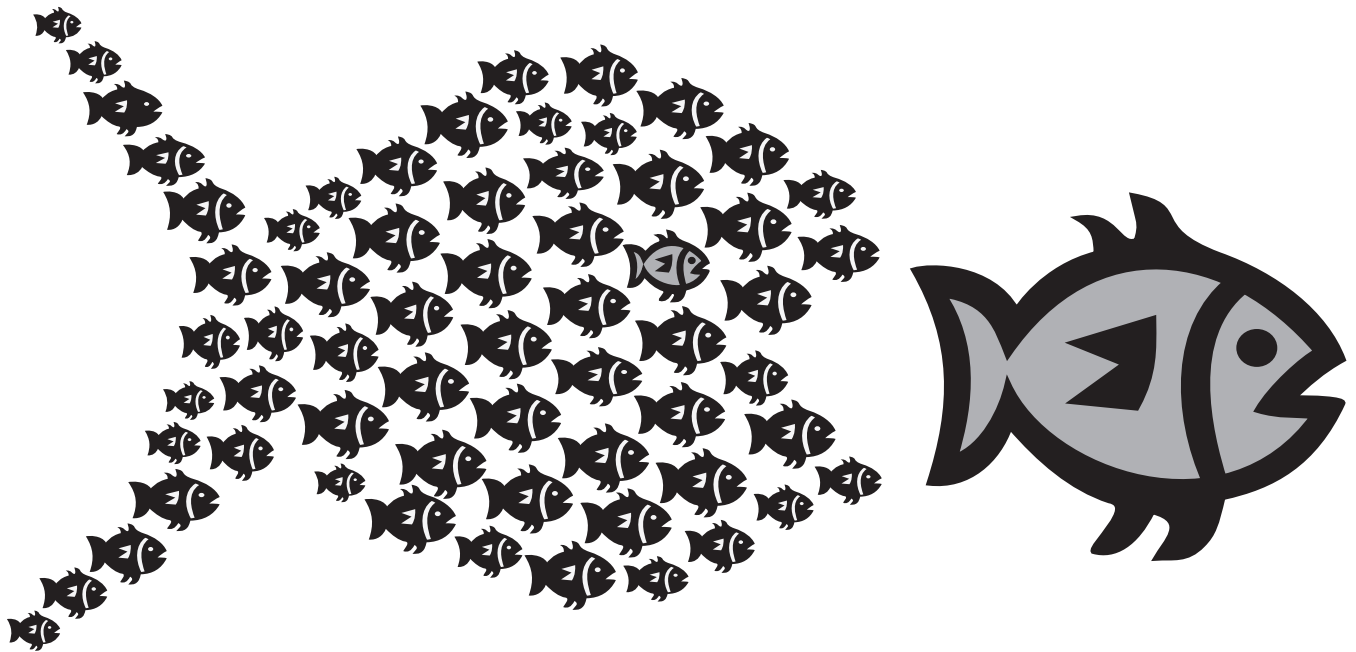


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# A.R.M. CASE CAMPAIGN & ORGANIZING MANUAL



Assist Ourselves  
Raise awareness  
Make 'em Bleed!

Prepared by Families for Freedom, Inc.

*If you have to leave, don't leave quietly!  
Make THEM lose sleep the same way we do!*

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# A.R.M. CASE CAMPAIGN & ORGANIZING MANUAL

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## INTRODUCTION: WHY USE THIS MANUAL?

Raids and arrests are devastating communities. Over 2 million people have been deported in the last decade. Deportation is a crisis, possibly the biggest one you've ever faced. And as soon as you start looking for help, doors close on you. The judges cannot grant you a pardon. Under the current laws your options are limited. The prosecutors have the final word. And powerful people act as though they are powerless.

**But here's a secret: YOU can build the power needed to win support for your case!**

**A.R.M. Case Campaign and Organizing Manual** is meant to assist anyone organizing to fight a deportation case and change the laws. We show you how to push lawmakers, foreign consulates, media, leaders, and neighbors to join your campaign to keep your family together. Community support is a key factor in pressuring Immigration to treat you and your loved ones with justice. Countless families and leaders have used this how-to guide to build local and national support on their campaign.

**A.R.M.** stands for **A**ssist Ourselves, **R**aise Awareness, **M**ake 'em Bleed. It is the organizing strategy developed by Families for Freedom to build the power of individuals and communities fighting against raids and deportations. Just like political candidates build a campaign when they want to get elected, you can also build a campaign to help protect yourself. You can speak out, make headlines, and get community leaders to back you up.

The **GOALS** of this manual are to teach you:

- Why it is vital to take action on your own case;
- Who in government has the power to grant your demands for relief;
- How to build community support on your individual case; and
- How to begin organizing more families directly impacted by deportation.

Today, thousands of people around America are standing up against deportations. Regular people are using their stories to educate others and gain support. We hope this manual helps you to fight smart and win big.



## ORGANIZING & ADVOCACY: EVERYONE MUST TAKE A STAND!

The ultimate goal of your case campaign is to keep your family safe and together. There are several steps to take along the way to help move you toward this goal. Start with **Step 1** below.

At each point in your campaign, the key is to identify what you want (**your DEMAND**) and the person that has the power to give it to you (**the TARGET**).

There are various people that have power in determining the outcome of your case. Several *demands* and *targets* are discussed in the following section about Prosecutorial Discretion.

Once you've identified your *demands* and *targets*, the next sections in this manual offer different tactics to approach your targets and build support for your family. Make a plan for your case campaign and be sure that the tactics you use for each *target* is the best option given the status of your case.



