

IMMIGRATION STATUS AND HEALTH:

How You Can Support People in the Current Policy Landscape



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What kinds of immigration status do people have?

- 1. Undocumented People**
- 2. Non-Immigrants**
- 3. Immigrants**
- 4. Special Immigrant Statuses**

- 1. Undocumented People**
2. Non-Immigrants
3. Immigrants
4. Special Immigrant Statuses

Undocumented People:

Physically present in the US, but
lacking any **“legal status”**

Use neutral language:

Drop the “I-word” (“illegals”)!

1. Undocumented People
- 2. Non-Immigrants**
3. Immigrants
4. Special Immigrant Statuses

Non-Immigrants:

Permitted to spend time here, but restrictions on purpose, length of stay, and ability to work



- Tourist/Visitor
- Applicants for Immigrant Status
- Student
- Temporary Protected Status (TPS)

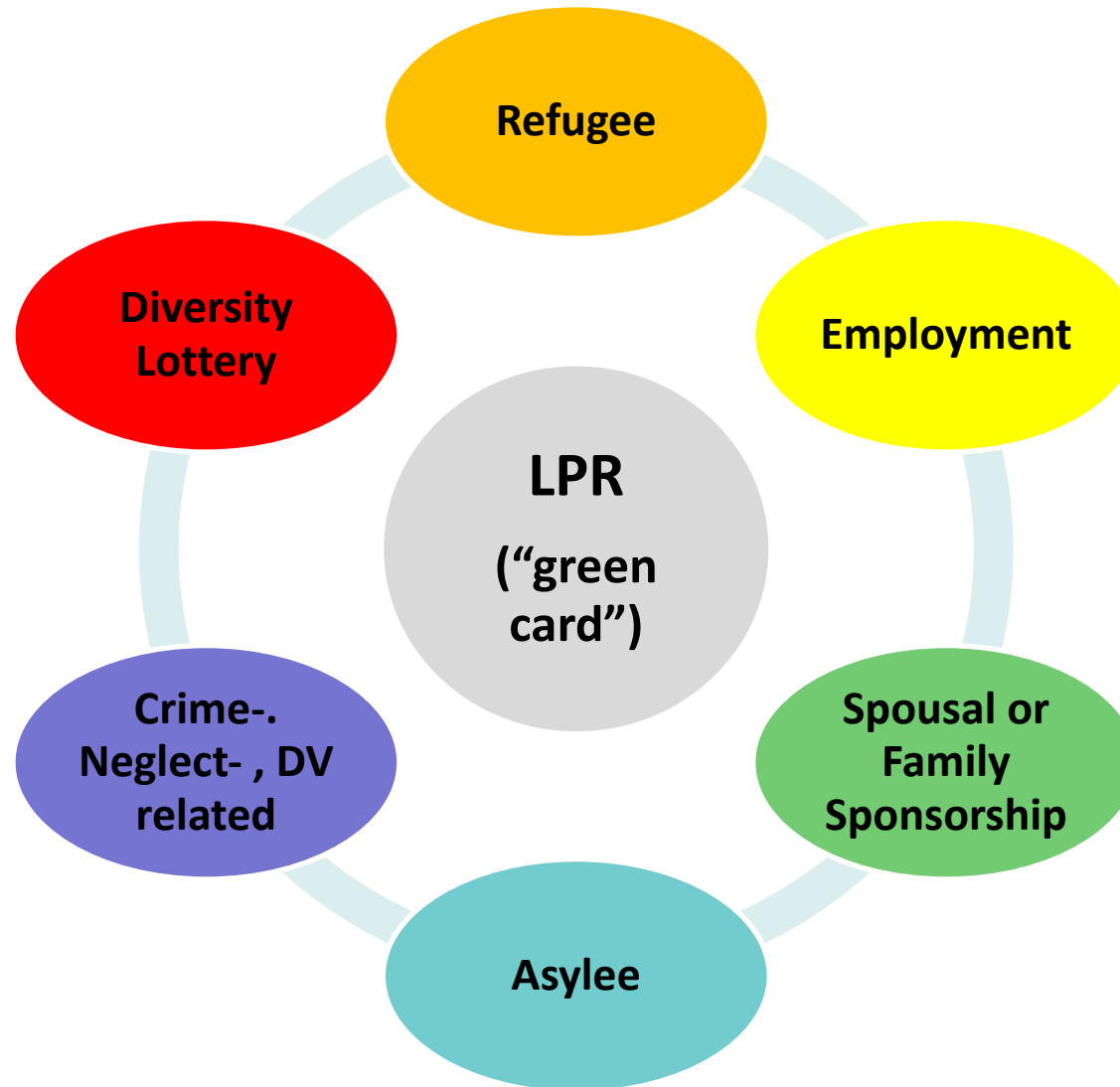
1. Undocumented People
2. Non-Immigrants
- 3. Immigrants**
4. Special Immigrant Statuses

