

Protecting African Immigrants, Undocumented Individuals, and Asylum Seekers Facing Deportation

A Toolkit by Restoration for All Inc.

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1. Introduction

African immigrants, including undocumented individuals and asylum seekers, face unique challenges when dealing with the U.S. immigration system. This toolkit aims to provide practical guidance to help protect and support individuals and families at risk of deportation. By equipping communities with resources, we can strengthen collective resilience, advocate for justice, and safeguard the rights of African immigrants.

2. Understanding Deportation and Immigration Enforcement

Deportation is the removal of a foreign national from the U.S. due to violations of immigration laws. It can be triggered by expired visas, criminal convictions, asylum denials, or workplace raids. Understanding the deportation process, including legal defenses and appeals, is crucial for those at risk.

Key Enforcement Actions:

- Workplace and community raids: <https://legalaidatwork.org/factsheet/workplace-raids-workers-rights/>
- Expedited removal proceedings: <https://www.nilc.org/resources/know-your-rights-expedited-removal-expansion/>
- Detention by Immigration and Customs Enforcement (ICE): <https://www.ice.gov/detain>
- Notices to Appear (NTA) in immigration court: <https://www.uscis.gov/laws-and-policy/other-resources/notice-to-appear-policy-memorandum>
- <https://www.aila.org/library/resources-to-prepare-for-raids-and-other>

3. Knowing Your Rights: Legal Protections for African Immigrants

Every individual in the U.S., regardless of immigration status, has rights:

- **Right to Remain Silent:** You do not have to answer questions from ICE or law enforcement.
- **Right to an Attorney:** You have the right to legal representation.
- **Right to Refuse Entry:** ICE agents cannot enter your home without a warrant signed by a judge.
- **Right to Document Violations:** Record and report unlawful immigration enforcement actions.
- <https://www.clasp.org/publications/report/brief/day-ice-came-how-worksites-raids-are-once-again-harming-children-and/>

Action Steps:

- Carry a Know Your Rights card.
- Memorize emergency contact numbers.
- Avoid signing documents without legal advice.

4. Family Preparedness Plan: Protecting Children and Dependents

Deportation can disrupt families. A Family Preparedness Plan ensures children and dependents are protected:

Key Components:

- **Power of Attorney:** Designate a trusted person to care for your children.
- **Emergency Contacts:** List key family members, attorneys, and community organizations.
- **Important Documents:** Store birth certificates, medical records, and passports in a safe place.

5. Legal Resources and Representation

Accessing legal assistance can significantly impact an immigrant's case.

Resources:

- **National Immigration Legal Services Directory** (<https://www.immigrationadvocates.org/legaldirectory/> - Find legal aid by zip code)
- **Immigrant Legal Resource Center (ILRC):** <https://www.ilrc.org> - Provides Know Your Rights toolkits.
- **African Services Committee:** <https://africanservices.org> - Offers legal representation for African immigrants.
- **Legal Aid Societies:** <https://mylegalaid.org> - State-based organizations that provide free legal support.
- <https://www.clasp.org/publications/report/brief/day-ice-came-how-worksites-raids-are-once-again-harming-children-and/>

6. Mental Health and Trauma Support

Deportation threats create psychological distress. Call REFA at 651-374-4921 or email at info@restoreall.org. REFA provides mental health resources, including:

- **Trauma-informed counseling services**
- **Support groups for African immigrants**
- **Mental health hotlines for immigrants**

- **Culturally competent therapists specializing in immigrant experiences**

7. Workplace Rights and Protections

Undocumented workers are often vulnerable to exploitation. Workers have rights regardless of immigration status:

- **Right to fair wages:** <https://www.dol.gov/agencies/whd/flsa>
- **Protection from workplace raids:** <https://legalaidatwork.org/factsheet/workplace-raids-workers-rights/>
- **Ability to report unsafe working conditions without retaliation:** <https://www.osha.gov/workers>

Action Steps:

- **Community Training:** Educate workers on labor rights.
- **Employer Preparedness Plans:** Encourage workplaces to establish protocols for ICE raids.

8. Community Mobilization and Rapid Response Strategies

A rapid response network can provide immediate support during an ICE raid or immigration arrest.

Steps to Build a Response Network:

- **Establish a Hotline:** A community contact line for emergencies.
- **Train Legal Observers:** Document and monitor ICE activities.
- **Create Safe Spaces:** Partner with faith-based groups to provide shelter.
- <https://www.clasp.org/publications/report/brief/guide-creating-safe-space-policies-early-childhood-programs/>
- <https://www.aclu.org/documents/health-care-providers-guide-best-practices-protecting-your-rights-and-your-patients-rights>

9. The Role of Faith-Based Organizations

Faith-based organizations have historically played a vital role in immigrant support and protection. These organizations offer safe spaces, legal aid, and emotional and spiritual support for individuals facing deportation.

Key Roles:

- **Providing Sanctuary:** Many faith-based organizations open their doors as safe havens for individuals facing deportation.
- **Legal Assistance:** Partnering with legal aid organizations to provide free or low-cost legal services.
- **Community Advocacy:** Raising awareness about immigrant rights and lobbying policymakers for humane immigration policies.
- **Mental Health and Spiritual Support:** Offering counseling and spiritual guidance to reduce stress and anxiety.
- **Material Assistance:** Providing food, housing, and financial support to affected families.

10. Advocacy and Policy Engagement

Immigrants and allies can influence policies that protect communities.

Action Steps:

- **Contact Elected Officials:** Advocate for immigrant-friendly policies.
- **Join Community Organizations:** Work with advocacy groups supporting African immigrants.
- **Educate the Public:** Share stories and experiences to raise awareness.

11. Resources for Asylum Seekers and Undocumented Individuals

Asylum seekers and undocumented individuals need specific resources to navigate the system.

Key Resources:

- **Asylum Process Guide:** Step-by-step legal requirements - <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/the-affirmative-asylum-process>
- **Temporary Protected Status (TPS) Information:** Updates on eligibility - <https://www.uscis.gov/humanitarian/temporary-protected-status>
- **Deferred Action for Childhood Arrivals (DACA) Support:** Renewal assistance for eligible individuals - <https://www.uscis.gov/DACA>

11. Conclusion and Next Steps

This toolkit provides essential strategies for African immigrants facing deportation. We encourage individuals and communities to share these resources, seek legal assistance, and advocate for policies that protect immigrant rights.

12. Appendices

Appendix A: Sample Legal Documents

Family Preparedness Plan Template

Family Preparedness Plan template with sections for emergency contacts, legal representatives, child custody arrangements, and key documents:
<https://www.ilrc.org/resources/step-step-family-preparedness-plan>

<https://www.cliniclegal.org/epif>

Sample Know Your Rights Card

<https://iamerica.org/know-your-rights/>: A pocket-sized card template with key rights information, legal helplines, and steps to take during an ICE encounter.

<https://undocublack.org/know-your-rights>

Appendix B: Directory of Resources

<https://www.ed.gov/media/document/directory-of-resources-109229.pdf>

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This toolkit is a living document that will be updated to reflect new policies and resources. Let's work together to protect and empower African immigrants in our communities.