### **STEP 1: BEFORE YOU BEGIN YOUR CASE CAMPAIGN**

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- Get all of your documents in order
  - *Find, read and understand all your immigration and criminal paperwork. You can file a Freedom of Information Act request to help you gather your documents.*
- Create a list of specific demands
  - *It is not enough to say you want to keep your family together. For example, if you want someone released from detention, say so and tell targets how they can assist in making this happen.*
- Write up your story in your own words
  - *This allows you to frame you and your loved one's story the way you want it told and not the way the media wants to tell it.*
- **Strategize with your family and loved ones about the pros and cons of being involved in a case campaign (in other words, openly discussing your case with leaders & the media)**
  - *Know why you are going public and what you want this to accomplish. Not every case campaign requires media attention. Also, consider starting off targeting local press and leaders that can help you build your case campaign. This may allow your story to be picked up and supported by national press and leaders.*
- **Make sure your legal and advocacy work compliment each other**
  - *The aims of your legal case should be incorporated into your advocacy work. For example, if you need to get a stay of deportation, use your advocacy strategy to build community support to win this goal.*

## STEP 2: BUILDING YOUR CAMPAIGN

These are examples of primary and secondary targets, tactics and demands to help you reach your campaign goal! Keep in mind, these charts are meant to serve as a guide to help you brainstorm – they are not exhaustive lists.

Primary Targets	Possible Tactics	Demands for your individual case	Demands that can help you AND other families
 <ul style="list-style-type: none"> <li>• ICE Field Office Director-head of local ICE office</li> <li>• Special Agent in Charge-oversees arrests/ investigations</li> <li>• Supervisory Deportation Officer-in charge of detainees</li> <li>• Trial Attorney or District Counsel-prosecutes deportation cases</li> <li>• Enforcement and Removal Operations (DC office)-in charge of most post deport order detention cases</li> <li>• Office of Refugee Resettlement (handles detention for children)</li> </ul>	<ul style="list-style-type: none"> <li>• Congressional/ consulate support</li> <li>• Community and clergy delegations to deportation office</li> <li>• Media attention to your case</li> <li>• Phone/fax action alerts</li> <li>• Press conferences after major enforcement actions</li> <li>• Demonstrations outside ICE office or detention center (inside detention center, too)*</li> </ul>	<ul style="list-style-type: none"> <li>• Ask them to release you from detention</li> <li>• Ask for bond or a reduction in bond amount</li> <li>• Ask for a stay of removal while your case is pending in the courts</li> <li>• Ask for discretionary relief from deportation (<i>See the section on Prosecutorial Discretion for more information</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Ask them to follow their own regulations. Cite the regulations they have violated</li> <li>• Ask them to exercise their full prosecutorial discretion</li> <li>• Ask them to NOT racially profile</li> <li>• Ask them to take into consideration family concerns before arrests</li> </ul>  <ul style="list-style-type: none"> <li>• Ask them to investigate detention center abuses</li> </ul>
<ul style="list-style-type: none"> <li>• Immigration Judge (Executive Office of Immigration Review)-presides over deportation cases in immigration court</li> </ul>	<ul style="list-style-type: none"> <li>• Pack the court room with supporters</li> <li>• Letter writing campaign to the court</li> <li>• Demonstrations outside court house</li> </ul>	<ul style="list-style-type: none"> <li>• Exercise discretion</li> <li>• Public record in support</li> <li>• Ensure fair hearing</li> </ul>	<ul style="list-style-type: none"> <li>• Ask for increased discretion</li> <li>• Ask them to take a stand and support legislative fixes that increase their discretionary power (e.g., CCPA, HR 182)</li> </ul>

\* Detainees who organize hunger strikes, petitions, or other forms of protest inside detention are often subject to solitary confinement, transfers to other facilities, and other forms of punishment. Many detainees do these things despite the risk. People on the outside can work in solidarity and assist in ensuring the safety of detainees initiating and engaging in such actions.

Secondary Targets	Possible Tactics	Demands for your individual case	Demands that can help you and other families
<ul style="list-style-type: none"> <li>• Congress members and state senators</li> </ul>  <ul style="list-style-type: none"> <li>• City Council members or local government officials</li> <li>• State legislators, state officials, and state agencies (for example, child welfare and domestic violence agencies)</li> </ul>	<ul style="list-style-type: none"> <li>• Congressional visits</li> <li>• Call-ins</li> <li>• Attend congressional press conferences</li> <li>• Co-sponsor a press conference</li> <li>• Ask for public comment or statement</li> <li>• Letter requesting support</li> <li>• Congressional memos to other members of Congress</li> </ul>	<ul style="list-style-type: none"> <li>• Write a letter of support (especially for Prosecutorial Discretion package)</li> <li>• Sponsor a Private Bill (Congress)</li> <li>• Conduct an investigation on a facility or jail</li> <li>• Attend a press conference</li> <li>• Support a pardon (state legislature)</li> </ul>	<ul style="list-style-type: none"> <li>• Call for a Congressional hearing, General Accounting Office audit, or Office of Inspector General investigation</li> <li>• Introduce a local or state resolution or ordinance (especially against local enforcement)</li> <li>• Issue a statement denouncing ICE actions</li> <li>• Sponsor legislation</li> <li>• Sponsor local hearings and townhalls</li> <li>• Draft new legislation</li> </ul>
<ul style="list-style-type: none"> <li>• Consulates</li> </ul>	<ul style="list-style-type: none"> <li>• Vigils</li> <li>• Individual meetings with consular officials</li> <li>• Community meetings</li> <li>• Get media attention in ethnic press and local media outlets</li> </ul>	<ul style="list-style-type: none"> <li>• Help locate detainee</li> <li>• Investigate abuse in the detention facility</li> <li>• Ensure that all international laws are upheld by the U.S.</li> <li>• Ensure people who want to leave are allowed a speedy deportation</li> <li>• Prevent illegal and premature deportations</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that all international laws and norms are followed</li> <li>• Investigate detention abuse</li> <li>• Help them create protocols to prevent illegal deportations</li> <li>• Ask them to notify nationals of rights once arrested or at risk</li> <li>• Ask them to visit detention centers</li> <li>• Join in class action litigation</li> </ul>

