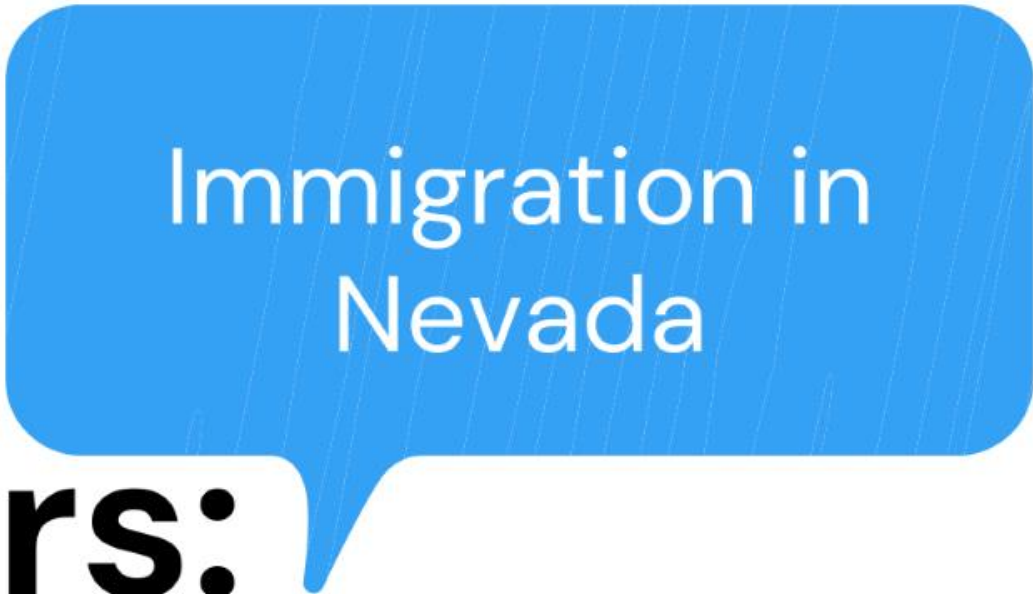


Silver State Borders:



Immigration in
Nevada

Closed captioning is Auto-Generated and not an official representation of what is being spoken

Presented by Jahahi Mazariego

Today's Agenda

- 1 Culturally Informed Terminology
- 2 State and Federal Policies
- 3 Best Practices
- 4 Community Based Resources

Introduction

Jahahi Mazariego, LSW **Social Services, Coordinator**

I serve as a resource for all students and their families by coordinating campus and community resources. Additionally, I support students who are undocumented, students with DACA and students in mixed-status families.

Specializations: Immigration, community engagement, policy advocacy, and anti-oppressive practice



DREAMer

Refugee

Temporary Protected Status

Mixed-Status

UndocuFriendly: a term to describe resources that are accessible to undocumented and DACA individuals.

