

BROKEN HOPE

DEPORTATION AND THE ROAD HOME



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Broken Hope

***Deportation and the
Road Home***

By Lynn Tramonte and Suma Setty

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Part Zero - *Opening*

Preface

These are “immigration” stories most people have never heard. They aren’t about the journey here, or the way communities treat immigrants trying to settle in the United States. They’re not even “immigration” stories, really.

These are stories about plans and progress, cruelly undone. About the government harming people and families, including children and older people. Stories about shattered relationships, and also about love.



Tina and her babies (Dayton)

Broken Hope includes the experiences and stories of more than 250 people who were forced to leave the lives they built in the United States. They paint a stark picture of how the U.S. immigration system wages lasting and unnecessary damage on ordinary people. Many have horrific stories about the ways they were treated in so-called immigration jail and deported—often in shackles.

But that’s not all they want you to know.

Despite doing everything they could to avoid this nightmare, they left a large piece of themselves in the United States—homes and jobs; families, friends, communities, co-workers, neighbors, clients, bosses, employees, and ummah.^{P-1} They want you to know that deportation is an extreme consequence for a visa

violation. Deportation took the heart of their relationships. It took their sense of safety and peace. The U.S. is home and they want to return.

Members of the #ReuniteUS community received an advance look at *Broken Hope*, and had strong reactions.

"We know America is capable of welcoming immigrants. We all went to America for a better life.... Everyone who [was] deported [are] responsible people. Those people had families, houses and would send all of their paychecks to the rest of their family left behind in their countries. What we were doing was working and going home.... There’s nothing here, we are surviving... It’s hard to be in a place where you can’t even fix our own problems." — #ReuniteUS Community Member

People (lawmakers) created the laws, policies, and political choices that have harmed people involved in #ReuniteUS. That means the laws, policies, and choices can also be changed, with political will. The goal of *Broken Hope* is not to dwell on pain, but to motivate action.

We are grateful to the men and women of #ReuniteUS for opening a window into their worlds and challenging the United States, their chosen home, to lead with compassion instead of fear.

Broken Hope and the accompanying issue brief is for policymakers; journalists; legal and policy advocates; funders of non-profit organizations and legal services; and the general public. It is a plea for recognition, respect, and inclusion in policy debates and policy solutions.

Content Warning: Broken Hope discusses topics such as deportation, family separation, self-harm and suicide, murder, death, and trauma experienced by adults and children.



Read the Issue Brief at bit.ly/HopelssueBrief or scan the code.

Preface Notes

P-1. Ummah is a community of Muslims. In Islam, congregational prayer is preferred over solitary prayer, and builds more intimate relationships. In immigration jail, prayer time can bring a sense of normality and peace to a stressful atmosphere. It is also a place where leadership and community care are exercised. For people who were deported, their ummah is one of the places where their absences are felt.

Executive Summary

Listen at reunite.us/listen/brokenhope-english or scan the code.



What if you were forced to pack your belongings and leave your family, friends, career, home, and life behind? Could you say good-bye to everyone and everything you love, not knowing if you will see them again? That is what deportation is: permanent banishment from your home, family, friends, and job, from a life built over years. It is an extreme action that causes lasting harm to everyone it touches.

“It’s not easy to be in a country for almost twenty years and build your life and one day, it stops. It’s a long way to get experience in another country. To learn English. To go to school at nighttime. To learn. Go to work. And then one day they say stop. You don’t have it [anymore], you have to leave. **The day [ICE] told me that — it was the end of the world for me.**” — Goura Ndiaye

Maryam Sy, an organizer with the Ohio Immigrant Alliance (OHIA), spent hundreds of hours interviewing people who were deported to find out what they wanted the world to know.

“A lot of these people went through, I think, the hardest part of their life when they were deported,” she reflected. “Because it was like a broken hope, like the government broke their hope. They came to America to seek asylum for a better life.”



Goura at work in Columbus

Broken Hope: Deportation and the Road Home is a collaboration between the OHIA and the Center for Law and Social Policy (CLASP) that highlights the experiences, hopes, and dreams of 255 people who were deported from the United States, as well as their loved ones. They are part of OHIA’s #ReuniteUS campaign, which seeks to change policy so that more people who were deported can return.

They exist

Sy interviewed people born in 27 countries, primarily in Africa. They built lives in at least 20 U.S. states, with a median residency of 17 years. They speak more than 22 languages. Two hundred and eleven know two or more languages, and 83 know at least four.

Seventy-three are parents of a child or children living in the United States, and nine of the people interviewed are married to citizens. Many worked legally while in the U.S., paying taxes and accruing Social Security retirement income they cannot access after deportation. Those who had businesses were forced to close them. Families who have mortgages are struggling to keep their homes.

Seven people returned to the U.S. legally after the Biden administration took office, and at least one has a green card. Four people died after being deported. Most are still fighting to reunite with their families while trying to stay safe in their countries of origin or find a new home.

They matter

One person interviewed for the #ReuniteUS campaign said, “I have kept my courage for my family. Now I am desperate because my life is sad, especially when I see my daughter by video call. I have never hugged her, and it hurts.”

Immigration detention and deportation unravels lives, with crushing consequences for children, partners, parents, and communities. *Broken Hope* connects the experiences of people in #ReuniteUS with studies that show these harms are universal. And it details how deportation is an extreme response to a visa problem.

Said another person interviewed by Maryam Sy, “I have a daughter, and I miss her. She needs me in [her] life. I just want to have a life, I can't survive in Africa. In America I had an opportunity to see my daughter grow. I want my daughter to grow up with me. I want her to know who I am.”

As a result of deportation, individuals and families, including young children and people of advanced age, experience:

Economic insecurity, including lack of access to food, housing, health care, and childcare; serious mental health problems, resulting in self-harm and long-term damage; Adverse Childhood Experiences, toxic stress, and poor physical health; disruption of education and career goals; persecution, exploitation, homelessness, and a lack of safety; the stress and financial strain of becoming a “single parent” unwillingly, and overnight; feeling powerless to help the people they love; and fractured bonds and relationships.

The fallout of deportation impacts the person who is deported and everyone it touches. Removing valued individuals from their families and communities weakens both, as well as society as a whole.

But it doesn't have to be this way. The impact of deportation is a human-made problem, and the solution is also in the hands of people.

They want to come home

Demba Jobe, who was deported to The Gambia, wrote, “I’m still in love with my wife. Love my family, you know, and I wish to come back and stay with them, you know, and continue the life I was doing with her because she nee[ds] me. I need her.”

The people involved in #ReuniteUS want their existence and experiences recognized. When Saidu Sow’s wife and daughter came to visit him in Mauritania, weeks after he was deported, he sent a video message out to the world.



Saidu’s daughter visiting him in Mauritania

“The reason why I wanted y’all to have this video was to show to y’all guys ‘cause you help immigrants, maybe a decent individual could have a look at it. They probably might have a little heart about separating families because I’m a victim of that, and that thing will follow you. ‘Cause it follows me right now. Like, I’m emotional and I’m, I feel like sometimes there’s no hope, I feel like it’s over. The world is ending for me, you know?”

The road to return exists, but leadership and action are needed

Broken Hope: Deportation and the Road Home lays out steps that the Executive Branch, Congress, the media, and the immigration movement should take to center the experiences of deported people and their families, and pave their paths home.

The book urges the Executive Branch to end the use of immigration jail; broaden paths to return in existing policies and directives, including the use of humanitarian parole; support motions to reopen, waivers, and other applications from people who have access to immigration status under the law; and help people who were deported access retirement benefits they have earned.

Broken Hope also calls on the administration to review immigration policies and structures from a racial equity lens, including agency decisions and how the immigration courts operate.

Recommendations for Congress include passing legislation to repeal key provisions of the 1996 immigration laws and enhance legal options for return; abolishing immigration jail; and supporting the executive actions outlined above.

Broken Hope: Deportation and the Road Home challenges the media to report untold immigration stories, such as the true impacts of deportation and the bonds between people who were deported and their communities in the U.S. Moreover, editorial policies that prohibit the use of anonymous sources must be repealed. Forcing people in precarious positions to reveal their real names silences them, and robs the public of knowing their stories.



Issa Sao returns in time for his daughter's birthday

Finally, the book calls on the pro-immigration movement, including funders, to include people who were deported in their advocacy goals and campaigns.

The long-term goal of #ReuniteUS is bigger than return. It's a shift in paradigm, a vision for a future where immigration laws are fair and humane. Where the system is designed based on what is good for people and society, not racism, repression, and harm.

There's so much more

Read on for more observations from the #ReuniteUS interviews, data from other research, and examples of how racism led to the drafting of specific immigration laws. Learn how immigration policy changed—and didn't—between the Clinton, George W. Bush, Obama, Trump, and Biden administrations.

Read the #ReuniteUS back-story—from the community response to workplace immigration raids to the men from Mauritania and other countries who bravely organized inside U.S. immigration jails to stop deportations and end detention contracts.

Meet Ibrahima, Goura, Saidu, Tina, Issa, Jesus, Demba, Alfredo, Seyni, Brigido, Fatima, Seydou, and Abdoulaye: heroes, survivors, and strivers all. They are intelligent, kind, and hard-working people who found safety, for a time, in the United States.

Their dream is to come back home.

Résumé Exécutif

Écoutez reunite.us/listen/brokenhope-francias ou scannez le code.



Et si vous étiez obligé de faire vos valises et de laisser derrière vous votre famille, vos amis, votre carrière, votre maison et votre vie? Pourriez-vous dire au revoir à tout le monde et à tout ce que vous aimez, sans savoir si vous les reverrez ? C'est ça la déportation : un bannissement permanent de votre foyer, de votre famille, de vos amis et de votre travail, une vie construite au fil des années. Il s'agit d'une action extrême qui cause un préjudice durable à tous ceux qu'elle touche.

« Ce n'est pas facile d'être dans un pays pendant près de vingt ans et de construire sa vie et un jour, ça s'arrête. C'est un long chemin pour acquérir de l'expérience



Goura travaillant à Columbus

dans un autre pays. Apprendre l'anglais. Aller à l'école le soir. Apprendre. Aller au travail. Et puis un jour, ils disent stop. Vous ne l'avez plus, vous devez partir. Le jour où [ICE] m'a dit ça, c'était la fin du monde pour moi. » —Goura Ndiaye

Maryam Sy, organisatrice à l'Ohio Immigrant Alliance (OHIA), a passé des centaines d'heures à interroger des personnes expulsées pour découvrir ce qu'elles voulaient que le monde sache.

Maryam a déclaré : « Beaucoup de ces personnes ont traversé, je pense, la partie la plus difficile de leur vie lorsqu'elles ont été expulsées. Parce que c'était comme un espoir brisé, comme si le gouvernement avait brisé leurs espoirs. Ils sont venus en Amérique pour demander l'asile et avoir une vie meilleure. »

« Broken Hope: Deportation and the Road Home » est une collaboration entre l'OHIA et le Center for Law and Social Policy (CLASP) qui met en lumière les expériences, les espoirs et les rêves de 255 personnes expulsées des États-Unis, ainsi que leurs proches. Ils font partie de la campagne #ReuniteUS de l'OHIA, qui cherche à élargir les chemins afin que les personnes expulsées puissent revenir.

Ils existent

Sy a interrogé des personnes nées dans 27 pays, principalement en Afrique, mais également sur d'autres continents. Ils ont construit leur vie dans au moins 20 États américains et ont construit leur vie aux États-Unis, avec une résidence médiane de 17 ans. Ils parlent plus de 22 langues. Deux cent onze connaissent deux langues ou plus, et 83 en connaissent au moins quatre.

Soixante-treize sont parents d'un ou plusieurs enfants aux États-Unis ; neuf sont mariés à des citoyens américains. Beaucoup ont travaillé légalement pendant leur séjour aux États-Unis, payant des impôts et accumulant des revenus de retraite de la sécurité sociale auxquels ils n'ont pas accès après leur expulsion. Après leur détention et expulsion, ils ont dû fermer des entreprises aux États-Unis ; les hypothèques sont tombées en défaut. Leurs familles et leurs communautés luttent sans leur présence.

Sept personnes sont rentrées légalement aux États-Unis depuis l'entrée en fonction de l'administration Biden ; au moins un a désormais une carte verte. Quatre personnes sont mortes après avoir été expulsées. La plupart se battent encore pour retrouver leur famille, tout en essayant de rester en sécurité dans leur pays d'origine ou de trouver un nouveau foyer.

Nous comptent

Une personne interrogée dans le cadre de la campagne #ReuniteUS a déclaré : « J'ai gardé mon courage pour ma famille. Maintenant, je suis désespéré parce que ma vie est brisée, surtout quand je vois ma fille par appel vidéo. Je ne l'ai jamais serrée dans mes bras et ça fait mal.

La détention et l'expulsion des immigrants bouleversent des vies, avec des conséquences écrasantes pour les enfants, les partenaires, les parents et les communautés. « Broken Hope » relie les expériences des habitants de #ReuniteUS à des études qui montrent que ces préjugés sont universels et que l'expulsion est une réponse extrême à un problème de visa.

Une autre personne interrogée par Maryam Sy a déclaré : « J'ai une fille et elle me manque. Elle a besoin de moi dans [sa] vie. Je veux juste avoir une vie, je ne peux pas survivre en Afrique. En Amérique, j'ai eu l'occasion de voir ma fille grandir. Je veux que ma fille grandisse avec moi. Je veux qu'elle sache qui je suis.

Les individus et les familles, y compris les jeunes enfants, et personnes d'âge avancé subissent les conséquences suivantes à la suite de l'expulsion : L'insécurité économique, notamment le manque d'accès à la nourriture, au logement, aux soins de santé et à la garde d'enfants ; de graves problèmes de santé mentale, entraînant des

automutilations et des dommages à long terme ; Expériences indésirables de l'enfance, stress toxique et mauvaise santé physique ; perturbation des objectifs d'éducation et de carrière; la persécution, l'exploitation, l'itinérance et le manque de sécurité ; le stress et la pression financière liés au fait de devenir un « parent seul » à contrecœur et du jour au lendemain ; se sentir impuissant à aider les gens qu'ils aiment ; et des liens et des relations brisés.

Les conséquences de l'expulsion ont un impact sur la personne expulsée et sur toutes les personnes touchées. Retirer des individus précieux de leur famille et de leur communauté affaiblit les deux, ainsi que la société. Mais il n'est pas nécessaire qu'il en soit ainsi. L'impact de la déportation est un problème d'origine humaine et la solution – permettre aux personnes expulsées de rentrer chez elles – est une solution que les humains peuvent également orienter.

Ils veulent rentrer à la maison



La fille de Saidu Sow lui rend visite en Mauritanie

Demba Jobe, qui a été expulsé vers la Gambie, a écrit : « Je suis toujours amoureux de ma femme. J'aime ma famille, tu sais, et je souhaite revenir et rester avec eux, tu sais, et continuer la vie que je menais avec elle parce qu'elle a besoin de moi. J'ai besoin d'elle."

Les personnes impliquées dans #ReuniteUS souhaitent que leur existence et leurs expériences soient reconnues. Lorsque l'épouse et la fille de Saidu Sow sont venues lui rendre visite en Mauritanie, quelques semaines après son expulsion, il a envoyé un message vidéo au monde entier.

« La raison pour laquelle je voulais que vous ayez cette vidéo, c'était pour la montrer à vous

tous, parce que vous aidez les immigrants, peut-être qu'une personne honnête pourrait la regarder. Ils pourraient probablement avoir un peu à cœur de séparer les familles parce que j'en suis victime, et cette chose vous suivra. Parce que ça me suit en ce moment. Je suis émotif et j'ai l'impression que parfois il n'y a plus d'espoir, j'ai l'impression que c'est fini. Le mot se termine pour moi, tu sais ? dit Saïdu.

La voie du retour existe – mais le leadership et l'action sont nécessaires

« L'espoir brisé : la déportation et le chemin du retour » présente les mesures que le pouvoir exécutif, le Congrès, les médias et le mouvement de l'immigration devraient prendre pour centrer les expériences des personnes expulsées et de leurs familles et ouvrir leur chemin vers le retour.

Le rapport exhorte le Pouvoir Exécutif à mettre fin au recours aux prisons pour immigrés ; élargir les voies de retour dans les politiques et directives existantes, y compris le recours à la libération conditionnelle humanitaire ; soutenir les motions de réouverture, de dérogation et autres demandes de personnes qui ont accès au statut d'immigration en vertu de la loi ; et autre aider les personnes expulsées à accéder aux prestations de retraite qu'elles ont gagnées.

Le livre exhorte également l'administration à revoir les politiques et les structures d'immigration sous l'angle de l'équité raciale, y compris les décisions des agences et le fonctionnement des tribunaux d'immigration.

Les recommandations adressées au Congrès comprennent l'adoption d'une législation visant à abroger les principales dispositions des lois sur l'immigration de 1996 et à améliorer les options légales de retour ; abolir la prison pour immigrants; et soutenir les actions exécutives ci-dessus.

« Broken Hope: Deportation and the Road Home » met les médias au défi de rapporter des histoires d'immigration inédites, telles que les véritables impacts de l'expulsion et les liens entre les personnes expulsées et leurs communautés aux États-Unis. Les sources anonymes doivent être abrogées. Forcer des personnes en situation précaire à révéler leur vrai nom les fait taire et prive le public de connaître leur histoire.



Issa Sao revient à temps pour l'anniversaire de sa fille

Enfin, le livre met le mouvement pro-immigration, y compris les bailleurs de fonds, au défi d'inclure les personnes expulsées dans leurs objectifs et campagnes de plaidoyer.

L'objectif à long terme de #ReuniteUS est plus grand que le retour. C'est un changement de paradigme ; une vision d'un avenir où les lois sur l'immigration sont justes et humaines. Un système défini par ce qui est bon pour les

personnes et la société, plutôt que par le racisme, la répression et le préjudice.

Lire tout le livre!

Il y a trop de choses dans « Broken Hope: Deportation and the Road Home » pour être récapitulé dans un court résumé. Continuez à lire pour plus d'observations tirées des entretiens #ReuniteUS, des données provenant d'autres recherches et une analyse de la manière dont le racisme a incité à l'élaboration des lois américaines sur l'immigration. Découvrez comment la politique d'immigration a changé - et n'a pas changé - entre les administrations Clinton, George W. Bush, Obama, Trump et Biden.

Lisez l'histoire de #ReuniteUS – depuis la réponse de la communauté aux raids d'immigration sur les lieux de travail, jusqu'aux hommes noirs mauritaniens et d'autres qui se sont organisés dans les prisons d'immigration américaines pour arrêter les expulsions et mettre fin aux contrats de détention.

Rencontrez Ibrahima, Goura, Saidu, Tina, Issa, Jesus, Demba, Alfredo, Seyni, Brigido, Fatima, Seydou et Abdoulaye : tous des héros, des survivants et des combattants. Ce sont des gens intelligents, gentils et travailleurs qui ont trouvé, pour un temps, la sécurité aux États-Unis.

Leur rêve est de revenir chez eux.

Kuulal



reunite.us/listen/brokenhope-fulani



Part One - *The #ReuniteUS Origin Story*

Chapter 1 - Courage, Resilience, Agency: Ohio Worksite Raids

Content Warning: Traumatic retelling of immigration worksite raids and impacts on women and children.

Broken Hope is an introduction to people who have had to be strong, brave, and heroic throughout their lives, even when public policy and discourse attack them. Immigrants. Strivers who believe everyone deserves safe lives and opportunities, no matter where they were born. The people whose experiences follow are also members of a club no one ever wants to join: survivors of deportation.

In December 2016, the Lorain Ohio Immigrant Rights Association (LOIRA) invited attorney David Leopold and Lynn Tramonte, Director of the Ohio Immigrant Alliance (OHIA), to a community meeting. Donald Trump had just been elected, and immigrants knew what that meant better than anyone.

Tramonte recalled:

"As I sat there in a room with dozens of men and women—who had clearly come at the end of a long day of work and family responsibilities—it hit me. The amount of strength and love it took for them to be in that room, on that cold December day, was superhuman. They were there to learn about “powers of attorney” and getting their financial affairs 'in order.' Who could become their children’s guardians if they are deported?

"Some owned homes and businesses and needed to make plans for them. Some wanted to know how their children could continue to get healthcare if both parents were gone. These parents were preparing for the day when they would be *taken*. To me, they are superheroes. And to Trump, they are less than human. How can that be?"

Advocates for Basic Legal Equality, Inc., (ABLE) published a handbook for families in anticipation of increased immigration law enforcement. Written in six languages: Arabic, English, Mandarin, Somali, Spanish, and Swahili, "Preparing Your Family For Immigration Enforcement" includes copies of the Ohio Limited Power of Attorney form and guidance on collecting important family records, should a parent suddenly be arrested by ICE and minor children left at home or school.

The need for this gruesome preparation became clear just months later.¹ Trump’s ICE carried out massive, SWAT-team style raids at Corso’s Flower and Garden Centers and Fresh Mark meat processing plants in northern Ohio. Agents brandished semi-automatic weapons and K-9 police dogs to intimidate and arrest valued workers.²

Some of the people arrested had legal work permits. Most had U.S. citizen children, spouses, or other relatives at home.

Read "Preparing Your Family For Immigration Enforcement" by ABLE at bit.ly/ABLEparentsguide or scan the code.



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Some information and forms used in this publication are courtesy of the Michigan Immigrant Rights Center.

Snapshot of ABLE's handbook

"I don't understand why folks hate us. We're not stealing anything. On the contrary, we're giving you the work of our hands," said one man.³

Denouncing the devastating impact these raids had on her constituents and community, Rep. Marcy Kaptur visited the women detained at the Calhoun County Jail in Michigan, and mobilized her staff to help her constituents manage this disaster. On the floor of the U.S. House of Representatives, Rep. Kaptur relayed the words of one mother, who had been working at Corso's that day. "She escaped the raid, and she wants to remain anonymous, because she fears that she might be hunted down," said Kaptur.

"I never expected anything like this to happen. When I saw them coming, I ran. And I ran and ran and ran until I hid under a bed of flowers, and I buried myself under the dirt and cried in silence. All I could think about was my kids, I have three. A lot of us have some children who need us. **My skin itched of the mud stuck to my body, drying.**" — mother working at Corso's during the raid

This mother buried herself alive, waiting for hours until the agents moved on, to keep her family together. To the Trump administration, her family did not matter. For others, her act was a devastating example of the strength of a mother's love.

Watch Rep, Marcy Kaptur read the words of people working at Corso's on the day of the raid at bit.ly/47p0GFo or by scanning the code.



Photojournalist Greg Constantine captured the aftermath of the Corso's and Fresh Mark raids. He also documented other ways that ICE targeted humble

workers in Ohio.⁴ Constantine met Amber, who managed an apartment complex in Marion, Ohio that was raided by ICE.

"They took one of my friends. They never mentioned they were going to take my friend. It's terrible. It's horrible and heartbreaking. We've never had a problem with any of the people they took. One of the men, he was robbed a while back. He had a baby girl born in the U.S. He taught her to ride a bike right over there. Another man has three children the age of six and under. They don't have a father now because of this raid.

"Not one person arrested in this raid owed rent. I've never had to file an eviction on the Mexican or Honduran tenants here. Yet, there are thirty-six white people here who own me rent. One of the apartments had five guys living in it. They all worked hard to make a life. All of them were arrested and all of their stuff is just sitting there, not moved, just like it was when they were arrested." — Amber, apartment complex manager

Soon after carrying out the Corso's raids, ICE then stormed the Fresh Mark swine processing plants in Salem and Canton, Ohio arresting 148 workers. A year later, half had returned to work because they had legal work documents.⁵ Why they were arrested in the first place is still anyone's guess. Others were deported.

While fractured families were the primary result of these raids, they provoked another response: compassion and support from community members. Many stepped up to offer food, shelter, gift cards, and more.⁶

As had happened in Postville, Iowa after the massive worksite raid there in 2008, Ohio churches became safe meeting places and staging grounds for donations and supplies. Fifteen-year-old Natalia Alonso started a youth-led group, Los Niños De Corsos, to source and deliver food, diapers, cleaning products, clothing, and more to people impacted by the Corso's and Fresh Mark raids.⁷ The teens played with the children while delivering supplies, giving exhausted and anxious parents a much-needed break.

Cleveland's Burlesque Queen, Bella Sin (they/them), organized an aid operation out of La Plaza Supermarket. Once or twice a week, they drove around greater Cleveland collecting food and purchasing other household necessities. Then, Sin and volunteers drove over 120 miles round-trip to deliver the supplies to a trailer park in Norwalk. People affected by the raids could take what they needed. Sin reported back to donors with detailed receipts, building confidence that helped the operation grow.

Sin leveraged their significant contacts within Cleveland's food and entertainment industry to accomplish this massive operation. "We have had so much wonderful outreach that it gives us hope," they said.⁸



Sin's shopping; receipts for accountability; distribution

Alonso is the daughter and granddaughter of immigrants. Sin was born in Mexico. They both led complex, sustained aid programs to help people they had never met, because that is the way communities should take care of each other.



Watch a video by AJ+ about the Alonso family's trip to Mississippi to deliver donations to people who went through immigration raids there at bit.ly/40w7gHK or scan the code.

Chapter 2 - Resilience, Agency, Courage: Black Mauritians

Content Warning: Discussion of inhumane treatment during and after deportation; a photo of the inside of a Mauritanian jail.

While the raids were taking place in northern Ohio, leaders in central and southwestern Ohio were dealing with their own man-made disaster—the systematic arrest, incarceration, and deportation of Black Mauritians who had once enjoyed quiet lives in the United States.

As soon as President Trump took office, ICE “check-in” meetings that used to be routine became systematic disappearances. People who lost their asylum cases but were allowed to remain in the U.S. were suddenly, shockingly, being arrested by ICE and returned to Mauritania—a country that killed their family members and still practices slavery.

Immediately they reported arrests, detention, torture, and extortion by the Mauritanian government. Many had been stripped of citizenship—by their own government—in the years between leaving Mauritania and being forced to return.⁹



Inside a Mauritanian jail, image from deported person

Stateless Mauritians are particularly vulnerable to repeated abuse in their birth nation. Lacking identification is a common pretext for police abuse. Their arrests were documented by Thomson Reuters, Reveal News, and Truthout, among others.¹⁰

In Ohio, African Immigrant Relief and the Mauritanian Network for Human Rights in the U.S. asked attorney Julie Nemecek to help stop this slow-motion “raid.”

Nemecek worked with OHIA, UndocuBlack Network, the American-Arab Anti-Discrimination Committee, and Advocates for Basic Legal Equality to file emergency stays of deportation, motions to reopen deportation cases, and new asylum applications to slow and stop this tragedy.

After nearly two decades in the United States, Seyni Diagne was dragged onto a plane at the Dulles International Airport and deported to Mauritania, where he was immediately arrested.¹¹

He had originally sought asylum in the United States after Mauritania deported him to Senegal during the genocide. While Seyni lost his asylum case in the U.S, he was allowed to remain in Cincinnati under an Order of Supervision, until the Trump administration started revoking these permissions in 2017.

After being arrested at his ICE check-in, Seyni spent months in U.S. immigration jails before he was deported in 2018. When he arrived in Mauritania, ICE told an airport security officer that Seyni had committed crimes in the U.S.—a lie. The police asked for his Mauritanian papers, which Seyni does not have, because the government no longer considers him a citizen.

Seyni was imprisoned in a Mauritanian jail and held without trial for nearly three weeks, in conditions so unbearable that he still feels the effects to this day. Although Mauritania no longer considers him a citizen, they do consider Seyni a traitor for having sought asylum in the United States and speaking “blasphemy” against the Mauritanian government.

In the Mauritanian jail, people were not allowed to use the bathroom for days or leave the cell, so they were forced to urinate where they slept. The jail was filthy, with mosquitoes and cockroaches everywhere. Every time someone screamed, the guards would beat and torture him.

The conditions were so horrible, Seyni even lost consciousness. Eventually, he asked to be deported (again) to Senegal, and was allowed to leave the Mauritanian jail after his family paid a bribe.