Immigrants

- Green Card Holders (“Lawful Permanent Resident” or “LPR”)
- LPRs who have naturalized and become US Citizens



Primary Paths to LPR



1. Undocumented People
2. Non-Immigrants
3. Immigrants
4. **Special Immigrant Statuses**

Special Immigrant Statuses

Violence Against Women Act (VAWA)

- Allows “battered spouse” and/or children of USC or LPR abuser to “self-petition” to obtain permanent residency (green card)

U Visa

- Allows crime victims who cooperate in the investigation and/or prosecution of a crime on US soil to obtain legal status
- Frequently used for unmarried victims of DV
- **But only 10,000 issued per year!**

Special Immigrant Juvenile Status (SIJS)

- Allows certain minors who have been abused, abandoned or neglected by one or both parents to obtain legal status

T Visa (victims of trafficking)

- **Limited to 5,000 annually!**

Temporary Protected Status

“TPS” is a common status here in the Boston area

A *temporary* form of protected status for nonimmigrants who are unable to return to their country due to temporary, extreme conditions

- Allows work authorization, removes threat of detention/deportation, and can permit travel authorization
- Generally either renewed or allowed to expire at the end of each designated period

Temporary Protected Status

Designated periods have expiration dates:

Country	Expiration Date	Status
Sudan	April 3, 2019*	On Hold
Nicaragua	July 5, 2019*	On Hold
Nepal	June 24, 2019	Terminates
Honduras	January 5, 2020	Terminates
Haiti	January 22, 2020*	On Hold
El Salvador	March 9, 2020*	On Hold
Yemen	September 3, 2018	Extended
Somalia	September 17, 2018	
South Sudan	May 2, 2019	
Syria	September 30, 2019	

Source: <https://www.uscis.gov/humanitarian/temporary-protected-status>

1. Immigration Basics
- 2. Public Policy to Know**

- **Enforcement and Families**
- **Enforcement and Individuals**

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- Enforcement and Individuals

Enforcement at the Border: Arrival

“Zero tolerance” policy resulted in families being separated upon arriving at the border

- Note that this includes families seeking asylum!
- ~3000 children were separated in 2018
- Families continued to be separated long after the court order

Started stationing National Guard troops at the border in Apr. '18 and armed troops in Nov. '18

- Many states, including RI and MA, have refused to send National Guard troops
- Armed guards likely to remain there until Sept. at least

A “national emergency” was declared in Jan. '19 to fund the creation of a steel barrier at the border

- 3/26/19 – Pentagon authorizes \$1 billion from personal account for the wall
- 8/3/19 – Domestic terrorism shooting in El Paso motivated by anti-immigration sentiment

Enforcement at the border: Deportation

Sponsor Checks

- New policy of full immigration checks for people offering to **sponsor unaccompanied minors**
- This means undocumented people offering to sponsor can be subject to deportation

Immigration judge requirements

- Immigration judges now have deportation quotas

Changes to Asylum

- Asylum was categorically denied for interpersonal violence or gang violence cases, but this was challenged by federal court in late 2018
- Asylees now being sent to Mexico or held without bond to await final asylum determinations as of April 2019

Enforcement in the US: General Notes



- Enforcement and Families
- Enforcement and Individuals

Court Decisions Create Uncertainty

Deferred Action for Childhood Arrivals

- 9/17 - Administrative action to terminate
- 4/18 – Court orders DACA renewals
- 8/18- Administration is court-ordered to resume program by 8/23/18
 - **Deportation risk** as USCIS *may* share info w/ ICE

Travel Ban

- 9/17 – Proclamation issued banning travelers from Iran, Libya, Syria, Yemen, Somalia, Chad (Venezuela and North Korea added later)
- 10/17 – Court temporarily blocks
- 12/17 – S. Ct permits enforcement pending S. Ct's full review

Temporary Protected Status

- 10/18 – Court orders stay of TPS terminations
- 10/18 – First termination of a TPS program is **put on hold** (six month extensions will be granted pending resolution)

True or false?

An immigrant placed into deportation proceedings is entitled to a lawyer free of charge.



FALSE!!!

Mixed status families face unique threats!

- **Mixed status families** frequently include *older family members* who are deportable and *younger children* who cannot legally be deported

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