
celebrating our 50th year



charlotte center
for **legal advocacy**

justice lives here.



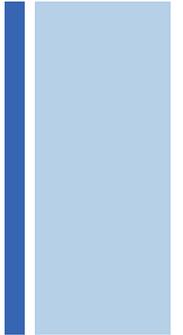
July 2, 2018
COMMUNITY TEACH-IN

Stefania Arteaga

Rebecca O'Neill, Immigration Attorney for CCLA



Immigrant Justice Program

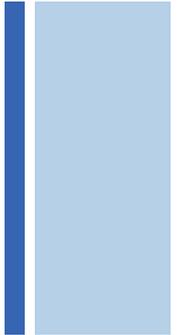


Focus on stabilizing immigration status of victims of family abuse, sexual assault, human trafficking, other qualifying crimes and victims of certain types of persecution in country of origin :

- U Visa (Visa for victims of specific crimes)
- T Visa (Visa for victims of human trafficking)
- Special Immigrant Juvenile Status [SIJS] (Status for minors who have been abandoned, neglected, or abused by one or both parents)
- Asylum (People fleeing certain types of persecution)
- Violence Against Women Act [VAWA] (Residency petition for victims of domestic violence married to Residents or US citizens)



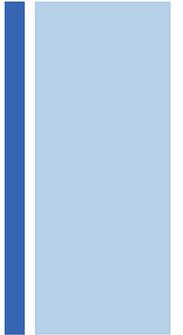
CHILDREN AND REMOVAL



- What is a UAC?
- In 2014 there was a large increase in UAC (Unaccompanied Children) apprehended at the US/Mexico border
- For example, according to Customs and Border Patrol (CBP) data, in FY2011 the USBP (US Border Patrol) apprehended 16,067 unaccompanied children
- In FY2014 more than 68,500 children were apprehended
- UAC apprehensions declined by 42% in FY2015



Children in removal cont...



- Prior to 2014, it was not common for high volumes of children to be in removal proceedings in the interior of the U.S.
- Charlotte Immigration court has a juvenile only docket
- Whether or not a child remains in removal proceedings depends on relief available
- A majority (75.6%) of the cases involving UACs initiated in 2015 and 2016 are still pending
- 45.8% of the cases initiated in 2014 are still pending

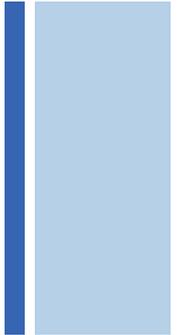


Immigration 101: *Asylum*

ASYLUM

- 8 U.S.C. §1158
 - Individuals are granted protection by the U.S. government when they have been persecuted, or have a well-founded fear of future persecution, in their home countries on the basis of race, religion, nationality, political opinion, or membership in a particular social group
 - Can only apply for asylum within the U.S.
 - Do NOT have to enter at a port of entry (i.e. may enter country w/o inspection, have “undocumented” status upon entry)
 - Asylees may work in the U.S. and may petition for their spouses, minor children to join them as derivative asylees

+ Charlotte Immigration Court



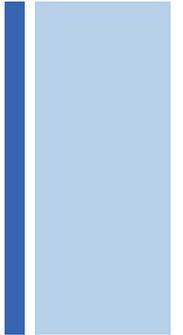
National average asylum denial rate: 52.8%

- IJ Stuart V. Couch: 85.7% denial rate
- IJ Roger C. Harris: 89.2% denial rate
- IJ Theresa Holmes-Simmons: 75.4% denial rate
- IJ Barry J. Pettinato: 82.6% denial rate



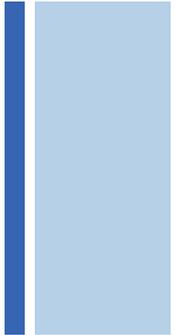
Zero Tolerance Policy: *What did this change?*

- 100% prosecution of unlawful entry, regardless of reason for entry
- Purportedly designed to deter unlawful entrances into the United States
- *Prior to this*, individuals who unlawfully entered the United States (not at a port of entry and without official inspection) were *not* automatically referred for criminal prosecution





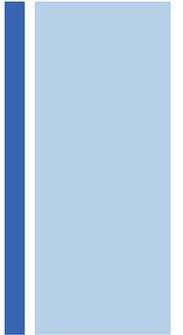
Unlawful Entry



- Discussion of history of unlawful entry as a crime
- 1929
- SC Senator Blease
- Designed to criminalize Mexican migration, in response to increase in Mexican migration to the U.S.