Undocumented

UndocuBlack

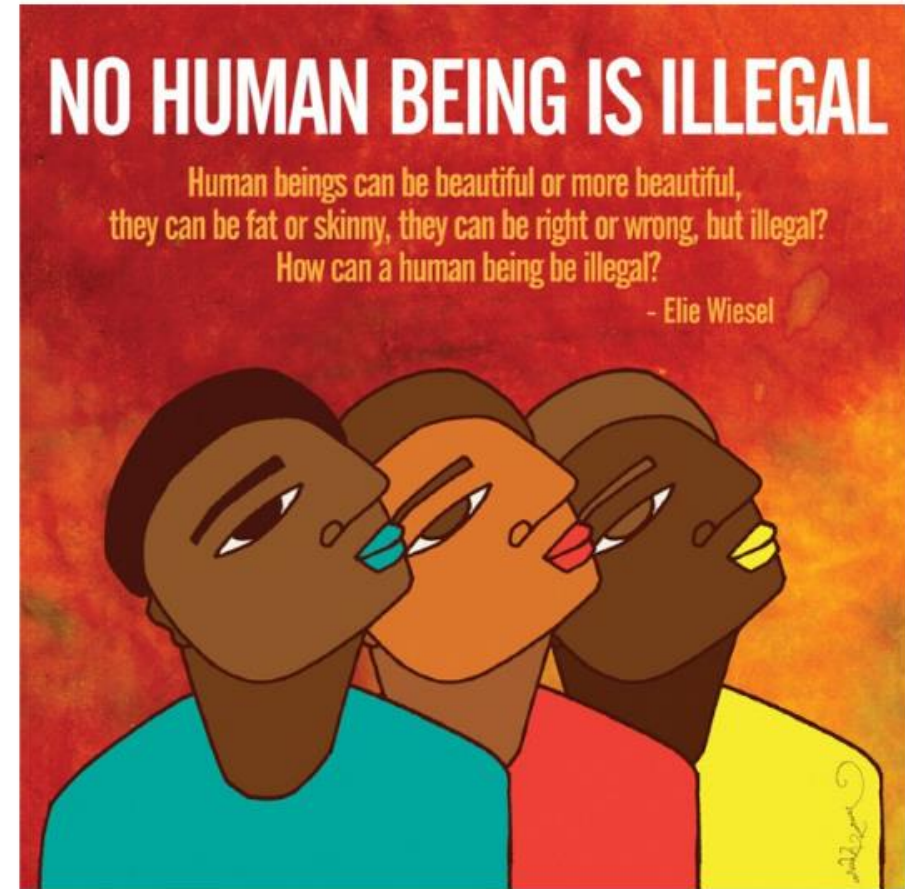
DACAmented

Asylum

1.5 Generation
Immigrant

UndocuQueer

DROPPING THE I-WORD
USE: "UNDOCUMENTED"



Artist: Favianna Rodriguez

Defining Undocumented

Entered without
Inspection

Entered with Legal
Status but
Overstayed

Deferred Action for
Childhood Arrivals
(DACA)

Currently in the
Process of Legalizing
their status

Demographics of Undocumented Immigrants

11 million undocumented immigrants reside in the U.S.

56% Mexico

15% Central America

14% Asia

6% South America

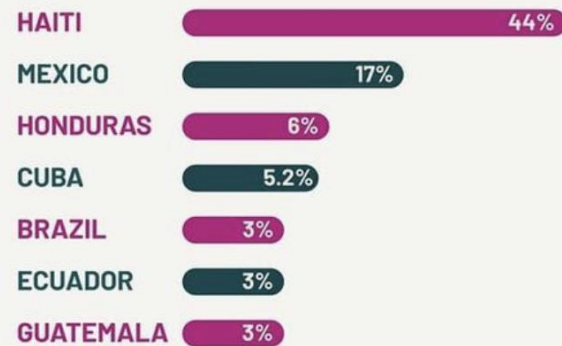
3% Africa

2% Caribbean

Immigration is a Black Issue

While 7% of non citizens in the U.S. are Black, they make up to 20% of those facing deportations according to Black Alliance for Just Immigration (BAJI)

FAMILIES IN DETENTION DURING COVID-19 PANDEMIC



SOURCE: RAICES, 3/1/2020 - 6/1/2020 @ KARNES COUNTY RESIDENTIAL CENTER

BAIL BONDS HIGHER FOR HAITIANS

2018-2020



SOURCE: RAICES

Indigenous Migrants

The Zero Tolerance Policy, disproportionately impacted indigenous migrant fleeing from Central America. Indigenous people from Central America flee to the U.S. for refuge, they often experience violence and poverty in their land.

Honoring Mayan migrants who died in immigration custody:

- Carlos Gregorio Hernandez, Maya Achi
- Felipe Gomez Alonzo, Maya Chuj
- Jakelin Caal, Maya Q'eqchi
- Claudia Patricia Gomez Gonzalez, Maya Mam

What is Deferred Action for Childhood Arrivals (DACA)?