Seyni has kidney cancer and Hepatitis-C, for which he received no treatment while in U.S. immigration jail or the Mauritanian prison. To this day, he deals with the effects of a skin infection he received in that jail. His hands, feet, and skin are permanently damaged, and doctors have not found a cure.

Franklin Foer of *The Atlantic* chronicled the Black Mauritanian community's experiences under Trump as an example of how the administration changed deportation policy to focus on the people who were the easiest to find, regardless of the consequences.¹² The practice was not limited to the Mauritanian community; it was widespread and destroyed many lives.

Foer wrote about “Jack,” a homeowner and co-founder of a moving company in Columbus. Jack had started from scratch when he arrived in Ohio decades earlier, fleeing genocide and apartheid in Mauritania. Now a successful business owner, Jack was building a “man cave” in his basement filled with Ohio State football paraphernalia.

He showed Foer a leather-bound notebook with instructions for how to contact his son, access his bank account, sell his home, and close out his affairs. It was written for his girlfriend to use “when the day comes.” When.



Watch a documentary about *Black Mauritians in Ohio*, produced by *The Atlantic*, at bit.ly/OhioRefugeeRd or scan the code.

Black Mauritians are often deathly afraid of going back to a country that killed their loved ones and stole their homes and land. Many are no longer considered citizens by the Mauritanian government, but traitors who could be jailed and beaten upon return. “I ran away from misery, and they took me back,” said one person in #ReuniteUS.

When “A.B.” and four other men were deported to Mauritania, they were immediately arrested. A.B. was able to smuggle in a phone into the Mauritanian jail and took a few photos, which he then sent to a human rights organization. The conditions were atrocious. A.B. was released after his family paid a bribe, but he was put on “probation” and had to check-in with the Mauritanian government every two weeks, at which time he would be jailed the entire day.

Other men were incarcerated even longer in Mauritania because their families had a harder time raising the money to buy their freedom. When telling his story, A.B. noted that his experience was not unique. He said, “We are suffering as Black people here in Mauritania.”

Black Mauritians began to stand up to deportation. Amadou Sow—with nearly thirty years in the U.S. and five U.S. citizen children—bravely refused to board a commercial plane in Columbus, Ohio.¹³

ICE regrouped and began to use expensive, shadowy charter flights, full-body shackles, and an inhumane restraint called the WRAP, to force Black Mauritians, Cameroonians, and others to return to the lands they had fled.¹⁴ The zeal to deport was so great in the Trump years that charter deportation flights continued even during a government shutdown, while federal workers went unpaid.

Foer wrote: “Food stamps will likely go unfunded this month; workers will fail to make mortgage payments. Trump might not be able to find the cash to pay the agents who keep his family safe, but he has the cash to send longtime law-abiding residents to their likely doom. His priorities are perfectly clear.”¹⁵

Inside rural county jails, Mauritanian men who had been activists in their native country began organizing again, this time in a fight to remain in their adopted home. Those who could read English translated legal documents for those who could not. They shared commissary money and phone minutes. They sounded alarm bells when a member of

their group was going to be moved or possibly deported, alerting advocates and lawyers who could file for emergency stays of deportation.¹⁶

In an interview with Truthout, Tramonte remarked: “They have been on the run for thirty years. They have the strength to get here ... they came to our doorstep and said ‘Will you help me?’ and we said, ‘Here’s a jail cell.’ And still they organize and know what their rights are, and find a way to use their voices.”¹⁷



Amadou Diallo was deported from Tennessee to Mauritania in 2017. He lives in another country now.

In jail, they helped people of any nationality, culture, and religion. It became a standing joke that every time Issa Sao spoke to his wife over the phone, he would have another message or two for her to pass on to someone else’s loved ones.

As Issa was being deported, men who were incarcerated—from a variety of backgrounds—bravely spoke out against it.¹⁸

“Issa is a very good person,” said Isaac Kakileti. “He has helped everyone here in many different ways. He helped other [people] by using his commissary to buy food for those who did not have money. He also helped with prayer—he made sure the prayer area was clean and organized. He swept and mopped the area and he also sometimes led

prayer. I do not understand why he is getting deported. He has no criminal record. He has a wife and children. He is a wonderful man—patient and tolerant.”



Read more from supporters of Issa at bit.ly/3FP0OSR or scan the code.

Issa was deported, leaving behind a U.S. citizen wife and two U.S. citizen children.¹⁹ In fact, most Black Mauritians detained by Trump were deported. Abdoulaye Lam was deported, leaving behind his pregnant wife and two young kids.²⁰ Others were “wrapped” in a sickening sort of straightjacket and thrown onto charter deportation planes.²¹

Ultimately, the Trump administration deported more people to Mauritania than all previous administrations combined.²⁻¹ But the collective struggle did win some victories. Men like Amadou Sow and Mohamed Diaby returned to their homes and loved ones after months in immigration jail.²² In 2019, deportations to Mauritania slowed.

Men from Mauritania as well as other countries in Africa, the Caribbean, and numerous places around the world then embarked on a new demonstration of their power, one that has saved many people from their same fates.

Chapter Notes

2-1. Authors' analysis of data from the Office of Immigration Statistics, DHS, 2009-2021.

Chapter 3 - Change Behind Bars



Grassroots action to close the Morrow County Jail

Saidu Sow is one of the Black Mauritanian leaders who organized inside immigration jails to assert immigrants' human rights. He, along with other courageous men from The Gambia, Guinea, Cameroon, El Salvador, and other nations, exposed dangerous conditions and abusive treatment inside the Morrow County Jail, an ICE facility in Mount Gilead, Ohio, while they were still behind bars. They shared information with advocates, who communicated to the media, and worked with the ACLU of Ohio to file a lawsuit.

The men were right. The Morrow County Jail did not meet the basic conditions of its contract with ICE. As COVID loomed, the Sheriff's Office and County Health District failed to follow their own infectious disease protocols.²³ Ohio Immigrant Alliance published a report documenting these failures, with information supplied by people detained for ICE as well as the family members of county inmates:

"None of the inmates and detainees at Morrow County have been seen by a doctor in the facility, despite their COVID diagnoses. Nursing staff are not present at the jail overnight or on the weekends, and even when they are there, they often decline to provide health care, including Tylenol. Jail staff have repeatedly refused to call an ambulance for detainees in serious distress. What's more, there are no interpreters available to translate detainee medical conversations, calling into question how jail staff are even making such life-or-death decisions in the first place." — *How Morrow County Jail Became 100% COVID-Positive, Ohio Immigrant Alliance*²⁴

That is how the Morrow County Jail became the first one hundred percent COVID-positive facility in the United States. In April 2020, ICE released Oscar Lopez, a 42 year old Honduran man with diabetes, without testing him for COVID—despite his exposure to another infected person. Less than a month later, he died from COVID-related complications.²⁵

U.S. District Judge Sarah D. Morrison, a Trump appointee, blasted ICE and the Morrow County Sheriff's Office while ordering the release of some detained immigrants in the ACLU of Ohio lawsuit.²⁶



QEPD (RIP) Oscar Lopez

"Morrow's inability to control the spread of infection, its demonstrated failures at monitoring detainees' symptoms, and its poor conditions create an unconstitutionally acceptable environment." — U.S. District Judge Sarah D. Morrison

Grassroots activists from both the criminal decarceration and immigration movements showed up repeatedly at Morrow County Health District meetings (on Zoom and later in person). They delivered personal protective equipment to the jail, which was not given to the jail population as intended, but co-opted by Corrections Officers. Residents from Morrow County and across the state confronted county leadership about their lack of care.

When Morrow County Commissioner Tom Whiston admitted that his pharmacy sold thermometers to the jail—expired thermometers—Tramonte's 10 year-old daughter, Lucia de la Barrera, bravely spoke up. "People are dying," she said. "You're not even paying attention. And this is coming from a 10 year-old, not a grownup."

Watch Lucia educate Morrow County Commissioner Tom Whiston about his leadership failures at bit.ly/10yrPayAttention or scan the code.



Throughout the summer of 2020, immigrants were released from Morrow, deported, or transferred to another facility, the Butler County Jail.

But conditions there were equally inhumane. Immigrants worked with attorneys to file a civil rights lawsuit against ICE and Butler County in late 2020.²⁷ This came after corrections officers attacked two Black men, Bayong Brown Bayong and Ahmed

Adem, and over fifty other detained men sent a letter to lawyers and human rights organizations about the gross medical neglect, racism, and other inhumane treatment at the Butler County Jail.²⁸ They even signed their names.

The letter is addressed, “To anyone who will listen to us.” Recounting multiple violations of ICE detention standards—from guards who failed to furnish immigration forms and writing implements as instructed by a judge to being locked in their cells for twenty hours a day with no outdoor access.

The letter concludes, “It is ironic that [we] are stripped of basic human dignity—a core value that the United States prides itself on. We sincerely pray and hope that this letter will help

More grassroots actions against incarceration and deportation

our voices be heard outside of this concrete structure within which we are kept as we await our immigration fates.”²⁹

They, and others who sounded the alarm, were heard. Today, neither Morrow nor Butler County have contracts with ICE.³⁰ ICE jail capacity in Ohio has fallen 90 percent, from a high of 596 “beds” per day at five jails, to a low of 59 “beds” at two facilities.³⁻¹ And, the lawsuit against Butler County and ICE is still working its way through the courts.

Still, most of the people who signed that letter were

Conclusion:

Overall, it is sadly concurred that the treatment, to quote the exact words of a detainee “is worse than that of an animal.” It is indeed sad that in such a progressive and advanced country like the United States, such practices exist in ICE detention facilities. Most of the detainees have little luck in an unjust and prejudiced immigration court system where they are left largely without access to counsel and in most cases presumed “removable” without actual due process. On top of that, the way detainees are treated in holding facilities is absolutely pitiful and pathetic. It is ironic that they are stripped of their basic human dignity and human - core values that the United States prides itself on. We sincerely pray and hope that this letter will help our voices be heard outside of this concrete structure within which we are kept as we await our immigration fates.

Sincerely,

ICE detainees at Butler County Jail, Hamilton, Ohio.

NAME	SIGNATURE	ALIEN NUMBER (OPTIONAL)

Excerpt of letter from men in Butler County Jail; redacted

deported, as were plaintiff Bayong Brown Bayong, Mory Keita, a key witness, and Saidu Sow.³¹



Read the civil rights complaint at bit.ly/CRCLButler or scan the code.



Chapter Notes

3-1. Data from an unpublished analysis by Freedom For Immigrants and the Ohio Immigrant Alliance. The Northeast Ohio Correctional Center also ended its contract with ICE in 2020.

Chapter 4 - #ReuniteUS Is Born

The deportations of activists and beloved community members led OHIA to create #ReuniteUS, a campaign to change policy so that more people who were deported can come home. OHIA started a WhatsApp group for people who were deported and wanted to be involved in the effort, and worked with national policy experts to identify paths to return in existing law.



Thomas Madeingo in Mali

Maryam Sy of OHIA spent hundreds of hours interviewing 255 people who were either deported or left the country immediately before being deported, and their family members—most of whom are part of the WhatsApp group. Sy's teenage son Seydi built a demographic profile of the group. Suma Setty at the Center for Law and Social Policy (CLASP) analyzed the information collected during Sy's interviews.

People who were deported often told Sy that they feel left out of the immigration policy debate. Her conversations also show that they are strong, intelligent, and valued members of

their communities. *Broken Hope* is a way for the world to meet them.

In addition to capturing information about the experiences of deported people and their loved ones, the #ReuniteUS interviews yielded something else: a chance for people at the center of this experience to talk it through with someone who understands their language and culture. People in #ReuniteUS opened up during these interviews and told the Ohio Immigrant Alliance, "Tell people about us. We are good people and we want to come home."

A Muslim woman of African descent herself, Maryam Sy interviewed people in their preferred languages, with the help of a few others who spoke languages she did not. The purpose of the interviews was to learn about the experiences of people who were deported and gauge their and their families' interest in participating in advocacy to change policies so that more people can come home.

"Tears were shed. Questions could not be answered," Sy recalled. "But people said it was the first time anyone asked them about their experiences, and that the conversations were painful, but cathartic. They also expressed frustration that their families are being left out of the media and policy conversations."



Meet the men involved in #ReuniteUS at bit.ly/ReuniteTVMen or scan the code.

Before *Broken Hope* was published, Sy, Lynn Tramonte, and Suma Setty of CLASP presented a summary of its contents to WhatsApp group members in English, French, Fulani, and Wolof videos. This helped ensure that the report findings would be accessible to people of varying literacy levels. They asked for feedback; here are some of the responses:

“I agree with whatever you guys decide to do to help us come home to America. I would rather come back to America and be locked up than living here.” - A.T.

“I am supporting you guys and to tell you that I’m very, very happy to hear the information you brought to us. And we know that we have to be patient... I believe that you guys are working well and I know it’s not that easy...[T]he most important thing is that you guys are working to help us. And we appreciate it a lot. May Allah reward you.” — N.S.D.

“Many of you don’t know, but Maryam is just like her father. Her father was helping people..., and she inherited her kindness from her father. “ — H.S.

“We listen to what you said, Maryam, and we understand everything. What I can say is, please use my picture and my name as much as you need. I understand everything that you guys said in the video and the audios. I do not think that Joe Biden knows the problems we are encountering after we were deported.” — A.B.

According to Seydi Sy and Setty’s analysis, seven people in #ReuniteUS have legally returned to the U.S. since the Biden administration took office. One man received asylum in France, and at least two have obtained legal status in Canada. Four people died after being deported. The rest are still fighting to reunite with their families, while trying to stay safe in their countries of origin, or find somewhere else to live.

The people Maryam Sy interviewed come from twenty states: Ohio, New York, Tennessee, Michigan, Colorado, Kentucky, Illinois, Georgia, Massachusetts, North Dakota, Wisconsin, Iowa, Pennsylvania, Texas, North Carolina, Maryland, Indiana, Florida, New Jersey, and Missouri.

Most of the people in #ReuniteUS are men; four are women. The majority are members of families that were torn apart due to their deportation. Most are currently living in a different country than their spouses and children.

One hundred and ten people mentioned having relatives in the United States, and 73 are parents of a child that still lives in the U.S. At least 43 parents specifically

mentioned that their child or children are U.S. citizens. People in #ReuniteUS have at least 66 U.S. citizens in their immediate families—9 spouses and 57 children—plus many extended family members who are citizens and legal permanent residents.



States represented in #ReuniteUS

The people interviewed were long-term U.S. residents, with a median residency of 17 years in the country. One hundred and ninety-eight had lived in the U.S. for over a decade, and 48 for two decades or more. Eleven individuals attended school at a U.S. educational institution; 230 worked outside the home; and 4 mentioned owning their own businesses, providing services and employment in their communities.

Eighty-seven people specifically mentioned paying taxes and 28 described their roles caring for family members.

Many are eligible for Social Security retirement benefits due to their long-standing tax payments, but have been unable to access these contributions post-deportation.



Top 5 Reasons To Return

All are acutely aware of the injustice of their deportations, and the devastating impact it has had on their extended families.

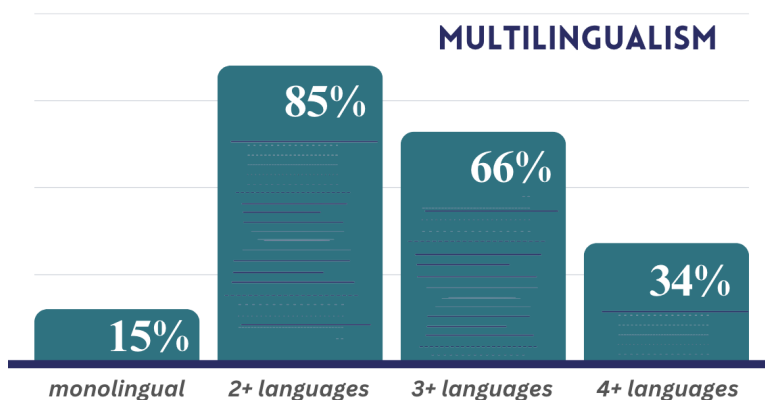
The people involved in #ReuniteUS are from twenty-seven countries, mostly in Africa (Burkina Faso, Burundi, Cameroon, Central African Republic, Democratic Republic of the Congo, Egypt, Gabon, The Gambia, Guinea-Conakry, Guinea-Bissau, Ivory Coast, Mali, Mauritania, Morocco, Niger, Senegal, Sierra Leone, Somalia, South Sudan, Uganda, and Zimbabwe). Other countries represented are France, Guyana, Jamaica, Mexico, Nicaragua, and Pakistan.

Collectively, they speak at least twenty-two languages: Arabic, Bafut, Bambara, Berber, Creole, English, French, Fulani, Hassaniya, Kikongo, Lingala, Mandinka, Portuguese, Punjabi, Sango, Somali, Soninke, Spanish, Swahili, Temne, Urdu, and Wolof. Two hundred and eleven know two or more languages—and 83 know at least four.

The vast majority are Muslim, with Christianity being the second-most prevalent religion. Most identify as Black.



Most Common Languages Spoken



In this group, at least 126 people were formally deported. The rest were ordered deported by a U.S. immigration judge, knew that their deportation was imminent, and left before they could be formally detained and deported. At least 150 people were deported or left during the Trump administration, although the years of deportation spanned 1994-2021.

Among those who left the U.S. before they could be formally deported, 30 went to Canada, although none were born there. A majority of the others went to various countries in Africa.

At least 21 people were deported to countries with a "Level 4: Do Not Travel" advisory from the U.S. State Department, because of "terrorism, crime, and kidnapping" (Burkina Faso, Mali); "crime, civil unrest, and kidnapping" (Central African Republic); "crime, terrorism, civil unrest, health issues, kidnapping, and piracy" (Somalia); and "crime, kidnapping, and armed conflict" (South Sudan).

Forty-five additional people were deported to countries with "Level 3: "Reconsider Travel" advisories: Burundi, Guinea-Bissau, Guyana, Jamaica, Mauritania, Nicaragua, and Pakistan. The advisories for Level 3 nations include warnings of civil unrest, crime, limited healthcare, arbitrary enforcement of laws, and wrongful detentions.³²

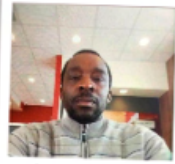
One hundred and twenty-seven people in #ReuniteUS are from Mauritania, but only 13 currently live there, and many of those who do are in hiding. Of the 127 Black Mauritians in the group, 47 were physically deported by ICE and 80 were ordered deported by an immigration judge, but left the United States before they could be physically deported. Only 4 of the 80 Black Mauritians who left the U.S. before being formally deported reside there. The others cited fear of being returned to Mauritania as the reason they left the U.S. and went to another country.



Check out the #ReuniteUS Family Photo Album at reunite.us/family-photo-album or scan the code.

Family Photo Album

Meet our #ReuniteUS family! They belong in community and should be able to come home.



Youssouf Sillah



Diwara Yoro



Touray



Thomas Madinao



M.K



Moussa Welle



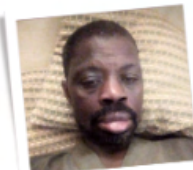
Demba Omar Diop



Abou Toure



Abdoulaye M. Sy



Mamadou Dia



Demba Diallo



Aladij Guélobél



A.B



Malick Sy



Daouda Saw



Samba Sarr



Mamadou Ann



Seyni Diagne



Abdoulaye Thiaw



Bouleou Koita



Kelema Makita



Ba



Abou Bah

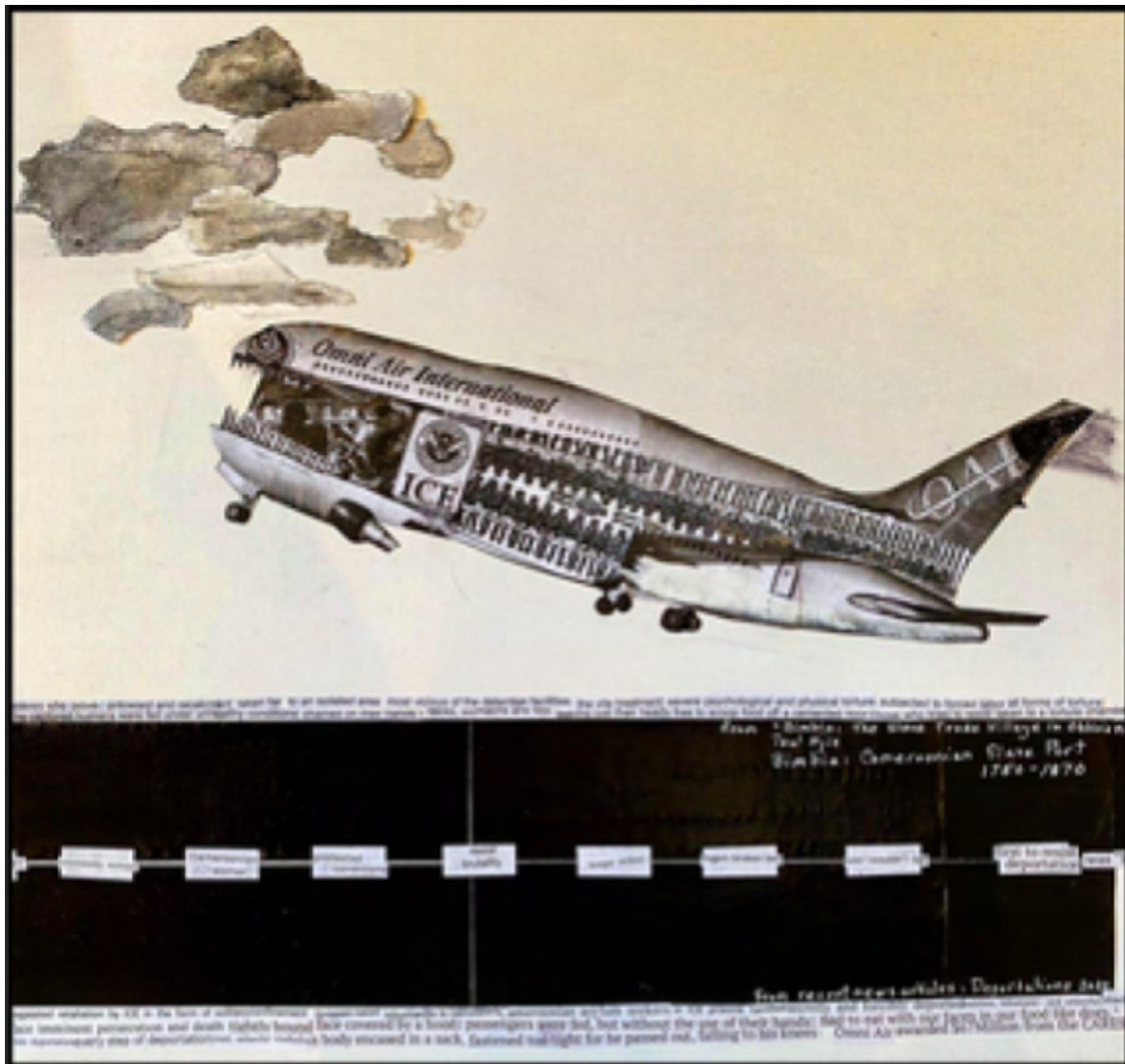


Abdoulaye H Sow



Ibrahima Sy

ICE Air



Drawing: Diane Paul

Part Two - *When Research Reflects Real Life*

Chapter 5 - Multiple Layers of Harm

The #ReuniteUS interviews make it clear that deportation exacts a debilitating toll on individuals, families, and communities. Common experiences include:

- Fractured or dissolved relationships, including marriages and parent-child bonds
- Missed graduations, births, surgeries, and other important life events
- Loss of family income, coupled with additional expenses
- Increased poverty, and food and housing insecurity
- Mothers suddenly becoming single parents, trying to care for their children and work outside the home
- Being forced to close businesses
- Serious mental health problems, including self-harm and suicidal thoughts among both children and adults
- Severe physical health issues, for people who were deported and their loved ones

A young child with Down Syndrome lost his ability to communicate when his dad was detained and deported in 2019. At least one man OHIA interviewed had never gotten to hold his own child. He was detained and deported while his wife was pregnant.³³

Maryam Sy described what it was like to gather this information via deep phone conversations:

"A lot of these people went through, I think, the hardest part of their life when they were deported. Because, it was like a broken hope, like the government broke their hope. They came to America to seek asylum for a better life. And they were happy working and living in America. So when they were sent back in some very horrible conditions.... We were the first people calling them and saying, 'We are so sorry about what happened to you.'

"So it opened a trust relationship between us and between the people from #ReuniteUS, and not just me personally, calling and interviewing people, [but] anyone in the group, like the administrators, anyone who was talking to them. We created some kind of relationship with them.

"Many of them, I used to call them 'Uncle' because of how caring they were and how hopeful they were. For example, Abou Ba, who passed away a couple days ago—two days ago—he would call me and ask me about my family and ask me if I was okay. And he would always say, 'Only Allah knows who's gonna come back.' The last message he sent was, 'Only Allah knows who will come back and witness when we will all get our papers. But, I pray that Allah gives you the strength to keep working and helping people.'



Indeed, we belong to Allah, and indeed, to Him we return.

families, closest relationships, and society as a whole. Families' financial stability, education, and physical and mental health are all at long-term risk.³⁴ And it doesn't have to be this way.

"They care, you know, because we were listening to them, we were asking how they were. And it's just sad to see that these people worked in America for 30, 25 years, and the government just took them back to those horrible places and they survived for a couple years, and then they got sick and died and no one cared about them. Some of them had retirement here and 401(k)s. It's just horrible."

There's no question that deportation can change the trajectory of relationships, careers, and entire lives in profound and negative ways. The harms of deportation extend from the individual person to their

Chapter 6 - A Direct Line to Poverty

Family separation is a hallmark of deportation. The deported person could be the parent of a small child, a member of a multi-generational household, or a single man with friends as chosen family. All of these departures leave a hole. It's little wonder, then, that deportation creates financial distress for those who are deported and the people who rely on them. If the person is detained before being deported, the economic unraveling starts even earlier.

Detention and deportation can mean one less breadwinner in a family, plus exponentially greater expenses, including: attorney fees; travel to and from the jail; providing the detained person with money for clothes, food, and personal hygiene items; and possibly paying an immigration bond.

The simple act of staying connected through phone calls or tablets, controlled by predatory companies, is stressful and exorbitantly expensive. A half-hour phone call can cost \$5 or more.³⁵ Frequently the phone or video connections don't even work, or jailers put other impediments, like lock-downs, in the way.

An immigration arrest costs each household an average of \$24,151 in accumulated and permanent financial losses.³⁶ Another study found that deportation reduces the household median income of mixed-status families from \$41,300 to \$22,000.³⁷ In other words, household income would decrease by nearly half (47%) should all undocumented family members be removed from the household.

With poverty comes housing insecurity. Some families have to move in with friends or relatives; move frequently; or stay in transitional housing that may not be suitable for families. Research shows that immigration enforcement is associated with higher foreclosure rates for immigrant households.³⁸ Another study found that the average value of lost property, like furniture, for households who had a member deported was just over \$7,000.³⁹

One man, from Mexico, said:

"We lost everything. My wife had to sell the house. We lost the business. My wife and kids had to move in with other people because she was not able to pay for rent on her own... We had the American dream come true and this immigration system broke everything. We had a house, a beautiful house, and now we have nothing. It's very hard for my wife and kids to survive. We did everything for this country, and now basically we have nothing. It's very hard to accept."

His experience aligns with a study that found people who are deported have to rely on family members that remain in the U.S. for their economic well-being.⁴⁰ Jobs in other

countries may pay less than a living wage, and be more difficult to find. This is a profound assault on dignity and the self-respect of those who are deported, since they were used to being able to take care of the people around them.

Said another man, “[My wife] can barely support herself, let alone me. In Africa everything is too hard.”

In 2018 Goura Ndiye, a 60-year-old electrician from Columbus, Ohio, was scheduled for a hip replacement surgery a few days after his final “check-in” with ICE—a meeting that used to be routine and uneventful prior to the Trump administration. Goura’s medical insurance had approved the surgery, and he had completed all of the pre-op preparation. Instead of allowing Goura to get the operation and then report back, as he asked, ICE arrested him. While in a series of unhygienic jails, he received no medical treatment beyond an aspirin.⁴¹

One day the following year, they came into his cell and said they were taking Goura for a medical appointment. Instead, they took him to the airport for deportation. By that time, Goura’s hip had completely detached from his body.



