Northwest
IMMIGRANT RIGHTS
Project

IMMIGRATION 101
DEVELOPMENTS UNDER NEW ADMINISTRATION
“Muslim Ban” Executive Orders

- January 25 Executive Orders
  - Interior Enforcement
  - Border Security
  - DHS Implementation Memos issued February 20

- January 27 Executive Order – 1st Travel Ban – Replaced by

- March 6 Executive Order – 2nd Travel Ban – Now Replaced by

- Sept. 24 Proclamation – 3rd Travel Ban:
  - Restricts entry by certain non-citizens from Chad, Iran, Libya, North Korea, Syria, Venezuela and Yemen
  - Legal challenges currently pending
Juweiya Ali
Rescission of DACA

- DACA – Deferred Action for Childhood Arrivals
  - Temporary Protection / Work Permit / SSN
- Numbers (as of March 2017)
  - National: 787,000+ DACA recipients
  - WA: 17,843 DACA recipients
- Sept. 5 Rescission Announcement:
  - No more initial applications unless already pending
  - DACA recipients whose status expired between 9/5/17 and 3/5/18 were able to pursue renewal before October 5, 2017
  - If DACA expires after March 5, 2018, no more renewals
Rescission of DACA - Latest

- Federal Judge Order – January 9:
  - Ordered DHS to allow DACA recipients to renew
  - Order only applies to people who have been granted DACA (people who never had DACA not covered)
- Trump Admin. is appealing and will seek to block ruling
- Current recommendation:
  - For those who have had DACA and it has expired or it will expire soon, pursue renewal but understand risk you may lose application fee
- Only permanent solution:
  - Legislation (i.e. Clean Dream Act)
Temporary Protected Status (TPS)

  - Allows DHS to designate country for protection b/c of humanitarian crisis
  - Nationals of that country who were in US at time of designation and register are allowed to stay until conditions improve

- Countries currently designated:
  - El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, Yemen

- DHS has announced it will end TPS status for El Salvador, Haiti, Nicaragua and Sudan

- Other countries subject to decision in coming months

- Recommendations: Re-register (if eligible); review other options
REMOVAL (DEPORTATION) PROCEEDINGS AND IMMIGRATION DETENTION
Changes to Immigration Enforcement

- Increased focus on anyone who interacts with criminal justice system
- Increased “fugitive operations teams” looking for those with prior deportation orders (and those encountered along the way)
- Increased enforcement near border (including northern counties and Olympic peninsula)
- Drastically reduced use of prosecutorial discretion
- Even more immigration detention
How Do People End Up in Removal Process?

- Interaction with Criminal Justice System
  - ICE detains an individual after he/she was in jail or contact with probation officer

- Filing an application that is denied
  - USCIS refers the case to ICE

- Other interactions with ICE and Border Patrol
  - Stopped at the border, identified by ICE at raid, etc…

- People in removal proceedings may be detained or not detained: default now is to detain
Immigration Court

- Two courts in our region
  - Seattle: For non-detained cases
  - Tacoma: Detained cases at NW Detention Center

- Key point: Immigrants, including children, are not given the right to an appointed attorney in immigration court if they cannot afford one

- Many people are forced to represent themselves:
  - Approximately 35% of removal cases in Seattle and 92% of those completed in Tacoma were unrepresented
FREQUENTLY ASKED QUESTIONS
What Can Undocumented People Do?

- Know your rights
- Create a family safety plan
- Keep informed of developments
- Beware of scams
- Consult with attorney or accredited rep to see if there are options to obtain status
- Save money (if possible)
- Collect/save documents that show residence in US
Lesser-known options for immigration status

- Violence Against Women Act (VAWA) self-petitions
- U visas – victims of crime
- T visas – victims of human trafficking
- Special Immigrant Juvenile Status (SIJS)
  - Abused, abandoned and neglected youth under 21 years of age
- Cancellation of removal
  - Only if already in removal proceedings
- Other special protections
Legal Resources

- Nonprofit Agencies
  - National Immigration Legal Services Directory
    - [www.immigrationadvocates.org/nonprofit/legaldirectory](http://www.immigrationadvocates.org/nonprofit/legaldirectory/)
  - Executive Office for Immigration Review Roster of BIA-Recognized Agencies
    - [www.justice.gov/eoir/find-legal-representation](http://www.justice.gov/eoir/find-legal-representation)

- Private Immigration Attorneys
  - American Immigration Lawyers Association (AILA) Referral Service: [www.ailalawyer.com](http://www.ailalawyer.com)

- Non-Immigration Legal Questions: [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org)
Resources – www.nwirp.org
Q & A

□ NWIRP:
□ www.nwirp.org

□ WA Immigrant Solidarity Network
□ www.waisn.org
□ 1-844-RAID-REP
□ (1-844-724-3737)