Benefits

- 2 years deferral from deportation
- 2 year employment authorization

Limitations

- No legal pathway to citizenship
- Costly to apply/renew
- Temporary

Timeline

2012 Obama Administration introduced DACA by an executive order

2017 Trump Administration announced to rescind DACA

2020 DACA was fully reinstated after a Federal court decision

Where DACA Stands Today

First-time Applicants

Undocumented youth who were not granted DACA before September 2017 and meet eligibility criteria are allowed to apply for DACA as first-time applicants.

Advance Parole (travel document for re-entry to the U.S)

DACA recipients who are interested in traveling abroad for educational, humanitarian and family reasons can apply for Advance Parole.

Limitations

DACA is not available to all undocumented youths. Undocumented youth interested in applying for DACA for the first-time must meet eligibility criteria.

DACA Eligibility



AGE

Born on or after June 16, 1981
and
arrived before your 16th birthday



EDUCATION/MILITARY

Proof of high school diploma, GED,
and/or honorably discharged from
the military



NO LAWFUL STATUS

Proof of physical presence in the
U.S. since June 15, 2007
and
Proof of unlawful immigration
status as of June 15, 2012



BACKGROUND CHECK

have not been convicted of a
suspicion of a felony, significant
misdemeanor, three or more
other misdemeanors, and do not
otherwise pose a threat to
national security or public safety

700,000

Undocumented youth were granted DACA in the U.S.

13,000

DACA recipients currently reside in Nevada

One in seven U.S. born children in Nevada have one undocumented family member (2017, ACLU NV)

For children who live in a mixed-status family with an undocumented parent, live in fear that their family will be separated by deportation.

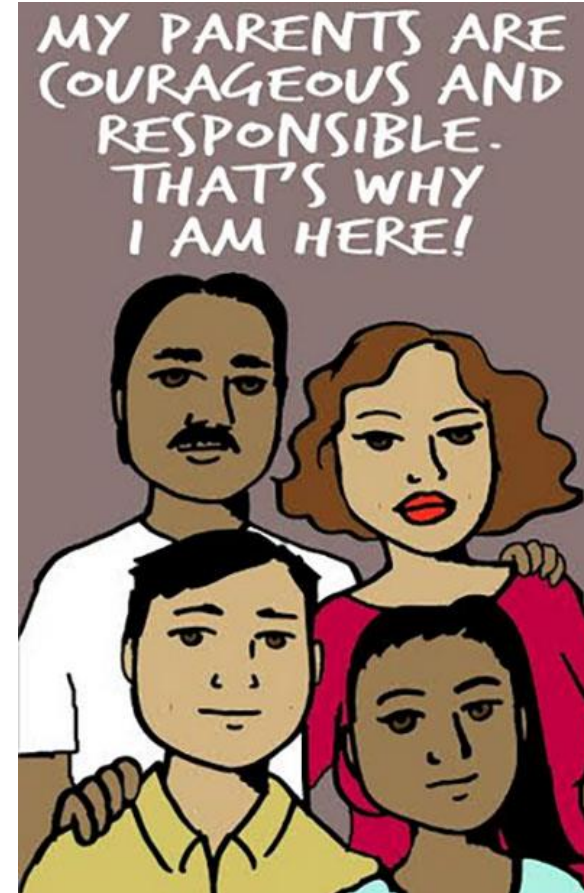


Illustration by Julio Salgado

Temporary Protected Status (TPS)

Temporary Protected Status (TPS) is a temporary immigration status and temporary work authorization provided to nationals of certain countries experiencing problems that make it difficult or unsafe for their nationals to be deported there.

A country may be designated for TPS for one or more of the following reasons:

- Ongoing armed conflict
- An environmental disaster
- Extraordinary and temporary conditions

1. El Salvador
2. Nepal
3. Nicaragua
4. Ginea
5. Honduras
6. Somalia
7. Syria
8. Haiti
9. Liberia
10. South Sudan
11. Sierra Leon
12. Yemen

Asylum and Refugees

A person who requests asylum in the United States is called an asylee. A person who requests protection while still overseas, and then is given permission to enter the U.S. as a refugee.