Goura in the Mauritanian airport

In Ohio, Goura owned his own business and was the beloved father of three U.S. citizen children, including a young boy with Down Syndrome. Now, his family is experiencing food and housing insecurity, and he remains powerless to help them. The weight of supporting and caring for the family has fallen heavily on his stepdaughter and daughter, who work part-time in addition to attending school.

An intelligent and thoughtful man, Goura is one of ten people currently involved in the National Immigrant Justice Center’s (NIJC) campaign, Chance to Come Home. He said, “I think deportation like this is a mistake....

They should give people second chances. That’s what I believe.... And I do love America. Whatever happened to me, I’m not gonna say any wrong things to any American people. No. I had a lot of friends. A lot of good neighbors. Never had problems with anybody. I couldn’t believe they were going to deport me.⁴²

He continued, “It’s not easy to be in a country for almost twenty years and build your life and one day, it stops. It’s a long way to get experience in another country. To learn

English. To go to school at nighttime. To learn. Go to work. Get the experience. And then one day they say stop. You don't have it any more, you have to leave. The day [ICE] told me that — it was the end of the world for me.”

After conducting listening sessions with immigrant parents in seven states, including Ohio, the Children Thrive Action Network (CTAN) and CLASP observed that the “immigration system impoverishes people, both financially and emotionally.”⁴³

One participant described how the convoluted immigration bureaucracy adds new costs to families who are trying to help a loved one return. Another talked about having to update a visa application and waiver for grounds of inadmissibility that could allow her husband to return, before certain documents expire. “So, you have to let the visa center know that you are doing this...If you don't do it, nobody do nothing. So, you lose that case, [and] you have to pay it back again... \$930 go to the government...You pay the advocate almost \$2000 [in lawyer fees]. That's the problem,” she said.

Deportation forces families that worked themselves into the middle class into poverty, housing insecurity, toxic stress, depression, and self-harm.

Chapter 7 - Fractured Relationships



In the U.S. and many other countries, the family is the fundamental social unit. Family members share resources for physical survival (housing, food, protection against danger) as well as emotional support (comfort and joy). The elder members of a family care for the younger generations, teaching them how to become caregivers in turn. As they age, the younger members of a family look out for both the new generations and those that raised them.

A family can include biological or chosen relationships, or a mixture of both. What's important is that the group has decided to stick together, and formed their own social contract.

Deportation attacks the core of families, fracturing relationships in ways that may not be repairable or replaceable. Whether the family in question is comprised of a mother and/or father, or has step-parents, aunts, uncles, grandparents, chosen family, or older siblings at the helm, forced separation diminishes their ability to take care of each other, and weakens a society like ours, made up of multiple family units.

Jesus Lara is a loving father of four from Willard, Ohio. Born in Mexico, Jesus was ordered deported after a routine traffic stop. However, he was issued an Order of Supervision by ICE and remained in the U.S. for many years, working legally, paying taxes, and buying a home.

During the Trump administration, ICE told Jesus he needed to pack up and leave. Jesus and his children—six-year-old Elsiy, nine-year-old Anuar, eleven-year-old Edwin, and thirteen-year-old Eric—went to Ashland, Ohio and Washington, D.C. to meet with congresspeople. They also canvassed their small town with a petition to try to stop his deportation.⁴⁴ Lynn Tramonte, the Director of OHIA, wrote in Medium:

"The cookies the Lara kids carried around Willard were an offering: packed by Jesus during his night shift job, purchased with his own money, a gesture of goodwill and thanks. The clipboards contained the blank petitions addressed to U.S. Rep. Bob

Gibbs, asking him to do everything in his power to keep their family together."⁴⁵



Jesus Lara with two of his children, 2017

While collecting signatures for Jesus' petition in Willard, Tramonte and Elsiy were confronted by a man outside of a gas station. "Everything Trump is doing is right," he said, with no regard for the six-year-old child standing before him. Elsiy was very brave, but she should not have had to be. Tramonte wrote:

"What happened next was also overwhelming. The gas station attendant came out and apologized for the customer's behavior. He signed our petition and then offered to gather even more signatures for us, stating that he grew up without a dad and he didn't want anyone else to go through that. And he followed through—he just texted me his completed sheet.

"It was like this all day. One ugly interaction, matched by exponentially more beautiful acts of kindness. Walking up to someone, you never knew what you were going to get. People had a lot of questions. Some seemed to support Trump's stance on immigration, but when they looked into the eyes of this loving father, they agreed to support him."

In 2021, Jesus Lara was able to come back to the U.S. But the family has been irreparably harmed.

Several of the people interviewed for #ReuniteUS said their marriages or partnerships did not survive the strain of deportation. After one man was deported to Mali in 2018, he and his wife separated. Together, they have four sons: nineteen-year-old twins, a sixteen-year-old boy, and an eleven-year-old. "My children are traumatized because I was wrongfully imprisoned for about 15 months. I lived 27 years in America. I am a person who has never had a problem, and I would like to come back to my children. It is very hard for me to live far from my four boys."

Demba Jobe, from The Gambia, didn't plan to fall in love with his colleague, Georgina

White. He traveled to the U.S. on a G-2 visa several times in the early 2010s for training at the World Bank. Georgina led the sessions. Their friendship developed and eventually became romantic. They married, and Demba was a loving partner to Georgina and stepfather to her children.

Then Demba had to go to The Gambia after his brother died. Prior to this trip, he had applied for and received "advance parole" (permission to return after being abroad), which his lawyer assured him was all he needed to return. But the immigration officers at Chicago O'Hare International Airport would not let Demba re-enter the U.S.

When he refused to sign a paper allowing them to deport him immediately, he was taken to an ICE jail. He spent nine months locked up and was ultimately deported.



Demba and Georgina, before his deportation

During his court proceedings, Demba requested and was denied an interpreter. He tried to understand what was happening in court over the jailhouse video feed, but the challenge proved insurmountable. He was in a jail conference room and his lawyer and judge were miles away.

In immigration court, Demba's marriage to a U.S. citizen did not matter. Her testimony about their love and the help they gave each other did not matter. The system did what it was designed to do: remove him from everything he loved. Demba spoke to the Ohio Immigrant Alliance about this experience.

"I'm still [in] love [with] my wife. Love my family, you know, and I wish to come back and stay with them, you know, and continue [the] life I was doing with her because she need[s] me. I need her. But the way things are working over there [in the U.S.], I think it's not gonna [be] possible for me to return back to the country, you know, because they lie [about] everything against me, you know? And I don't have no word[s] to say, I don't have nothing to say because they don't give me the chance, because everything was based on racism." — Demba Jobe

Demba and Georgina stay connected and hope to be reunited. While Demba has been gone, Georgina endured three back surgeries and still struggles with physical activity. She downsized her apartment and changed jobs to reduce the strain on her body. But across the ocean, there's a man ready, willing, and able to help—and praying for a chance to return to her one day. Recently, the distance has become unbearable and Demba fears their relationship may not last.

Even the strongest of relationships can collapse under the weight of a deportation, which begs the question: why do this to people?

Chapter 8 - Anxiety, Anguish, and Anger in Children

The mental well-being of a loved one or caregiver can also impact the well-being of a child. Hearing about the horrific experiences a loved one went through can be just as traumatic to a child as their own imaginations and fears.

Children of detained and deported parents had more symptoms of post-traumatic stress disorder and more behavioral problems than children whose parents have lawful permanent residency, or are undocumented but have not had contact with immigration enforcement authorities.⁴⁶ Witnessing the immigration-related arrest of a family member is especially damaging, and associated with higher rates of depressive symptoms among adolescents.⁴⁷

This problem is not small. Between fiscal year (FY) 2016 and 2020, the United States deported over 130,000 parents of U.S. citizen children.⁴⁸ Parents of non-citizen children are deported as well, but ICE does not track this number.



Mustapha Komeh with his children, before deportation

People interviewed for #ReuniteUS repeatedly brought up the mental toll their deportation has had on their children, and say they feel helpless to respond or comfort them.

Numerous studies have found that the detention and/or deportation of a parent correlates with elevated levels of distress, depression, anxiety, and negative psychosocial impacts among children under age 18.⁴⁹ They are more likely to exhibit behavioral problems, such as angry outbursts; more isolated from their peers; and often have difficulty connecting with friends, siblings, and parents.⁵⁰

These findings were clear in a CLASP report about the impact of mass immigration raids in places, including Ohio.⁵¹

In Mississippi, where the Trump administration carried out one of the largest immigration raids in history, children saw their parents handcuffed outside of workplaces and shoved into vans.



Ohio's Natalia Alonso takes donations to Mississippi

Some children developed nosebleeds and hernias as a result of their crying; others were stranded overnight, forced to sleep in a school gym, still crying for their parents. The chaos left kids alone and vulnerable.

Days later, some children were reported missing. Even children whose loved ones were not arrested expressed anxiety and fear.

Chapter 9 - Education and Identity Formation, Derailed

“Education is an important element in the struggle for human rights. It is the means to help our children and our people rediscover their identity and thereby increase their self-respect. Education is our passport to the future, for tomorrow belongs only to the people who prepare for it today.”⁵² — Malcolm X

While this is true for any child, receiving a high-quality, consistent education is especially urgent for children of immigrants and people of color, because their group histories are often not told broadly or accurately. Silencing and erasure harms self-esteem.

Due to multiple presidential administrations’ strategies of mass deportation, entire generations of kids are growing up without a parent or caregiver. With this comes the inevitable disruption of their education, which in turn makes it harder for children to develop a healthy concept of their own identity and self-esteem.

When a loved one, either a relative or member of a chosen family, is deported, children often have a harder time focusing on school because of mental anguish and stigma.⁵³ They may have difficulty doing homework and taking tests. They can disengage from extracurricular and social activities that help them blow off steam, due to their poor mental health or a lack of adult help to participate in these opportunities.⁵⁴ School attendance can also suffer.

Older children may have to work to support themselves and their families, and can fall behind in school or leave school entirely to work full time.⁵⁵ All of these experiences can lead to fewer higher education and career prospects, setting back generations of young people who cannot achieve their full potential.

In Ohio in 2018, a teenager working at Corso’s Flower and Garden Center was handcuffed and thrown into a van alongside his parents during the infamous immigration raid, despite being a U.S. citizen. He said: “I’ll be 18 soon... If my parents get deported, I’d fight to have my brother and sister stay. I’d have to drop out of school to get a good job—labor job—or be able to pay rent, food, everything. I’d become the new parent for the family.”⁵⁶

He was sixteen years old.

Chapter 10 - Children's Health and Safety Suffer

Content Warning: This chapter contains a story about suicide.

The loss of a parent or the prolonged separation of caregiver and child are considered Adverse Childhood Events (ACEs), which are potentially traumatic experiences in the life of a child under 18.⁵⁷ ACEs include witnessing violence in the home or community, experiencing abuse or neglect, and other instabilities. They can be measured to assess a child's risk of developing immediate and long-term physical and psychological conditions, due to toxic stress from exposure to trauma.

The higher number of ACEs a child has, the higher the likelihood they will develop chronic health conditions and substance use disorders.⁵⁸ But exposure to even one ACE puts any child at risk. Conversely, the presence of a stable and loving caregiver is essential for children to develop healthily and thrive.⁵⁹

Losing daily contact with a beloved caregiver is deeply traumatic for everyone involved, but it can be fundamentally life-altering for children. One study found that loss of a father is associated with shorter telomeres (a critical part of DNA) in children and long-term health conditions like mental illness, stress, and obesity.⁶⁰ Another study found that within a year of the detention or deportation of a family member, Latine adolescents were more likely to use alcohol, contemplate suicide, and have behavioral problems.⁶¹

Fathers' involvement as a protective factor against behavioral problems, distress, drug use, and teenage pregnancy is well-documented. Children's futures as adults, including their financial well-being and likelihood of incarceration, are also influenced by the involvement, or absence, of a father or father-like figure.⁶²

One man in #ReuniteUS lamented the fact that his daughter will most likely grow up without him.

"I have a daughter, and I miss her. She needs me in [her] life. I just want to have a life, I can't survive in Africa. In America I had an opportunity to see my daughter grow. I want my daughter to grow up with me. I want her to know who I am." — #ReuniteUS Community Member

Psychological problems due to detention and deportation can cause irreversible physical harm. Columnist Connie Schultz came to know Emma, an Ohio pre-teen whose father was deported. Schultz wrote:

"I really wanted you to see the picture of [Emma, the pseudonym of the 11-year-old girl] sitting in her bedroom full of bright colors, Barbies and books. I

wanted you to see the tiny flower painted on her cheek for Easter Sunday, too, and the gentle smile on her pretty face."⁶³

Emma died by suicide following her father's swift deportation after a traffic stop. The reason he was targeted by police? Using his high beams while driving. The reason the police called immigration authorities? He "looked" or "sounded" like an immigrant, to them, and that "needed" to be investigated. Schultz continued:

"For six months, Emma's grave was marked by a makeshift altar until her mother could pay off the headstone. Now, Mary [pseudonym for Emma's mother] lives in constant fear that she and her oldest daughter will get deported. If that happens, she said, she might leave behind her three American children.

"'Maybe they could be in foster care,' she said. 'Maybe they could still grow up in America.'"

This should never have happened. Emma's father should be with his family, in their living room in Ohio. Her mother and siblings should be happy. Their family should be whole.

Emma should be alive.

Chapter 11 - Adults' Deportation Depression

Before he was deported to the Ivory Coast, a Cincinnati husband and father was the breadwinner for his family in the U.S. Now, he worries about them constantly. His wife doesn't have a work permit and their lives have been incredibly difficult since he was deported. She has no income, and needs to find a new lawyer to try to bring her husband home. Their five children are still young: 13, 11, 9, 7, and 4 years old.

He and other men interviewed for #ReuniteUS reported feeling ashamed that they have not been able to find steady work and support their families. They and the people they once took care of are struggling in more ways than one.

Maria Perez, a U.S. citizen whose husband, Brigido Acosta Luis, was deported in 2013, discussed her family's struggles with reporter Julia Preston.⁶⁴ After her husband's deportation, their business failed, and Perez lost her home and was forced to move in with her parents. Their son Xavier, now 11, has not stopped longing for his father. "He's never really understood," Perez said, "because how do you understand that your father was there one day and gone the next?"

Brigido added, "With my heart in my hand, I can tell you that if I could make it back before my mom passes away, that would be the best. I would just like to do our family's life together on a daily basis, the same way we had before. Because we had a team back then."

Incarceration and inhumane treatment by jailers and ICE exacerbates trauma. For some, this was their first time inside a jail, ever. For others, incarceration was an experience already buried in their bodies, with the memories of tortures they escaped in their home countries.

"I was deeply affected by this in my life. I was treated like an animal. It took me a while to recover from this traumatic deportation... I was detained with killers and rapists. Louisiana [immigration jail] was horrible. It was like a movie. The place was horrible. I want to forget." — #ReuniteUS Community Member

Another man recalled not having money to buy food while he was incarcerated during Ramadan, when Muslims can only eat after dark—something that does not fit into the standard jail routine. "[ICE] came to get me at 4 a.m. They sent me back [deported him] with nothing. I didn't even have a belt," he said. "I was hungry for more than 20 hours between airports, and I spent 16 hours in Morocco. They treated me like an animal."

Many people interviewed for #ReuniteUS were not even given a chance to say goodbye to their families or communities. They still feel deeply wounded, questioning how a country they loved and once felt safe in could treat them this way.

Said one man, “The most hurtful thing that I have encountered was the fact that I was in chains. For 23 hours, we were treated like animals for the whole time. I used to go for my [ICE] check-in for six years. Then at the end I used to go every week or two or three. Also I have major health issues. I need proper medical care. I used to see doctors on a regular basis and now I don't have that.”



Momodou Jobe, deported from Ohio to The Gambia

The experience of being “treated like an animal” came up over and over again in Sy’s interviews. “When I was being deported, in D.C. I was treated like an animal. They brought four officers just to tie me up and throw me by force into the plane,” said one man, whose experience was echoed by others.

“When we were getting deported, people were put to sleep because they resisted to be deported. We were chained up like slaves and like animals. It was scary...They called the army and all of them were pointing their guns at us. There was like 90 military the day I was [deported].” — #ReuniteUS Community Member

Theirs are not isolated experiences. A systematic review found that immigration detention was responsible for a marked increase in suicidal ideation, across nationalities.⁶⁵

Chapter 12 - Dangers in Immigration Jail

Detention and deportation can take a physical toll on individuals in myriad ways, from medical neglect to physical abuse to persecution and death in the country of deportation.

Immigrants in ICE detention have received unnecessary medical procedures that violated their bodily autonomy, and been denied medical care for chronic and even terminal illnesses, such as cancer. Overcrowded facilities, poor nutrition and sanitation, extreme temperatures, and other inhumane conditions are common.⁶⁶ Government inspectors' review of conditions in several immigrant detention centers between 2017-2019 revealed substandard medical and mental healthcare; improper use of force; unsafe and unsanitary conditions; and staff misconduct, including harassment and discrimination.⁶⁷

Saidu Sow bravely exposed abuses during the three years he was detained by ICE. Reacting to an analysis of the abuses by NPR, he said:

“Finally, at least one government body has found that everything we were saying was true. They’re still missing some things; this is just the tip of the iceberg. There is no fixing this system. ICE detention should not exist.”

While immigration detention is intended to be non-punitive, allegedly to ensure that people attend their court dates, the #ReuniteUS group recounts that immigration jail is just jail, period: it is inhumane and cruel. Their experiences corroborate Sow’s call for abolition.

A man from Guyana was detained for 16 months prior to being deported. “I had a brain and lung tumor, and I was sexually assaulted during my ICE detention. I wanted to have a better life in America. I tried to stay with a B-1 visa. There's a lot of gangs where I live. I fear for my daughter and my wife [if they have to go to Guyana]. Many of the gangs come from the police. I'm afraid that my wife and daughter will be raped because this is something very frequent in [Guyana],” he said.

Despite New Jersey advocates' efforts to close the Elizabeth Detention Center, where this man was violated, the Biden administration's Department of Justice (DOJ) filed a brief to keep it open.⁶⁸

More than forty women detained at the Irwin County Detention Center in rural Ocilla, Georgia, have spoken out about sexual medical abuse at the hands of the center's gynecologist, Dr. Mahendra Amin.⁶⁹ Dawn Wooten, a Black nurse, first exposed the

unwanted and unnecessary gynecological procedures Amin was forcing on detained women there. Many of Amin's victims were also Black women.

Nurse Wooten and the other women who spoke out did something few people could ever do: they kept their power under the most difficult circumstances. They kept their power and used it. After a public outcry, ICE terminated its contract with Irwin County Detention Center in May 2021.⁷⁰ Still, many of Amin's victims had already been deported.

"Just because we're detainees doesn't mean that we don't feel or that we don't hurt. We're no less women than the regular people in the free world and we still deserve to have the same respect and proper medical attention," said Yanira Oldaker, the lead plaintiff in a class action lawsuit against ICE.⁷¹

The abuse of these women echoes Dr. J. Marion Sims' experimentations in the 1800s on the bodies of Anarcha, Betsey, and Lucy, three enslaved women; and the many forced sterilizations of Black women in the United States.⁷² These horrific events, sanctioned by institutions of power, can only be described as systemic misogynoir, or an ingrained prejudice against Black women.

Now, this is part of the deportation experience for some.

Demba Diawara discusses the treatment of immigrants inside the Butler County Jail, which is no longer an ICE detention facility, at bit.ly/3ugR7dr or scan the code to the right.



Abdoulaye Lam decries immigration jail conditions. See bit.ly/AbdoulayeInButler or scan the code to the left.

Chapter 13 - The Hours (and Hours) of Deportation

Many people Maryam Sy interviewed for #ReuniteUS described physical pain and humiliation during the long hours of their deportation transfers and flights. Some were forced to wear adult diapers because their full-body shackles and ICE guards would not allow them the dignity of using the bathroom.

One man described being transferred to multiple jails and holding facilities during his lengthy deportation to Mauritania. He was shackled the entire time. “I never thought that this could happen to me in the great country of America,” he said.

Listen to his experience at bit.ly/AnyoneInAmerica or scan the code.



Experiences like these are common. Over 90 people from Somalia were shackled in chains for 48 hours during an attempted deportation flight in December 2017. “When the plane’s toilets overflowed with human waste, some of the detainees were left to urinate into bottles or on themselves,” they explained in a lawsuit. “[ICE] agents wrapped some who protested, or just stood up to ask a question, in full-body restraints. Agents kicked, struck, or dragged detainees down the aisle of the plane, and subjected some to verbal abuse and threats.”⁷³



A man shackled before deportation (John Moore / Getty Images)

Mustapha Komeh gives his opinion about whether to show these images at bit.ly/KomehListen or scan the code.



In 2021, African Communities Together, Black Alliance for Just Immigration, Cameroon Advocacy Network, Haitian Bridge Alliance, UndocuBlack Network, Texas A&M University School of Law Immigrant Rights Clinic, and Witness at the Border filed a complaint with the Department of Homeland Security Office for Civil Rights and Civil Liberties regarding ICE's misuse of a full-body restraint, known as the WRAP, on deportation flights to Africa.⁷⁴

"It was like being rolled into a bag," said Castillo, who was subjected to the WRAP after resisting deportation.¹³⁻¹ He continued:

"They tied my feet together, then they tightened the WRAP around my legs with three straps. They put something over my neck and around my torso and arms. They cuffed my hands in front of me and attached them to a chain around my waist. They snapped a rope or strap or cord from my neck to my feet. Then they leaned on my back and pushed my face toward my knees, and pulled the strap tight. My body was at a 40-degree angle. I was left completely immobile. I was forced into the WRAP while we were still at Prairieland Detention Center. I was left in the WRAP from around 10:30 a.m. on November 11, 2020, until we were somewhere over the Atlantic ocean that night...."

"They eventually took the WRAP off, but I remained shackled all the way to Douala [Cameroon]—around sixteen hours. I couldn't talk. I couldn't eat. All I remember is the pain and the yelling of the officers. I was detained in the U.S. for two years and four months."

"When I arrived in [Cameroon], I was arrested at the airport and taken to police detention for further investigation. I was detained for 12 days. There were open sores [on] my wrists where the ICE cuffs had cut into my skin. In detention I had no water or soap to keep them clean. They got infected. I was in a cell with many men. There was no toilet. My family finally managed to get me out and now I am in hiding in a third country. I cannot remember what [it is] like to feel safe."

According to the civil rights complaint, the WRAP is sold as a "humane restraint" to protect people threatening to self-harm, or who need urgent medical attention. For ICE, it is simply a way to get an immigrant onto a deportation plane.

“There was so much pain in my waist and in my back. My lungs were compressed, I couldn’t breathe. I couldn’t sit up. I was immobilized,” said Godswill, another victim of the WRAP who participated in the civil rights complaint.¹³⁻¹

“My body was in so much stress. I shouted, ‘You’re killing me!’ I truly felt I was meeting my death in that moment. Six officers, three on each side, picked me up and carried me onto the plane. They plopped me down, like a load of wood, across a center row of seats.”

People Maryam Sy spoke with echoed these experiences. Some had been subjected to the WRAP themselves; others had seen it used on fellow passengers.¹³⁻²

None will ever forget it.

Two years after the CRCL complaint was filed, the agency sent a letter to the complainants in care of Professor Fatma Marouf at the A&M School of Law, which seemed to substantiate their concerns.

Professor Marouf told the Vermont Digger, “I think their investigators were pretty horrified by ICE’s use of the WRAP.”⁷⁵ But complete details about the findings and recommendations will only be made public after ICE has a chance to respond.

Steven Tendo is one of the survivors of the WRAP. He was nearly deported to Uganda—a nation whose government tortured him and murdered his relatives—while encased in this torturous device, twice. He has since filed a lawsuit demanding ICE acknowledge wrongdoing and pay damages.

“They wrapped me like a sandwich,” Tendo said. “It’s something I would never wish on my worst enemy.”⁷⁶



RIP Earl McNeil (San Diego County)

Earl McNeil died while restrained in the WRAP in 2018, suffocated by National City (CA) police. Read about his murder at bit.ly/3sEgGV2 or scan the code. (McNeil was not an immigrant, nor was he detained by ICE.)



Chapter Notes

13-1. Alias used to protect privacy.

Chapter 14 - Deported to Danger

Content Warning: This chapter describes torture and murder.

Many people in #ReuniteUS feel that ICE and immigration judges did not truly understand the dangers the immigrants faced if forced to return to their countries of origin. One man from Mauritania said his case was denied because the judge considered him an “economic migrant.”

“I did not come to America for money, I came to America for my life. I was forced to leave Mauritania. I had a good life in Mauritania. I was a math teacher. As many Black Mauritians, we are victims of a forced mass deportation to Senegal and denied our rights. The Mauritians did an ‘ethical cleaning’ [sic] of Black Mauritians. They took all of our lands, our belongings, they killed our family members. We lost everything and I know that America is a land of freedom, a land of immigrants.” — #ReuniteUS Community Member

Another said, “I came to America to run away from all the atrocities in Mauritania. Mauritania is bad for Black people. We saw the events in 1989.¹⁴⁻¹ I want to come back to America because America is HOME. I cannot live in Africa or go back to Mauritania. I worked these many years and have a right to come back in America.”

Said one man interviewed for #ReuniteUS, “In Mauritania, they locked me up...We couldn't use the bathroom. People were urinating inside the cell. Whenever a detainee screamed, they would beat them up and torture them. It was horrible. So then we asked to be taken to Senegal, but we were incarcerated for 15 to 20 days in Mauritania before being taken to Senegal.”

Another said: “The way I was deported was painful...They deported me and I left all my belongings...In Mauritania, the ICE officers spoke to a woman police officer and lied to her and said that I was a criminal in the U.S. and that I was in prison in the U.S. They asked me about my background and asked me for my Mauritanian papers. I didn't have any. They locked me up. The ICE officers stole \$200 of the cash I had during the flight.”

Listen to his experience at bit.ly/3Ne4Ubc or scan the code.



A Columbus man who survived torture in Mauritania and has a case pending in the Cleveland Immigration Court told the Columbus Dispatch: “I live with uncertainty, which is torture inside of me because I’m living a life where I’m not sure if I will be granted asylum or be deported. If I go back [to Mauritania], the same thing that happened to me will happen again.... My roommates went through this [immigration court]. I’m scared.”

In addition to Black Mauritians, people from Cameroon and Haiti have been arrested and tortured after deportation.⁷⁷ Some, like Roody Fogg of New Jersey, have died.⁷⁸ Many others, including at least one man in the #ReuniteUS community, remain in hiding.

Fogg lived in the U.S. for twenty-eight years before he was deported in 2022. He and several other men were detained, without charge, upon deportation to Haiti. Fogg died after a cholera outbreak in the Haitian jail. To the Bergen Record, his mother wrote, “If there was medicine, he wouldn’t have died ... There, it’s like they threw him in a corner.”⁷⁹

Racism, medical neglect, abuse, and indifference toward the fates that await people being deported are not unfortunate accidents, but features of the detention and deportation system. Lately, some of the problems have gotten more exposure due to the bravery of immigrants speaking out, but exposure alone does not protect human lives and dignity. Only different laws, policy choices, and actions can do that.

Alfredo Ramos of Painesville, Ohio lived in the United States for twenty-four years. His two children, Cristian and Diona, are U.S. citizens.

During a trip to the mall in 2011, police stopped the van Alfredo was in and questioned all of the passengers about their immigration status. Alfredo’s prior deportation order was revealed, and he was charged with the federal crime of “reentry after deportation.” Typically, Alfredo would be coerced into a plea deal for the “federal crime” of trying to be with his family, serve time in prison, and be deported.

But his community rallied behind him. His family and supporters chanted and marched outside the courthouse. The vibrations were felt inside the courtroom. The prosecutor dismissed the case and ICE relented, issuing a stay of deportation.