Other Important Targets	Possible Tactics	Demands for your individual case	Demands that can help you AND other families
<ul style="list-style-type: none"> <li>• Criminal justice players</li> <li>• Judge assigned to your criminal case(s)</li> <li>• Prosecutor</li> <li>• Law enforcement officials (sheriffs, police, departments of corrections)</li> </ul>	<ul style="list-style-type: none"> <li>• Postcard campaigns</li> <li>• Letter to the judge/prosecutor</li> <li>• Public meetings</li> <li>• Consular intervention</li> </ul>	<ul style="list-style-type: none"> <li>• Ask for some people to be charged as “juvenile delinquents”</li> <li>• Reopen, vacate or re-sentence</li> <li>• Take immigration into consideration when charging, convicting, or sentencing</li> </ul>	<ul style="list-style-type: none"> <li>• Ask for policies that take immigration into consideration when charging, convicting, or sentencing</li> <li>• Ask local law enforcement NOT to work with ICE</li> </ul>
<ul style="list-style-type: none"> <li>• Public schools and other public agencies (child welfare agencies, school principals, etc.), religious institutions, unions, PTAs, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Group visits and meetings with agency officials</li> <li>• Letter-writing campaign</li> </ul>	<ul style="list-style-type: none"> <li>• Letter of support</li> <li>• Assist in creating support in the community</li> <li>• Letters documenting hardship to family</li> </ul>	<ul style="list-style-type: none"> <li>• Join your local New Sanctuary Movement chapter (<i>see Section on NSM</i>)</li> <li>• Join and support public actions and press conferences</li> <li>• Draft responses to raids/detention/deportations</li> <li>• Support legislation that TRULY helps people facing deportation</li> </ul>



Photo by Mizue Aizeki

## ASKING FOR DISCRETIONARY RELIEF

Although the laws are very rigid, the Department of Homeland Security's Bureau of Immigration and Customs Enforcement (ICE) has the ability to exercise its discretion at various stages in your campaign and can stop your deportation. The authority that ICE has to act favorably in a person's immigration case is called Prosecutorial Discretion (PD). It is a legal way of asking ICE to *not enforce* the law against a specific person. PD is often a last resort when all legal options have been exhausted or when cases are overwhelmingly sympathetic. Receiving PD may mean that you remain on lifelong parole in the United States. Getting PD comes down to pressure and politics. Often the best way to get it is to involve your community and elected officials in your immigration case.

### **NOTE: Prosecutorial Discretion is...**

NOT given by courts and judges

NOT a way to obtain legal status (instead, you might get lifelong parole)

NOT a solution for everyone

NOT always more effective with media attention on your case


NOT something you can appeal

Doris Meissner, the former Commission of the INS under President Clinton, wrote a memo on Prosecutorial Discretion outlining when the agency should use it favorably. Although dated and deeply underused, DHS maintains it is still valid. Factors taken into consideration include:

- Your immigration status
- Length of residence in US
- Criminal history
- Humanitarian concerns
- Immigration history
- Likelihood of ultimately deporting the immigrant
- Likelihood of achieving enforcement goal by other means
- If the person is (likely to become) eligible for relief
- Effect of action on future admissibility
- Current or past cooperation with law enforcement
- Honorable US military service
- Community attention
- Resources available to DHS
- If interest served by prosecution would not be substantial



**When seeking PD, you have to know exactly what and who to ask. Some examples are:**


When	Targets	Demands
<p><b>Before Removal Proceedings</b></p> 	Special Agent-in-Charge ICE Field Office Director	ICE should not conduct arrests or raids or should conduct them in line with X principles and regulations
	ICE Field Office Director (head of local ICE office)	ICE should not transfer detainees across the country
	ICE Field Office Director Other DHS officer authorized to issue a Notice To Appear (NTA)	ICE should not issue the NTA  DHS should cancel NTA before it is filed at the Immigration Court
	District Counsel or Trial Attorney	Move to dismiss the NTA
<p><b>In Removal Proceedings</b></p>	Field Office Director District Counsel	Ask DHS for release on bond or parole (when someone is technically not bond eligible)  Ask to support you in the other type of relief you're seeking before the immigration judge – for example, a Joint Motion to Terminate Proceedings
<p><b>After Removal Proceedings (But Before Removal)</b></p>	Field Office Director Enforcement and Removal Operations-DC (if in detention 180 days after deport order)	Ask for an agency <b>stay of deportation</b> .  Ask for <b>deferred action</b> (even if you have a removal order, the government can choose not to deport you)  Ask for a release under an order of supervision

*Prosecutorial Discretion Chart made with help of City University of New York Immigrant Rights Clinic. Updated: 3/17/10*

# KEY TACTICS

## FAVORABLE FACTORS

You can't just say that you or your loved one is a good person. To fight deportation, you have to PROVE IT. The more paper, the better. For example, don't just say, "I have 3 US citizen kids." Copy their birth certificates or naturalization certificates. Below is a list of factors that judges, Immigration and Congressional offices consider when they see your case. Collect whatever you have. Keep all your documents in one folder.

FAVORABLE FACTOR	Supporting Evidence
<input type="checkbox"/> Family ties in the United States 	<ul style="list-style-type: none"><li>• copies of family members' naturalization certificates and/or green cards</li><li>• letters of support from family members</li></ul>
<input type="checkbox"/> Long-term residence in the United States, especially if residence began at a young age	<ul style="list-style-type: none"><li>• US school diplomas</li><li>• letters of support from long-term friends in US, former teachers, neighbors, landlords</li></ul>
<input type="checkbox"/> Hardship to yourself and/or to family members if deportation occurs	<ul style="list-style-type: none"><li>• reports from counselors. Whenever possible, actively seek therapy and get a letter from therapist documenting psychological hardship on you and family members (especially children)</li><li>• letters from schools of younger children, documenting any change in behavior since deportation started</li><li>• medical reports showing material dependence of family member on you (the person being deported)</li><li>• medical reports documenting your own health problems and need for family support here</li><li>• written proof that elderly parents, young children, pregnant spouse, etc. will suffer if you are deported</li><li>• written household budget that highlights family's dependence on you for payment of rent/mortgage, children's educational expenses, child support, medical expenses, utilities, and food</li></ul>
<input type="checkbox"/> Service in US Armed Forces	<ul style="list-style-type: none"><li>• enlistment and honorable discharge papers (DD 214)</li><li>• certificates for all service given and honors received</li><li>• letters of support from fellow enlistees, officers, and superiors in Armed Forces</li></ul>