To be eligible to apply as a refugee or asylum status, you must proof of “persecution on account of race, religion, nationality, membership in a particular social group, or political group, or political opinion”

Refugees: are eligible to receive case management services that assist in employment, public assistance (limited), and education.

Asylum: are ineligible to apply for public benefits and are subject to wear an ankle monitor and routinely check in with DHS agent to ensure continue eligibility.

Education and Immigration

PLYER V. DOE

SCOTUS decided it was unlawful for a State to deny public education to children in K-12 education because of their immigration status.

ILLEGAL IMMIGRANT REFORM & IMMIGRANT RESPONSIBILITY ACT 1996

IIRIRA prohibits states from providing any higher education benefit based on residence to undocumented immigrants unless they provide the same benefit to U.S. citizens in the same circumstances.

PERSONAL RESPONSIBILITY & WORK OPPORTUNITY ACT 1996

Federal law that prohibits undocumented immigrants from access any federally funded program.

IN-STATE TUITION

States determine in-state tuition policies therefore access to higher education for undocumented students defer depending their state residence.

What is Public Charge?

Public Charge refers to an individual who is likely to become a “primarily dependent on the government for subsistence,” as demonstrated by either the receipt of public cash assistance for income maintenance or institutionalization for long-term care government expense. A person who is deemed as a “public charge” is inadmissible to the United States and ineligible to become a lawful permanent resident.

Public Charge cont.

In 2018, the Trump Administration and Department of Homeland Security (DHS) expanded the criteria of public charge. As of March 9, 2021, the federal government informed the U.S. Supreme Court that it will no longer defend the public charge rule issued by the DHS under the Trump Administration. DHS announced that it will restore the public charge policy described in the 1999 field guidance once the order vacating the DHS rule is final.

1999 Rule Compared to 2019 Public Charge Rule	
1999 Rule	2019 Rule (Trump Administration)
<ul style="list-style-type: none">• SSI• TANF• State/Local Cash Assistance Programs• Public Assistance for long-term institutional care (including Medicaid)	<ul style="list-style-type: none">• SSI• TANF• Federal/State/Local Cash Assistance Programs• SNAP• Medicaid (non-emergency)• Housing Assistance• Government-funded institutionalized long-term care

287 (g) agreement

287 (g) is an agreement between ICE and law enforcement agencies to allow trained local officers to identify, process and detain anyone for suspicion of having unlawful presence in the U.S. during their regular, law-enforcement activity.

(U.S. Immigration Customs Enforcement, 2021)

In 2019, Las Vegas Metro Police announced to end the 287 (g) agreement but Sheriff Lombardo stated Metro PD will continue to work with ICE at the Clark County Detention Center in removing persons without legal status who committed violent crimes (Nevada Independent, 2019)

Lyon and Nye County currently have 287 (g) agreements

Washoe County Jail and ICE

\$180

ICE pays to Washoe County Jail
per detainee, per day

- Washoe County, Parhump and Henderson collaborate with ICE to hold “ICE detainees” until their immigration court case or deportation
- There is no “fixed amount” for bail for immigration detention in Washoe County Jail
- ICE Contract with Washoe County Jail began in 2007

Criticism of 287 (g) Agreement

Misuse of local law enforcement resources. To participate in the 287 (g) program, local agencies must pay all training expenses.

The 287 (g) agreement does not make communities safer. Community members are less likely to report crimes or serve as witnesses due to fear of deportation or retaliation.

Increase targeting, questioning and arresting people based on physical appearance and race. The program can potentially lend itself to racial profiling and improperly question community members about their immigration status.

What's the difference?

Welcoming City (City of Reno)

- There are no legal set designation or definition
- No resolution to change city laws and policies relating to immigration
- Affirming the police department's rules about not profiling people based on race or ethnicity

Sanctuary City (Los Angeles, San Francisco)

- No legal set designation or definition
- Typically focus on policing and immigration with officers in those cities not assisting ICE in detaining people for the purpose of deportation

Safe Haven (Washoe County School District)

- There is no legal set designation or definition
- Affirming the school district will continue to follow federal privacy practices and Department of Homeland Security Memo on Sensitive locations



DHS Sensitive Locations Policy

What are sensitive locations?