After that day, the children’s bond with their father grew tighter. Cristian said, “I just wanted it always to be this way.”⁸⁰

Yet “always” was only a few years for the Ramos family. ICE came looking for Alfredo shortly after the change of administration in 2017. He decided to self-deport—in other words, to go to Mexico on his own, rather than being threatened with deportation again. Alfredo hoped this would give him an opportunity to reunite with his family in later years.

“He never wanted to leave, never wanted to be separated from his children,” said his ex-wife, Susan Brown.

But that hope soon died. Reporter Julia Preston wrote about the last moments Alfredo's family had with him: "Beaming in on Facetime from a family homestead, also in León, Ramos invariably showed a smile. But on Sept. 4, 2018, a relative called from Mexico. Ramos had been killed, executed with 27 shots by a rampaging drug gang who mistook him for a rival trafficker. His children watched the funeral by video."

Of course, immigrants and their lawyers and their clients warned immigration judges about these dangerous possibilities, but they did not listen. There is no satisfaction in saying "I told you so," when the worst warning imaginable was disregarded, and came true.

Chapter Notes

14-1. Starting in 1989, the Mauritanian government utilized a border conflict with neighboring Senegal to accuse Black Mauritians of being Senegalese, and forcibly deported or killed thousands of Black Mauritians over the next few years. Black Mauritians continue to be subject to inhumane treatment to this day. This 1994 Human Rights Watch Report provides historical context: <https://www.hrw.org/sites/default/files/reports/MAURITAN944.PDF>. This 2023 testimony from the Ohio Immigrant Alliance provides information about current human rights abuses: <https://ohioimmigrant.org/2023/09/18/1949/>.

Chapter 15 - Single Mothers Overnight



The vast majority of people interviewed for #ReuniteUS are men. This aligns with the fact that men make up most of the people incarcerated in ICE detention (86 percent as of July 2023)⁸¹ and deported (upwards of 85 percent).⁸² Golash-Boza and Hondagneu-Sotelo refer to this as a “gendered racial removal project of the state.”⁸³

As previously mentioned, removing a breadwinner and caregiver from a home means that other family members have to work longer hours and multiple jobs to make up for the lost income.

Many also have to support the person who was deported, as they struggle to find jobs that pay a livable wage. One man Sy interviewed admitted, “My wife has to support us by herself. She has to pay the mortgage. I can't provide for my kids or protect them. What is going to happen if I'm not there?” Several people described similar circumstances.

Additionally, one study examining the experiences of families whose male adult was deported found that their immigrant partners were at a higher risk of labor exploitation.⁸⁴

Fatima Sow of Columbus, Ohio is bearing too much alone after her husband's deportation. The couple's youngest child has severe medical issues that require extensive therapy, hospital stays, and lengthy medical appointments. At two years old, he still could not walk or talk.

Five years after her husband's deportation, Fatima is still trying to do it all on a part-time income. “My kids always ask about their father,” she wrote in a message to the Biden administration's Interagency Task Force on the Reunification of Families. “It's hard and painful to witness. They always see their friends with their fathers and always ask me why can't they have their daddy with them. It's hurtful to see.”⁸⁵

Fatima's message was part of an effort to redefine “family reunification” in the purview of this task force. In 2021, the task force said it was taking these comments under consideration and preparing a report for President Biden. As of this writing, the report has not been made public.

When researchers with the Children Thrive Action Network came to Ohio in 2022 to talk to immigrant parents about their hopes and concerns, newly-single mothers opened up about the severe emotional and financial stress they have been dealing with since their spouses were deported. Many have no help beyond one trusted friend or family member, and their children's schools. Some have no help at all.⁸⁶

A mixed-methods study of Mexican American men who were deported found that their families lacked "regular and/or safe childcare following the deportation process, suggesting that children may be transitioning from a situation of supervision to limited or no supervision with a parent who is stretched emotionally, logistically and economically as they attempt to maintain a functioning household."⁸⁷ Moving the entire family to Mexico was not a good alternative, as that choice brings its own mental, physical, and financial toll.

Navigating the costly and confusing immigration process only exacerbates the stress of the women that remain in the U.S. Yet they do this in the hope that their partners can come home.

Even if a family is fortunate enough to afford plane tickets to visit a deported father and husband, such trips are often impossible to arrange. Before issuing a passport to a child, the U.S. government requires signatures from both legally-recognized parents, as well as their presence during the application process. If a parent cannot be present, they must fill out an additional form that requires notarization, posing an additional expense and a potentially insurmountable barrier.⁸⁸

How many notaries recognized by the U.S. government operate in rural Africa? This means that because the father is not physically present, the chance to reunite with his children, for even a brief time, is lost.

Chapter 16 - The Invisible Wall

#ReuniteUS community members also expressed frustration with a dysfunctional U.S. government bureaucracy, a lack of affordable legal support, and the complexity of immigration rules.

Overwhelmingly, they do not understand why they were deported. “I don't even know why my case was denied,” said one man. “The judge told me that I could stay in the U.S. for ten years, as long as I didn't have any trouble. I had work permits and I used to check-in every year. When I went on my last check-in, the immigration officers told me that they had a paper from my embassy and that they will deport me.”

Many said that interpretation problems made it difficult, if not impossible, to explain their cases to the court and answer questions in detail. “I had problems with the interpretation,” said one man. “They brought a person from Guinea who wasn't speaking the Pulaar [Fulani] from Mauritania. During my court hearing, the translator wasn't interpreting everything I was saying.”

Another man said, “I had a passport from Mali but I'm a Congolese citizen. I applied for asylum in 2001. My case was denied because they did not find me credible. The interpreter wasn't explaining everything clearly to me.”

“When I first applied for asylum, I did not have a translator. It was back in 2000. My lawyer did not understand that I wasn't understanding the law terms,” said another. “When I went to see the judge, I [felt] like he did not give me enough time to gather information to prove that I was seeking asylum for political reasons.”

Communication with lawyers was also a challenge, one made worse for those who were detained. “I have a lawyer. We paid him in full, but he never answers the phone or emails. I have appealed my case and I have paid all the fees but the lawyer never gave us any information or letter or any news,” said one man.

Mistakes and misconduct also occurred. Some people mentioned not being told about their right to appeal a negative decision. Hearing notices were lost in the mail due to shoddy record-keeping at the former Immigration and Naturalization Service, Executive Office for Immigration Review, and Department of Homeland Security. “I told them that if I would have known [about the hearing], I would have been there, considering I was filing for asylum, so it [would have been] for my benefit,” one man said to Sy.

Consider what happened to Ibrahima Keita, a member of #ReuniteUS, as explained by Reuters. “Keita, 61, originally from Mali, had been in the United States since 1990. Fleeing a dictatorship, he crossed illegally into the United States from Canada and applied for asylum. Seven years later, at a court date to plead his case, his lawyer

never arrived. Not knowing he was allowed to attend the hearing alone, Ibrahima waited outside the courthouse for hours. The judge ordered him deported from the United States for not showing up.”⁸⁹

In immigration cases, any misstep can have a profound and irreversible outcome. “My first lawyer charged me \$8,500 for my case, just to announce to me that I have lost my case. I went to another lawyer and he told me to go back to [the first lawyer]. He also told me that [the first lawyer] did not fill out my application the right way,” a man told Sy.

Said another, “I had a lawyer, [but] he forgot to communicate to me that the immigration services needed a document. He never told me until the date had passed. Then they [ended] the case.”



Boubou Koita was deported from New York to Mali

It's a cruel twist of fate when factors outside of someone's control are able to determine the outcome of their cases—and lives. Said one man, "I had a lawyer and I paid him around \$700. I had a translator in court."

"Everything was fine during the court day. They were happy with my answers. My case was denied because the witness that was called ... did not answer the phone to testify on that day. The judge said 'Mr. [name], your witness did not answer the phone so we are denying your case.' I did not appeal my case. My lawyer did not ask me if I wanted to appeal my case. I only went to court once." — #ReuniteUS Community Member

Another related, “I asked for asylum in New York in 1999. The judge denied my case, so I appealed it.”

"I missed my court date. It was on 9/11 [the day of the 2001 terrorist attacks]. Then they gave me another date and the judge died. Then they gave me another court date but my lawyer never gave me the date... My lawyer never fought my case." — #ReuniteUS Community Member

In a system that is supposed to protect human life, mistakes, omissions, and bureaucratic nightmares like these should not lead to such a final outcome, without any chance for correction. Yet during the George W. Bush and Obama administrations, many community members of #ReuniteUS were permitted to stay in the United States,

despite losing their cases. Justice is not always served in court, and prosecutorial discretion gives the Executive Branch the authority to decide whether to execute a deportation order or not.

Everything changed when the Trump administration took over.

“I lost many people after I left the country. I love this country. America was home to me. I've never had any issues in America. I respect America. I have no regrets [about] my life in America.” — #ReuniteUS Community Member

Chapter 17 - "I Live With My People"

To the extent that deportation is talked about at all in public spaces, it typically focuses on individuals with young children or U.S. citizen spouses. But there are many other people who also deserve to come home. Their lives matter and their circles of family and friends still ache for them. For some, the separation can never be repaired.

Jimmy Aldoud, a single man from Detroit, had a loving extended family. In 2019, Jimmy was deported to Iraq.⁹⁰ He had never set foot in that country, did not speak the language, and was terrified.¹⁷⁻¹

In Iraq, Jimmy struggled to communicate and obtain insulin to manage his diabetes. Jimmy died sixty-three days after his deportation—"alone and scared," according to his sister, Mary Bolis. His was another Trump-era deportation that did not have to happen.

When he was deported, Abdoulaye Thiaw left behind friends, brothers, and many nephews he calls "sons"—including one in the National Guard.

Abdoulaye said:

"I have a lot of [family members] there, especially ... the young kids [who were] born [in] front of me. Now they're growing. Every day I talk to them, they're crying, 'Uncle Abdoulaye, when can you come back, or when you gonna come back?'"

"Sometime[s] it is not easy at all, my life. I miss Columbus a lot. And then [my profession], I am a mechanic.... Since 2005 I ... built a lot relationship[s] with people. You can say all of the world, because I know some from Africa, America, [the whole] world.... I meet a lot of people, and still [talk to] some of them right now.

"I just finished talking to one Ghanaian ... guy. We talk a lot. He said, 'Abdoulaye, we miss you here. Especially the way you used to help us. Any place when my car broke, I [would] call you. [And you] just come fix it for me. You help me.' We talk a lot, a lot. He told me he met some people from Liberia, others from Sierra Leone [and they were] talking about me. You know, life is similar to what we're doing right now. You just try. If you try, you just do the good thing. That's it."

At the final 2007 hearing on his asylum claim, Abdoulaye requested an interpreter. The one provided by the court spoke a different dialect of Fulani. This is a common problem according to people in #ReuniteUS, as well as a report from the Columbus Dispatch.⁹¹

Unable to understand the interpreter and in an attempt to communicate, Abdoulaye

attempted to answer the court's questions in English. The immigration judge accused him of trying to trick the court, and Abdoulaye lost his case.



Abdoulaye Thiaw in Senegal, 2023

During the hearing, the immigration judge asked who Abdoulaye lived with and he responded, "I live with my people."⁹² Rather than requesting specific details to understand what Abdoulaye was struggling to communicate, Immigration Judge Noel Anne Ferris lashed out.

She denigrated him, saying that his response was "[T]he way teenagers talk, not grownups who want to communicate effectively." The judge then found him "not credible" and denied asylum. Judge Ferris was widely known for her cruel remarks and outbursts in court.¹⁷⁻²

Still, Abdoulaye was permitted to remain in the U.S. and lead a dignified life. He was one of

thousands of people in the U.S. under "Orders of Supervision" from ICE, until Trump came into office. In 2018, Abdoulaye was detained at his ICE check-in, shuffled around various jails, and deported three months later in full body shackles.

Abdoulaye and others like him deserve to come home. His "people" want him back.

Deportation has ripple effects on communities. After the 2018 immigration worksite raids in Tennessee, Latine families stopped going to medical appointments. Children were deeply affected; behavioral issues, suicidal ideation and attempts, and substance use increased, even among children whose families were not directly involved in the raid.⁹³

The Society for Community Research and Action, a Division of the American Psychological Association, summarized research on the impact of deportation on the

larger community in their 2018 policy statement. “When someone is deported in the broader community, research indicates that others in that community become fearful and mistrustful of public institutions, reducing adult and child attendance and participation in churches, schools, health clinics, cultural activities, and other vital social services designed with public health in mind,” they write.⁹⁴ The Society lays out policy recommendations that include an end to forced family separations.

Deportation also diminishes the social capital that binds neighbors and communities. Researchers Hagan, Leal, and Rodriguez explain, “Immigrants who have accumulated knowledge, experience, and economic resources in a new society can play an important role through social networks in assisting other newcomers (especially family members) to navigate through, and participate in, a host of activities that some see as amounting to ‘effective citizenship’ or social membership.”⁹⁵

Contacts for employment or understanding how to navigate transportation or the local school system are examples of social capital held by long-term community residents who help newcomers acclimate. Deportation robs communities of these resources.

In addition, community leaders who have established businesses or civic groups, lead congregations, or organized funding pools for emergencies are sadly not immune to deportation. Their loss leaves a gaping hole.

After Columbus Quran teacher Seydou Sarr was deported, Ahmed Tidiane, president of the local mosque, wrote:

"By this present letter, the masjid calls upon the United States Department of Homeland Security to assist Mr. Seydou Sarr to return to the United States. Mr. Sarr was deported to Mauritania in 2018. Upon his arrival, he was detained and mistreated. His family members had to pay a heavy fine (called pour boire) which is some sort of bribery to obtain his release.

"He stayed in Mauritania without being able to obtain his civil documents back, which compelled him to stay confined at home without freedom [of] movement in Mauritania. Because of the unbearable conditions, he decided to go to Senegal to live there. According to him, living undocumented in Senegal is safer than living in a stateless condition in his own country.

"Mr. Seydou Sarr has been an Imam Naib (substitute) since the inception of the mosque until the day of his deportation. He was a very active member of the mosque. During his tenure in the community, he was a role model to other people and displayed strong family values and discipline. Although he has a strict belief in being a good citizen, he is very cheerful and close to his peers. He volunteered his time every

Saturday and Sunday to teach the community children holy Qur'an, inspire them with good morals and keep them away from the street and unproductive activities during their idle times.

"All the children loved him. He taught them good morals. I recall one day, I went to my daughter's teacher-parent conference. At that time, my daughter was attending 4th grade. Her teacher said she was the only one who would volunteer to sweep the floor of the classroom. As a proud father I looked at my daughter to tell her how wonderful she was, and even before I started my sentence, she said, "My Quran teacher taught me to volunteer."



Seydou Sarr's Columbus community calls for his return after his deportation to Mauritania

One of Seydou's former pupils wrote:

"Ever since Seydou Sarr left the community, I've noticed a decline in kids wanting to go to school; an increase in kids taking drugs; an increase in kids doing violent acts; an increase in kids of the community having no place to express their feelings and anger, which results in them being depressed.

"I strongly believe that if Seydou Sarr was still in the community, all those things that I listed would most likely have been prevented. And I also believe he should be given another opportunity to come back, not just to better his life but to better the lives of the future kids in our communities. "

Another former student, who is now a member of the National Guard, also made a

plea of mercy for his mentor and friend. "He fits every description of a good citizen," he said.



Listen to more at bit.ly/3MKGaa6or scan the code to the left.

Students of Seydou Sarr speak passionately about what he means to them and call on the U.S. Department of Homeland Security to let him come home at bit.ly/3FZLEKo or scan the code to the right.



Hear Seydou Sarr speak virtually at the Interfaith Immigration Coalition's "Prayers for Justice & Peace in Black Immigrant Lives" at bit.ly/49PbleD or scan the code below.



Chapter Notes

17-1. Jimmy Aldoud was born in Greece, but that country does not have birthright citizenship. His nationality was then linked to Iraq, which was his parents' country of origin.

17-2. That same year, Judge Ferris was removed from another case by the Second Circuit Court of Appeals, which found she had injected her "personal views" and "improper assumptions" into the decision. She also berated the applicant for crying about his separation from daughter and the abortion his wife was forced to have, and told him to leave the courtroom. As with Abdoulaye, Judge Ferris scolded this man for occasionally responding with the words "sorry," "OK," and "Yeah" in English, instead of through the Chinese interpreter. See "[Judge Who Chastized Weeping Asylum Seeker Is Taken Off Case](#)," Nina Bernstein, The New York Times, September 20, 2007.

Part Three - *A Deliberately Dysfunctional System*

Chapter 18 - From Black Codes to Immigration Jail

The United States has the highest incarceration rate in the world.⁹⁶ Black and white people make up an equal share of the jailed population, at 38 percent each. But Black people comprise just 13 percent of the U.S. population, while white people make up 60 percent.⁹⁷ This disparity is not an accident.

In the report “Uncovering the Truth: Violence and Abuse Against Black Migrants in Immigration Detention,” the Black Alliance for Just Immigration (BAJI) shows how post-slavery policies to control Black people, limit their opportunities, and protect white privilege are applied to immigration policy:⁹⁸

"The gross and egregious treatment of Black migrants is the byproduct of centuries of racial inequity, racial terror, and anti-Black racism that is endemic to the United States. In the past, the U.S. government intentionally incarcerated Black people for power and profit through the 13th Amendment. At present, the U.S. has institutionalized the mistreatment of Black people through over-policing of Black communities, mass incarceration of Black people in its corrupt prison facilities, and the expansion of incarceration of Black migrants in inhumane detention centers." — BAJI

The 13th Amendment to the U.S. Constitution is credited with ending slavery, but it allowed an exception. Slavery and involuntary servitude are illegal, except as a punishment after a criminal conviction. Governments then criminalized certain behaviors, such as loitering and jaywalking. They focused enforcement of these laws on Black people, many of whom were recently freed from slavery.

BAJI further explains, "Black men, women, and even children were then 'leased' by prison companies to work in plantations or mines for no pay, and often experienced abuse at the hands of political leaders and plantation owners."⁹⁹

The immigration detention system, run by the same private companies that incarcerate a disproportionate number of U.S. citizen Black people in jails and prisons has become a multi-billion dollar industry. This is partly because people detained by ICE are paid around one dollar per day to perform the majority of essential functions such as cooking, cleaning, and laundry.

The “Black Codes” of the 1800s have become a vast array of laws that are selectively enforced, with the same goal of allowing (mostly white) power structures, like private contractors and county jails, to profit from Black people's incarceration.¹⁰⁰

Chapter 19 - Writing Racism into Immigration Law

There are two ways to become “undocumented.” One is by entering the U.S. without passing through the scrutiny of a border agent (also called an “inspection”). This happens on land, rather than through an air or seaport. The second way to become undocumented is by remaining in the U.S. after the time period authorized by one’s temporary visa.¹⁹⁻¹ This is the way that people who are permitted to enter the U.S. legally may eventually become undocumented.

Someone who is arrested attempting to enter the U.S. at a land border, without being “inspected” by a U.S. agent, can be charged with a federal misdemeanor crime. Doing so after they had already been deported from the U.S. is a felony. Overstaying a visa is not a criminal offense.

Historian Kelly Lytle Hernandez has meticulously researched how federal lawmakers and lobbyists crafted these laws to preserve business owners’ access to Mexican workers, without giving the workers a stable and permanent place in the country.¹⁰¹

With Professors Mae Ngai and Ingrid Eagly, Hernandez writes about a group of early 20th century Nativists, inside and outside of Congress, who wanted to end Mexican immigration entirely. Business owners, primarily in the agriculture industry, agreed with the Nativists that allowing Mexicans to live permanently in the United States would be a “social problem” that risked the “further degradation or change through mongrelization” of the “American racial stock.” But they still wanted Mexican people to work for them, temporarily.

Business lobbyists and pro-business lawmakers brokered a compromise with the Nativists through hierarchical racism. Testifying before Congress in 1928, lobbyist George Clements warned that a ban on “Mexico’s deportable birds of passage” would open the door to “Puerto Rican Negroes, who, as citizens, would leave the edge of the U.S. empire to settle within the final frontier of Anglo America.”¹⁰²

The “threat” was that banning Mexicans’ entry into the U.S., and immediately deporting any who managed to cross the border, would create a labor gap that Puerto Ricans would then fill. As residents of a U.S. territory, after all, they have freedom of entry. They are not subject to U.S. immigration laws and cannot be controlled through those laws. And, as Clements unabashedly pointed out, many Puerto Ricans have African ancestry.

The Nativists buckled. Instead of an outright “Mexican ban,” they won sharper legal tools to use against them: criminal sanctions for entering the country outside the designated ports of entry in the Undesirable Aliens Act of 1929 (see 8 U.S.C. 1325 and

8 U.S.C. 1326). This was a way of targeting people from Mexico without explicitly saying it.

At the time, people from Europe typically came to the U.S. by boats that docked at U.S. ports of entry. Mexicans were the main group entering the United States by land and, therefore, potentially between ports of entry—“without inspection.” Remaining in the U.S. past one’s allotted period of residency remains a civil immigration violation to this day. Only “entry without inspection” or “reentry after deportation” became federal crimes.

In the Undesirable Aliens Act of 1929, which criminalized undocumented entry outside a port of entry, the U.S. government built a threat to use against Mexican workers if they attempt to establish their lives in the United States, or dare to assert their rights as people and as workers. The laws are still applied regularly, their motivations seldom questioned. This is just another example of how racism created today’s system, and the system is working as designed. Incidentally, one of the politicians involved in this effort also tried to amend the U.S. Constitution to criminalize interracial marriage.¹⁰³

In 2021 a federal judge ruled that the law that makes reentry after deportation a crime is unconstitutional, because of its racist origins.¹⁰⁴ But a federal appeals court reversed this ruling in 2023.¹⁰⁵

Chapter Notes

19-1. Many organizations also use "undocumented" to refer to people with other types of insecure immigration status. This can include people who are in the process of gaining legal status (like the spouse of a U.S. citizen or an asylum applicant), or people whose temporary status can be in limbo (like people with Temporary Protected Status or Deferred Action for Childhood Arrivals). See <https://immigrantsrising.org/resource/defining-undocumented/#:~:text=Who%20Is%20Included%20in%20the,also%20known%20as%20%E2%80%9CEWI%E2%80%9D>.

Chapter 20 - Built to Fail

Content Warning: Image of injury after police violence.

“The current U.S. immigration system is not designed to function fairly, but to fail,” writes Lynn Tramoto in testimony for the House Judiciary Committee hearing, “For the Rule of Law: An Independent Immigration Court.”¹⁰⁶

“This is not a system designed for humanitarian protection. It is a system designed for coercion and control; and one that has sent thousands of people back to the persecutors and dangers they ran from.”

Tramoto's testimony continues:

"Immigration courts offer the illusion of justice, in a courtroom setting, not true justice. They are not independent judiciaries, but part of the Executive Branch. Immigration courts and the national Board of Immigration Appeals are part of the Executive Office for Immigration Review at the U.S. Department of Justice, accountable to the Attorney General. The Immigration Court system is easily influenced by political interests and pressures."¹⁰⁷

For example, to receive a “satisfactory” performance rating, Trump’s Attorney General Jeff Sessions required every immigration judge to complete at least 700 cases a year.¹⁰⁸ With 260 workdays in the federal calendar, that’s 2.7 cases per day—with no time off for illness or vacation. The emphasis on speed, rather than careful review of life-altering matters, was based on the Executive Branch priorities—not judicial principles of fairness.



Daoudo Dia lives in Senegal following his deportation

Also during the Trump administration, Attorneys General Sessions and William Barr used their “certification” authority to direct how cases under a specific set of facts should be decided by the network of immigration judges in their employ. The AG’s authority to step in and decide cases is supposed to be used to correct mistakes. Instead, Trump’s Attorneys General used the authority to make it even harder for people to obtain asylum.

Judging “Credibility,” Without Context Of Culture

To be granted asylum, an applicant must meet very specific legal standards, and be found to be “credible” by the immigration judge (or Asylum Officer, if the case is being reviewed at USCIS rather than an immigration court). Judgements about an asylum applicant’s “credibility” are entirely up to the immigration judge's discretion--meaning they are completely subjective.

Even if an asylum seeker meets the legal requirements, a judge can still deny asylum based on their “feeling” that the person is “not credible.” When appealing a negative decision, it is extremely difficult to overturn an immigration judge's adverse credibility finding.

People can lose their asylum cases for multiple reasons, and; losing doesn’t mean that their fears of being harmed are unfounded. Poor (or no) legal representation; ignorance and bias among immigration judges about other cultures, countries, and social norms; the arbitrary one-year asylum “filing deadline” (a legacy of another harmful law known as the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 or IIRAIRA); interpreters speaking the wrong dialect; and mail delivery problems regarding hearing notices and other important paperwork; are some of the most common reasons people in #ReuniteUS lost their cases.

It is clear from data on asylum decisions that the chance someone is granted asylum is heavily dependent on their assigned immigration judge, proving that these decisions are subject to individual bias.¹⁰⁹

Attorney Emmanuel Olawale described Immigration Judge Jonathan Owens’ questioning of his client’s asylum case to the *Columbus Dispatch*.¹¹⁰ His client was raped because she is a member of the English-speaking minority in Cameroon, but Judge Owens posited that perhaps she was raped because she was a “pretty virgin.” Then, he denied her asylum.

In her testimony, Tramonte further explains that immigration judges are empowered to deny asylum based on an “adverse credibility finding,” meaning that if the judge doesn’t like the person’s character or demeanor—or isn’t sure she is telling the truth—they can find her “not credible” and order her deported. No evidence of deception required.

"In U.S. Immigration Courts, mainly white, Western-educated people of Judeo-Christian backgrounds make character judgements about people from diverse

religious, cultural, social, linguistic, educational, financial, and literacy backgrounds. Some decisions are made based on ignorance and bias.

"If a person does not give graphic detail about his torture and break down crying, a judge may decide he is "not credible" and deny his request for asylum. This is because the person is not exhibiting trauma the way this U.S. immigration judge, with no psychological training, expects him to. If he fails to look the judge in the eye, or doesn't give specific names, dates, and sensory details about the most traumatic moments of his life in an intimidating courtroom—or worse yet, through a remote video screen from a county jail—he may be called 'aloof' or 'evasive' and again deemed 'not credible,'" writes Tramonte.¹¹¹



Arsene Tiha was deported after working in the US 14 years

on criminal grounds.¹¹³

Anti-Blackness in Immigration Court

The Southern Poverty Law Center and Innovation Law Lab conducted focus groups with attorneys and found repeated accounts of immigration judge bias and misconduct, including sexual harassment of female attorneys, preferential treatment of DHS attorneys, and decisions that were influenced by personal biases and racial stereotypes influencing their decisions.¹¹²

Even the way ICE prosecutes immigration cases is tainted. While it is estimated that only 7 percent of undocumented immigrants are Black, Black people make up 20 percent of those facing deportation

Systemic Racism in the Criminal Legal System

Another aspect of the system that pretends to be good for society but is actually unjust is the "arrest-to-deportation pipeline."¹¹⁴

State and local police are charged with enforcing state and local criminal law, not civil or federal law. Immigration law is part of the federal code, and most of its provisions are civil. Police are not trained to enforce federal civil immigration laws, because that is not their job. Yet when it comes to immigration enforcement, that line has been erased.

The Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA), further discussed in Chapter 21, allows for formal agreements between local law enforcement

and federal immigration authorities, which deputize state and local law enforcement officers to act as immigration agents. Moreover, local law enforcement share data with ICE.²⁰⁻¹

Many people in #ReuniteUS were pulled over by the police or state highway patrol for specious reasons, i.e. “driving while Black” or “driving while brown.” Broken tail lights, rolling through a stop sign, or changing lanes without signaling became an excuse to stop a Black or brown driver and “investigate.” On the Ohio Turnpike, just the sight of multiple people of darker skin complexions riding in one car or van can prompt the highway patrol to pull them over.²⁰⁻²

Jesus Lara’s deportation battle started when he was pulled over by local police and charged with driving without an operator’s license, something no officer could reasonably suspect without stopping the car and questioning the driver. The traffic stop may have been illegal, but Jesus had another problem: the stop caught ICE’s attention. He was charged with violating civil immigration law and ordered deported, but the U.S. government granted Jesus an Order of Supervision that allowed him to live in the country and work legally. Years later, the Trump administration carried out his deportation.