**FAVORABLE FACTOR****Supporting Evidence**

<input type="checkbox"/> History of employment	<ul style="list-style-type: none"><li>• letters of support from current/former employer(s) discussing your merits as a worker</li><li>• tax returns, W-2 Forms</li></ul>
<input type="checkbox"/> Property or business ties	<ul style="list-style-type: none"><li>• deed/mortgage/lease of home</li><li>• letters of support from employees</li><li>• ownership documents of business (especially if business supports family expenses and/or provides jobs to other people)</li></ul>
<input type="checkbox"/> Service to community	<ul style="list-style-type: none"><li>• letters of support from religious groups, PTAs, and other local organizations with which your family is involved</li><li>• awards for or documentation of community service</li></ul>
<input type="checkbox"/> Genuine rehabilitation	<ul style="list-style-type: none"><li>• proof of programs and work in prison/jail</li><li>• proof of attendance for rehabilitation program or support groups like Alcoholics Anonymous (including letters from counselors/group leaders documenting your progress)</li><li>• certificates for (or proof of enrollment in) continuing education (for example, GED, college courses, business and/or trade skills)</li></ul>
<input type="checkbox"/> Good character	<ul style="list-style-type: none"><li>• tax returns documenting consistent payment and good tax history</li><li>• letters of support from corrections/parole/probation officers, judges, lawyers, community leaders, local elected officials, clergy</li></ul>
<input type="checkbox"/> Political support	<ul style="list-style-type: none"><li>• letters of support and phone calls from elected officials (council members, mayors, members of Congress)</li></ul>

## LETTERS OF SUPPORT

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Fill the blanks below with the name of the person being deported. Put your name in the last line, and add a deadline for people to write and return their letters. Make a list of everyone you know and give the request for a letter of support to each of them. Follow up with phone calls and reminders. Get a close friend to help you collect letters. All letters of support should be in English or, if in another language, you should get an accurate English translation.

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### URGENT!

**Letters of support needed for** \_\_\_\_\_

\_\_\_\_\_ is facing deportation. We, as family members and loved ones, are fighting it. Our success depends on your help! We need you to write a one-page letter of support in your own words. Please neatly write or type the letter. If possible, put it on \*organizational\* letterhead. You may begin the letter:

*[Today's Date]*

To Whom It May Concern:

I am writing with regards to \_\_\_\_\_. He is currently at risk of being deported to \_\_\_\_\_. His family and community are here, and we need him to stay with us.

Continue the letter including these points:

- **Background:**  
who are you (profession, place you live, etc),  
how long you have known \_\_\_\_\_ (use his first name),  
and what is your relationship (friend, family, attended same church, etc).
- **Community support:** describe the good things \_\_\_\_\_ has done in the community or for you personally.  
**BE SPECIFIC.**
- **Family:**  
talk about the effects deportation and detention are having on the family.  
If you know them well, describe them and how they got along with \_\_\_\_\_.  
If possible, describe how the family depends on \_\_\_\_\_ financially and emotionally.
- **Safety:** Explain briefly why \_\_\_\_\_ is not a threat to society.
- Sign the letter with your full name. Get it notarized whenever possible.
- Put letter on company letterhead if possible and include your work title.

**We need your letters to save our loved one.**

Please return your letter of support to \_\_\_\_\_ by \_\_\_\_\_.

Thank you!

## CONGRESS



Nearly every case campaign requires the support of elected officials – especially members of Congress. After you identify your demands and points where members of Congress can help, reach out to your representative and senators.

### Identify your representatives:

Congress has 2 parts: the Senate and the House of Representatives. Members of Congress keep offices in Washington D.C. and the local district they represent. Find out who are your Senators (2) and Congressperson (1), to target for help.

1. Call the Congressional switchboard 202-224-3121 or 202-225-3121. Tell them your home address, and they can tell you who are your 2 Senators and 1 Congressperson.
2. Call your elected officials' offices and get the names of the **Immigration Caseworker** (local district office) and **Immigration Legislative Aide** (DC office).

	Senate		House of Representatives
	Senator 1	Senator 2	Congressperson
<b>Name</b>			
<b>Immigration Caseworker (District Office)</b>	NAME: PHONE: FAX:	NAME: PHONE: FAX:	NAME: PHONE: FAX:
<b>Immigration Legislative Aide (DC Office)</b>	NAME: PHONE: FAX:	NAME: PHONE: FAX:	NAME: PHONE: FAX:

### Set up an appointment.

When you speak with the Immigration Caseworker or Legislative Aide, they will almost always insist that they can't get involved in deportation matters. That's a lie! They can do a lot for your case. But don't waste time arguing. Avoid discussing details over the phone. Just demand a meeting in person. A good line to use is, "I am a constituent. I have the right to a meeting. I don't feel comfortable talking on the phone."

### Prepare your demands.

You can't go into the congressional office and say, "Stop my deportation!" Congress *cannot* tell a judge what to do. But they *can* tell Homeland Security to exercise power to not deport you. Before you go to your Congressional office, figure out what you are asking them to do. Bring the legal papers and favorable factors you have gathered to document your case.

### Always ask for responses in writing.

Remember, much of our goal in gathering support is to get decision-makers to take a stand. Always prepare your requests for a Congressional office in writing and always demand a written response, *especially* if the office tells you they cannot help you. This way you can seek out help from other Congressional offices. More importantly, it is more difficult for them to articulate what they can't do for you in writing. Congressional offices often do not want to be on record saying they can't help you.



## MEDIA

Deportation tears apart families. It wastes taxpayer dollars. It's double, even triple jeopardy, as people get deported for settled matters and then face persecution again back home. Most people don't know anything about how the system really works. Media can be a great weapon in your fight against deportation.



But before you try calling newspapers or TV stations, make sure you know: Why am I speaking out? What is my message? Who should I contact? Below are some points to consider.

### WHY AM I GOING TO THE PRESS?

- To pressure my Congressperson to help me.
- To educate the general public about deportation.
- To educate others at risk about deportation.
- To expose specific people/agencies abusing my loved one.

Other: \_\_\_\_\_

### Get your facts straight.

Sometimes people feel ashamed of the reasons they are being deported. For example, if you have criminal convictions, you may be tempted to lie about them. But when speaking publicly, you have to be prepared to be honest. If you are caught lying, it will hurt you more. So get your side down. If you have a lawyer, you may want to ask him/her for help. Figure out what you do and don't want to disclose, and the facts you want to emphasize. Role-play with friends.

