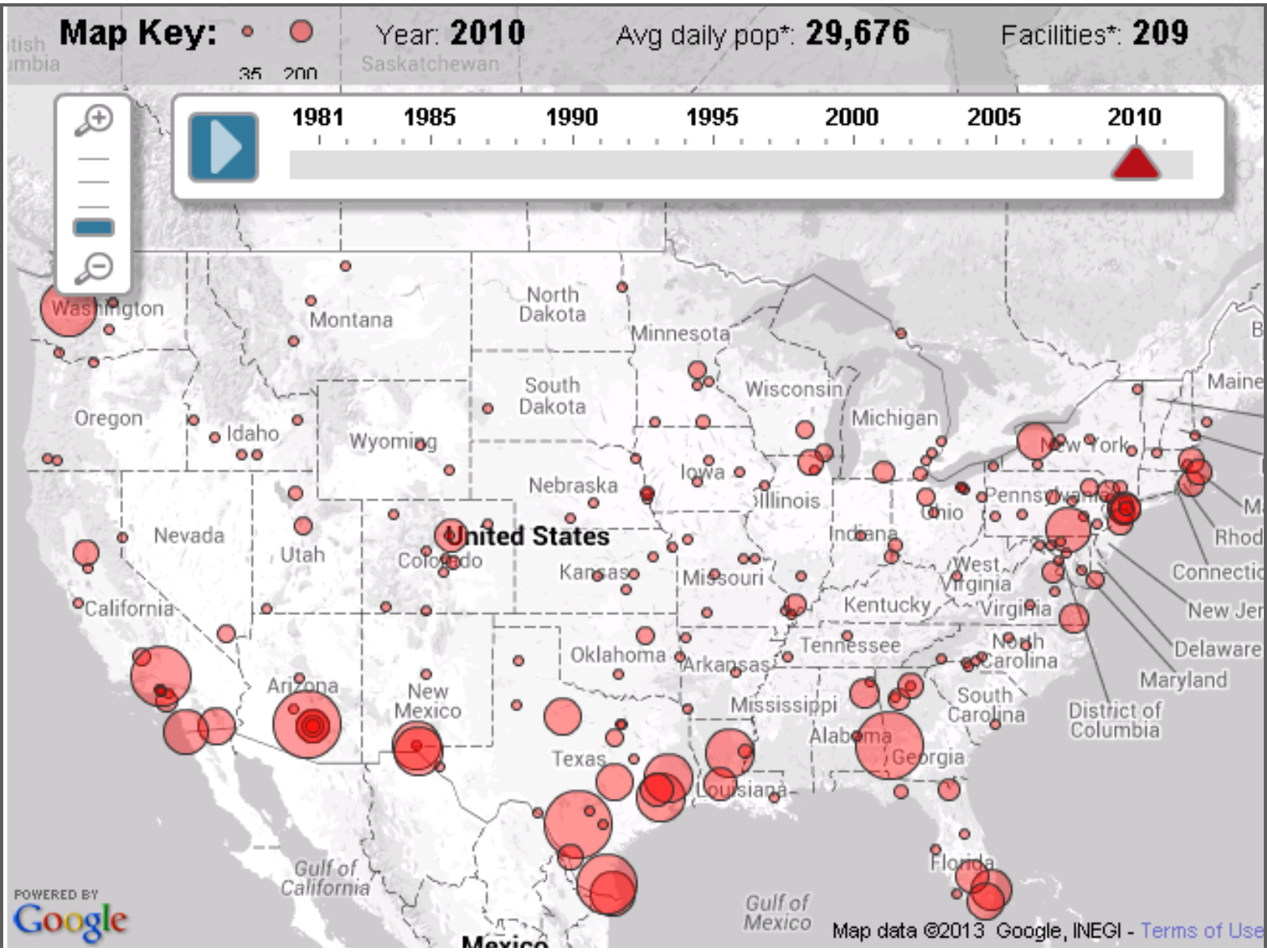
Year: **2010**

Avg daily pop*: **29,676**

Facilities*: **209**



1981 1985 1990 1995 2000 2005 2010



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TRUMP ADMINISTRATION ON IMMIGRATION

CHANGES TO DACA

- On Sept. 5, 2017, the Trump Administration announced it would phase out DACA over the next six months.
- The DACA end date has passed and Congress was unable to agree on replacement legislation, leaving Dreamers in limbo.
- Judges stopped cancellation of DACA temporarily.
- Current recipients can renew their DACA status but not taking new applicants.



["Los Angeles March for Immigrant Rights."](#) by Flickr user Molly Adams

FAMILY SEPARATIONS

- **Family separations result from Trump administration's Zero Tolerance policy**
 - At least 2,653 children were separated from their parents
- **Executive order reversed separation policy**
- **Reunification**
 - As of October 15, 2,363 children have been reunited with their parents; 125 decided to stay separated and pursue asylum; 120 children remain in custody
 - Over 400 parents were deported without their children



["Families Belong Together Rally"](#)
by Flickr user David Geitgey Sierralupe

MATTER OF A-B-

- In June 2018, **AG Jeff Sessions** issued **BIA** precedential decision, **Matter of A-B-**
 - Discourages asylum claims based on domestic violence and gang violence by non-government actors
 - Overturns previous standard
- In July 2018, **USCIS** issued new guidance to **Asylum Officers** following **Matter of A-B-**
- Will likely lead to fewer people passing credible fear screening and being granted asylum



PUBLIC CHARGE

Federal law: officials can deny entry to a “public charge” – someone likely to require long-term government assistance

- Old definition: only recipients of cash benefits fell into this category
- Expanded definition: recipients of non-cash benefits, like Medicaid, EIC, and SNAP are also included – **even when the benefits are for an applicant’s US citizen children**

Many immigrants are not applying for benefits that their children are entitled to



COMMUNITY SUPPORT

How allies can help in the struggle for immigrant rights.



- **Sanctuary/Separation**



- **immi.org**
- **Identify legal options**
- **Make a plan**



1. **Do not open the door** for ICE or police. Ask to see a warrant signed by a judge.
2. **Remain silent.** Give your real name if the police ask. Do not lie.
3. **Do not sign** anything you do not understand or agree with.
4. Ask to **speak to a lawyer** and **see an immigration judge.**



- **Mobilize for our values**