Over-policing is another example of how biased policing feeds the deportation pipeline. For decades, it has been empirically proven that Black and white people use drugs at similar rates, but Black people are more likely to be arrested for drug possession and receive longer sentences.¹¹⁵ For example, a Black person is 3.64 times more likely to be arrested for marijuana possession—a deportable offense—than a white person, despite similar usage rates and the movement to decriminalize marijuana.¹¹⁶

Sociologist Daanika Gordon explains that “predominantly Black neighborhoods are simultaneously over-policed when it comes to surveillance and social control, and under-policed when it comes to emergency services.”¹¹⁷ This indisputable truth has an added cost for Black immigrants. A drug or other minor arrest can lead to deportation, even for those with lawful permanent resident status. And just the arrest itself can be an excuse for state and local police to contact federal immigration officers and see if they want to pursue deportation.

No conviction required.

Jail is Jail is Jail – It’s Never “Civil”

The fact that immigrants can be incarcerated in a *criminal* jail while their *civil* court case plays out reinforces the false narrative about immigrants and immigration law.¹¹⁸ In fact, being in the United States without a visa is not a crime; it may be a civil violation, and

the person may have a legitimate defense. For example, if their safety would be in danger if forced to return to their native country, they qualify for asylum.



Mamadou Sy was deported from Tennessee to Mali

Black people often experience disparate, racist treatment in immigration jail. A 2022 report finds that 28 percent of examined abuse-related reports in detention came from people born in Black-majority nations, while representing only 6 percent of the detained population.¹¹⁹ An older study found that African and Caribbean immigrants made up nearly a quarter (24.7 percent) of all people placed into solitary confinement, while only representing 3.6 percent of people in immigration jail between 2013-2017.¹²⁰

Even the cost of freedom from immigration jail is, quite literally, much higher for Black immigrants than others. RAICES TX found that bonds paid for Haitian immigrants averaged \$16,700, 54 percent higher than the \$10,500 average bond.¹²¹

In 2021, RAICES TX, UndocuBlack Network, Haitian Bridge Alliance, and Cameroon American Council filed a civil rights and civil liberties complaint with DHS alleging discriminatory practices and deliberate indifference related to prenatal, maternal, gynecological, and pediatric needs of detained Black women and children at Karnes County Family Residential Center, an immigration jail.¹²² At the height of the COVID-19 pandemic, ICE paused the detention of pregnant women and infants under the age of one. However, once the detained population at Karnes gained more Black women and children in custody, ICE under Trump abandoned this policy and began neglecting their needs.

In 2021, ICE under the Biden administration issued a new policy directing the agency to not detain, arrest, or take into custody for administrative violations of immigration laws people who are known to be pregnant, postpartum, and nursing. Unfortunately, those who appear to be in violation of criminal immigration law are not protected under this policy.

This data clearly illustrates the unjust treatment Black immigrants experience in the U.S. But there is a huge gap in research about Black migrants and Black immigrant families that must be filled. For example, ICE and DHS do not collect data on race or ethnicity, only country of origin, obscuring the scope and scale of abuse and

discrimination. The world needs to know more about Black immigrants' experiences and demand change.

Chapter Notes

20-1. 287(g) agreements are local-federal partnerships that allow police officers to carry out federal immigration law. As of June 2023, ICE has 137 agreements in 23 states. For more information, see "ICE's 287(g) Program," U.S. Immigration and Customs Enforcement <https://www.ice.gov/identify-and-arrest/287g>.

20-2. Advocates for Basic Legal Equality (ABLE) and the American Immigration Council are seeking records from the U.S. Border Patrol, Ohio State Highway Patrol, and DHS Department of Civil Rights and Civil Liberties to corroborate this situation, which has been reported by many people traveling to the Immigration Court in Cleveland, or who were detained following these pretextual traffic stops. See <https://www.americanimmigrationcouncil.org/foia/seeking-information-about-border-patrol-practices-ohio>.



Ahmed's swollen eye from a guard assault is visible in his Butler County Jail booking photo

Part Four - *Presidents and Policy Choices*

Chapter 21 - Clinton, Crime, and the Deportation Machine

For purposes of this analysis, we offer brief context about policy and political choices made during the five most recent presidential administrations. These decisions had an outsized impact on the fates of people in #ReuniteUS.

In the mid-1990s, Congress passed and President Bill Clinton signed the Violent Crime Control and Law Enforcement Act (a.k.a “the crime bill”); the Personal Responsibility and Work Opportunity Act (PRWORA); the Anti-Terrorism and Effective Death Penalty Act (AEDPA); and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA).²¹⁻¹

These measures played on the public’s fear of violent crime and terrorism, adopting a sledgehammer approach that dramatically expanded incarceration rates, jail sentences, and deportation numbers. The overall approach was to make life as difficult as possible for immigrants and their families.

The 1996 laws, especially IIRAIRA, made it significantly easier to exclude, detain, and deport immigrants, including those with lawful permanent residency (also known as green card holders). PRWORA denied immigrants access to the social safety net.

IIRAIRA additionally made more people eligible for deportation. The law also made it easier for the government to carry out deportations and made it harder for people to access legal immigration status.¹²³ IIRAIRA was applied retroactively, which only added to its pain, as people who were previously not deportable became deportable, overnight.

Key provisions of IIRAIRA include:

Making almost any contact with the criminal legal system a deportable offense, including marijuana possession, regardless of state law.¹²⁴

Facilitating, and even requiring, the incarceration of more immigrants until they are deported.

Recruiting state and local police to help the federal government enforce civil immigration laws.

Eliminating immigrants’ right to make their case before a judge in many situations, including the advent of fast-tracked deportations.

Narrowing federal judges' authority to review, and potentially reverse, decisions made by the Executive Branch, including those made by immigration judges in immigration court.

Arbitrarily requiring people seeking asylum to apply within one year of entering the United States.

Making access to the rare form of relief, "cancellation of removal," even more difficult, and limiting it to only 4,000 people per year.¹²⁵

Instituting "unlawful presence" bars to make it harder for people who qualify for lawful permanent residency—for example, because they are married to a U.S. citizen and qualify for a family-based immigrant visa—to obtain it.

Unlawful presence is the period of time when an immigrant is in the United States without being admitted or paroled. Accruing certain amounts of unlawful presence can make immigrants "inadmissible," which means if they leave the United States, they cannot be admitted into the country, they cannot adjust their status, and they cannot get a visa without a waiver or exemption.

These and other aspects of IIRAIRA have directly harmed the people and families in #ReuniteUS. For example, prior to the law's passage, people who were going through deportation proceedings could request "suspension of deportation" in immigration court and obtain a green card if they met the following criteria: 1) they were present in the U.S. for at least seven straight years; 2) they had good character; and 3) they could show that their deportation would cause them "extreme and exceptional" hardship or cause "hardship" to a direct family member who is U.S. citizen or lawful permanent resident.¹²⁶

IIRAIRA revoked this process and replaced it with "cancellation of removal." The eligibility criteria for cancellation of removal is much narrower than suspension of deportation, and only 4,000 people can receive it annually. Contact with the criminal legal system, however minor or innocuous, could render someone ineligible.

Additionally, the law intensified the "hardship" an individual would have to prove before obtaining cancellation of removal. Hardship to the *person facing deportation* no longer mattered. Only "exceptional and extremely unusual" hardship to a *U.S. citizen or lawful permanent resident family member* could lead to cancellation of removal. When the hardships of deportation to children and spouses are so obvious, as in all of the research cited above, and decisions are dependent on the individual decisions of immigration judges, proven to exercise discriminatory biases, requiring an "exceptional" and "extremely unusual" hardship becomes elusively cruel.

IIRAIRA also created new “unlawful presence” penalties that ensnare people who are in the United States without authorization but could otherwise qualify for green cards under the law. These people are deemed to have accrued “unlawful presence” in the United States, which means they would be found “inadmissible” to this country if they were ever to leave and try to reenter.

This person may otherwise technically qualify for a green card due to, for example, a spouse’s status as a U.S. citizen. Depending on how much unlawful presence a person has accrued in the United States—180 days, one year, or more than one year in total—a person can be barred from entering the United States for three years, ten years, or even permanently.

Generally, if this person wants to adjust their status and get a green card, they will first have to leave the country for three or ten years and apply for a green card from abroad. There are waivers of inadmissibility that could ease this process, but they are extremely complicated and difficult to get. If the waiver is denied, the person is stuck abroad for their waiting period and separated from their family.

The three- and ten-year bars have kept millions of people who qualify for green cards from obtaining them, because they don't want to be separated from their families for years while their applications are considered. These provisions of IIRAIRA are partly responsible for the increase in the number of people who are undocumented today, and the incongruity of a system where U.S. citizens do not have the right to live in their native countries with their spouses, parents, and children.¹²⁷

Other provisions of IIRAIRA and AEDPA have had similarly perverse impacts. Twenty years after the laws’ passage, the Immigrant Justice Network observed, “Deportation operates as a mandatory minimum for thousands of people.”¹²⁸ And, like all mandatory minimums, a one-size-fits-all approach will always lead to injustices. Instead of cookie cutter punishments, immigration laws and policies should be logical and fair, and take the human impact into consideration.

Chapter Notes

21.1 A report from the Ohio Immigrant Alliance, to be published in 2024, examines prior laws enacted by Congress that were motivated by racism and the desire to exploit and control certain populations.

Chapter 22 - From “Grand Bargain” to Gigantic Raids

Year One of “Bush Two”

In addition to passing draconian laws in the 1990s, Congress lavished funding on the agencies responsible for their enforcement in the form of a massive army of border guards, deportation agents, and a bloated web of “immigration jails.”²²⁻¹ The administration of President George W. Bush continued to pour taxpayer money into these structures.¹³⁹

At the same time, President Bush tried to define his immigration legacy differently—at least at first. This was a “Grand Bargain” compromise that paired more border security with new work visas and the legalization of people in the United States without immigration status.¹³⁰

After making his first state trip to Mexico in February 2001, Bush hosted Mexican President Vicente Fox at the White House in early September 2001. Fox was very invested in the prospect of the United States Congress enacting a legalization law, which would help Mexican citizens in the U.S. live more stable lives.¹³¹

But the conversation ended after the September 11, 2001 terrorist attacks. Congress instead passed the PATRIOT Act and dramatically expanded Big Brother-type surveillance of ordinary people.¹³² The Executive Branch leaned hard into racial profiling, community control, and immigrant crackdowns that were particularly focused on Muslims and people of Arabic, South Asian, and African descent.¹³³

For example, the administration required young men and boys from Arab and majority-Muslim nations to “report” to the U.S. immigration agency for interrogations and fingerprinting, via the National Security Entry-Exit Registration (NSEERS) program.¹³⁴ All males 16 years or older who were born in one of 25 specific countries and did not have a green card were required to register.

Eighty thousand did.¹³⁵ And 13,000 people who showed up to comply with the government’s order were placed into deportation proceedings because they lacked a current visa to be in the United States.

NSEERS identified zero “terrorists.”¹³⁶

Protecting “The Homeland”

In 2002, Congress moved all immigration agencies, except the immigration court, out of the Justice Department and into a new sprawling and hastily created Department of Homeland Security (DHS), where protecting “the homeland” was the first, last, and only

priority. Other functions of immigration law administration, such as reviewing visa applications for people who wanted to enter the country to work, receive an education, or even live with their U.S. citizen relatives, were then (and now) viewed through a security-first lens.

Congress passed the REAL ID Act in 2005. It codified subjective standards, such as judges' reading of the individuals' "demeanor, candor, and responsiveness."¹³⁷ This gave immigration judges unfettered latitude and discretion to label a person seeking asylum not credible and deny their case. These trial-level credibility findings are extremely difficult to reverse on appeal.

In the *Berkeley Journal of Gender, Law & Justice*, Melanie A. Conroy explains that these "overly subjective components of the credibility determination invite bias."¹³⁸

Judges can misread an asylum applicant's body language (demeanor) and openness to discussing traumatic events in public (candor and responsiveness), particularly among those "who do not fit within normative male, heterosexual, American cultural expectations for testimonial behavior."

There was an increase in deportations after September 11, 2001, but the impact of this change in credibility judgements didn't hit its stride until the late 2000s, when many of the people in #ReuniteUS were ordered deported.

Despite ramping up surveillance and deportation, only 37 deportation cases involved terrorism charges in the ten years after the terrorist attacks—down from 88 in the decade leading up to 9/11.¹³⁹

Grand Bargain 2.0 Fails; Crackdown Ensues

From 2005 through 2007, bipartisan groups of senators and representatives attempted to resurrect the legalization program that Bush once championed. But instead of focusing on the issue that prompted the discussion, the bills were weighed down by clumsy compromises and failed to become law.

After the Senate's Comprehensive Immigration Reform Act was voted down in 2007, DHS Secretary Michael Chertoff pivoted to a new strategy. Angry that the business community did not do more to persuade Republican senators to support the bill, he announced a focus on sanctioning companies that employed undocumented immigrants. "Until Congress chooses to act, we're going to be taking some energetic steps of our own," Chertoff told the media.¹⁴⁰

Predictably, though, immigrant workers bore the brunt of this new strategy.¹⁴¹

In 2008, the Bush administration carried out a militaristic raid on the Agriprocessors meatpacking plant in the small town of Postville, Iowa. Children watched as black helicopters descended on their parents' workplace, a protein processing plant notorious for its disregard for the health, safety, rights, and dignity of its employees, most of whom were immigrants. The chaos that ensued was a tragedy.

In this town of 2,000, nearly 400 workers were arrested and taken to a livestock staging facility in Waterloo because there wasn't a courthouse large enough to hold them. They were charged with immigration and criminal violations like identity theft, even though it was the company officials who had obtained fake documents to hire them.¹⁴²

Agriprocessors' CEO Sholom Rubashkin was ultimately charged and convicted of a number of financial crimes, but the fact that he was prosecuted at all was unusual; businesses who exploit immigrant workers are rarely prosecuted. Rubashkin's prosecution came only after sustained public pressure—from the United Food and Commercial Workers Union and the Jewish community, as Agriprocessors' treatment of workers and livestock violated Kosher dietary laws.

Even so, charges of child labor and worker exploitation—the actions that harmed immigrants, and for which there was ample evidence—were dropped.¹⁴³ Rubashkin's sentence was later commuted by President Donald Trump.¹⁴⁴



Sister Mary McCauley describes how St. Bridget's Catholic Church responded to the Postville raid. See bit.ly/3QCg5ex or scan the code.

One of the most “compassionate” policies the Bush administration implemented²²⁻² in its later years was to stop separating nursing mothers from their infants in detention.²²⁻³

This is the legacy of Saida Umanzor, an Ohio mom who was separated from her child and then deported.¹⁴⁵ Bush's ICE Director, Julie Myers, also instructed her agents to minimize immigration enforcement at “schools, places of worship, funerals and other religious ceremonies”—areas that should have already been out of bounds.¹⁴⁶

Chapter Notes

22-1. Both private prisons and state and local jails incarcerate immigrants participating in civil immigration court proceedings. This is one of few areas of civil law where incarceration is used.

22-2. Both the Obama and Biden administrations strengthened this policy over time as the sensitive locations and protected areas policies, respectively. The current version of the policy expands the locations that ICE should refrain from enforcement activities to include medical facilities; places where children gather; social services centers; and disaster/emergency relief locations, among others. See Memorandum Guidelines for Enforcement Actions in or Near Protected Areas, issued October 27, 2021 by Alejandro Mayorkas, Secretary of Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/21_1027_opa_guidelines-enforcement-actions-in-near-protected-areas.pdf.

22-3. Julia Preston, "Immigration Quandary: A Mother Torn From Her Baby," *The New York Times*, November 17, 2007, <https://www.nytimes.com/2007/11/17/us/17citizen.html>.

Chapter 23 - “Deporter-In-Chief”

President Barack Obama grabbed the baton from Bush, leaning hard into deportation and family separation. This administration constructed the cages to “house” immigrant children requesting asylum and expanded the practice of incarcerating entire families, including minor children.¹⁴⁷ Average annual deportations increased from 219,941 under George W. Bush to 246,572 under Barack Obama.¹⁴⁸ By June 2014, Janet Murguía of the National Council of La Raza referred to President Obama as the “deporter-in-chief.”¹⁴⁹

The Obama White House calculation was that if they took a tough approach on immigration, they could build goodwill with Republican lawmakers and entice them back to the table to support legalization of undocumented people.¹⁵⁰

The equation failed.

In 2010 the DREAM Act was presented for a vote in the lame-duck session of Congress, and passed the House.¹⁵¹ This legislation, to legalize people who came to the United States as children, had become one of the most popular immigration plans inside and outside of Congress. But the DREAM Act needed a super-majority of 60 votes in the Senate to move forward. Instead, the vote was 55 for and 41 against.¹⁵²

Only three Republicans cosigned legalizing the immigration status of people who grew up in the United States and considered it home. Ohio Senator George Voinovich was one of the politicians who denied them a stable future and access to U.S. citizenship, in his sad swan song from the U.S. Senate.¹⁵³

Backlash from immigrant and children’s rights advocates caused the Obama administration to change strategy and institute policies that protect families and children. This included strengthening humanitarian guidelines on the treatment of children whose parents were arrested in immigration raids and the Parental Interests Directive.²⁵⁻¹

The most positive immigration action President Obama took was creating the Deferred Action for Childhood Arrivals (DACA) program in 2012. The DACA program grants 2-year renewable relief from deportation and work authorization for certain qualified immigrants who came to the U.S. as children. Today, nearly 600,000 DACA recipients live across the U.S.²³⁻²

President Obama also created the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) in the same year, which would have granted qualified parents of a U.S. citizen or LPR child temporary relief from deportation and work

authorization for 3 years.¹⁵⁴ However, twenty-six states successfully sued to halt the program.¹⁵⁵ This meant that people like Brigido Acosta Luis, a father of two U.S. citizens and a husband to one, were still being deported.¹⁵⁶

Chapter Notes

23-1. In 2009, the Obama administration issued a memo to strengthen the George W. Bush-era humanitarian guidelines for worksite operations, expanding them to apply to all worksite enforcement operations involving 25 or more undocumented workers, rather than 150. It clarified the purpose and priorities of worksite enforcement to refocus immigration enforcement on employers that employ unauthorized workers, as opposed to the workers themselves. See U.S. Immigration and Customs Enforcement, Department of Homeland Security, “Memorandum from Marcy M. Forman, Director, Office of Investigations: Worksite Enforcement Strategy,” April 30, 2009, https://www.ice.gov/doclib/foia/dro_policy_memos/worksite_enforcement_strategy4_30_2009.pdf; Department of Homeland Security, U.S. Immigration and Customs Enforcement, ICE Directive 11064.1: Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities (August 23, 2013), accessed October 16, 2023. <https://www.ice.gov/detain/parental-interest>.

25-2. In September 2023, Judge Andrew S. Hanen of the Federal District Court in Houston declared the DACA program unlawful (see Miriam Jordan, “Federal Judge Again Rules DACA Is Illegal,” *The New York Times*, September 13, 2023, <https://www.nytimes.com/2023/09/13/us/daca-immigration-ruling.html>). While current DACA recipients can continue to apply to renew their status, initial DACA applications are barred, illustrating how the absence of legislative solutions results in the precarity of thousands of people.

Chapter 24 - A President Who "Says The Quiet Part Out Loud"

Then came the presidency of Donald J. Trump. His campaign and his administration's policies were unquestionably defined by racism. Trump set the tone from the first minutes of his campaign, saying, "When Mexico sends its people, they're not sending their best. They're sending people that have lots of problems, and they're bringing those problems with us [sic]. They're bringing drugs, they're bringing crime, they're rapists. And some, I assume, are good people."¹⁵⁷



Pedro Hernandez prays with Bishop Perez at Cleveland ICE, 2017

Incarceration As A Strategy

People incarcerated by ICE are battling civil charges. They are not subject to jail time as a *punishment*, like people convicted of crimes may be. But so-called "civil" immigration detention is permitted by federal law, can take place in the same jails and prisons housing people serving criminal sentences, and has the same restrictions as incarceration for punishment.

Some immigration jails are run by ICE, but many are run by private companies, or county governments looking for a budget boost. Tens of thousands of immigrants languish in these jails and prisons every day, awaiting

the conclusion of their immigration cases. Jailers minimize the expense side of the ledger—limiting access to nutritious food, health care, and sanitation—in order to maximize profits. Immigration jail is a lucrative scheme for the companies and counties involved, but inhumane and morally bankrupt.

Congress determines how much federal money to allocate to government departments and agencies through a process known as "federal appropriations." Congress first created arbitrary immigration detention "targets" in 2009, enriching private prison companies and county governments struggling to keep their jails operating, while subjecting more and more individuals to cruel and inhumane treatment.¹⁵⁸

From 2009 to 2017, as part of the Department of Homeland Security’s annual budget, Congress required ICE to detain 34,000 immigrants every day. The number was based on political considerations, not policy outcomes. Immigration advocates fought hard to end these arbitrary quotas, and won a short-lived success in FY 2017.

The number of people in immigration detention under the Trump administration far exceeded the original quota, as a result of a surge in anti-immigrant policies and increased funding to detain and deport people. The average daily population in ICE detention rose to a high of over 45,000 in FY 2020.¹⁵⁹ This massive group of

incarcerated people fed the insatiable deportation machine.



Protesting the African and Muslim ban in Ohio City

The Results Matched the Rhetoric: Deportations to Africa and the Caribbean Skyrocket

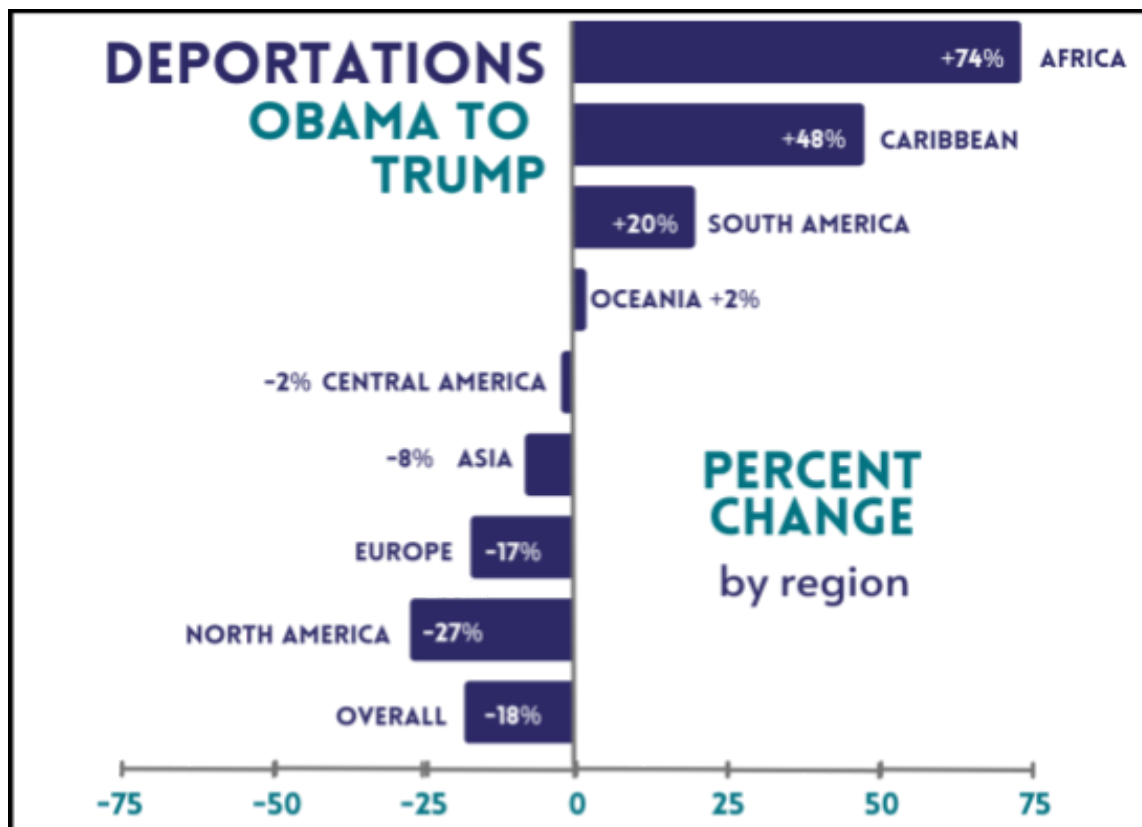
Immediately after taking office, Trump enacted a series of sweeping Executive Orders to increase immigration restrictions. They included a ban on entry for people from many Muslim and African countries;²⁴⁻¹ significant reduction of the number of refugees allowed to enter the country through the post-World

War II relocation program; and the deportation of long-term U.S. residents, including most of the people in #ReuniteUS.¹⁶⁰

Trump “said the quiet part out loud,” as the saying goes, calling Haiti and African nations “shithole countries.”¹⁶¹ His animus against immigrants and poor people of color was audible and amplified.

The Trump administration increased average annual deportations to Africa by 74 percent and the Caribbean by 48 percent, compared to the Obama administration.²⁴⁻²

At the same time, overall deportations fell 18 percent—largely due to fewer removals to Europe and North America.²⁴⁻³



Authors' analysis of DHS data

Average annual deportations to Muslim majority nations also increased by 38 percent during the Trump administration, while deportations to non-Muslim countries decreased by 22 percent.^{24.4}

The U.S. government does not publish data about the religion and racial identification of people it deports. In this chapter's analysis of DHS data, we reluctantly use people deported to countries in Africa and the Caribbean as proxies for Black immigrants, and people deported to Muslim majority nations as proxies for Muslim immigrants.

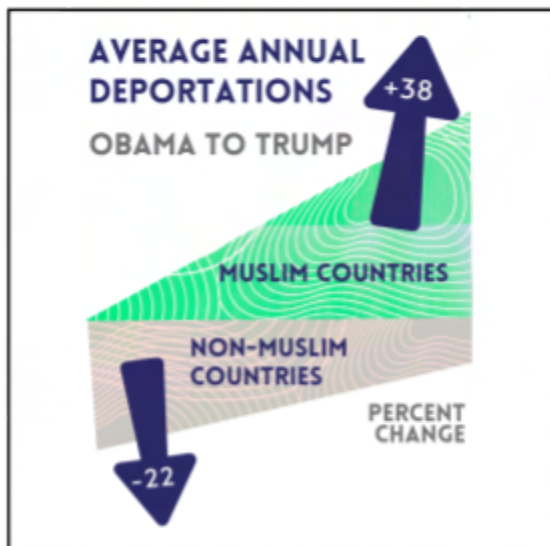
Nearly 100% of the people OHIA interviewed who were born in Africa and the Caribbean identify as Black, and all those deported to Muslim majority countries identify as Muslim.

But using country of origin to estimate the race and religion of other data sets, such as DHS deportation figures, is flawed. Many people from Africa and the Caribbean do not identify as Black. Non-Muslims do reside in Muslim majority nations. And people from

Europe, North America, South and Central America, and beyond also identify as Black and/or Muslim.



This lack of precise data makes it challenging to document disparities among racial and ethnic groups and religious minorities. In “Centering Race and Structural Racism in Immigration Policy Research,” researchers from the Urban Institute explain that when “key groups and issues are made invisible or obscured, and the structures and systems generating racialized outcomes are hidden...research [can then] misinform or leave unaddressed critical policy debates.”¹⁶²



Authors' analysis of DHS data

One thing is quite clear from the data we do have. The priorities of the sitting president matter; once changed, they are quickly reflected in deportation actions. Deportations to Black and Muslim majority nations were far more prevalent during the Trump administration than they were before.

Many Policies, One Goal: Family Separation

In 2018, ProPublica published a primal scream: the cries of tiny children pleading with U.S. border officials at the moment they were being separated from their parents.¹⁶³ The family separation crisis at the U.S.-Mexico border was a deliberate policy choice by the Trump administration to use children as pawns, in hopes of deterring other parents from coming to the U.S. and requesting safety.¹⁶⁴

The cruelty was the point, and the nation was appropriately outraged about the U.S. government's actions at the southern border. Meanwhile, the deportation of #ReuniteUS community members were carried out with various degrees of public awareness.