### Make talking points.



Reporters are busy (or at least they think they are). They want to hear in **30 seconds** why they should cover your story. Before you call, think up a few sentences to explain:

- **News hook:** What JUST happened that must be covered. Why is your issue timely? Sometimes an anniversary or recent/upcoming event gets journalists interested.
- **Key facts:** What or who is the story about? This should include facts about the person/family in focus, and about the bigger system that's the issue.
- **Message:** Why does your story matter? This is an opportunity to propose how the journalist should write about the story. Don't just repeat the facts – frame them. If you have demands (for example, that your Congressperson speaks out against your deportation; that Homeland Security gives you prosecutorial discretion; that the jail guards stop beating you), make them clear. Most journalists know nothing about the deportation system. Help them to focus, focus, focus.

### Make a press list.

There are thousands of newspapers and TV and radio stations. You can't call them all. And bigger is not always better. Tips for getting strategic and helpful coverage:

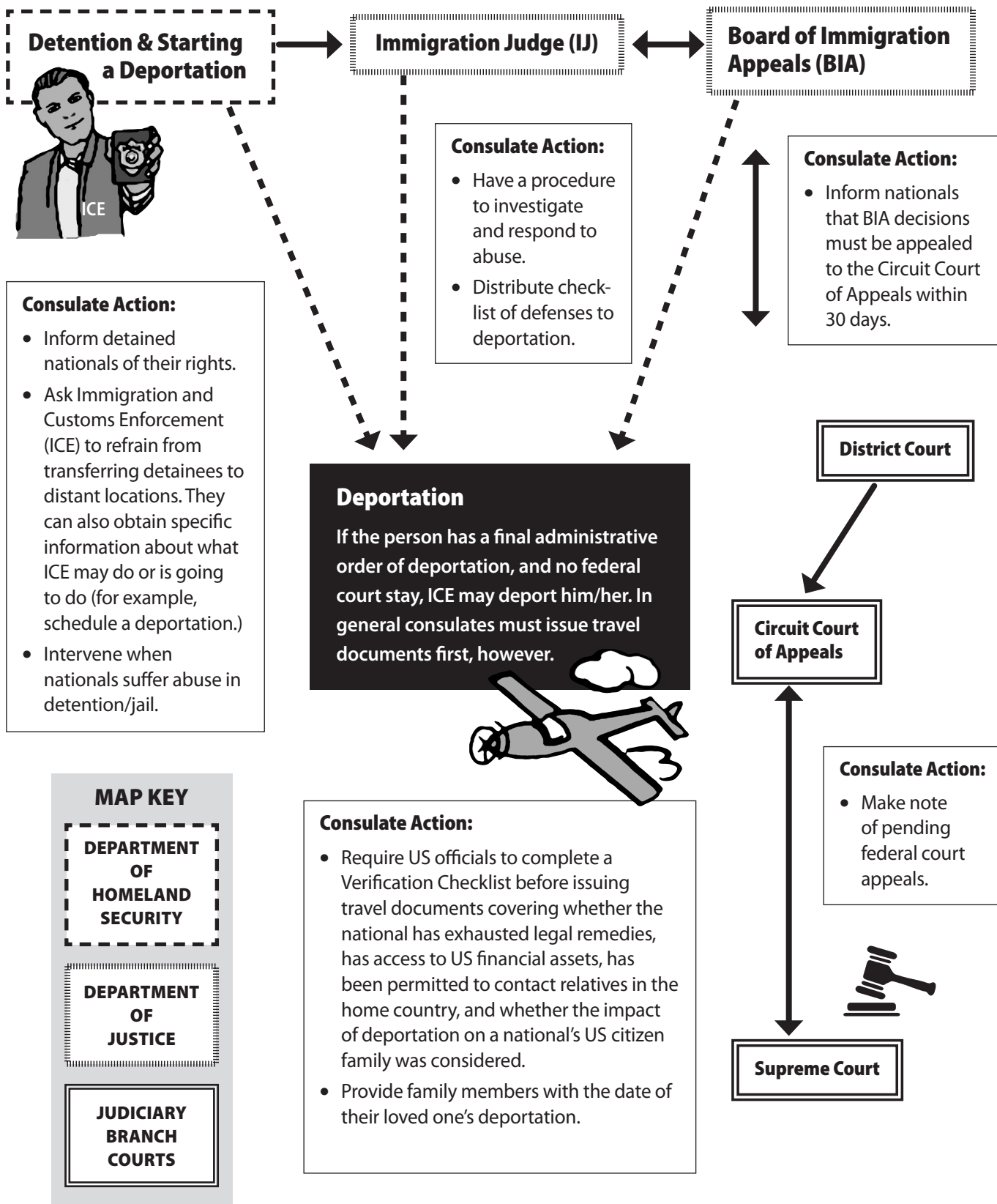
- Decide whose attention you want. For example, if you are trying to influence local leaders and community members, the hometown paper may be a better choice than the *New York Times*.
- Identify any reporters assigned to your specific issue (for example, immigration or prison beat). You can call the media outlet and ask, "May I have the name of the reporter who covers immigration issues in Brooklyn?"
- Watch out for journalists who give your issues a bad spin. For example, if reporter "Lou Im-Aracist" only talks about immigrants as "diseased aliens," you **don't** want to call him!

### CALL!



You've done a lot of work to prepare. You know your facts and your message. Now make the calls! Reporters are so used to getting calls from boring professionals; they will be thrilled to hear from a real person. Keep an organized record of who you spoke with and each conversation. Follow up with them when you say you will.

# CONSULATE INTERVENTIONS MAP





## FOREIGN CONSULATES

There are several ways that your home country can intervene in immigration proceedings. These recommendations can be used to push foreign consulates to protect the rights of their nationals. Use these recommendations to help hold consulates accountable for the obligations they have to protecting their nationals' rights in the deportation process.

### **CRIMINAL ARREST**

#### **Recommendation One: REQUIRE NOTIFICATION OF ARRESTS AS PROVIDED FOR BY THE VIENNA CONVENTION**

- ➡ Persuade all law enforcement agencies (including the Department of Corrections) to notify *all* arrestees of the rights of foreign nationals to contact their consulates.
- ➡ Mandatory notification: consulates should insist that law enforcement agencies contact them immediately upon discovering that an arrestee is a foreign national.
- ➡ Insist that law enforcement notify consulates *before* sharing information about detainees with Immigration and Customs Enforcement (ICE).
- ➡ Develop a pocket card informing nationals of their right to contact the consulate upon arrest and distribute it to nationals.