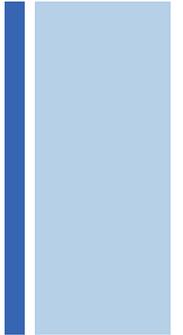
Trump's Executive Order 13841 of June 20, 2018



- Seeks to modify Flores settlement
- Does not present plan to reunite almost 3,000 children taken from their parents
- Prioritizes immigration proceedings involving families
- Directs government agencies and departments to provide housing to detain families and children



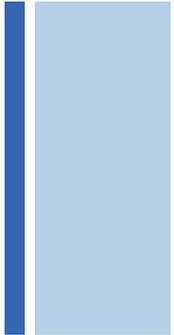
Current Situation at the Border: *Separation, Facts and Figures*



- Number of “UACs” created by Zero Tolerance Policy: according to an NPR article referencing DHS, updated June 20th, 2018, **2,342**
- Where UACs are placed: combination of ORR Shelters, private facilities, and foster care



Current Situation at the Border: *Status of Family Separation*



(CNN): Federal District Court Judge Dana Sabraw of California has issued a preliminary injunction halting the separation of most families entering the United States at the border.

The court order specifically requires federal officials to stop detaining parents apart from their minor children, absent a determination the parent is unfit or the parent declines reunification; reunify all parents with their minor children who are under the age of 5 within 14 days and reunify all parents with their minor children age 5 and older within 30 days.

"This Order does not implicate the Government's discretionary authority to enforce immigration or other criminal laws, including its decisions to release or detain class members. Rather, the Order addresses only the circumstances under which the Government may separate class members from their children, as well as the reunification of class members who are returned to immigration custody upon completion of any criminal proceedings," Sabraw explained.

+ How are children released?

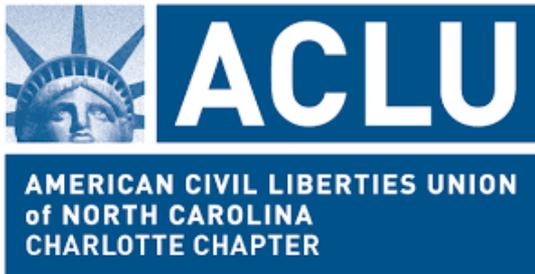
- Office Of Refugee Resettlement
- Sponsor is Identified
- Background information collected
- Legal Orientation for Custodians.
- Immigration Court Process.



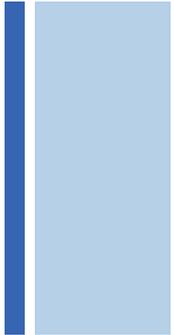
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What can YOU do?



- **You can donate to Charlotte Center for Legal Advocacy**
 - We are the only local non-profit who represents children in removal proceedings.
- **You can volunteer for ACLU-Charlotte's Court Observer program**
 - Maureen Abell (attorney with CCLA) and Brett Johnson (ACLU Court Observer and local engineer) lead the trainings which provide non-attorneys with the tools needed to observe immigration court proceedings and help to ensure proper treatment of individuals involved in the hearings.





What can YOU do?



Communities
In Schools

- **Volunteer with or donate to Communities in Schools**

- In 2016, CIS Charlotte received a grant from the Women's Impact Fund which has helped to finance a program in place at several CMS schools to service unaccompanied immigrant students.

- **Donate or volunteer with ourBRIDGE**

ourBRIDGE is a network of former teachers, tutors, and volunteers who want to ensure that first-generation American children have the same opportunities to live a happy fulfilling childhood. They believe a child's socio-emotional health translates into a happy, productive adulthood.

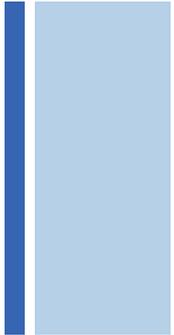


- **Volunteer with La Coalición**

- The Latin American Coalition is a community of Latin Americans, immigrants and allies that promotes full and equal participation of all people in the civic, economic, and cultural life of North Carolina through education, celebration, and advocacy.

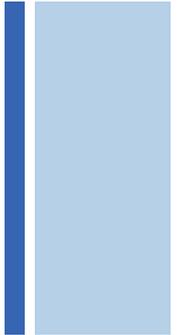


La COALICIÓN
Latin American Coalition



+ Local issues?

- 287(g) in the aftermath of the Sheriff's Race
- Possible retaliation from ICE in December 2018
- Lack of support from elected officials
- Need to create Bond fund



+ Grass roots organizations



- South East Asian Coalition- A local non-profit that organizes around immigration issues affecting the Southeast Asian community and policing of communities of color



- Action NC- Empowers immigrants to be the protagonist of their own stories through grassroots organizing.



- Comunidad Colectiva– Is a grass roots organization of directly affected people who organize around immigrant rights issues in Mecklenburg County.