In Cincinnati, Abdul and Solomon, ages five and seven, and their mom, Neissa, collapsed in tears as ICE agents arrested Ibrahima Keita on the family's front lawn, minutes before he was to take his boys to school.¹⁶⁵

Ibrahima had a driver's license and a work permit. The government knew where he lived. After thirty years in the U.S., the Trump administration took Ibrahima away from his family—not because it had to, but because it could. The family's pain may not have been shared with the world via audio recording, but it was (and still is) just as real.

Ibrahima's deportation began a nightmare that continues to this day. A quiet, middle-aged man with a soft smile, Ibrahima spent months in immigration jail and worked with lawyers to try to find a way to stay before being deported to Mali. Like so many others in #ReuniteUS, his wife Neissa became a single mom overnight, caring for her children's emotional and physical needs while also dealing with her own fears and stresses.

The family has teetered on the edge of homelessness several times. Kind neighbors and community members went above and beyond to help. But no one can take the place of Ibrahima, who is not only the family's sole breadwinner, but their emotional rock.

Living together in Mali is not an option. In fact, it would mean certain death for one of



Keita family prior to Ibrahima's deportation

the boys, who has sickle cell anemia and could not receive treatment there. Moreover, the U.S. government has issued a Level 4 - Do Not Travel Advisory for Mali due to increased violence, kidnappings, and terrorism.¹⁶⁶ The choice to reunite the family in Mali is really no choice at all.

Although it is difficult for a reserved person like Ibrahima, he has begun to speak out publicly in hopes that someone in power will help. Ibrahima's pain is palpable in a video for the National Immigrant Justice Center.¹⁶⁷ "I cry a lot. I think about my two kids. Sometimes I can't even talk about it because it makes me sad. I worked hard for everything I got. Very hard....I lost everything.... I'm a family man. I take care of my wife, my two boys. I work every day: Thanksgiving, Christmas, New Year, seven days [a week]. I just want to take care of my two kids."

Families are stronger together than apart. And most people in the U.S. would agree that people like Ibrahima should be welcomed home.



Ibrahima asks the U.S. government to help his family at bit.ly/47LUqbd or scan the code to the left.

Chapter Notes

24.1. Trump's Executive Orders instituted several versions of a travel ban from several Muslim-majority nations, many in Africa. Despite opposition from civil rights organizations, the travel ban that was ultimately upheld by the Supreme Court banned travel from countries that include Chad, Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen. See Nesima Aberra, "The Super Court's travel ban decision, explained," The Center for Public Integrity, June 26, 2018, <https://publicintegrity.org/inequality-poverty-opportunity/immigration/the-supreme-courts-travel-ban-decision-explained/>; Sanya Mansoor, "Joe Biden Has Promised to End Trump's Muslim and African 'Travel Ban.' But Its Legacy Will Be Felt for Years," Time, December 1, 2020, <https://time.com/5907628/muslim-african-ban/>.

24.2. Barack Obama served eight years as president, while Donald J. Trump was elected to just one four-year term. To achieve a fair comparison, we used the *average annual* deportation figures of each administration. See Appendix for data tables and detailed methodology.



Ousmane was deported to Guinea-Conakry

24.3. Authors' analyses of Office of Immigration Statistics data, FY 2009-2021 - Table 41, Yearbook of Immigration Statistics, 2018-2021, <https://www.dhs.gov/immigration-statistics/yearbook>. FY 2009-2016 data makes up deportations under the Obama administration, while deportations between FY 2017-2020 constitute deportations under the Trump administration. While the analyses of DHS data show that deportations of people to Central America decreased overall, they do not account for year-by-year variation. In fact, removals of Haitian and Central American immigrants spiked in 2017.

24.4. *Ibid.* Authors' analysis does not include deportations to countries in categories listed as "unknown" or "other" by DHS, although those categories undoubtedly include some Black and Muslim immigrants. Authors used Muslim majority countries as identified by World Population Review, citing Pew Research Center data (see <https://worldpopulationreview.com/country-rankings/muslim-majority-countries>).

Chapter 25 - Biden and Beyond

In its early days, the Biden administration repealed many of the previous administration's immigration policies. But the new administration has since reiterated, or recast, others. The number of people in immigration jail dropped soon after the transition. But as of November 19, 2023, 39,013 people were detained by ICE,¹⁶⁸ the highest number since March 2020.²⁵⁻¹

In October 2023, the Biden administration submitted a request to Congress for additional money to detain and deport more people.¹⁶⁹ Disappointingly, the administration proposed compensating countries that agree to block or deport people intending to seek asylum in the United States.

This is another Trump administration idea that the Biden administration is pursuing. If approved, it would be the first time foreign aid would be used for this purpose, according to Axios.¹⁷⁰

Policies at Cross Purposes - The Haitian Example

The treatment of Haitian refugees is one example of the Biden administration's confused, often contradictory approach to immigration and asylum policy.

U.S. policy toward Haitian migrants has always been cruel, discriminatory, and unequal. In 1883, Frederick Douglass observed, "Haiti is black, and we have not yet forgiven Haiti for being black or forgiven the Almighty for making her black"—which rings true to this day.¹⁷¹

In 2021, when Border Patrol agents stormed a camp of people waiting to apply for asylum near Del Rio, Texas, photojournalist Paul Ratje captured a moment in time. An aggressive agent on horseback towered over Mirard Joseph, a Haitian man. Carrying bags of food, Joseph attempted to shield himself from the agent's reins. The photo quickly went viral, internationally.

Secretary of Homeland Security Alejandro Mayorkas called the image "horrifying" and said it does not "reflect who we are, who we aspire to be, or the integrity and values of our truly heroic personnel in the Department of Homeland Security."¹⁷²

But days later, Joseph was on a deportation plane in five-point shackles, his partner (also shackled) and baby by his side. Joseph was in Haiti when he first saw Ratje's photo and learned it had been shared worldwide. "I had tears in my eyes. It's the

*worst humiliation I have endured in my life. The horse humiliation and the cuffs,” he said.*¹⁷³

It certainly seems that the image Ratje captured was simply photographic evidence of Executive Branch policy, in action.

In 2023, the Biden administration announced that people from Haiti, Cuba, and Honduras could apply to enter the United States on parole *before* applying for asylum, thereby avoiding a dangerous journey to the U.S. border. This would seem to be a humanitarian step forward. However, the program is limited to people who already have a financial sponsor in the U.S., and the means to purchase a plane ticket.¹⁷⁴ People who need access to safety deserve access to safety, regardless of their economic means.

The administration also re-designated Haiti for Temporary Protected Status, citing simultaneous “economic, security, political, and health crises”; gangs; and kidnapping.¹⁷⁵ The TPS redesignation and parole program acknowledge the safety problems in Haiti. But they were coupled with other asylum restrictions that harm Haitian refugees and many others.

In May 2023, the Biden administration finalized a rule known by immigrant advocates as the asylum ban.¹⁷⁶ The ban severely restricts the ability of migrants at the southern border from requesting asylum by imposing several requirements that disproportionately impact Black and brown people and people with fewer resources and connections.¹⁷⁷

Thcartwright
@thcartwright

Haiti deportation by ICE Air is in the air now with a reported 38 people. The 11th month in a row with 1 flight (timing in July with 0 and 2 Aug). This is the 288th flight to Haiti under this Admin returning 27,201 people, one in every 420 people in Haiti. To a country from...

09:14

SWQ3915
B738

En Route / Delayed

Elapsed 00:09 Remaining 03:06
Duration 03:15

10/26/2023 NO GATE INFO 08:05AM CDT
10/26/2023 NO GATE INFO 12:20PM EDT

AEX Alexandria Intl
PAP Port-au-Prince Intl
Port-au-Prince, Haiti

Naomi Steinberg, Vice President of U.S. Policy and Advocacy at HIAS, the oldest refugee resettlement agency in the world, said, “This administration is increasingly offering temporary protection as a quid pro quo for denying it to thousands of others, which is unacceptable.”¹⁷⁸

As of October 26, 2023, the Biden administration deported over 27,000 people to Haiti—more than the prior three administrations combined.¹⁷⁹

Tom Cartwright, who tracks deportation flights for Witness At The Border, says this amounts to one of every 420 people in Haiti.

As César Muñoz with Human Rights Watch points out, this is evidence of a deep hypocrisy.

The Biden administration continues to request additional funding for DHS to pay for immigration jail, and measures to prevent people from seeking asylum in the United States.” Despite pressure from the Hispanic and Black caucuses in Congress, as well as others supporting humanitarian laws and policies, the Biden administration’s funding priorities mirror the Trump administration’s in many ways.



And, the complete impact of Biden's anti-asylum policies have yet to be felt. With the backlog of immigration court cases, it will take years for asylum denials predicated on these policies to be realized.¹⁸⁰

Accountability and Opportunity

Joe Biden was Vice President when ICE deported Brigido Acosta-Luis, the father of two U.S. citizens and husband of another, Maria Perez. In 2020, Maria issued a challenge to Joe Biden, the presumptive Democratic nominee.¹⁸¹

"A lot has been said about President Trump’s heartless deportations and family separations. It’s true. And deportation is an extreme consequence for a paperwork problem. But deportations didn’t start with President Trump. My family is proof of that. A year after Brigido’s deportation, President Obama changed his immigration policies so that people like my husband, with U.S. citizen children, were no longer considered 'priorities for deportation. But the change came too late for us, and to this day, we remain separated by a border.

"That’s why I am calling on Vice President Biden to do what Presidents Obama and Trump did not, and commit to bringing my husband home."¹⁸⁴ — Maria Perez

Then, eleven year-old Estela Juarez’s video letter to President Trump aired on the Democratic National Convention’s main stage. Her mother, Alejandra, had been deported despite being married to a U.S. citizen military veteran and having two young U.S. citizen children.

Estela said: “My dad thought you [Trump] would protect military families, so he voted for you in 2016, Mr. President. He says he won’t vote for you again after what you did to our family. Instead of protecting us, you tore our world apart.”¹⁸² Slate called her message “the most gutting part” of the convention's third night.¹⁸³

The final Democratic platform in 2020 committed the party to being one that “repairs past harms” of misguided immigration policies; “heals our communities”; “right[s] the wrongs of the Trump administration”; and holds family unity as a “guiding principle” of immigration policy.¹⁸⁴ It also contends that the “fight to end systemic and structural racism in our country extends to our immigration system.”

Yet when it came to using executive authority, the platform focused on the highest-profile family separations: children taken from their parents at the border, in full view of the media. It did not even mention the children in homes across the U.S. whose mothers or fathers were forced onto planes.

The Biden administration must hold itself accountable for the Obama deportation legacy, and address the harms inflicted by Trump as well as its own policies. Easing roads to return for people who were deported would be a start.

Some Veterans Return

Deported U.S. military veterans have been calling for pathways back home for years, and won some victories under the Biden administration. They have proven that there can be a clear path forward for people who were deported. It just takes political will.

Military veterans can experience hard times and mental struggles as a direct result of their service, which can lead to contact with the criminal legal system.¹⁸⁵ For immigrants, including those who served in the U.S. military, this can be used as a reason for deportation. Forcible return to a country they barely know can be a shock to the individual as well as their family. The separation may prompt or exacerbate struggles with depression. Many U.S. veterans who were deported have tried to take their own lives, more than once.

“We don't belong to the country we were deported to. Regardless of where we're born, we all feel like [our country of deportation] is not our home. This is not our country. Our ties [to the U.S.] are so strong. And our commitment to our country is stronger than where you were born.” — Joaquin "Jack" Aviles, co-director of the Deported Veterans Support House in Tijuana, Mexico¹⁸⁶

President Biden made good on a promise to bring home U.S. veterans who were unjustly deported. Following years of steadfast advocacy by deported veterans themselves, in 2021, the administration announced a joint Department of Homeland

Security and Department of Veterans Affairs (VA) program, the Immigration Military Members and Veterans Initiative (IMMVI, also referred to as IMMVETS).¹⁸⁷

Under IMMVETS, DHS officers work across multiple government agencies to review and adjudicate applications from deported veterans who want to return home. These officers also help coordinate veterans' applications for naturalization and immigration status. In addition, the initiative assigned VA officers to work with people who were deported to process claims for VA benefits. As of September 2023, approximately 84 deported veterans returned home to the United States through this program, and thirty are now U.S. citizens.

A Chance to Come Home?

When IMMVETS was created, other people who were deported felt a glimmer of hope. Journalist Julia Preston uncovered internal deliberations within the Biden administration that sounded promising:

“Officials say that many deportations, especially under Trump, were unduly harsh, with little law enforcement benefit. They are working to devise a system to reconsider cases of immigrants who were removed despite strong ties to the United States,” she wrote.¹⁸⁸ The idea aligned with a proposal offered by the National Immigrant Justice Center (NIJC) in a white paper called “A Chance to Come Home.”¹⁸⁹

In addition to the policy proposal, which calls on the Executive Branch to establish a central process where unjustly deported people can apply to come home, NIJC has launched a public education campaign of the same name. Ten people who were deported—including Ibrahim, Tina, and Goura—have been speaking out, sharing their stories, and asking the administration to bring them home.¹⁹⁰

To date, this broader policy change has not occurred.

The New Abnormal: Continued Deportations to Mauritania

A new cohort of refugees has been leaving Mauritania in recent years, pushed out by slavery and anti-Black apartheid. If they survive the long and arduous journey, they are typically detained in U.S. immigration jails.¹⁹¹ The fortunate ones are released to the homes of relatives or acquaintances to continue their asylum applications. The others are deported without even touching U.S. soil.

“I’ve been in the same situation, suffering,” said Oumar Ball, who lived in the U.S. for decades and has opened his home to new arrivals.¹⁹² He is just one of many hundreds of community members who are wrapping their arms around today’s refugees, in an exquisite example of community care.¹⁹³

Tragically, the Biden administration is continuing to deport Black Mauritians to a country that enslaves and abuses them. UndocuBlack Network, Mauritanian Network for Human Rights in the U.S., and 102 immigration, human rights, civil rights, and faith-based organizations are asking President Biden and DHS Secretary Alejandro Mayorkas to stop these deportations and designate the country for Temporary Protected Status.¹⁹⁴

“It has been a longstanding bipartisan agreement to not deport Mauritians from the U.S. due to the prevalence of horrific race and ethnicity-based human rights violations in the country including enslavement, forced statelessness, and ethnic cleansing,” they write, in a letter to the administration.

“The recent deportation of eight asylum seekers, some of whom narrowly escaped slavery is unconscionable. We urge your Administration to immediately halt all deportation flights to Mauritania and instead extend protection, such as Temporary Protected Status (TPS), for Mauritania.”

Chapter Notes

25.1. As of March 21, 2020, 38,058 people were detained by ICE. From there, detention figures began to decline slowly as the COVID-19 pandemic aged, and courts ordered the release of people vulnerable to severe illness. In May 2021, during the first few months of the Biden administration, detention began to rise once again. See https://trac.syr.edu/immigration/detentionstats/pop_agen_table.html.

Part Five - *It Doesn't Have to Be this Way*

Chapter 26 - "Twitter, I Need You"

The Hamdi family's experiences are proof that it is possible for the government to make both good and bad decisions. Their example also shows why it is so important for people who were deported to have a path to return.



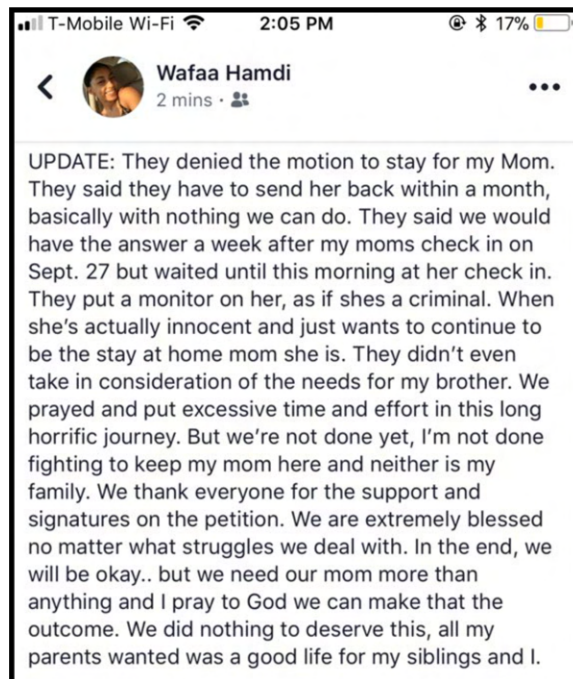
In the early days of the Trump administration, ICE began to target Fatiha Elgharib. A mother from Morocco, Fatiha had been allowed to live in the U.S. for more than a decade. After ICE began to carry out Fatiha's deportation order, her teenage daughter, Wafaa "Jasmine" Hamdi, sent out a plaintive Tweet in August 2017.¹⁹⁵ Jasmine had a few hundred followers at the time. But her Tweet went viral, and sparked a publicity and advocacy campaign led by her and her sister Sara.

Fatiha has four children, two born in Morocco and two in the United States. Her son Sami has Down Syndrome, as well as serious heart problems that require surgeries and other specialized care. Fatiha had been targeted for deportation in 2007, but officials in the Bush administration (and, subsequently, the Obama administration) recognized her essential role in her family and allowed her to stay.

When the Trump administration began the deportation process, Fatiha and her daughters took to the media to plead her case, and ultimately won. Now, Fatiha has a green card and is on her way to becoming a U.S. citizen.

Her daughter Tina, however, is living apart from her two young children—now ages ten and nine—and the rest of her family.

Tina has a conviction for acting under her abusive husband's coercive control.¹⁹⁶ Her now ex-husband is a U.S. citizen, as are their children.



Tina has lived in the U.S. since she was three. She doesn't even remember attending an immigration court hearing. She had Deferred Action for Childhood Arrivals (DACA) status until it was rescinded, and she was deported to Morocco in 2017.

In 2021, the Children Thrive Action Network featured Tina in a video celebration of immigrant parents, "I ❤️ My Immigrant Family."¹⁹⁷ Her pain at being separated from her young children is heartbreaking.

"It's been a long four years, and some, and I just don't know how much longer I can actually handle it." — Tina Hamdi

Two more years have passed. Tina's family just wants her to come home.¹⁹⁸ She is a part of the NIJC Chance To Come Home campaign.

Fatiha, Sara, and Wafaa raised the public profile of their mother's case. That set the stage for smart lawyers to reopen her case and obtain her green card through "cancellation of removal." But Tina's struggle continues.

"I would do anything to be able to be a mom to my kids. Literally. There's nothing I won't do for that. I am missing out on a lot, [things] that I never thought I would miss out on. I feel the distance between them, I don't want to feel that. I just want to hug them." — Tina Hamdi¹⁹⁹



Fatiha and Tina are two women from the same family, in vastly different immigration positions. Both they and their children deserve the right to live and build futures together.

Tina asks for a chance to come home in a video recorded for NIJC. Watch at bit.ly/48kBhx9 or scan the code.

Before Mory Keita was deported to Guinea-Conakry, he spent a few precious weeks with his young daughter in Columbus. Mory had been released from ICE detention at the Morrow County jail due to a COVID lawsuit by the ACLU of Ohio.²⁰⁰ Soon after, the jail became 100 percent COVID-positive.²⁰¹

But Mory was forced to return to immigration jail a few weeks later, leaving his daughter confused and once again without her father. Months later, he was deported after blowing the whistle on the abuses of corrections officers in another ICE facility, the Butler County Jail.²⁰¹

Two and a half years after deportation, he said:

"I'll be down sometimes because, you know, I left my responsibility over there, and I'm not that type of person. I love when God blessed me with [my daughter]; I thought I was gonna be in her life and raise her and stuff. But it's circumstances, you know, and it's sad. And sometimes she be telling me, she be like, Daddy, I want you to come now, come play with me, <laugh>, and I be like, I know, baby, I'm coming. I'll be there soon. Just keep praying for me, keep praying for Daddy. And she be like, OK Daddy, when I went to church, I'll pray for you." — Mory Keita

While he is now an adult, Mory was just three years old when he came to the U.S. This country is all he's ever known. And his daughter is in elementary school. She will grow up without the physical presence of her father because of a decision made by the U.S. government—a decision that does not have to be permanent.

Chapter 27 - Charting a New Path

The United States government deported more than five million people between 1996 and 2018, "the largest forced human movement in U.S. history after slavery and [Native] removal," according to researchers Golash-Boza and Hondagneu-Sotelo.²⁰³ Most were forced to leave behind close relatives, and at least 25 percent are parents.²⁰⁷

While the citizenship status of any person should never determine how they are treated, it is a fact that millions of children affected by deportation are U.S. citizens: at least 416,095 parents of U.S. citizens have been deported since ICE began reporting this statistic in 2011.²⁷⁻¹

Many others are at risk of being impacted by deportation; 4.4 million U.S. citizen children have at least one parent who is undocumented, and 1.6 million U.S. citizens have a spouse who is undocumented.²⁰⁵ Their own country is tearing their families apart.²⁷⁻²



Pedro and Seleste

When her husband, Pedro Hernandez, was being deported to Mexico in 2017, Seleste Wisniewski and a large group of family members and friends accompanied him to the Cleveland Hopkins International Airport. "This is so cruel. He was one step away from getting a green card. We could see the finish line right in front of us," she said. "Now it's all being taken away."²⁰⁶

Pedro supported, and was supported by, his loving family. His stepson, Juan, relied on him as his caregiver and rock. His pre-teen son Luis Angel needed his father's steady presence. Even the Catholic Bishop of Cleveland at the time, Nelson Perez, asked the Trump administration to let Pedro stay.²⁰⁷ None of this made a difference; Pedro was deported.

The Biden administration has the power to reverse these injustices using various policy levers. For example, attorneys in DHS and DOJ can support motions to reopen removal proceedings and requests to return to the U.S. with legal status. Instead, the government routinely challenges all applications for reopening cases and requests for immigration "relief."²⁰⁸

Most people involved in #ReuniteUS want to return to the U.S. They say they feel safer here, that they want to live with their loved ones, and that the U.S. is their home. “I want to come back because I left my life...I can't live in Mauritania because there's nothing here for me,” one person told Maryam Sy.

"I have kept my courage for my family. Now I am desperate because my life is sad, especially when I see my daughter by video call. I have never hugged her and it hurts." — #ReuniteUS Community Member



The next three chapters compile recommendations for government, media, and the immigration movement written by experts in immigration, family well-being, and racial justice.

These changes would help people who were deported get back to their families, jobs, and communities and lead to fewer tragedies in the future. They are not an exhaustive accounting of all of the changes needed to make the U.S. immigration system humane and just, but they are a start.

Chapter Notes

27-1. This number is likely higher, as this statistic is unavailable for 2014, 2021, and 2022. See Chávez, 2023.

27-2. In *Ramos V. Nielsen*, Case No. 3:18-cv-1554, U.S. District Court, Northern District of California, plaintiffs argue that U.S. citizen children have an “absolute right” to reside in the United States, and

“fundamental right” to live with their families. See https://www.aclusocal.org/sites/default/files/aclu_socal_tps_20180312_complaint.pdf.

Chapter 28 - Executive Actions

Only an act of Congress can replace the current immigration system with one that values human lives. But the Executive Branch has broad authority to make different policy choices and mitigate some of the harms in the law. That includes using existing tools to allow more shattered families to reunite and more people to come home.

In addition to making the following changes, the Executive Branch must exercise leadership in the way immigrants and immigration policy are discussed in the media and Congress, as well as around dinner tables. The power of “othering” and dehumanizing language to influence policy cannot be overstated. Reorienting the dominant narrative about migration and immigrants to emphasize our shared humanity is an absolute prerequisite for creating a functional system.

Policy Reform Should Address Return, As Well As Deportation



A.B. wants to be seen

In recent decades, some presidential administrations have directed ICE to focus on particular groups of people when carrying out deportation orders. The Obama administration’s DHS issued two memos, one in 2011 and another in 2014, defining enforcement priorities as pertaining to people who allegedly pose threats to “national security, public safety, and border security.”²⁰⁹ Still, ICE has continued to deport people who do not fall into this category, like the 255 people of #ReuniteUS and others profiled in *Broken Hope*.

Trump’s Executive Order No. 13768 rescinded the Obama enforcement priorities. In fact, it removed the concept of prioritization altogether.

Suddenly, anyone eligible for deportation became a target. This impacted people in #ReuniteUS who had been in the country for years, even decades, and regularly checked in with ICE. Previously, they were not priorities for deportation. That changed immediately under the Trump administration’s Executive Order.

The Biden administration introduced an updated version of the Obama enforcement priorities, plus a program to grant temporary protection from deportation and access to work permits for victims of, or witnesses to, labor violations.²¹⁰

None of these administrations' policies addressed the status of those who were already deported.

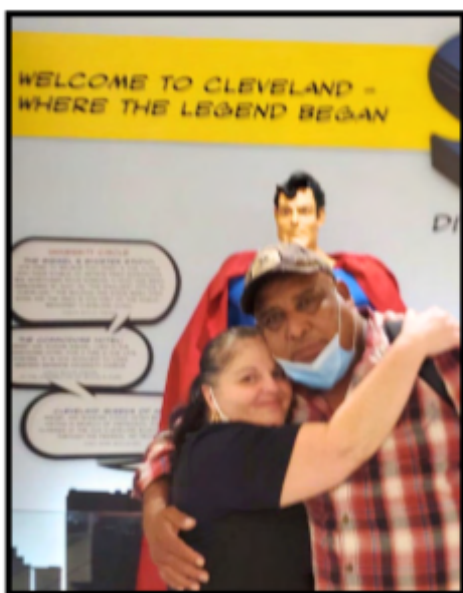
The vast majority of people in #ReuniteUS would not have been deported under the Biden administration. **Instead of letting this injustice stand, the administration should use its authority to bring them home.**

Centralized Review Of Requests To Return

NIJC's white paper, "Chance To Come Home," recommends the creation of "a centralized office [in the Department of Homeland Security] devoted specifically to the task of reviewing final orders of removal and stipulating to relief when appropriate, including statutory forms of relief to removal such as cancellation of removal and asylum, as well as alternative options for relief such as termination, administrative closure, and grants of deferred action."²¹¹

As NIJC explains, people can be simultaneously eligible for an immigrant visa or other legal immigration status, perhaps due to marriage to a U.S. citizen, and for deportation, due a prior court decision.

Often, the deportation process moves more quickly than the legal immigration process. This situation is baffling for everyone involved, and a centralized office would increase capacity for processing requests with unique circumstances. Sixty-four members of Congress and over one hundred nonprofits have endorsed NIJC's proposal for a centralized office.²¹²



Seleste and Pedro reunite at Cleveland airport, 2021

For Families and Individuals to Heal

Incarcerating people while they try to obtain immigration status is inhumane and unjust. Being detained makes it nearly impossible to find, pay for, and communicate with lawyers; prepare for testimony; or collect and review evidence needed to prove their cases.

The Executive Branch and Congress must end all immigration jail contracts and close all immigration jails.

The administration can take the first step by releasing immigrants who are currently detained and removing ICE detention from federal budget requests. Inhumane deportation practices, such as

the use of the WRAP, must also be abolished.

The additional recommendations that follow were crafted by the National Immigration Project of the National Lawyers Guild and OHIA, with contributions from CLASP.²¹³ While these recommendations focus on changing the way the government works, they also offer a new way for the government and society to think about the administration of immigration laws.

Instead of fearing the political consequences of generous return policies, officials in the Executive Branch should recognize that establishing a path to return is a humane, family-oriented, and positive act that will benefit people who lived in and contributed to the U.S. for decades, as well as their family members, including many U.S. citizens.

Exercise prosecutorial discretion and support motions to reopen removal proceedings. Rather than routinely challenging all motions to reopen deportation cases and applications for asylum and immigration relief in court, DHS attorneys should support motions to reopen/reconsider and immigrants' requests to return with legal status to the greatest extent possible. Judicial bias, communication problems due to use of incorrect language interpreters, court and administrative errors, and situations where the danger of deportation were incorrectly ignored all justify return.