*Most immigration problems begin when nationals are given inadequate advice about the criminal system.*

#### **Recommendation Two: TAKE ACTION ONCE A NATIONAL IS ARRESTED**

- ➡ Inform arrestees that criminal convictions – even pleas to misdemeanors – may have potential immigration consequences and that they should obtain legal representation.
- ➡ Implement a standard written policy that details the actions that a consulate is required to take immediately upon notification that a national has been arrested. These actions should include:
  - Provide all arrested nationals with a written warning about the potential deportation consequences of a conviction. Include self-help resources.
  - Communicate with the arrestee or family members to help them obtain information or legal representation.

### **IMMIGRATION ARREST**

#### **Recommendation Three: TAKE ACTION WHEN A NATIONAL IS DETAINED BY IMMIGRATION**

- ➡ Provide all detained nationals with deportation assistance resources immediately when they are detained. The materials should also explain the deportation process.
- ➡ Prevent ICE from transferring detainees to distant locations where consulates would be inaccessible.
- ➡ Provide an 800 number for detained nationals to contact their consulate.
- ➡ Implement a standard written policy that details the actions that a consulate is required to take immediately upon notification that a national has been detained by immigration. These actions should include:
  - Always provide family members with information about a detained national's location and alien registration number (A#). Consulates can locate a detained national more quickly than his or her family.
  - Write letters of support for nationals who would suffer hardship due to illness or other reasons if deported. These letters can help convince government lawyers to exercise prosecutorial discretion in favor of a national, or convince judges in immigration court to grant discretionary relief.

*Though similar to criminal arrests, immigration arrests require heightened vigilance: procedural protections of rights are lower **AND** lifelong exile is a possible outcome.*

## **TRAVEL DOCUMENTS**

### **Recommendation Four: IN-PERSON INTERVIEW WITH NATIONAL**

- ➡ Interview nationals in-person.
- ➡ Verify every national's identity.
- ➡ Check that the national is not being deported prematurely.
- ➡ Check that the national has not been subject to abuses or other rights violations in detention.

*The US deports people to non-contiguous countries only if a deportee's home country issues travel documents.*

### **Recommendation Five: REQUIRE TRAVEL DOCUMENTS BEFORE EVERY DEPORTATION**

- ➡ Require that a travel document be issued prior to every deportation, even if a national has a passport.
- ➡ Before issuing travel documents, make sure all the national's rights in the deportation process have been exercised and that the national has exhausted all legal and judicial remedies, including appeals.

### **Recommendation Six: MAKE REQUIREMENTS FOR ISSUING TRAVEL DOCUMENTS**

- ➡ Require *verification before* issuing travel documents.
- ➡ Hold travel documents until *all* legal remedies have been exhausted.
- ➡ Ensure that nationals are not deported prematurely and in violation of their rights.
- ➡ Provide US officials with a *Verification Checklist* and require US officials to answer *in writing* all of the following:
  - Whether the national has exhausted all legal remedies, including all judicial remedies;
  - Whether the impact of deportation on a national's US citizen family has been taken into consideration;
  - Whether the national has access to his/her financial assets in the US, including accrued retirement savings and pensions; and
  - Whether the national has been permitted to contact his/her relatives in the home country.

### **Recommendation Seven: NOTIFY FAMILIES OF DEPORTATION DATES**

- ➡ Provide family members with the date of their loved one's deportation, even if DHS requests to the contrary. Families may make arrangements in preparation for deportation, alleviating the burden on home governments.

## **DETENTION CONDITIONS**

### **Recommendation Eight: INTERVENE AGAINST ABUSE OF NATIONALS IN JAILS AND DETENTION CENTERS**

- ➡ Visit detention centers to investigate complaints of abuse.
- ➡ Intervene when detention facilities do not accommodate detainees' religious beliefs, language needs, and dietary needs.
- ➡ Ask US government officials to conduct official investigations into detainee abuse. Even when official investigations do not produce official findings, the treatment of detainees in facilities subject to investigation improve dramatically.

*People in immigration detention are often subject to the same harsh conditions as criminal prisoners, but they may have less protection from abuse because people assume "detention" is not "prison."*

## SUPPORT FROM RELIGIOUS INSTITUTIONS

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Connect your family's struggle to your community. If you are affiliated with a religious group, sharing your story with your religious community can help you. Ask a religious leader to make a statement, write letters, and lead others in supporting you and your family. Religious leaders are also helpful in a meeting with members of Congress, Immigration & Customs Enforcement (ICE) officials, and other key targets. You may be surprised to see how many other members of your community are affected by detention and deportation along with you.

### **\*\*Join your local New Sanctuary Movement (NSM)\*\***

#### ***Background***

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In the early 1980's, thousands of Central American refugees poured into the United States, fleeing life-threatening repression and extensive human rights violations by their governments.

At the time, federal immigration policy would have denied the majority political asylum simply because their governments were allies of the US. Many of these refugees had actively participated in the liberation theology movement and naturally sought protection from congregations.

Many Catholic, Protestant, and Jewish congregations and temples responded positively -- offering these refugees social services and advocacy support as well as engaging actively in efforts to change federal immigration policy. These congregations, united under the banner of the Sanctuary Movement, also pledged that they would not reveal the identities of these refugees, even if they were arrested or jailed for doing so.

The Sanctuary Movement was ultimately successful both in changing national policy and in protecting tens of thousands of individuals and families, enabling them to start a new life in the US.

Now, over 25 years later, religious leaders across a broad spectrum of denominations from 10 states are coming together to begin a New Sanctuary Movement to accompany and protect immigrant families who are facing the violation of their human rights in the form of hatred, workplace discrimination, and unjust deportation.

As an act of public witness, the New Sanctuary Movement enables congregations to publicly provide hospitality and protection to a limited number of immigrant families whose legal cases clearly reveal the contradictions and moral injustice of our current immigration system while working to support legislation that would change their situation.