The DHS 2011 Sensitive Locations memo prevents ICE from approaching you in certain public places. This means that ICE should not arrest, search, or interview you at these locations:



Hospitals



Schools (K-12, college and vocational schools)



Places of worship or buildings rented for religious services



Public religious ceremonies, such as funerals



Public religious ceremonies, such as weddings



During a march, rally, parade or other public demonstration

Immigration & Presidential Administration

- Trump Administration

- Zero Tolerance Policy
- Broaden Public Charge Rule
- Restricted Humanitarian Protection
- Increase Enforcement at the U.S.-Mexico Southern Border
- Rescind DACA, Temporary Protected Status

- Biden Administration

- Task Force to Reunify Families
- Develop a Humane approach to Asylum process
- Reaffirm DACA and explore options for legal pathway towards citizenship through legislation
- Halt U.S.-Mexico Southern border wall construction

Northern Nevada	Southern Nevada
<p>Catholic Charities of Northern Nevada 500 E. Fourth Street, Reno, NV, 89512 Phone: (775) 322-7073, ext. 730</p>	<p>Legal Aid Center of Southern Nevada 725 E. Charleston Blvd, Las Vegas, NV, 89104 Phone: (702) 386-1070</p>
<p>PLAN Citizenship & Immigration Program 495 Apple St., Ste. 108, Reno, NV, 89502 Phone: (775) 800-1851</p>	<p>Immigrant Home Foundation 2900 Stewart Ave., Las Vegas, NV, 89101 Phone: (702) 889-4431</p>
<p>Washoe Legal Services 299 S. Arlington Ave. Reno, NV, 89501 Phone: (775) 883-8278</p>	<p>Immigration Center for Women & Children 550 E. Charleston Blvd. Suite F Las Vegas, NV, 89104 Phone: (702) 430-7981</p>
<p>Tu Casa Latina (for victims of crime) P.O. Box 21218, Reno, NV, 89515 Phone: (775) 432-9929</p>	<p>Ethiopian Community Development Council-African Community Center 4534 West Hacienda Avenue, Las Vegas, NV, 89118 Phone: (702) 836-3324</p>

Immigration Advocacy Groups in Nevada

Progressive
Leadership
Alliance of Nevada
(PLAN)

Make the Road NV

Dream Big Nevada

Faith in Action
Nevada

ACLU NV

State Level Immigration Assistance

Office of New Americans-State of Nevada

Phone: (702) 486-0800

Email: ONAIInfo@ona.nv.gov

Website: www.ona.nv.gov

Report Notary Fraud

Report to the Secretary of State's Office

Phone: 1-800-460-8594

State Bar of Nevada: 1-800-254-2797

Federal Trade Commission: ftccomplaintassistant.gov

Best practice when working with Undocumented Immigrants

- Familiarize eligibility criteria of community based resources
- Be knowledgeable about community referral process of your own agency and outside resources
- Refrain from disclosing name and immigration status of client in emails, case notes, and/or documentation
 - Alternatives: “client is ineligible to for public assistance due to immigration status”
- Refrain from using “I understand” or “I know”
- Continue seek educational opportunities relating to immigration

Diversify Your Education

Films/Documentaries

- Don't Tell Anyone (2015)
- Immigration Nation (2020)
- Under the Same Moon (2007)

Social Media Pages

- @NSHEAll Access
- @UndocuPack
- @UndocuBlack
- @NYSYLC
- @UnitedWeDream
- @TPSAlliance

Artists

- Alan Pelaez Lopez, poet
- Yosimar Reyes, poet
- Julio Salgado, artist

Books

- Enrique's Journey by Sonia Nazario
- The Undocumented Americans by Karla Cornejo Villavicencio
- Once I Was You by Maria Hinojosa

Websites

- www.Immigrantrising.org

Contact Information

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Instagram: @UndocuPack



Illustration by Ashley Lukashevsky