End application of the departure bar. The Biden administration should eliminate the departure bar, which prevents people who have been deported or who voluntarily departed from the United States from filing motions to reopen or reconsider their immigration cases from abroad.²⁸⁻²

Revise a 2012 ICE directive to make return after deportation more accessible. The Biden administration should direct ICE to revise its existing return directive, "Facilitating Return for Certain Lawfully Removed Aliens," to make return more accessible.²¹⁵ As a basic first step, the directive could expand eligibility to include all individuals who prevail on an appeal or Motions to Reopen/Reconsider in the immigration courts and Board of Immigration Appeals after their deportation, not just individuals who win petitions for review from appeals courts or the U.S. Supreme Court.

Expand the path to return for deported parents. The Biden administration should also direct ICE to expand the existing, narrow return path for deported parents in its directive, "Interests of Noncitizen Parents and Legal Guardians of Minor Children or Incapacitated Adults." The policy currently limits return via parole to parents attending a hearing about termination of their parental rights, and even then places numerous roadblocks in the way.²¹⁶ The authority exists to reunite more families, and should be used generously.

Take an expansive, equitable view to adjudicating alternatives to inadmissibility and applications for humanitarian parole. DHS and sub-agencies like USCIS process applications for waivers of inadmissibility, or applications for permission to reapply for admission into the U.S. after deportation. The Biden administration should

direct DHS to take an expansive view when reviewing these applications, with an eye toward finding justifications to grant waivers and applications based on the evidence, rather than reasons to deny them.

Individuals who are outside of the United States may request parole from the United States from USCIS, based on urgent humanitarian or significant public benefit reasons. There is no statutory or regulatory definition of these urgent humanitarian reasons. USCIS should outline additional circumstances beyond those currently listed, which include the urgency of the circumstances, the effect of the circumstances on a person's welfare and well-being, and the degree of suffering caused if parole were not granted. The effects of a person's absence on their families, dependents, and communities should also be considered when reviewing applications for parole.

Include the interests of children in requests for cancellation of removal. Children belong with their parents. Yet U.S. immigration law and policy frequently undermine this value. As outlined in a letter from national child advocates, DHS and DOJ should issue a joint rulemaking to improve and streamline the process for obtaining cancellation of removal, including adding a focus on the "best interests of the child."²¹⁷ The new rule should include allowing people to apply for cancellation of removal affirmatively instead of once they are in removal proceedings, and improving assessments of the "exceptional and extremely unusual hardship" to qualifying family members were deportation to occur.

As *Broken Hope* proves, children whose parents are deported experience toxic stress, trauma, and harm that can last a lifetime. This is truly an "exceptional hardship" for them, should be considered "unusual" and, therefore, rare.²¹⁸

Review country safety before deporting parents of U.S. citizen children and when adjudicating waivers of inadmissibility. DHS and USCIS should conduct a comprehensive review of State Department country reports and evaluate the danger U.S. citizen children would face if forced to return to a parent's home country to maintain family unity. Currently, USCIS's policy manual states that an officer "may also consider" information provided by the U.S. State Department, such as country safety reports, when adjudicating a waiver of inadmissibility and determining the existence of "extreme hardship." Permission must become a requirement, and the requirement must be extended to all deportation and return decisions.²⁸⁻¹

Assist deported people who are owed Social Security retirement benefits. Many people in the #ReuniteUS community paid taxes in the U.S. for so long that they accumulated Social Security retirement savings. That money belongs to them. The administration should work with the Social Security Administration, DHS, and the Department of State to ensure that everyone entitled to Social Security retirement benefits can receive them.

Improve demographic data collection and reporting by all government entities.

The collection of key data on race, religion, and ethnicity is crucial to holding the government accountable for bias and harm against specific groups, and ensuring the equitable distribution of government services. By not collecting and reporting information about racial and ethnic identity, for example, advocates maintain that “DHS is able to obscure the anti-Black violence and abuse perpetrated against immigrants, including in ICE detention.”²¹⁹

Working with stakeholders to design appropriate data categories, agencies in every federal department—whether within DHS, DOJ, the State Department, the Labor Department, Census, or otherwise—should ensure appropriate and aligned data collection and reporting to identify and track racial disparities—and potential improvements—over time.

Racial Justice Needs to Include Immigration Justice

The Black Alliance for Just Immigration (BAJI) leads the “Until We’re Free Coalition” with the Advancement Project, Black Immigrant Collective, and National Immigration Project of the National Lawyers Guild.²²⁰ They sent an open letter to President Biden.



Housseyni Moussa Diallo left for Senegal so that he wasn't deported to Mauritania

"The Until We're Free coalition was formed because it is time to rethink the archaic criminal provisions frequently included in federal immigration legislation and instead focus on modern community-led, transformative solutions that improve our lives and communities. It is time that our immigration laws are free from anti-Blackness and that immigration is centered as a racial justice issue.

"We urge you to take action to support your stated commitment to addressing the legacies of racism and white supremacy in this country by supporting these transformative changes and using your power to chart a new course for racial and immigrant justice in this country." — Until We're Free Coalition

Every one of the coalition's demands should be enacted. A section calling for a “meaningful opportunity to return home for those unjustly deported” explains that

allowing people who were deported to return is a step toward undoing a racist immigration agenda and repairing the wrongs done to Black migrants.²²¹

To date, no federal administration has truly viewed immigration policy from a racial justice lens. Instead, immigration policy has been defined by restrictions: who to let in, who to keep out, and what rights they do or don't have while they are in the U.S. How high to build a border wall, and how many agents and detention beds to fund. But as *Broken Hope* shows, racism is at the root of immigration laws and policy.

The Biden administration has touted racial equity as one of its government-wide priorities. Combatting the immigration system's anti-Blackness must be part of that work. Considering the number of Black immigrants represented in #ReuniteUS and the crosshairs of the immigration and criminal legal system, creating a path to return is morally and historically just.

Specifically On Mauritians (And Others Similarly Situated)

While the people involved in #ReuniteUS have roots in twenty-two countries, Mauritania is by far the most represented.



Ibrahima Diop moved to Senegal because he couldn't go back to Mauritania. He dreams of returning to the US

In August 2023 UndocuBlack Network, Mauritanian Network for Human Rights in the U.S., and 102 other immigration, human rights, civil rights, and faith-based organizations sent a letter to President Biden and DHS Secretary Alejandro Mayorkas outlining key changes needed to help Black Mauritians in the U.S., as well as those who were deported.²²²

They are asking the Biden administration to: immediately **end all deportation flights to Mauritania**; grant **humanitarian parole** to Mauritians detained in U.S. immigration jails; allow Mauritians who were **wrongly deported to return** to the U.S.; and **designate Temporary Protected Status (TPS)** for Mauritania.

Individuals involved in #ReuniteUS were deported to other places where their lives are at risk, including Mali, Burkina Faso, Cameroon, Central African Republic, South Sudan, Niger, Somalia, and parts of Mexico. Deportations continue to Haiti as well. Many people who were deported

are living in hiding. Some of these countries have been designated for TPS; the others should be. And, people deported to dangerous conditions anywhere should have a path home.

Chapter Notes

28-1. Several people in #ReuniteUS were deported to countries under State Department Level 4 Travel Advisories, including Mali, Central African Republic, Somalia, Burkina Faso, Niger, South Sudan, and parts of Mauritania, Mexico, and Cameroon. Haiti is also subject to a Level 4 Travel Advisory. Yet the United States continues to deport parents there, despite the danger families would face trying to be together.

28-2. Under a law that dates to the 1950s, people who have left the U.S. are barred from pursuing a motion to reopen or reconsider before the BIA and Immigration Courts. Recent federal court decisions have found that the rule conflicts with the Immigration and Nationality Act. In 2020, the Executive Office for Immigration Review at the DOJ set forth a proposed rule to address confusion with this rule; however no regulation has yet been finalized. For more information see: “Motions To Reopen and Reconsider; Effect of Departure; Stay of Removal,” Federal Register 85, no. 229 (November 27, 2020): 75942-75959, <https://www.federalregister.gov/documents/2020/11/27/2020-25912/motions-to-reopen-and-reconsider-effect-of-departure-stay-of-removal>; Beth Werlin and Trina Realmuto, “Departure Bar to Motions to Reopen and Reconsider: Legal Overview and Related Issues,” American Immigration Council and National Immigration Project of the National Lawyers Guild, 2013, https://www.americanimmigrationcouncil.org/sites/default/files/practice_advisory/departure_bar_to_motions_to_reopen_and_reconsider_11-20-13_fin.pdf.

Chapter 29 - Steps for Congress



Aliou Ibrahima was deported from
Pennsylvania to Mali

in 2022 with some Republican votes. The bill, reintroduced in the 118th Congress, provides pathways for the return of some veterans who have been deported, among other provisions to help noncitizen veterans, Armed Service members, and close family members affected by deportation.²²⁴

The **Adoptee Citizenship Act** was co-sponsored by an equal number of Democrats and Republicans in both chambers, including conservatives, during the 117th Congress.²²⁵ This bill and the **Southeast Asian Deportation Relief Act** include paths to return.²²⁶

The **Fairness To Freedom Act** would establish a right to representation for all immigrants facing deportation. It would also establish an Office of Immigration Representation to ensure that representation is being provided to immigrants in a universal, efficient, and high-quality manner.²²⁷

The **Reuniting Families Act** seeks to strengthen and reform our family-based immigration system and end enormous family-based visa backlogs, including by recapturing visas that have gone unused due to processing delays; reclassifying "immediate relatives" to include spouses and minor children of green card holders; and

Congress should pass legislation to open wider paths to return for people who were deported, and end "civil" immigration jail. Members of Congress should also encourage the Executive Branch to act boldly.

The **New Way Forward Act** prioritizes both return after deportation and reducing the threat of deportation for people currently in the United States. "To secure the full human rights of all members of our communities," write the bill's supporters, "we need a new way forward for immigrant justice—one that ends senseless divisions of 'good versus bad' immigrants and recognizes that all communities deserve dignity, restoration and repair, not further criminalization."²²²

A path for deported people to return to the U.S. has bipartisan support.²²³ The **Veteran Service Recognition Act** passed the House

eliminating the 3-year, 10-year, and permanent bars to reentry, among other changes.²²⁸

The **Dignity for Detained Immigrants Act** would repeal mandatory immigration detention laws, end the use of private detention facilities, and promote community-based alternatives to incarceration, among other provisions.²²⁹ Congress should also follow the lead of states across the country and abolish immigration detention.²³⁰

In addition to enacting these bills, Congress should stop funding ICE's sprawling system of civil detention. Instead, it should invest in efforts to implement the Executive Branch changes discussed earlier, including the establishment of a central unit within DHS to review requests to come home.

"A system that truly leads to community safety must focus on supporting these individuals in thriving in their communities. As such, the only true solution to alleviate the pain, abuse, and torture that Black migrants face in immigration detention is to build a world without detention in which all immigrants are free." — BAJI, the Black LGBTQIA+ Migrant Project, UndocuBlack Network, and Freedom For Immigrants²³¹



Mory Keita in Guinea-Conakry, 2023



Seyni Diagne was deported after being in ICE jail, with untreated cancer and Hepatitis-C. In Mauritania, he was jailed again.

That's why Congress must reject bills that call for expanding the scope and reach of ICE's detentions. They should instead prioritize funding for legal assistance programs to help individuals with their immigration cases, community-based alternatives to detention, as well as other human rights-oriented reforms. Such changes are essential in order to ensure the safety and well being of thousands of families across the U.S.

Listen to an update from Mory Keita, for the Ohio Migration Anthology, at bit.ly/Keita23 (Part 1) and bit.ly/Keita23-part2 (Part 2) or scan the codes.



Keita Interview 1



Keita Interview 2

Chapter 30 - Media, Immigration Movement, and Funders

The Media's Responsibility

Today, immigration news stories commonly focus on asylum access, or bars to access, at the U.S.-Mexico border. While that is an important topic, other stories also deserve to be told. Editorial decision-makers must give journalists the freedom to dig deep and look for stories beyond the border. For example, there is very little reporting on the outcome of asylum cases, the reasons people receive orders of deportation, and what happens to them and their loved ones when they are forced to leave.



A.B.

The media should spend more time and resources investigating these and other storylines. OHIA, deported veterans, American Families United, Adoptees for Justice, NIJC, and others have worked with journalists to spotlight the impacts of deportation. But as of this writing, these stories remain on the margins of mainstream media.

In addition, some outlets refuse to publish information provided by anonymous sources. This policy silences immigrants who have some of the most sensitive experiences. In some cases, being publicly identified could harm their immigration outcomes, or expose them and their families to hate crimes and other harm. Immigrants' experiences are clearly verifiable through court and agency records, as well as their lawyers. That should be sufficient for outlets to permit the use of anonymous sources.

Finally, the language used to describe immigrants and their circumstances matter. Being in the country without immigration status is not a crime. Seeking asylum at the U.S. border is legal. Being paroled into the country is a legal admission. Yet opponents of immigration frequently and incorrectly refer to people in these circumstances as "illegal."²³²

That term is also intentionally dehumanizing. Elie Wiesel famously said, "No human being is 'illegal.'"²³³ In their "Drop the I-Word" campaign, Race Forward points out that terms like "illegal immigrant" and "illegal immigration" affirm a message that "immigrants are subhuman and undeserving."²³⁴

It is racial code that everyone recognizes.

After years of hard work, Race Forward, Comm/Unity, and others have started to change the way that some media outlets interview and describe immigrants.²³⁵ Define American is guiding entertainment media to represent immigrant characters and immigration-related storylines authentically.²³⁶ But the *Washington Post* and the *New York Times*, two of the leading national papers of record, continue to use these disparaging terms.²³⁷

Media outlets should remove dehumanizing language and images from their coverage, replacing them with people-first language and images that show the breadth of migrants' lives, backgrounds, and experiences.



The Robles family, back in Columbus

People, First

Dehumanizing terms are often used to describe the people whose lives are on the line—“vulnerable populations” on the political left, “illegal aliens” on the political right. But people whose lives are impacted by detention and deportation are heroes. They have been through one of the most painful experiences a person could ever go through, and are trying to build a future. They are asking the U.S. government to end their separation and asking those who are not already living this experience to join the cause.



S. Niang was deported to the Congo but wants to come back to Columbus

When talking about these issues, both in the media and in materials created by pro-immigrant groups, language matters, as do images and video accompanying the content. Depictions of ICE officers looking tough or brandishing handcuffs, and migrants walking in the desert or living in open-air tents are frequently attached to news stories, even if the image has little to do with the content.

If there was ever any doubt that a picture speaks 1,000 words—and a video even more—consider California Governor Pete Wilson’s racist 1994 campaign ad targeting immigrants, “They Keep Coming”; the many race-baiting ads of Sharron Angle’s failed 2010 U.S.

Senate bid; and Tim Ryan’s anti-Asian “Us Versus China” ad, from his own failed 2022 U.S. Senate campaign.²³⁸ Identified as racist when they came out, these commercials are just as ugly and offensive today. Yet “lighter” versions of their imagery and rhetoric continue to appear in mainstream media.

In 2023, immigrant rights groups denounced the Biden administration for encouraging the media to use video of deportations flights as b-roll, or background footage, including one depicting “family unit removal flights to Central America.”²³⁹ A 14-minute video opens with a little boy walking up the stairs of the deportation plane, clutching an adult male’s hand.²⁴⁰

“The use of this footage is shocking and dehumanizing, and ICE should immediately discontinue it,” wrote the National Immigrant Justice Center, #WelcomeWithDignity campaign, Haitian Bridge Alliance, and other groups.

“Entirely missing from these frames is the complexity of the human story behind each family, including the love, devotion, and courage that led that family to leave their homes in search of safety and the trauma of being forced back to danger.”²⁴¹



Yoro Diawara: "I hope that one day I will be able to return one day to the United States to be able to work and take care of my family."

The media, Congress, Executive Branch, and organizations must make careful choices when selecting images and video to use with their immigration content. Nonprofits can help replace problematic images in the public domain by paying professional photographers to take high-quality images at their events, and make them available for free use online. Informed consent of the people depicted in the photos is crucial.

Vision, Authenticity, and Accountability for the Pro-Immigration Movement

There are other priorities that the immigrant rights' movement, including the foundations that fund them, should tackle.

Advocates should look for ways to include people who were deported in the policies they are fighting to change. Thinking about how policies like the parental interests directive, statelessness policy, or others could include people who were deported, and seeking their perspectives in advocacy efforts, are just a few examples.

Members of #ReuniteUS are asking these organizations, lawyers, the media, and government to expand how “family separation” is discussed and defined. The current public narrative equates separated families to those torn apart when arriving at the U.S. southern border. Individuals in #ReuniteUS want their families included in this definition, policy debate, and solutions. This means families of parents with minor children, as well as families of any construct.

Philanthropy should fund research to fill the gap about Black immigrants' experiences, structural racism within the immigration system itself, and humane alternatives to the current immigration system. Funders should invest in community leaders who may not

already have the tools or training to administer non-profits, but have direct, personal experience with the impact of immigration policy decisions and the ability to mobilize a community.

For example, philanthropy could help non-profits pool administrative functions, build capacity rather than specific programs, and assist them with grant reporting.

For most immigration legal services organizations, the current “duty of care” extends to people’s time in the United States and attempts to preserve it. Once people are deported, lawyers have to move on to other cases due to limited resources. But this doesn’t feel natural.

Foundations should resource legal services to prevent the next wave of separations, and help those who were deported return. These cases can be complex, but they often involve the rights of U.S. citizens to live in their own country with their families. Many people who are part of #ReuniteUS have legal pathways to return, but can’t afford the legal assistance it would require to navigate them. Families belong together, no matter their income or deportation status.

To start, the National Immigration Project of the National Lawyers Guild published three important resources for immigrants, lawyers, and the immigration movement to understand and use. They include a guide for individuals who were deported and hope to return; an assessment of current law and policy, plus recommendations; and a practice advisory for lawyers filing motions to reopen or reconsider deportation orders for people who have been deported, or otherwise left the country.²⁴²

The immigration movement and funders should also prioritize litigation to protect immigrants’ civil and human rights, including seeking monetary damages. This is a muscle that builds power, but has not been thoroughly exercised.

Finally, organizations should compensate people who are advocating for policy change based on lived experience, without administrative barriers. Their time, expertise, and courage is beyond remuneration. But foundations and the immigration movement can make financial compensation a community value.

Chapter 31 - Acts of Courage



Souleymane Kane with his daughter

It takes a tremendous amount of courage to walk into a lawyer's office or an immigration courtroom and share the most private, sometimes embarrassing, often traumatic details of your life. It takes just as much, if not more, courage and strength to do this from jail, in a video hearing with a judge who is miles away. In those video hearings, the person can barely understand what is being said to or about them.

To talk about deportation publicly, as many have, knowing that their family may be exposed and attacked for daring to exist, is another act of courage. When people like those interviewed for #ReuniteUS talk about what happened, they are exposing the most vulnerable parts of their lives.

In her early 20s, Awa Harouna held down the fort at home while her father, Amadou Sow, was in immigration jail. She also captained his advocacy team, while going to school and

working. Her dad was eventually released as part of the Black Mauritians' resistance campaign. But the trauma of the family's year-long battle with uncertainty, financial insecurity, and fear exacted a lasting toll.

In episode six of the Netflix documentary series *Living Undocumented*, Awa locks eyes with the camera.

"You can watch a documentary (and) you can say, 'Well, this is too bad.' But at the end of the day, it's just something that you're watching on TV. And you can turn that off and go about your life." — Awa Harouna²⁴³

For most people, that is the case. But for the people in #ReuniteUS, and so many others, that "reality show" plays out in their own living rooms, in the "Happy Birthday" songs over FaceTime and the virtual hugs, hoping to feel that embrace in person one day.



Fatiha's stay of deportation and new team of lawyers paved her way to a green card

After learning about these experiences, recognizing our shared humanity, and understanding both the political choices that created today's systems and some options for undoing the harms of deportation, we hope you are motivated to join the call for bold and immediate action.

The long-term goal of #ReuniteUS is bigger than return. It's a shift in paradigm, a vision for a future where immigration laws are fair and humane and

people can pursue paths to legal compliance, rather than the current approach, with laws focused on punishment and rejection.

While #ReuniteUS advances this from a humanist's point of view, Peter Markowitz lays out the pragmatist's argument in "A New Paradigm for Humane and Effective Immigration Enforcement." Both perspectives lead to the same policy conclusion.

"The trend among federal agencies [besides immigration agencies] is increasingly to help regulated entities come into compliance, rather than to punish noncompliance. The same humane and effective strategy could be employed in the immigration arena because a significant percentage of undocumented individuals are in fact eligible for legal status.

"Instead of needlessly funneling these individuals into removal proceedings, the immigration system should give them a fair chance to affirmatively apply for the forms of legal status that Congress made available to them." — Peter Markowitz²⁴⁴

The Executive Branch and Congress can create more ways for people who were deported to return. Where avenues for asylum or a green card already exist, U.S. agencies can work with people who were deported to follow those paths.³¹⁻¹

During the last two years, Brigido Acosta-Luis, Alejandra Juarez, and others came home through a very limited parole option.²⁴⁵ Issa Sao returned with a green card due to his marriage to a U.S. citizen and the help of a very good lawyer, who filed multiple

waivers that were ultimately granted.²⁴⁶ But families who cannot afford attorneys are still apart.

Having left Mali after the latest coup, Ibrahima Keita currently lives in Canada and has not seen his family for five years. Demba Jobe is unable to return to his wife because he cannot afford a lawyer. Fatiha Elgharib now has a green card. Her daughter, Tina Hamdi, remains in Morocco.

Saidu Sow was a leader in a movement that canceled two ICE contracts with county jails, filed a federal lawsuit, and exposed the racism and inhumanity inherent in the very concept of a “civil immigration jail.” He was deported to Mauritania in July 2021 and Saidu’s wife and daughter visited him once. He asked OHIA to publish this video of their reunion at the airport in Nouakchott, Mauritania.



Brigido and Xavier reunite in Chicago



See Saidu reunite with his daughter briefly in Mauritania at bit.ly/SSMaurReunite or scan the code.

The reason why I wanted y’all to have this video was to show to y’all guys ‘cause you help immigrants, maybe a decent individual could have a look at it. They probably might have a little heart about separating families because I’m a victim of that, and that thing will follow you. ‘Cause it follows me right now. Like, I’m emotional and I’m, I feel like sometimes there’s no hope, I feel like it’s over. The word is ending for me, you know? — Saidu Sow

After three years in immigration jail and two years post-deportation, Saidu went from a broken hope to no hope. But that doesn’t have to be his ending.

Policymakers often say that the power to do good is what drove them to seek office. Letting deported people come home is one way they can take a broken hope, and repair it.

Chapter Notes

31-1. In current U.S. immigration law, someone can be simultaneously eligible for legal status and barred from accessing it, like many of the people who are part of #ReuniteUS. They were undocumented or living in the U.S. under temporary Orders of

Supervision, while also qualifying for green cards based on family sponsorship. The Executive Branch has the authority to decide which path to pursue.



Saidu in Mauritania, 2021

Appendix

Acknowledgments

Broken Hope and the accompanying issue brief were only made possible due to the work of OHIA organizer Maryam Sy and the candor, kindness, and bravery of the #ReuniteUS community, including Ibrahima S.; Abou; Saidu Sow; the entire Hamdi family; Abdoulaye Thiaw; Brigido Acosta Luis; Maria Paz Perez; Ibrahima Keita; Neissa; Demba Jobe; Goura Ndiaye; Maya; Mory Keita; Demba B.; Makita K.; Alassane T.; Hamidou S.; Ndiaye S.D.; Souleymane S.; Seyni Diagne; Seydou Sarr; Mustapha Komeh; Boyline S.N.; Abdoulaye B.; Moussa M.; Demba Diawara; Clouvis; Gabino Medina; Issa Sao; Pedro Hernandez; Seleste Wisniewski; Jesus Lara; the Robles family; and Hamady S.; as well as all of the people who contributed their experiences anonymously.



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Support for #ReuniteUS and OHIA is provided by the Ben & Jerry's Foundation. All proceeds from sales of *Broken Hope* will be used to cover production expenses, and profits will be used for #ReuniteUS stipends.

Watch a video montage of photos of #ReuniteUS community members at bit.ly/ReuniteTVMen or scan the code to the right.



Donate to the Ohio Immigrant Alliance at bit.ly/NoTaxOHIA or scan the code to the left.

Methodology

In 2021 and 2022, Organizer Maryam Sy with the Ohio Immigrant Alliance (OHIA) collected and organized information from WhatsApp phone interviews with people who were deported, or left before being deported, using Excel. She carried out most of the interviews with #ReuniteUS community members herself, and brought in language experts for interviews requiring languages she does not speak.

Seydi Sy organized the data and identified preliminary trends. Suma Setty reviewed and analyzed this and other qualitative information using grounded theory, pinpointing main themes from interview notes. Maryam Sy reviewed the main themes and provided further insight based on her memories and subsequent conversations with people in #ReuniteUS. Lynn Tramonte added information about people whose immigration cases the organization had worked on, referring to files and court documents when available.

OHIA and the Children Thrive Action Network (CTAN), which is co-led by the Center for Law and Social Policy, convened two listening sessions in Ohio as part of a larger project to inform CTAN's advocacy strategy. One of the sessions was held in Columbus with immigrant parents who had experienced the deportation of a loved one. Findings from that session are interwoven with the stories of #ReuniteUS participants throughout *Broken Hope*. More details about the listening sessions are available in the report "If the Parents are Okay, The Children are Okay."

Maryam Sy, Tramonte, and Setty presented the contents and purpose of *Broken Hope* to #ReuniteUS community members via WhatsApp in July 2023 through video recordings. Maryam Sy translated the English-language video into French, Fulani, and Wolof, and recorded audio files in those languages. Presenters chose this method to share report contents to ensure they would be accessible to people of varying literacy levels. Presenters specifically asked for feedback on the accuracy of descriptions and conclusions in the report, and for additional points to make.

Responses from #ReuniteUS members were entirely positive. People who are identified by name in *Broken Hope* had either previously consented to identification (i.e. those profiled in media articles) or given express permission to use their names and stories here. They were given the option of using aliases and the opportunity to review the parts where they are mentioned, make any edits, and/or rescind their consent to publish.

Tramonte and Setty, with interpretation help from Demba Ndiath, continued to query WhatsApp group members about aspects of the book as it entered the design stage, including the use of images and content warnings. Individuals were invited to submit photographs for publication and use on the #ReuniteUS web page, and to indicate whether and how they would like to be identified publicly.

In Their Words

In 2021, members of the #ReuniteUS community, their loved ones, and supporters submitted 148 public comments to the Department of Homeland Security regarding the Interagency Task Force on the Reunification of Families. Read excerpts below.



View all comments at bit.ly/ReuniteUSWhy or scan the code.

Abdelhalim Abdelhalim: “I wish to be reunited with my children before I die.”

Fatima Sow: “My six-year-old son always ask me why isn't he with his dad and why are all his friends with their dads but not him.... Mr. President, please bring [my husband] back to his family. My son has very bad low muscle tone. He's 22 months old and he cannot walk or talk. In February I will have to stop working because I want to have time to take care of his appointments and his different therapy appointments if I work full-time.”

Mamadou Anne: “I lived in the US for 20 years. I had a job and was saving for my future. I woke up one day and was forced to leave behind everything that I built with no chance of getting it back. My friends and family members are still in the USA and I believe that the BIDEN administration will do us good by reuniting us with the life we know.”

Aja Sillah: “The Biden administration has a chance to help families reunite and heal by expanding options for return after deportation.”

Georgina White: “When I met [my husband Demba Jobe], I knew he was my soulmate and now I have been stripped of my husband as well as time with him, and he has been gone for most of our marriage, help my family get back together please.”

Hild Peersen: “I am an immigrant and cannot imagine making this transition without the support of my family. Families ripped apart by the previous administration absolutely have to be reunited. Why this is even an issue is mind blowing to me. This is the core of the value system of the USA. People who would say otherwise have sorely lost their way.”

Thomas Madeingo: “As an act of Love and dignity, The Biden administration should allow us to return. We were asylum seekers and still are.”

Demba Diawara: “My children go to bed every night hoping for a chance to see me back one day.”