#### ***YOU Can Get Involved***

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Families for Freedom began collaborating with the New Sanctuary Coalition of NYC in April 2007, when two of our members became the first families in New York to seek sanctuary. Since our partnership began, we have been working closely with religious leaders and congregants to build and support anti-deportation campaigns.

Sanctuary is not a community. It is an invaluable, mutual support network grounded in faith and justice. To get involved, visit <http://newsanctuarynyc.org> or call 646-395-2925 for information.



# SAMPLE LETTERS

December 12, 20XX

## **Elected Official**

Re: XXXXX XXX (A# \_\_\_\_\_)

Dear Senator XXXX:

I am writing from \_\_\_\_\_ to request your support for our member and your constituent, XXXXX. She currently faces deportation to Trinidad for a 1990 drug possession conviction. She has legal resident and citizen family in the United States, including her only grandchild. \_\_\_\_\_ entered the country as a legal permanent resident in 198X. She holds fulltime employment as a \_\_\_\_\_ at \_\_\_\_\_. She has strong community ties, is fully rehabilitated, and poses no threat to society.

In 1990 XXXXX was found guilty of a one time nonviolent drug offense upon trial. She was sentenced to fifteen years to life under the Rockefeller Drug Laws. She was released from Bedford Hill Correctional Facility in 2001, five years before her minimum sentence, because of good behavior.

XXXXX was placed in deportation proceedings while in Bedford Hill Correctional Facility, after passage of the 1996 immigration laws. The Immigration Judge ordered her deported in January X, 199X. The Board of Immigration Appeals dismissed her case on April X, 1998. XXXXX filed a habeas petition to challenge the court's decision to deny her a hearing for 212(c) – a discretionary form of relief available to green card holders with pre-1996 convictions. The Department of Homeland Security (DHS) is granting 212(c) hearings to people who pleaded guilty to crimes before 1996, but not to those who (like XXXXX) went to trial. She will receive a judgment from the federal court any day now, and almost certainly lose this appeal.

We are now appealing to the DHS to allow XXXXX to remain here, despite her deportation order. The Bureau of Immigration and Customs Enforcement, within DHS, has the power to grant XXXXX prosecutorial discretion – a non-binding agreement in which the noncitizen lives and works in the U.S. and reports regularly to the immigration office. It may be revoked whenever the government wishes. We are submitting a request for prosecutorial discretion to District Director XXXXXXX. Congressional support would greatly strengthen our request.

XXXXX fully understands and accepts that she has made mistakes. But she deserves a second chance. She is quickly re-establishing herself in New York and becoming a model citizen. XXXXX is successfully putting her life back together. She does not deserve to see it torn apart now. We ask for your support so that XXXXX may remain in this country.

Sincerely,

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## Sample Letter—Letterhead

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December 20, 20XX

Attn: Immigration Caseworker  
Office of Rep. XXXX XXXX  
222 Address  
NY, NY 1XXXX

Dear Congressman \_\_\_\_\_,

We would like thank you for meeting with us on October 23 to discuss the case of our co-founder, church sister, and family member, XXXXXXX. We are writing you now with an urgent plea for help. This week, XXXXXXX had all open criminal charges dropped. However she still has an immigration detainer because she is out of status and has one past conviction. Our family has retained XXXX, a criminal attorney, to represent her in immigration proceedings.

According to every immigration expert we have spoken to, because of her controlled substance offense in 1988, XXXXXXX has no options for relief in immigration court. Her only chance for staying in the country is if the Department of Homeland Security decides to exercise prosecutorial discretion in the case. As we have been advised, prosecutorial discretion is most effective when exercised before immigration court proceedings begin. More importantly, prosecutorial discretion is most effective when there is significant community attention, including from elected officials.

To remind you of the details of the case, XXX and the XXXXXXX were married in Trinidad at a very young age. While XXXXXXX was pregnant, her husband abandoned his family and left for the United States. Heartbroken, XXXXXXX came to the United States illegally in 198X to look for her husband. She became involved with another man in an abusive relationship. The man coerced her into illegal activity and also had a child with her. She was arrested in 1988 and convicted of attempted criminal sale of a controlled substance in the third degree. She was sentenced to probation. She was rearrested in 1989, made bail, and fled her abusive relationship and the authorities.

Her estranged husband, XXX, however, had made a 360 degree conversion to Christ and brought her and her new son back into the family for all of them to heal together. Eventually, XXX became an ordained minister and XXXXXXX and he established their own church in XXXX. Ten years later, that church now has over a hundred congregants and is a vital service to the community. Pastor XXX and his wife have counseled many people in the community about the dangers of drugs and gangs.

XXXXXXX has not had an arrest in the past 16 years. XXXXXXX has been a blessed part of this community since she helped found this church 10 years ago. Every person she touches feels her presence and her positive energy. She is not the same person she was 16 years ago and is not in the same relationship. She is now in a loving relationship with Pastor XXX, her family of three children, and her church.

Our church and our community need XXXXXXX. We ask that your office write a letter of support urging Homeland Security to exercise favorable prosecutorial discretion in her case. If she is deported, it will not only hurt her children and husband, it will hurt the entire congregation and the community. Please respond to this request in writing. Thank you very much for your time.

Sincerely,

XXXXXXXXXX

The Congregation of Spanish United Pentecostal Church

## Sample Letter to ICE from Member of Congress

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May 25, 20XX

**To: Craig Robinson**

Field Office Director, New Orleans ICE  
701 Loyola Avenue, Rm. T-8011  
New Orleans, LA 70113

**To: Nancy Hooks**

Field Officer-in-Charge, ICE  
1010 East Whatley Road  
Oakdale, LA 71463

Re: XXXXX (A# XXXXX)

Dear District Director Robinson and Officer Hooks:

I write to urge your office to grant supervised release and deferred action to XXXX XXXX, a long-term green card holder currently detained at Oakdale Federal Detention Center. Mr. XXXX has been married to a naturalized U.S. citizen, XXXXX XXXX, for sixteen years. The couple has a beautiful eight-year-old daughter XXX, born and raised in Brooklyn. He has overwhelming community support, documented through support letters and petitions. The imminent removal of Mr. XXXX to Guyana would devastate his family financially, emotionally, and spiritually. Please exercise discretion to reunite them.

Prior to detention, Mr. XXXX was supporting his family and organizing activities with children at his wife's church. Mr. XXXX himself is a devout Rastafari. His religious practice to date has included being a strict vegetarian, growing his hair, reading the Bible, and smoking marijuana as part of his sacraments. This last practice is in violation of our laws, and as a result Mr. XXXX faces imminent deportation. Since his detention, Mr. XXXX has promised that he will stop **ALL** use of marijuana, because his family is more important to him. He has taken responsibility for his mistakes, and the effects that his mistakes have caused on his family.

Since Mr. XXXX's detention, his wife XXXXX has been struggling to maintain a normal, healthy life for their daughter. But the family is suffering tremendously. As the sole income provider, XXXX is a chronic diabetic who takes insulin daily. XXX's grades are dropping and her teachers see a notable difference in her ability to concentrate and get along with her peers. XXX has even seen a pro bono child psychologist, who has insisted that XXXX's emotional problems will become permanent if she is not reunited with her father.

XXXXXX and XXXX came to our office in Washington D.C. last September, desperate for help. They have been garnering community support, to demonstrate that Mr. XXXX deserves a second chance. They are now filing for deferred action. In no way is the family trying to excuse his past mistakes. If granted deferred action, he is committed to observing the terms of his supervised release, and his family and community supporters are committed to helping him reintegrate into society. Mr. XXXX fully understands the severe consequences should he violate these terms, and is committed to meeting the terms set by the Department of Homeland Security.

We urge you to use the discretion you have under the law to return Mr. XXXX to his life as a father and breadwinner. His release serves the best interests of his family, and society at large. Should you have any questions, please contact me at \_\_\_\_\_.

Yours truly,

XXXXXXXXX XXXXXXXXX

Congress member

# BEGIN ORGANIZING WITH FAMILIES FACING DEPORTATION (the FFF model)

Use your case to involve more families and win local and national policy changes!

As detainees, deportees, and families facing deportation, we are NOT just victims. Many of us have been forced to navigate one of the most complex processes by ourselves. We have often circulated petitions, coordinated detention center visits, and even organized hunger strikes and sanctuary. But our involvement in advocacy should not end with families either becoming clients or just being mouthpieces at press conferences. Families should be supported when we organize to confront the problems we face.

Families for Freedom has developed a specific model for organizing families facing deportation in an effort to be an organization *by and for families facing deportation*. Although there are different ways to help families organizing to fight deportation, here are some basic tips to get started.

## **STEP 1: Setting up a meeting**

One of the worst parts of the deportation process is the isolation. Many people feel alone and feel like no one else can understand what they are going through. Set up a meeting *only* for families facing deportation (including former detainees) to meet each other. With a possible exception of a facilitator or translator, there shouldn't be any advocates, social workers, or community activists in the room that aren't facing deportation. This should be a space where people facing deportation can openly talk to each other.

### **What is on the agenda of the first meeting?**

Hopefully there will be 2-3 hours available for the meeting. The meeting can have three basic components:

Support (Assist ourselves), Education (Raise awareness), and Action (what we call Make 'em bleed!).

- **Support:** This component is basic support group stuff with a twist. People can respond to questions like "How are you feeling?" and "What are your main struggles right now?" Be prepared, because this part is always hard emotionally. The important thing is that folks are specific about what they are going through. Finally the question should come up (Make sure you have a chalk board or a butcher paper to right down one word responses): Who is causing your struggles? (Ask for one or two word answers.) Save these responses for later.
- **Education:** A lot of us facing deportation feel like we don't know anything, but we actually know quite a bit. For example, a lot of detainees did their own legal cases. A lot of families created carpools to detention centers. Whenever you ask people for a solution to any problem (war, pollution, a stupid president), they always answer "education." But some education is *disempowering* if it is not based on what you already know. In order to make the experience more empowering, start a curriculum-building exercise. Ask everyone a basic question (if the room is able to write, do a free-write): What do you know now about the deportation process that you wish you knew before you were in it? By the end, families will have come up with a list of tips that can help other people facing a similar situation. Save these responses for later.
- **Action:** Give yourself at least an hour to identify actions. Set out a timeline for 3-6 months. Ask the families in the room to brainstorm: What is one thing EACH OF US can do TOGETHER in the next 3-6 months to (a) support one another, (b) educate the



Photo by Paromita Shah

community, (c) act to change the policies/laws/practices affecting us and (d) be seen as people with expertise and knowledge of the system? Try to get the room to agree on one thing per category. Set a plan of action, and then designate roles. Make sure that you all think about a 3-6 month timeline for each activity.

- **Set a next meeting:** At each meeting evaluate the plan of action you've developed and make any necessary revisions. Continue to incorporate different support, education, and action components into each meeting. Have family members collaborate to prepare the agenda and co/facilitate different meetings.
- **Identify new people to come:** Ask people to identify new people to invite, whether they are people they were detained with, people they met in the detention visitation line or people at their church/mosque, etc.

## **STEP 2: Developing Know-Your-Rights curriculum**

When working with families facing deportation, everyone wants to educate the community. Many make the mistake of just relying on legal workers to educate their communities, forfeiting the knowledge they have developed in the deportation process. Lawyers can be important in the Know-Your-Rights process, but aren't the only people that can develop community education projects.

Develop a Know-Your-Rights curriculum starting first with the answers to the question under "STEP 1: Education" above. Ask legal workers to review the documents to make sure the curriculum isn't making legal errors or unlawfully engaging in the practice of law. From there, the group should identify people they want to educate. It should include people and institutions they already know (churches/temples, schools, community centers, PTA meetings). The families from the meetings should be the primary ones conducting the trainings in the community.

## **STEP 3: Identifying actions and campaigns**

After a few months people may start getting impatient and want to do more and learn more. Go back to the first meeting (see STEP 1: Support). Find the answers to the question, "Who is causing your struggles?" Try coming to an agreement about a collective target and begin thinking about a campaign. Strategize about how you plan to move that target within the year, and what you need to know to move that target. In the meantime, continue to keep growing the meetings and building membership based upon people's primary contacts.



*Photo by Texans United for Families*