Members of the Masjid Oumar Al Foutiyou, Columbus Ohio: “We beg the United States Department of Homeland Security to allow Seydou Sarr and others to regain entry to the United States so they can reunite with their family members and students and resume the compassion services that they were initially provided for their families and community.”

Ousmane Ndiaye: “Some of us left because we were afraid of being deported to hostile countries that we left in the first place. We were afraid and left behind wives and children... please bring us home to them.”

Pat Leach: “The Biden administration has a chance to help.”

Syed Jamal: “Family separation is against American values and it must stop.”

Mary Counter: “We all need mercy, compassion and a loving family, the core experience of community. Reunite these families, please.”

Birahim Ba: “Leaving the U.S impacted my family in big ways... I tried really hard to keep that relationship with my siblings but unfortunately things changed, me leaving really affected them emotionally. My sister became depressed. My brother started getting into trouble and he failed his freshman year. I really do hope I can be reunited with them so I can help.”

Boutayna “Tina” Hamdi: “They take you from your home to a plane and simply drop you off with no regard to what may happen to you! You get deported without even having the opportunity to say goodbye to your loved ones. How could that possibly be fair ? “The longer I’m away from my babies and family the more I feel like I just wanna die!

“I suffer from extreme depression and anxiety with how much I've been through and being away from my kids (since I was deported). I’m a mother. How can you keep me from my babies? They are Americans. What rights do they have?

“I have nothing left. I have lost everything. I just want to be with my babies and my family. That’s it. I am pleading for help, just someone to help me get back to my kids and family.”

Ashton Sanders, friend of Tina Hamdi: “The kids need their mother present in their lives.”

Tiffani C. Perkins, Caseworker, Ohio Department of Job and Family Services, Children Services Division, Montgomery County and friend of Tina Hamdi: “The ‘family separation’ policies from President Trump’s administration has been deemed an extreme consequence. There are too many children that suffer from not having their

parents in their lives, but together we can choose to give [Tina's children] the opportunity to be in the care of at least one active parent."

Wafaa Y. Hamdi-Locker: "Please from the bottom of my heart and soul help us bring [my sister Tina Hamdi] back. Please help children who don't know how to cope with the absence of their mother because she was taken at such a young age. Please help a silently and loudly hurting family bring their loved one back."

Reverend Sandra D'Amico, New England Synod of the ELCA: "By grace, luck, or entitlement, many of us have never experienced poverty, danger in homelessness, or worse - separation from our families, without resources or hope. We are a nation of immigrants (even the Native Americans). Let us show that we are people of grace and justice, and compassion, for families who have torn apart."

Jesuit Refugee Service/USA: "As Pope Francis has stated, family separation is 'cruelty of the highest form' and 'goes against natural rights.'"

John McCarthy: "I ask of you as a parent of two children, to urgently begin the reunification of families. This is an act against Nature. To have separated children from their Mothers and Fathers."

Hamidou Diakhate: "The Government has the obligation to return us to our children and families."

Amadou Diallo: "We need to be allowed to come home."

Additional Data

#ReuniteUS

Table 1 - Home In United States

STATE	NUMBER OF PEOPLE
Ohio	140
Tennessee	38
New York	33
Michigan	16
Colorado	7
Illinois, Kentucky	4 each
Iowa, Georgia, Missouri	2 each
FL, IN, NC, NC, NJ, MA, MD, PA, TX, WI	1 each

**Total is more than 255 because some people reported living in multiple states.*

Table 2(a) - Deportation Country, Travel Advisory
Burkina Faso to Gabon

COUNTRY	COUNTRY OF ORIGIN	FORMAL DEPORTATION ***	SELF-DEPORTATION	LIVE THERE NOW	DOS TRAVEL ADVISORY^^
Burkina Faso	1	1	0	0	4
Burundi	1	1	0	1	3
Cameroon	1	1	0	1	2 - 4 by region
Canada	0	0	30	30	1
Central African Republic	4	3	0	1	4
Congo*	13	3	0	0	2 - 3 by region
Egypt	0	0	0	1	3
France	3	1	1	7	2
Gabon	1	0	0	2	2

Table 2(b) - Deportation Country, Travel Advisory
Ghana to Mexico

COUNTRY	COUNTRY OF ORIGIN	FORMAL DEPORTATION ***	SELF-DEPORTATION	LIVE THERE NOW	DOS TRAVEL ADVISORY^^
Ghana	0	0	0	1	2
Guinea-Bissau	1	1	0	0	3
Guinea-Conakry	10	7	1	2	2
Guyana	1	1	0	1	3
Ivory Coast	3	2	0	1	2
Jamaica	1	1	0	1	3
Mali	11	12	6	18	4
Mauritania**	127	39	8	17	3 - 4 by region
Mexico	7	7	0	2	2 - 4 by region

Table 2(c) - Deportation Country, Travel Advisory
Morocco to The Gambia

COUNTRY	COUNTRY OF ORIGIN	FORMAL DEPORTATION ***	SELF-DEPORTATION	LIVE THERE NOW	DOS TRAVEL ADVISORY^^
Morocco	1	1	0	1	2
Nicaragua	1	1	0	0	3
Niger	1	1	0	0	4
Pakistan	1	1	0	1	3
Senegal**	41	24	75	134	1
Sierra Leone	12	8	0	5	2
Somalia	1	1	0	1	4
South Sudan	2	3	0	1	4
The Gambia	6	6	1	9	2

Table 2(d) - Deportation Country, Travel Advisory
United States to Zimbabwe and Totals

COUNTRY	COUNTRY OF ORIGIN	FORMAL DEPORTATION ***	SELF-DEPORTATION	LIVE THERE NOW	DOS TRAVEL ADVISORY^^
USA	N/A	N/A	N/A	6	N/A
Uganda	1	0	0	1	3
Zimbabwe	1	1	0	1	2
Unknown	3	5^	2	9	N/A
Total	256**	132	124	256+	N/A

* This includes people from both the Democratic Republic of Congo and the Republic of the Congo.

**One person's origin was listed as both Mauritania and Senegal.

*** If people did not answer this question, we listed the country where they live now. Those who had no country listed for either question were marked as missing.

+One person lives between Mauritania and Senegal.

^This number includes both those missing and those who returned to the United States.

^^U.S. State Department Travel Advisory Warning Levels: 1 = Normal precautions; 2 = Increased precautions; 3 = Reconsider travel; 4 = Do not travel. See "Travel Advisories," Bureau of Consular Affairs, U.S. Department of State, 2023, <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html>.

Table 3 - Administration and Formal v. Self-Deportation

ADMINISTRATION	SELF-DEPORT	FORMAL DEPORT	COMBINED
Clinton <i>1993-2000</i>	1	1	2
G.W. Bush <i>2001-08</i>	15	10	25
Obama <i>2009-16</i>	37	14	51
Trump <i>2017-20</i>	58	92	150
Biden <i>2021</i>	0	4	4
Unknown Admin.			23
TOTAL	124	126	255*

**Self + formal deportation numbers < total because five people did not report method of deportation.*

Table 4 - Years in U.S.

Average	15.7
Median	17
1+ decades	198
2+ decades	48
Unknown	9

Table 5 - Activities in U.S.

TRAIT (multiple responses possible)	NUMBER OF PEOPLE
Worked outside home	230
Family in US	110
Paid income taxes	87
Parent	85
Parent of child in US	73
Parent of US citizen	43
Caregiver for other relatives	28
Attended US school	11
Owned business	4

Table 6 - Languages Spoken

LANGUAGE (multiple responses possible)	NUMBER OF PEOPLE
Fulani / Pulaar	188
English	184
French	145
Wolof	98
Soninke	21
Bambara	20
Arabic	18
Spanish	14
Lingala	9
Creole	5
Mandinka	3
Portuguese	3
Berber	2
Hassaniya	2
Bafut, Kikongo, Nuer, Punjabi, Sango, Sarakoule, Swahili, Temne, Urdu	1 each

Table 7 -Number of Languages Spoken

MULTILINGUALISM	NUMBER OF PEOPLE	PERCENT OF GROUP*
Monolingual	36	15%
2+ languages	211	85%
3+ languages	162	66%
4+ languages	83	34%
Unknown	8	
Total	255	

** Because 8 responses are missing, percent of group was calculated using 247 total instead of 255.*

Table 8 - Reasons to Return

REASON TO RETURN (multiple responses possible)	NUMBER OF PEOPLE
Safety / security / peace	100
Family	91
US is home / grew up here	29
Work	28
Collect retirement income	11
Medical / health care	4
Friends / community	4
Statelessness	3
Educational opportunities	1
No answer	30

Table 9 - Deportations by Administration and Region

REGION*	OBAMA (TOTAL)	TRUMP (TOTAL)	OBAMA (AVG. ANNUAL)	TRUMP (AVG. ANNUAL)	% CHANGE (AVG. ANNUAL)
Africa	12,069	10,470	1,509	2,618	+73.5
Caribbean	40,052	29,545	5,007	7,386	+47.5
South America	62,964	37,620	7,871	9,405	+19.5
Oceania	2,055	1,053	257	263	+2.5
Central America	706,607	346,260	88,326	86,565	-2
Asia	17,124	7,843	2,141	1,961	-8.4
Europe	21,372	8,900	2,672	2,225	-16.7
North America	2,182,265	799,659	272,783	199,915	-26.7
Unknown	808	381	101	95	-5.7
Overall	3,045,316	1,241,731	380,665	310,433	-18.5

**Authors' analyses of Office of Immigration Statistics (OIS) immigration enforcement data, FY 2009-2021 - Table 41, Yearbook of Immigration Statistics, <https://www.dhs.gov/immigration-statistics/yearbook>. Authors classified countries into geographic regions according to OIS categories as listed at <https://www.dhs.gov/geographic-regions>. Overall numbers do not match OIS overall numbers because authors zeroed out country-specific numbers for those years/countries OIS withheld data to limit disclosure.*

Table 10 - Deportations to Muslim Majority Countries, Obama v. Trump

CHANGE IN DEPORTATION - MUSLIM MAJORITY COUNTRIES*	OBAMA	TRUMP
Total Deportations Muslim Majority Countries	13,339	9,202
Avg. Annual Deportations Muslim Majority Countries	1,667	2,301
% Change, Avg. Annual Deportations Muslim Majority Countries	N/A	+38
Total Deportations Non-Muslim Majority Countries	3,047,770	1,187,303
Avg. Annual Deportations Non-Muslim Majority Countries	380,971	296,826
% Change, Avg. Annual Deportations Non-Muslim Majority Countries	N/A	-22

Authors' analyses of Office of Immigration Statistics (OIS) immigration enforcement data, FY 2009-2021 - Table 41, Yearbook of Immigration Statistics, <https://www.dhs.gov/immigration-statistics/yearbook> List of Muslim Majority nations from Pew Research Center: <https://www.pewresearch.org/religion/2011/01/27/future-of-the-global-muslim-population-muslim-majority/>.

Glossary

Advance Parole (AP)

Advance parole is a travel document issued by the U.S. Citizenship and Immigration Services (USCIS) that allows certain noncitizens inside the United States to depart and seek to re-enter the country after temporary travel abroad. Advance parole must be requested before leaving the country. If granted, the document must be carried during travel.

Adverse Childhood Event (ACE)

An adverse childhood event or experience is a potentially traumatic event that occurs in childhood (0-17 years). Navigating even one ACE can have long-term negative impacts on a person's mental and physical health. For example, exposure to ACEs can lead to substance use disorders, limited opportunities for education and career advancement, and repeated cycles of abuse or dysfunction. Examples of ACEs include experiencing or witnessing violence; neglect or other forms of abuse; and the loss of a caregiver or parent.

Aggravated Felony (AF)

Immigration law defines which violations of federal, state, or local criminal law can make an immigrant inadmissible or removable (deportable) by dividing them into two broad categories: aggravated felonies and crimes involving moral turpitude. Someone who commits an aggravated felony is deportable and barred from most forms of immigration status, including asylum. When Congress coined the term in 1988, it referred only to the offenses of murder, federal drug trafficking, and firearms trafficking. Since then, Congress has broadened the definition to the point that the conduct may not actually be violent or even a felony. According to the American Immigration Council, "Today, the definition of 'aggravated felony' covers more than thirty types of offenses, including simple battery, theft, filing a false tax return, and failing to appear in court." *See also, Crime Involving Moral Turpitude.*

Asylum

Asylum is a form of legal permission to remain in the U.S. This designation is applied to people who fear persecution in their home country and cannot live there safely. Some people come to the U.S. and seek asylum after an inciting incident or set of incidents. Others request asylum while already in the U.S., due to changes in their countries of origin that make it dangerous to return. Asylum applications must be filed within one year of entering the U.S., with limited exceptions.

To receive asylum, an applicant must show that they have been or will be persecuted if forced to return to their native country due to their race, religion, nationality, membership in a particular social group, or political opinion.

B-1 Visa

This is a temporary visa (authorization to enter the United States) for people coming to the U.S. to conduct business.

Black Codes

After slavery was abolished in the U.S., governments enacted new laws to limit the freedom and rights of Black Americans and ensure their availability as a low-paid labor force. Colloquially referred to as the “Black Codes,” these laws criminalized a wide range of natural behaviors and activities, as well as limiting what jobs Black Americans could hold and their ability to leave a job once hired. Some states also restricted the kind of property Black people could own.

Board of Immigration Appeals (BIA)

The BIA is the highest administrative body interpreting and applying immigration laws. Generally, the BIA does not conduct court hearings, but rather reviews written appeals to decisions made by the lower immigration courts and district directors of the Department of Homeland Security (DHS). BIA decisions are binding on all DHS officers and immigration judges unless modified or overruled by the Attorney General or a federal court. The majority of appeals reaching the BIA involve orders of removal and applications for relief from removal. Most BIA decisions are subject to limited judicial review in the federal courts of appeals. The BIA is housed within the Executive Office for Immigration Review (EOIR) of the U.S. Department of Justice, along with the immigration courts.

Cancellation of Removal

Cancellation of removal is an immigration law that allows a small number of people facing deportation to remain in the U.S. and apply for a green card. They must have lived in the U.S. for at least 10 years, without departures; be a person of good moral character; pass a criminal background check; and show that their deportation would be an exceptional and extremely unusual hardship to their parent, spouse, or child. This parent, spouse, or child must also be a U.S. citizen.

In 1996, Congress made cancellation of removal harder to obtain, and instituted a cap of just 4,000 per year. *For comparison, see Suspension of Deportation.*

Consent/Permission to Reapply

If a person is inadmissible under certain sections of the Immigration and Nationality Act (INA), they may ask for consent to re-apply for admission to the United States so they can lawfully return to the U.S.

Credibility Determination

When deciding whether to approve or deny asylum, immigration judges and USCIS asylum officers make credibility determinations about the applicant, ostensibly to avoid incorrectly approving a case. If the applicant is deemed not credible, a USCIS officer may refer to the case to the immigration court to begin deportation proceedings. If the adverse credibility determination is made by an immigration judge, that generally leads to the denial of asylum. Credibility determinations are highly subjective, meaning that bias, ignorance, and even basic communication problems can lead to denying asylum to someone who needs the protection.

Crime Involving Moral Turpitude (CIMT)

Immigration law defines which violations of federal, state, or local criminal law can make an immigrant inadmissible or removable (deportable) by dividing them into two broad categories: aggravated felonies and crimes involving moral turpitude. A CIMT is said to be an offense that involves “criminal intent” or defined as “morally reprehensible” by state statute. Case law has broadened the definition of CIMTs to include a “reprehensible act” with a mens rea of recklessness or greater, although some argue that recklessness does not meet the threshold of criminal intent. See *Matter of Silva-Trevino*, 24 I&N Dec. 687 (AG 2008).

Depending on the timing and number of convictions, sentence, or other factors, people convicted of a “crime involving moral turpitude” are potentially deportable and barred from most forms of immigration status, including asylum. See also *Aggravated Felony*.

Customs and Border Protection (CBP)

One of the world’s largest enforcement agencies, CBP is responsible for border management and inspection of both goods and people. The U.S. Border Patrol is an agency within CBP.

Deferred Action for Childhood Arrivals (DACA)

This program, created through executive action by the Obama administration, granted certain individuals who came to the United States as minors temporary and renewable work authorization and protection from detention and deportation for two years at a time. At the time of this publication and due to ongoing lawsuits, people who do not currently have DACA are not allowed to apply. Those who already have it may apply to renew their status. DACA can also be rescinded from someone who has it, if the

government believes they no longer qualify (for example, if they commit certain criminal offenses).

Department of Homeland Security (DHS)

After the September 11, 2001 terrorist attacks, Congress combined 22 federal departments and agencies into one Cabinet-level department responsible for national security. DHS's work includes customs, border, and immigration enforcement; emergency response to natural and manmade disasters; antiterrorism work; and cybersecurity. DHS is comparable to other countries' home or interior ministries.

Deportation/Removal

Deportation is the expulsion of a person or group of people from a place or country. It can also be referred to as removal from the United States, for example, in the terms "removal proceedings" and "orders of removal." Someone can be deported over a land border, a commercial aircraft, or chartered deportation flight.

Executive Office for Immigration Review (EOIR)

The EOIR is the master agency controlling the Board of Immigration Appeals and U.S. immigration courts. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings. EOIR is an Executive Branch agency within the U.S. Department of Justice, not an independent judiciary.

Family-Based Immigration Petition

A U.S. citizen or lawful permanent resident can file a petition for an eligible relative to come to or remain in the United States and receive a Permanent Resident Card, also called a Green Card.

Entry Without Inspection (EWI)

EWI occurs when a person who is not a U.S. citizen enters the U.S. without legal permission and/or without presenting themselves for inspection at an official port of entry.

Good Moral Character (GMC)

Some immigration applications, as well as the application for citizenship, require the applicant to show they have "good moral character." Generally, this means their conduct aligns to the standards of social order in the United States. The INA describes some, but not all, behaviors that demonstrate poor moral character. For example, being a "habitual drunkard;" having certain criminal convictions; getting one's main income

from gambling; providing false information on an immigration application; drug trafficking; and participating in persecution, genocide, or torture are all behaviors that are considered to demonstrate poor moral character.

Humanitarian Parole (HP)

Individuals outside of the United States who do not qualify for a visa or other immigration status, or whose circumstances require urgent entry, may request humanitarian parole (temporary permission to enter) to the United States. Applicants must show they have an urgent humanitarian need or that their entry would be a significant public benefit. USCIS has broad discretionary power to interpret who is eligible for humanitarian parole. Although each case may vary, three important factors USCIS considers are the level of suffering that would be experienced, if parole is not granted; the time pressure; and the effect a rejection might have on the applicant's well-being.

Immigration and Customs Enforcement (ICE)

Like CBP, ICE was created in 2003 when the Department of Homeland Security absorbed elements of the former U.S. Customs Service and Immigration and Naturalization Service. There are more than 400 ICE offices in the United States and around the world. The agency is divided into three entities: Homeland Security Investigations (HSI), the Office of the Principal Legal Advisor (OPLA), and Enforcement and Removal Operations (ERO). ERO is responsible for immigration enforcement, including arrests, detention, bond, and supervised release of immigrants and noncitizens. ICE ERO deports people who are ordered removed to more than 150 countries around the world.

ICE Check-In

Some people have to attend appointments at an ICE office periodically to meet with a deportation officer, either as a condition of their release from detention or another requirement. At this appointment, the deportation officer may decide to continue the conditions of release, or arrest and detain the individual and begin to carry out their deportation.

ICE Return Directive

Issued in 2012, ICE Directive 11061.1: Facilitating the Return to the United States of Certain Lawfully Removed Aliens, instructs ICE to facilitate the return to the United States of certain lawfully removed individuals for specific, qualifying, temporary purposes. It remains in effect in its current form today.

Immigrant Visa

People with certain family or business ties to U.S. citizens and, in some cases, legal permanent residents can qualify for an immigrant visa based on those relationships. An immigrant visa is issued to someone who intends to live and work permanently in the United States. In most cases, a relative or employer sponsors the individual by filing an application with USCIS. Certain applicants such as workers with extraordinary ability, investors, and special immigrants can petition on their own behalf. Immigrant visas are also awarded to people who apply for diversity visas and are randomly accepted. *For comparison, see Nonimmigrant Visa.*

Immigration Detention/Jail

ICE ERO oversees a network of detention facilities nationwide and incarcerates immigrants facing civil immigration charges. Immigration is one of few areas of civil law that permit incarceration. The facilities may be publicly or privately operated and have the same features of criminal incarceration.

Lawful Permanent Residency (Green Card)

Lawful permanent residents (LPRs), also known as green card holders, are non-citizens who received an immigrant visa and are allowed to live in the United States permanently. LPRs may work in the U.S. without having to obtain a separate work permit. They may apply to become U.S. citizens if they meet certain requirements. Typically, immigrants need someone to sponsor them for a green card, such as a close relative who is a U.S. citizen or LPR, or an employer. Some people, such as those who obtain asylum or cancellation of removal, do not need sponsors. *See also Immigrant Visa.*

Motion to Reconsider

A motion to reconsider asks an immigration judge to reexamine his or her previous ruling. It is used when there is an error in law or fact in the immigration judge's prior decision, or a change in law affects that decision. A motion to reconsider must be based on the evidence that already exists in the case record; new facts or evidence cannot be introduced.

Motion to Reopen

A motion to reopen asks the immigration court to reopen proceedings after an immigration judge has issued a decision, so that the judge can consider new facts or evidence. Motions to reopen must be filed within 90 days of a final decision from an immigration judge, with some exceptions. For example, people can file a motion to reopen at any time if circumstances in their country of origin have changed and make them newly vulnerable to harm if deported.

Nonimmigrant Visa (NIV)

Nonimmigrant visas are temporary entry documents issued to non-citizens who want to come to the United States for vacation, business, medical treatment, education, and certain types of temporary work, and then return to their home countries. *For comparison, see Immigrant Visa.*

Order of Supervision (OSUP)

An OSUP is an exercise of prosecutorial discretion in which ICE decides not to immediately detain and deport someone who is removable. It may be granted while an immigration court case advances, or immigration status is sought in another administrative forum. Orders of supervision can also be used when an immigrant has lost their case in immigration court but the agency recognizes that carrying out their deportation would not be in the interests of justice or a public benefit. Generally, people with orders of supervision are required to attend check-in meetings with ICE officers and obtain advance permission before traveling out of state. They are permitted to apply for work permits. Orders of supervision can be revoked at any time.

Parental Interests Directive

ICE Directive 11064.1: Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities was first implemented in 2013, and has since been updated. It instructs ICE officials to ensure that when a parent or legal guardian is arrested or detained for civil immigration proceedings, the noncitizen can maintain visitation with the children and/or incapacitated adult for which they provide care; coordinate caregiving arrangements; and participate in court or child welfare proceedings.

Prosecutorial Discretion (PD)

Prosecutorial discretion is the longstanding authority of an agency charged with enforcing the law to decide where to focus its resources, and whether or how to enforce the law against an individual. PD is practiced in immigration law as well as numerous other civil and criminal legal contexts.

PD gives government attorneys options to proceed on an individual case. For example, they can agree to remove a case from the immigration court through dismissal or administrative closure, or stipulate to issues such as qualification for immigration relief, bond requests, or requests for continuances. PD is exercised on a case-by-case basis.

Protected Areas Policy (Formerly Sensitive Locations Policy)

ICE guidelines state that enforcement actions (arrests) near or in certain areas should generally be avoided, and require either prior approval from an appropriate supervisory

official or exigent circumstances necessitating immediate action. Protected areas include places where children gather; emergency shelters; schools; hospitals; courthouses; and places of worship. The protected areas policy replaced a more limited "sensitive locations" policy in 2021.

Refugee

The international definition of a refugee is a person living outside his or her country of nationality who is unable or unwilling to return to that country because of persecution, or a well-founded fear of persecution, due to their race, religion, nationality, membership in a particular social group, or political opinion. While all people who qualify for asylum are technically considered refugees, the U.S. refugee resettlement program is limited to people who apply while residing in United Nations refugee camps. If they are chosen for resettlement in the U.S., they receive limited assistance from U.S. resettlement agencies for 90 days after they arrive.

People who request asylum at a U.S. border, or while already inside the U.S., are considered asylum seekers or asylees and do not receive resettlement help.

Reentry After Deportation

People who are deported and return or attempt to return to the United States without permission can be arrested and charged with this federal crime. Reentry after deportation is considered an aggravated felony.

Removal/Deportation Order; Final Order

An immigration judge can issue an order of removal for a person they believe should be deported from the United States. That person has 30 days to file an appeal of the immigration judge's decision; if 30 days pass without an appeal, the order of removal becomes final. A final removal order authorizes their deportation and bars a person from returning to the United States for a period of years, or in some cases permanently.

Suspension of Deportation (No Longer In Effect)

Suspension of deportation was a form of relief from deportation in U.S. immigration law prior to the enactment of IIRAIRA, in 1996. People subject to deportation proceedings could request that their deportation be suspended and then apply for a green card, if they proved they had lived in the United States for seven years; had good moral character; and their deportation would result in extreme hardship to them or certain U.S. citizen or LPR relatives. *For comparison, see Cancellation of Removal.*

Temporary Protected Status (TPS)

The Executive Branch may designate a country for TPS if DHS determines it would be unsafe to deport people there due to human-made and/or natural disasters that are temporary in nature. If TPS is designated, nationals of this country (who already live in the U.S. and meet the criteria) may apply for a temporary reprieve from deportation and authorization to work in the U.S. These benefits last for a defined time period of no more than 18 months. The Executive Branch may extend TPS after the initial period, if conditions warrant ongoing protection. This law was enacted in 1990.

Travel Advisory

The U.S. Department of State (DOS) issues consular announcements in the form of travel advisories, which are disseminated to the public to help assess travelers' risks. DOS issues a Travel Advisory for each country of the world. Travel Advisories follow a consistent format and use plain language to help U.S. citizens find and use important security information. Travel Advisories apply up to four standard levels of advice, describe the risks, and provide clear actions U.S. citizens should take to help ensure their safety.

United States Citizenship and Immigration Services (USCIS)

Like ICE and CBP, USCIS was formed as part of the creation of the Department of Homeland Security in 2003. USCIS administers and adjudicates applications for lawful permanent residency/green cards, work permits, U.S. citizens, and programs such as DACA and Temporary Protected Status (TPS).

Unlawful Presence/Departure Bars

Unlawful presence is the period of time when an immigrant is living in the United States without being admitted or paroled, or has remained in the United States beyond the authorization of their visa or other entry document. Accruing certain amounts of unlawful presence can make immigrants inadmissible, which means if they leave the United States, they cannot be legally admitted back into the country. They also cannot adjust their status to lawful permanent residency or obtain a visa without a waiver or exemption.

Waiver of Inadmissibility

People who are inadmissible are not permitted by law to enter or remain in the United States. The INA includes numerous specific reasons someone could be considered inadmissible, known as "grounds of inadmissibility." If a person is inadmissible and is seeking an immigrant visa, adjustment of status, certain nonimmigrant statuses, or other immigration statuses, they can apply for a waiver to certain grounds of inadmissibility, which may or may not be approved.

Work Permit/Employment Authorization Document (EAD)

Certain noncitizens who are in the United States may file an application with USCIS to obtain an Employment Authorization Document, commonly known as an EAD or work permit. If this is granted, they can work legally in the U.S. for a defined period of time. They will be issued a Social Security number and required to pay income tax. Depending on their circumstances, the individual may or may not be able to apply to renew their EAD after the initial period expires.

The WRAP

The WRAP is marketed as a “humane restraint” for law enforcement use on people who have become a danger to themselves and/or need urgent medical treatment. It is increasingly being used as an alternative to the traditional “hogtie” practice, which has resulted in many deaths. The WRAP is supposed to restrain an individual’s legs with his arms cuffed at the back, leaving him in a seated, upright, 90-degree position.

ICE considers the WRAP to be an authorized restraint device, but misuses it in multiple ways. For example, ICE uses the WRAP on people who do not pose a danger to themselves or others, and are already restrained in five-point shackles. ICE also uses the WRAP to achieve a 45-degree restrained position, causing extreme physical and mental harm.

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